

WARD: Brislington West **CONTACT OFFICER:** Stacey Hartrey
SITE ADDRESS: 538 Bath Road Brislington Bristol BS4 3JZ

APPLICATION NO: 15/03187/H Full Planning (Householders)
EXPIRY DATE: 17 August 2015

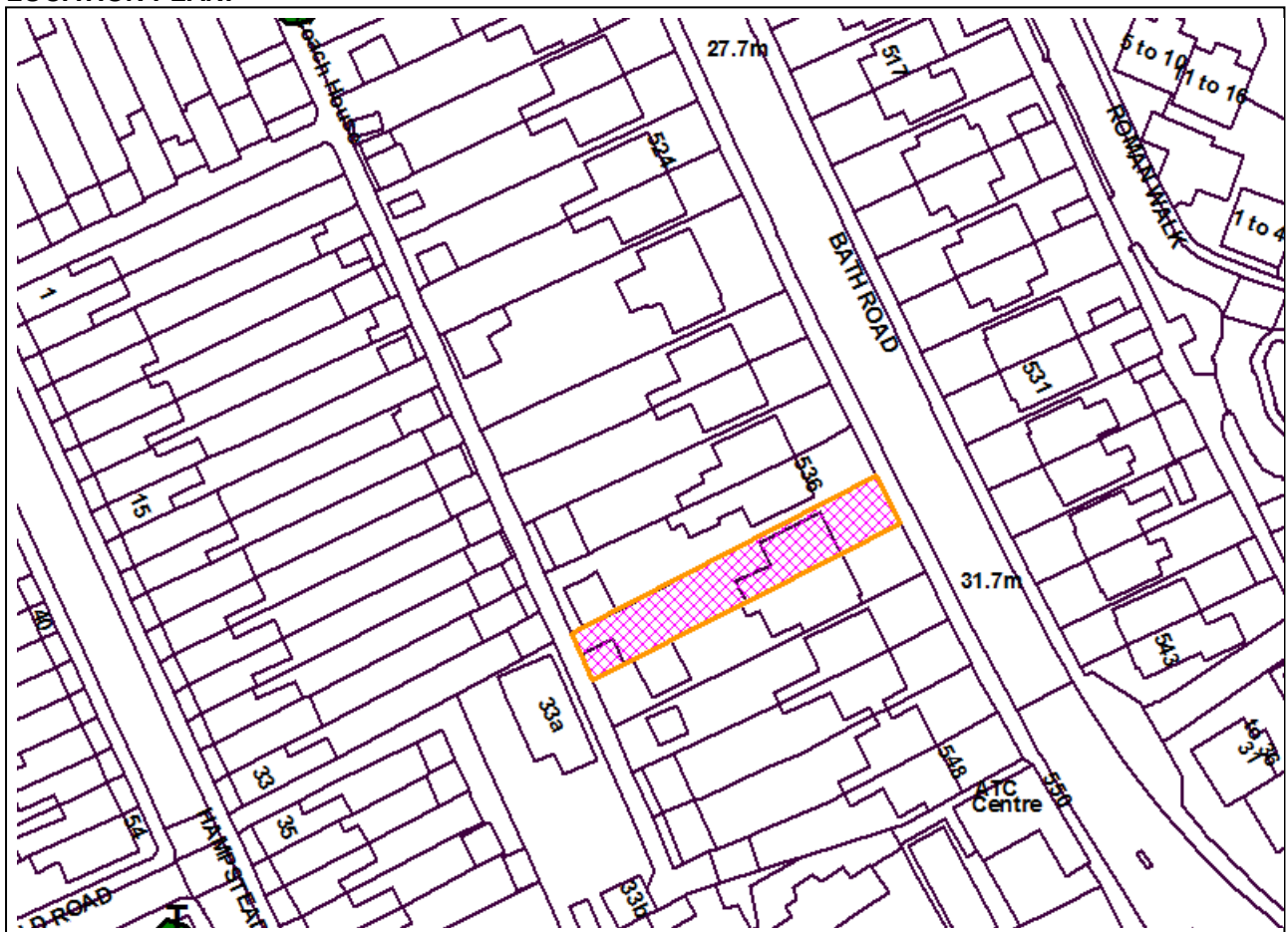
Proposed artist's workshop at bottom of rear garden.

RECOMMENDATION: Refuse

APPLICANT: Mr Ariaf Hussain
538 Bath Road
Brislington
Bristol
BS4 3JZ

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LOCATION PLAN:



Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

SUMMARY

The application is for an artist studio to be constructed in the rear garden of 538 Bath Road. The building will be one and a half storeys high and of a staggered pitched roof form. The principle of the proposed studio is considered to be acceptable, but the reasons for refusal relate purely to design. These concerns include the shape of the roof and the design/orientation of the windows.

REASON FOR REFERRAL

The application is coming before Committee due to a referral from Cllr Rhian Greaves on the grounds of:

- o The applicant site is not in a Conservation Area.
- o This is a back land development
- o The character of the lane is non-uniform, comprising of residential infill with garages of a range of heights, materials and design.
- o A two storey mews house to the rear of 1 Kings Road and a garage with habitable first floor space at the rear of 520 Bath Road is in close proximity to the application site
- o The application proposal is for a smaller property than the large 2 - 3 storey properties on this side of Bath Road.
- o The property is set within a good sized plot.
- o In terms of layout and form, the proposed building appears as a small scale structure to the south of the garden of 538 Bath Road. The different relative levels of the garden and the access lane means that it sits comfortably within the changing topographical levels and remains clearly subservient to the main building to the north.
- o Any windows that may overlook the neighbouring amenity will use obscuring glazing.
- o The principle of a building of this scale and form, and in this location, is consistent with recent approved applications within the vicinity of the site. Its use as an Artist Workshop would have no adverse impact on the viability and diversity of the current range of buildings in the access lane, whilst the design as a subservient, unobtrusive structure is responsive to the local context.
- o The scheme would not give rise to transport or movement concerns and would safeguard the amenity of existing developments.
- o This proposed application meets the planning requirements within the relevant national and local policy guidance.
- o Overall, the proposed Artist Workshop building is appropriate in terms of its scale and form, and uses materials and finishes suitable to the surrounding context.

The Officers recommendation is for refusal of the scheme.

SITE DESCRIPTION

The application site is situated at the bottom of the rear garden of 538 Bath Road. It is a reasonable sized garden and has an existing garage at the rear, which is accessed from a vehicular access lane from Kings Road. This is well used serving other homes, guesthouses and a dental surgery in the surrounding streets.

The lane comprises of a mix of outbuildings and garage styles. . The site is located in a residential area within the ward of Brislington West and is not in a conservation area. The property located on this site is a large, stone fronted, semi-detached Victorian Property elevated above the Bath Road. The gardens slope down from the houses, which are part of a typical Victorian terrace. There are a

Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

variety of rear extensions, conservatories and outbuildings within the gardens.

The existing garage is located along the rear boundary; it is single storey with a pitched roof. The highest point of the roof is on the South West side facing onto the lane with the roof sloping towards the garden. There is a roller shutter door to the access road frontage, and a window and single door to the back allowing access to the garden.

Facing the application site to the South West on the other side of the service lane is a care home at 33A Hampstead Road.

PLANNING HISTORY

In December 2014 a planning application was submitted for the construction of a detached two storey artist studio, a single storey extension to the kitchen to create a utility room and ground floor shower room. After concerns were expressed by the case officer regarding the design, height, scale and massing of the proposed studio and its impact on residential amenity the application was withdrawn.

(Application ref: 14/04864/H)

In February 2015 a pre-application was submitted for the construction of a detached studio, with habitable room above and two parking spaces in the rear garden. The advice given was that the proposed outbuilding was acceptable in principle, but concerns were raised regarding the design, scale and massing and whether the unit could be occupied as a self-contained unit.

(Application ref: 15/0047/PREAPP)

PROPOSAL

The application proposes the erection of an Artists workshop at the bottom of the rear garden. Plans indicate that the workshop will house a dry workroom, a wet workroom, a store, a shower room and a mezzanine office.

Reflecting the topography of the site, which slopes down towards the access lane, the proposed studio would be 1.5 storeys in height, appearing as single storey from the rear garden, but 1.5 storeys in height from the access lane. Plans indicate that the workshop will have a width of 7.4 metres, a depth of 8.3 metres and a pitched roof with a highest point of 5.5 metres. The roof shape is of a staggered design which interrupts the pitched roof. It has a maximum height of 5.5 metres (at its ridge) and a minimum height of 2.9 metres (at eaves level).

The window designs all appear to be of a shallow rectangular shape placed horizontally on the elevations. The windows will also be aluminium frames and the door will also be glazed with an aluminium frame. Brick cladding is proposed on the walls and concrete tiles on the roof.

PUBLICITY AND CONSULTATION

The application was advertised by individual letter notification to three neighbouring properties. The period of consultation ended 27/07/15 and two comments of support were received from number 540 Bath Road and 33 Hampstead Road. The comments were as follows:

"Have seen the plans and have no objections at all, in fact my access will be improved and the area will be enhanced by the new build".

One supporting comment was also received from the **Bristol Civic Society** as follows:

Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

"Bristol Civic Society objected to application reference 14/04864/H which was subsequently withdrawn. The Society considers that the current application has addressed the issues we raised and we have no objections to it".

Transport Development Management has commented as follows:

TDM seek a condition ensuring that the proposed structure remains as ancillary to the existing dwelling house with restrictions prohibiting its use as a separate dwelling for the following reasons:

- o The lane to the rear of Bath Road was built to provide a vehicular access to garages and parking to the rear of properties fronting Bath Road and Hampstead Road. The lane has neither historically nor at present provided a strategic pedestrian route or desire line and as such is not currently required to fulfil any specific function for serving residential development other than that of vehicular access to garages from which residents access their dwellings via gardens / rear gates. Therefore the access is not currently required to address the needs of cyclists, disabled users, the visually impaired and families with young children.
- o The lane does not constitute safe access for all users and further deficiencies are highlighted when the needs of refuse and delivery vehicles are considered. Refuse collection vehicles in particular are unlikely to attempt to access this property. In the event that access to Bath Road is suggested, the distance between the new property and Bath Road would be lengthy and this is considered to be unacceptable, not just in terms of waste collection but also in relation to the servicing of the site by delivery vehicles.
- o As a result of the above TDM require that a condition is placed upon the application to ensure that the proposed development only serves as an ancillary use to the existing dwelling.

City Design Group has commented as follows:

The shape and massing of the building is too complex for this context. The staggered effect of the roof does not conform with the pitched and dual pitched roofs in the vicinity. The horizontal windows are not in keeping with the more traditional windows of the surrounding buildings. Vertical windows would maintain the architectural integrity of the area. Skylights could also be used to achieve a higher light source.

RELEVANT POLICIES

National Planning Policy Framework - March 2012

Bristol Core Strategy (Adopted June 2011)
 BCS21 Quality Urban Design

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

DM21 Development of Private Gardens
 DM26 Local Character and Distinctiveness
 DM27 Layout and Form
 DM28 Public Realm
 DM29 Design of new buildings
 DM30 Alterations to existing buildings

Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

KEY ISSUES

(A) WOULD THE PROPOSAL BE IN KEEPING WITH THE SCALE AND CHARACTER OF THE LOCAL AREA?

Policy BCS21 states that new development is expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

Policy DM26 of the Site Allocations and Development Management Policies 2014 requires development to respond appropriately to the height, scale, massing, shape form and proportions of existing buildings, building lines and roofscapes. Development should reflect local characteristic architectural styles taking into account their scale and proportions, and also through materials, colours and textures.

Policy DM27 states that the height, scale and massing of development should be appropriate to the immediate context, site constraints and the setting.

Policy DM28 states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity.

Policy DM30 states that extensions and alterations to existing buildings will be expected to respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene.

This site is situated in a backland garage context, within a large rectangular perimeter block layout. The character within the block is predominantly made up of narrow gardens linking the perimeter of the block to a central service lane. Most dwellinghouses around the edge of the block have small subservient garage type buildings at the rear of their gardens, fronting onto the lane. There is a largely consistent building line which is orientated immediately against the back edges of the lane. The garage units range in scale from single to 1.5 storeys in height.

It is noted that a number of similar scale buildings to that proposed have recently been granted planning permission, specifically at numbers 520 Bath Road [Ref: 13/02584/H] and 506 Bath Road [Ref: 13/01691/H]. The principle of an outbuilding of the scale proposed is therefore considered to be acceptable.

However, whilst a contemporary design would be acceptable in this location, the current design proposed is not considered to be in keeping with the character of the area. As such, it would have a detrimental impact on the character of the area and the appearance of the service lane. The staggered roof design would appear incongruous and does not complement the simple pitched roof form that is dominant in this area. In addition, the proposed narrow horizontal windows are out of character with the traditional window of the surrounding area. Whilst a modern window design would be supported, a vertical window design which reflects more established, traditional proportions would be more in keeping with the local area.

To respect the character of the area, the use of bricks or render would be preferable to brick cladding.

Overall, the design of the proposed studio does not accord with the relevant design policies identified above.

These concerns were discussed with the applicant and the opportunity to submit amended plans given.

Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

(B) WOULD THE PROPOSAL CAUSE ANY UNACCEPTABLE HARM TO THE RESIDENTIAL AMENITY OF THE ADJOINING OCCUPIERS AND THE LOCAL AREA?

Policy DM29 requires that developments are high quality and make a positive contribution to an area's character and identity. It states that proposed development should achieve appropriate levels of privacy, outlook and daylight.

Policy DM30 states that the extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers; and have sufficient usable external private space for the occupiers of the building.

Windows are proposed fronting the rear access lane. These windows would look over the lane and a flank section of 33A Hampstead Road's wall without resulting in any detrimental harm through overlooking or loss of privacy. Windows are proposed on the side elevation and could result in overlooking of the neighbouring garden unless obscure glazing was used.

The development will not affect the level of sunlight/daylight to any neighbouring property due to the location of the studio at the bottom of the garden. There are existing garages/outbuildings on either side.

The proposal is acceptable on residential amenity grounds and would comply with policy DM29.

CONCLUSION

In principle, the artist studio in this position is acceptable however concerns raised by the planning department were not addressed. The key issue relates to the design of the proposed studio, which is not considered to be suitable, and is out of character with the property and the surrounding area, therefore it is recommended for refusal.

COMMUNITY INFRASTRUCTURE LEVY

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

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

Development Control Committee B – 16 September 2015
Application No. 15/03187/H: 538 Bath Road Brislington Bristol BS4 3JZ

RECOMMENDED REFUSE

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

Reason(s)

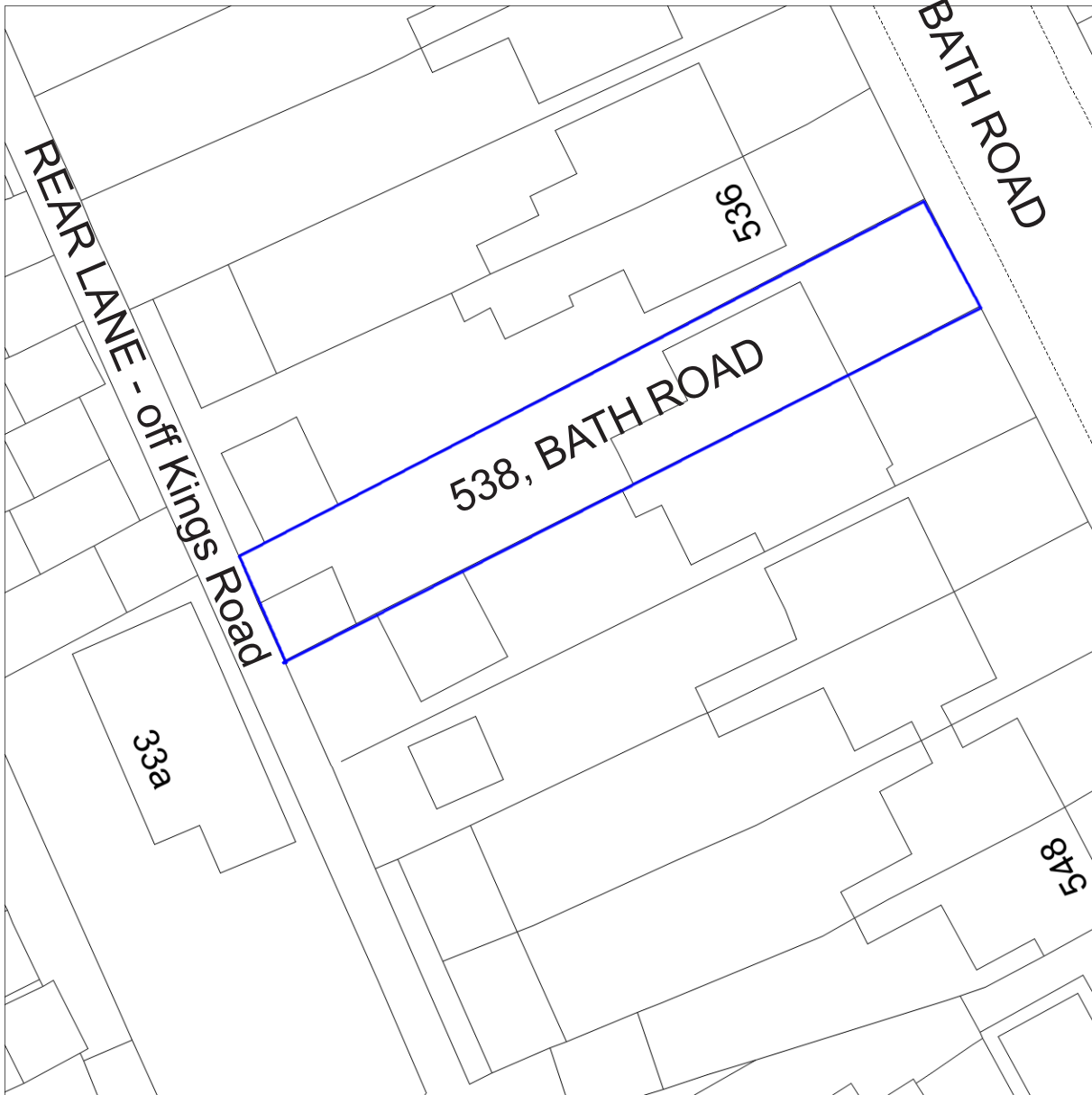
1. The proposed artist studio by virtue of its design and form would be out of keeping and have a detrimental impact on the character of the area. This would be contrary to policies BCS21 of the Bristol Development Framework Core Strategy (June 2011), and DM30 of the Site Allocations and Development Management Policies (March 2013).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

- 1403-01-B Site location plan, received 22 June 2015
- 1403-02-B Existing site plan and site section, received 22 June 2015
- 1403-03-B Existing site elevations, received 22 June 2015
- 1403-04-B Existing site elevations, received 22 June 2015
- 1403-05-C Proposed site plan, received 22 June 2015
- 1403-06-C Floor plans, received 22 June 2015
- 1403-07-C Elevations, received 22 June 2015
- 1403-08-C Sections, received 22 June 2015
- 1403-09-C Site section, received 22 June 2015
- Planning supporting statement, received 22 June 2015



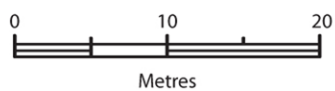
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**DETACHED ARTIST
WORKSHOP**
Site Location Plan
1403-01-B