

WARD: Knowle **CONTACT OFFICER:** Jaymi Cue
SITE ADDRESS: 11 Harrowdene Road Bristol BS4 2JD

APPLICATION NO: 15/02760/F Full Planning
EXPIRY DATE: 13 August 2015

Proposed single storey 2 bed dwelling on land to the rear of 9-13 Hampden Road, accessed off Harrowdene Road.

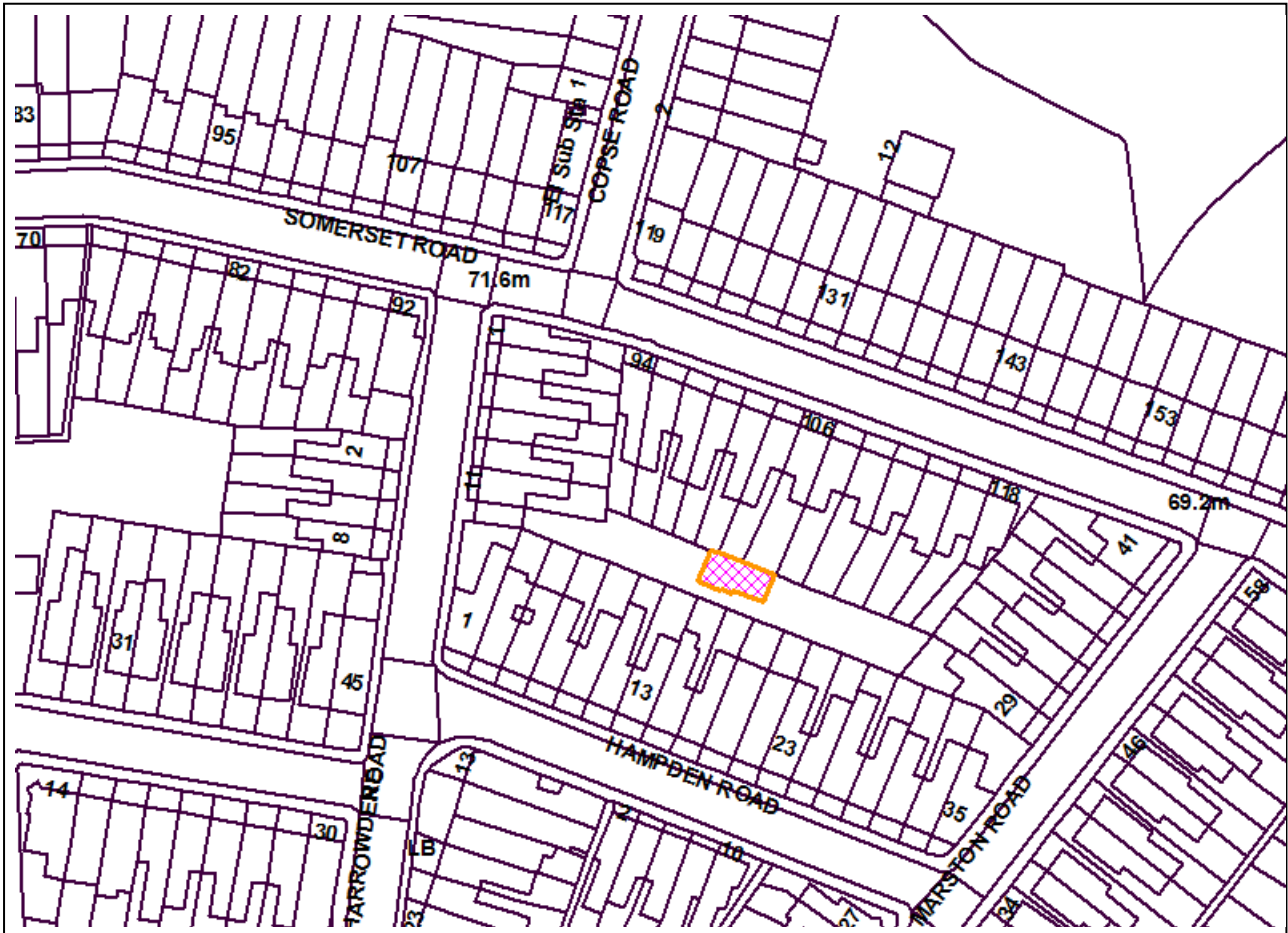
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Greenheart Construction
Studio 2
St Andrews Road
Montpelier
Bristol
BS6 5EH

APPLICANT: Mr Christopher Howe
15 Hampden Road
Bristol
BS4 2JN

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

LOCATION PLAN:



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SUMMARY

The application has been brought to Committee due to the high number of objections received from neighbouring properties.

SITE DESCRIPTION

The application site is a backland site within the perimeter block of Somerset Road, Marston Road, Hampden Road, and Harrowdene Road. The site is accessed from Harrowdene Road, the entrance to the site is currently through a garage.

The site used to be residential garden land associated with no.11 Harrowdene Road, which now forms a separate unit from the application site. The application site is now used for storage uses, however it can be said that it still retains a residential garden use.

RELEVANT HISTORY

None

APPLICATION

The application seeks consent for the erection of a single storey, two bed dwelling, in place of the existing storage shed.

The proposed dwelling would measure 2.4m to eaves, and 3.4m to ridge. The length of the proposed bungalow along the Somerset Road properties' boundary is 15 metres. The proposal is 6m wide at the widest point, which reduces to less than 5 metres at the eastern end. There is a small porch to the western end (front) of the bungalow, and to the south there is a glazed canopy which extends from the kitchen /dining area to the west, along to cover the rear courtyard to the east.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised via individual notification letter sent to 57 neighbouring properties. A petition with 19 signatures was received as well as 21 objections and 2 neutral comments.

Objection comments

- Applicant has been using site as a dwelling for the past year (Officer response - on a visit to site it was clearly well used however it has not been confirmed that the applicant is living on site)
- Site not suitable for residential use (See Key Issue A)
- Concerns regarding increase in noise and disturbance (See Key Issue B)
- Impact on existing sight lines / views (This is not a planning concern)
- Increased density of development (See Key Issue A)
- Concern that foundations will cause subsidence (See Key Issue F)
- Concern that the security of the other residents will be affected (See Key Issue B)
- Overbearing to gardens (See Key Issue B)
- Loss of privacy (See Key Issue B)
- Noise of building works, refusal of residents to allow scaffolding (See Key Issue B)
- Covenant in place restricting the land to garden or stable buildings only (Not a planning concern)
- Devalue properties (Not a planning concern)
- Prefer different roofing material (Noted, see Key Issue D)

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- Dwelling larger than current shed which is already an eyesore (See Key Issue D)
- No streetlights proposed (See Key Issue B)
- Object to address being used - (Officer note - the description of development specifies that the site refers to the land to the rear)
- Noise of vehicles using the parking area would be unacceptable (See Key Issue B)
- Concern about risk of damage to party walls on site - This is dealt with under different legislation than planning and cannot represent a planning concern.
- Precedent of increasing density (See Key Issue A)
- Light pollution (See Key Issue B)

Neutral / Support Comments

- Support development as it will be a huge improvement on the current situation
- Insulation in the building will prevent noise from music being heard

Ward Members

No comment or call in request received.

OTHER COMMENTS

Transport Development Management has commented as follows:-

Road Safety

Harrowdene Road is a local access road that connects to both Somerset Road and Marston Road and is within a 20mph zone. Despite there being on-street parking on both sides of the road, visibility is not restricted and there is sufficient space that a vehicle can safely come to a stop, should a vehicle be emerging from the proposed off-street parking space.

Accessibility / Design

Access to the site will be via a combined off-street parking space/path, using a pre-existing dropped kerb and driveway which currently affords access to a garage. This is 4m wide.

In principle I do not have any objection to the proposed works in respect of highway safety. However, in order to provide a more detailed assessment I require a plan/information on the proposed storage area(s) for the cycles and refuse/recycling.

Crime Reduction Unit has commented as follows:-

I have looked at the proposal and plans and I feel that the only comment I can make is with reference to the neighbours' concerns with security. I agree that access to the rear of dwellings should be avoided to prevent the chance of burglary.

The applicant could quite easily get around this argument by putting a security gate at the entrance to the site controlled by the resident, as with any dwelling that is proposed we the Police would always encourage the applicant to apply for or at the very least follow the principles of Secured by Design and consult with us.

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RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS1	South Bristol
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
BCS21	Quality Urban Design

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

DM1	Presumption in favour of sustainable development
DM17	Development involving existing green infrastructure
FDM21	Development of private gardens
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
DM33	Pollution control, air quality and water quality
DM37	Unstable land

KEY ISSUES

(A) PRINCIPLE OF PROPOSED DEVELOPMENT

The site is a backland site and whilst the current used for an element of parking / storage, however it is considered that in planning terms the site still retains its C3 residential garden land use from when it was previously associated with no.11 Harrowdene Road. Therefore Policy DM21 would apply.

Policy DM21 states: Development involving the loss of gardens will not be permitted unless:

- i. The proposal would represent a more efficient use of land at a location where higher densities are appropriate; or
- ii. The development would result in a significant improvement to the urban design of an area; or
- iii. The proposal is an extension to an existing single dwelling and would retain an adequate area of functional garden.

In all cases, any development of garden land should not result in harm to the character and appearance of an area.

The proposal is not for an extension to an existing dwelling and the impact on the urban design of the area is considered below under Key Issue D. As such, the issue for consideration is criterion i; whether the proposal would represent a more efficient use of land in a location where higher densities are appropriate. The site is only 260m from bus stops on Wells Road, where a significant number of bus routes can be accessed. As such, the site is therefore compliant with criterion i of Policy DM21 and is residential garden land where higher densities of development are appropriate.

Objection comments have been received with regard to increased density of development. As above, the proposal meets Policy DM21 therefore representing a more efficient use of land in a location where higher densities are appropriate.

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BSC20 seeks higher densities of development close to main transport routes. The site is within walking distance of bus stops on Wells Road. The proposed density of residential development on this site would be 30 dph which actually falls short of the 50dph required by this policy, however due to the existing spacious layout and nature of this site, it is considered that 30dph is acceptable.

The proposal would also contribute to windfall housing required within the plan period as set out under Policy BCS5 and housing within south Bristol as set out under Policy BCS1. The site is located within a residential area and remains in residential use. The site has no designation and is of limited public amenity value as an undesignated private residential garden. The principle of further residential development within the land to the rear of 9-13 Harrowdene Road is therefore acceptable in land use terms.

(B) TRANSPORT

The Highways Officers had requested further info with regard to the cycle store provision and refuse store provision. A site layout plan was provided to show that the layout of the site would be an open area of parking to the site entrance, with a secure locked gate to the rear of the car parking space, behind which would be the cycle storage and refuse / recycling storage.

The car parking space is sufficient to adequately park one car associated with the dwelling. The agent has confirmed one covered Sheffield stand will be provided to accommodate two cycles, and this and the refuse storage are sited behind the solid security gate. As such, this is sufficient.

Overall, the scheme is considered to satisfactorily address transport issues in line with Policies BCS10, BCS13, DM23 and DM32 of the Local Plan.

(C) AMENITY

The proposal results in one bungalow. Given the location and height of the application site against the neighbouring properties, in addition to the existing fencing this would not give rise to any intervisibility with surrounding properties in terms of overlooking impacts.

The properties on Hampden Road are sited at a higher level than the application site and most have existing 1.8m boundary fences. The application seeks consent for a single storey bungalow. Whilst there are windows on the south (Hampden Road) elevation, these are a ground floor level only, aside from roof lights, which would be subject to overlooking from the existing occupiers of the properties along Hampden Road. However, any future occupier of this accommodation could choose to opaque glazed or apply a blind if they considered this necessary to protect their own amenity.

It is noted that the comings and goings associated with a dwelling in this location would result in the occupiers walking past the rear of the existing dwellings. The property most likely to be affected by this is no.11 Harrowdene Road which is directly adjacent to the proposed entrance gate and pathway. In assessing the harm of this, regard must be given to the current situation in which there appears to be fairly regular use of this piece of land and workshop (to the extent that some neighbours have asserted that the building is being lived in) and therefore existing use of the pathway. The agent has agreed to a condition asking for further details of boundary treatments for the site as well as a scheme of soft and hard landscaping, which would ensure that there is adequate fencing along the boundary with no.11 (and landscaping provided) to ensure that any intensification of the use of this pathway is adequately mitigated to ensure no intervisibility at ground floor level.

Therefore, providing that a condition is attached to ensure that there is adequate fencing and landscaping treatment, there are no concerns relating to loss of privacy to no. 11 Harrowdene Road or to the properties on Hampden Road, despite numerous objection on these grounds.

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Due to the topography, the application site is therefore sited higher than the dwellings along Somerset Road. There are no windows proposed in this northern elevation and as such there cannot be any concerns relating to overlooking impacts upon these properties. There is an existing 1.8m boundary fence along this boundary, which prevents any real overlooking towards those properties when in the garden. The height of the proposal is 2.4m to eaves along this shared boundary. The increase of 0.6m in height along this boundary is not considered to cause any significant overbearing impact to these properties. The ridge height is 3.4m but this is sited to the centre of the application plot, away from any neighbouring boundaries. Overall it is considered that the impact on neighbouring properties will be minimal in terms of overlooking / overbearing impact.

In terms of loss of daylight or sunlight, it is usually considered that the properties north of an application site are most at risk. This would be the properties on Somerset Road. However, these properties sit at a significantly higher level than the application site and it is considered that there will be no impact on the gardens or rooms of these properties caused by the bungalow sited below.

In respect of noise pollution, the scheme would result in residential uses which would be acceptable within a residential area. Noise from construction is inherent under any development and unreasonable noise (i.e. anti-social hours) and dust are controlled under pollution control legislation, however due to the surrounding residential uses and the constrained site, it is considered that a Construction Management Plan could be secured via condition.

An objection has been received concerning increased noise of car parking. Being that there is an existing garage on site allowing car parking adjacent to no.11 Harrowdene Road, it is not considered that there would be any grounds to object to the application on this basis.

Light pollution concerns are noted and the condition to secure external lighting for access purposes will also secure light levels to avoid harmful impact to nearby properties.

There are some amenity concerns for future occupiers of the accommodation in terms of the impact of overlooking from the properties of Somerset Road onto the garden area of the proposed property. However, this close overlooking relationship is seen in other properties (i.e. overlooking from those properties onto the small garden of 11 Harrowdene Road, and any future occupier would be aware of this relationship when purchasing the property. As such this aspect is acceptable.

There are no impacts in respect of overbearing impact, overshadowing or loss of daylight towards neighbouring properties.

Space standards are met, adequate outlook and daylight for future occupiers provided, as well as suitable private garden space set out for the unit.

The proposal adequately addresses this key issue in line with BCS15, BCS18 and BCS21 of the Local Plan.

(D) DESIGN

Policy DM26 states that backland development will be expected to be subservient in height, scale, mass and form to the surrounding frontage buildings. The policy goes on to say that the proposed access arrangements should not cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.

Although it is noted by Officers that the proposal does take up a fairly large proportion of the application site, a proportion of the apparent ground cover is the glazed canopy, and further, the proposal is single storey and cannot be easily viewed from any public vantage points. As such, it is considered that on balance, the scheme would result in a bungalow that would, by virtue of its scale, comply with the requirement for subservient development within backland sites.

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The building will be finished in painted render, double roman tiles and uPVC windows/doors. Again, whilst concerns have been raised by residents with regard to materials, considering the current suite of materials on site in addition to the fact that the building will not easily be seen from public vantage points, there is very little harm caused and this is considered reasonable. Details of landscaping and hard surfacing treatments will be secured by condition and should include a defined change of surfacing to the front to delineate the land as private land rather than footway.

Concern over crime due to increased access is noted. The scheme would however provide much improved natural surveillance over this currently vacant site and is in any case proposed to be secured at the entrance as per the current situation. It must be noted that with regard to the current situation the applicant could at any time remove the garage currently in place (or leave it open). Moreover, Avon and Somerset Constabulary have looked at the proposal and stated that the concerns could be addressed through the provision of a security gate, details of which have been submitted and can be secured via condition. They recommend that the applicant follows the principles of secured by design. As such, this aspect is acceptable and in line with Policies BCS21, DM26, and DM29 of the Local Plan.

(E) SUSTAINABILITY/SURFACE WATER RUN-OFF

Policies BCS13-16 of the Local Plan deal with sustainability / drainage issues. The scheme includes an energy strategy that commits to 20% reduction in carbon emissions through the installation of solar PV panels. This will be secured by condition. Additional surface water run-off and the provision of Sustainable Urban Drainage measures will be addressed by use of a standard condition.

(F) LAND CONTAMINATION/STABILITY AND AIR POLLUTION

The site has been in residential use and there are no major concerns relating to contaminated land issues. A watching brief condition will be attached to ensure any unexpected contamination is adequately dealt with.

The site is within a low risk coal mining area and a standard advice note will be attached to address this. Concerns have been raised by residents with regard to the impact of the new dwelling on their foundations. This is an issue managed through other legislation i.e. building regulations.

(G) TREES

It is noted that there is a small domestic tree on site that would likely be affected by the proposals. Information has been requested with regard to the size of this tree in order to obtain tree replacement if necessary as per DM17. This information has not been supplied to date, however it is considered that there is sufficient space for replacement tree planting on site should this be necessary and in this instance, this information can be sought via condition.

CONCLUSION

The application makes efficient use of garden land in a location where there is an existing building in situ. Whilst the footprint of the proposed bungalow is larger than the existing workshop on site, the single storey nature of the proposal and the amount of garden land retained would on balance result in subservient backland style of development which is acceptable. Subject to the use of suitable conditions, the proposal adequately addresses the above key issues and is accordingly recommended for approval to the Committee.

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COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £4,422.32

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. Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- * Procedures for maintaining good public relations including complaint management, public consultation and liaison
- * Arrangements for liaison with the Council's Pollution Control Team
- * All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- * Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- * Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- * Procedures for emergency deviation of the agreed working hours.
- * Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
- * Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- * Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

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3. Submission and Approval of Independent Tree Survey

Prior to commencement of development, a tree survey shall be submitted and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The survey should refer to the table within Policy DM17 and state how many trees are required to replace those lost (where necessary).

Reason: To ensure that any trees lost are replaced in line with the Bristol Tree Replacement Standard and preserve the level of green infrastructure within the city.

4. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

Pre occupation condition(s)

5. Scheme of soft and hard landscaping

The development hereby approved shall not be occupied until a method statement for hard/soft landscaping (including boundary treatments) and tree planting works has been submitted and approved in writing by the Local Planning Authority. This shall include details of planting specification, a change of hard surfacing to the front to define private land, the provision of any trees deemed necessary under Condition 3 to replace those lost during construction, and ongoing maintenance. Where relevant, detail of tree species, stock size and establishment regime should be included. The approved landscaping shall be carried out in accordance with the approved details so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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

6. Artificial Lighting (external)

No building or use hereby permitted shall be occupied or use commenced until a report detailing a suitable lighting scheme to ensure safe access for future occupiers, (which should include predicted light levels at neighbouring residential properties) has been submitted to and been approved in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within

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Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

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

7. 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.

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.

8. 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.

9. 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.

10. Sustainability Statement and solar panels

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity. The solar photovoltaic panels hereby approved shall be installed and made fully operational prior to the occupation of the relevant element of the development 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 sustainability and climate change policy objectives would be met.

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11. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures 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.

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.

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

12. No Further Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the southern elevation of the building/extension hereby permitted including the southern roof slope without the grant of a separate planning permission from the Local Planning Authority.

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

13. No further extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby 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.

List of approved plans

14. 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.

Design & access statement, received 18 June 2015
 Energy strategy, received 18 June 2015
 GH001 Location & block plan, received 18 June 2015
 GH002 Existing plot and entrance, received 18 June 2015

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GH003 Existing building - photographs, received 18 June 2015
GH004 Proposed roof plan, received 18 June 2015
GH005 Proposed elevations, received 18 June 2015
GH006 Proposed elevations, received 18 June 2015
GH007 Proposed floor plan, received 18 June 2015
GH008 Proposed sections, received 18 June 2015
GH009 3D views, received 18 June 2015
GH010 Site Plan including gate and refuse / cycle store layout, received 22 July 2015

Reason: For the avoidance of doubt.

Advices

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 7626848 or at www.groundstability.com.

BACKGROUND PAPERS

Transport Development Management
Crime Reduction Unit

16 July 2015
15 July 2015

Harrowdene location plan



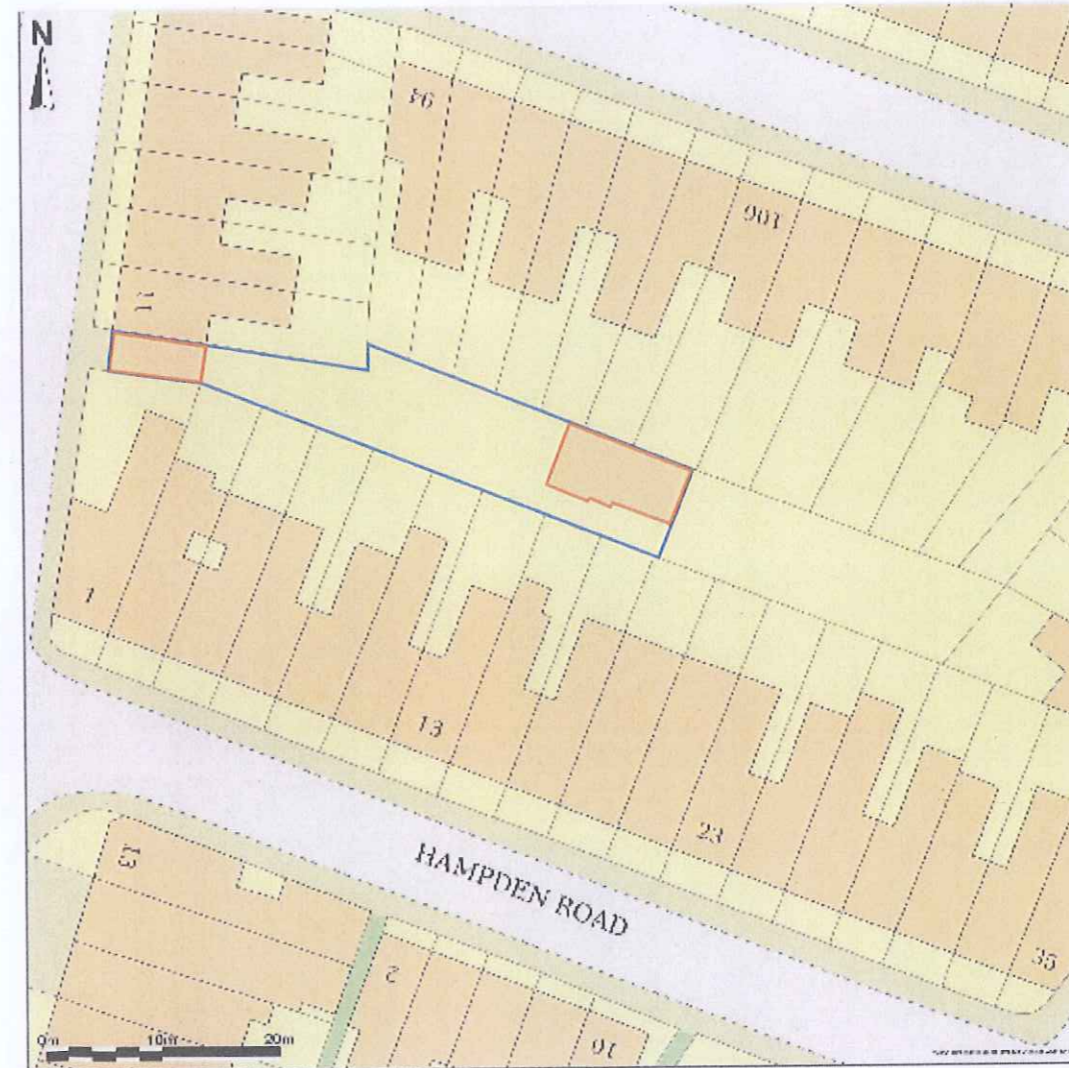
Map shows area bounded by: 360545.0,170913.0,360945.0,171313.0 at a scale of 1:2500. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Scale- 1:2500 at A3

Site/area plan



Map shows area bounded by: 360606.0,171086.0,360786.0,171176.0 (at a scale of 1:500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Scale- 1:500 at A3