

Development Control B Committee Agenda



Date: Wednesday, 21 July 2021
Time: 2.00 pm
Venue: Council Chamber

Issued by: Jeremy Livitt, Democratic Services
City Hall, PO Box 3167, Bristol, BS3 9FS
E-mail: democratic.services@bristol.gov.uk
Date: Tuesday, 13 July 2021



Agenda

7. Public Forum

Any member of the public or councillor may participate in public forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

(Pages 3 - 121)

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest **by 5pm on Thursday 15th July 2021.**

Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Tuesday 20th July 2021**

The statement should be addressed to the Service Director, Legal Services, c/o The Democratic Services Team, City Hall, 3rd Floor Deanery Wing, College Green,
P O Box 3176, Bristol, BS3 9FS or email - democratic.services@bristol.gov.uk

Members of the public who wish to present their public forum statement, question or petition at the zoom meeting must register their interest by giving at least two clear working days' notice prior to the meeting by **2pm on Monday 19th July 2021.**

PLEASE NOTE THAT IN ACCORDANCE WITH THE NEW STANDING ORDERS AGREED BY BRISTOL CITY COUNCIL, YOU MUST SUBMIT EITHER A STATEMENT, PETITION OR QUESTION TO ACCOMPANY YOUR REGISTER TO SPEAK.

In accordance with previous practice adopted for people wishing to speak at Development Control Committees, please note that you may only be allowed 1 minute subject to the number of requests received for the meeting.

10. Amendment Sheet

(Pages 122 - 151)



**List of People Requesting to Speak – Public Participation – DC B Committee –
2pm on Wednesday 21st July 2021**

**DEADLINES: 5pm on Thursday 15th July 2021 (Questions), 2pm on Monday
19th July 2021 (Public Participation), 12pm on Tuesday 20th July 2021**

Statements)

A – Milsom Street

A1 – T K

A2 – Z K

A3 – M M

A7 – S Z

B – Land At Access 18, Avonmouth

None

Public Forum

D C Committee B

2pm on 21st July 2021



1. Members of the Development Control Committee B

Councillors: Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Fabian Breckels (Labour Group Spokesperson), Andrew Brown (Liberal Democrat Group Spokesperson), Lesley Alexander, Amirah Cole (substitute for Zoe Goodman), Fi Hance (substitute for Tony Dyer), Katja Hornchen (substitute for Donald Alexander), Guy Poultney

2. Officers:

Gary Collins - Development Management, Peter Westbury, Alex Hawtin, Zoe Willcox, Matthew Cockburn, Laurence Fallon, Jeremy Livitt

		Statements/Petitions	
Statement Or Petition	Request To Speak Made Where Indicated S = Speaker	Name	Application
Petition: Reference from Full Council – Tuesday 6 th July 2021 To Be Dealt With Under Agenda Item 6 Enforcement		Stephen Barrett – Filton Grove Residents Group	20/01595/F – Request for Enforcement Action: Protest Against Adverse Effect of Work Carried Out On Site at Junction of Filton Grove, Muller Road and Filton Avenue
A1 (i) – 02372 and (ii) - 02373	S	T K (1 Statement for each Planning Application)	Milsom Street – 21/02372/H and 21/02373/H
A2 (i) - 02372 and (ii) - 02373	S	Z K (1 Statement for each Planning Application)	“
A3 (i) - 02372 and (ii) - 02373	S	M M (1 Statement for each Planning Application)	“
A4 (i) - 02372 and (ii) - 02373		Z Vicky (1 Statement for each Planning Application)	“
A5		Thangam Debonnaire MP	“
A6		Dominic Ellison - WECIL	“
A7	S	S Z	“
B1		Andrew Ross	20/02903/P - Land At Access 18, Avonmouth



We the undersigned ask the council to restrict the extent of the Construction Compound to ensure safe and proper vehicle access, ensure the number of road closures for site deliveries and construction work is restricted to the approved number, and to ensure full and proper enforcement action is carried out, all the above being related to planning approval 20_01595_F.

Filton Grove Residents Group.

Name	Address
Jeffrey Brooks M.S. Brooks	35 Filton Grove BS7 0AN
JANE GHOSH	33 " " " "
PABITRA GHOSH	33 " " " "
Zohra Spiller	47 FILTON GROVE, BS7 0AN
BEN SPILLER	" " " "
H. GUNSON	45 " " "
R BRIGHT	43 Filton Grove BS7 0AN
M. BRIGHT	43 Filton Grove, BS7 0AN
J. Sutton	41 Filton Grove BS7 0AN
A.E. Sutton	" " " "
J Campbell	37 Filton Grove BS7 0AN
J Campbell	" " " "
M. Ziegler	31 Filton Grove "
H. MANSON	" " " "
J. Traill	21 Filton Grove BS7 0AN
R. PERCIVAL	57 COURT RD BS7 0BU

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Filton Grove Residents Group.

Name	Address
d. des'Ambrois	3, Filton Grove.
MIKE DESAMBROIS	16 SANDHATE ROAD, BRISTOL BS43PE
JEFF DES'AMBROIS	16 SANDY PARK ROAD, BRISTOL
DAVID DESAMBROIS	136 CONISTON ROAD, PATCHING, BRISTOL
Kate Blakemore	5 Filton Grove, BS7 0AN
MUGH BLAKEMORE	5 Filton Grove, BS7 0AN
ROSEMARY SUDWORTH	13 Filton Grove BS7 0AN
Ann Towt	17 Filton Grove BS7-0AN.
Kevin Towt	17 Filton Grove BS7-0AN.
KATE WARTH	19 FILTON GROVE BS7 0AN

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Filton Grove Residents Group.

Name	Address
IRENA	7 FILTON GROVE
Anne Livermore	25 Filton Grove

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Filton Grove Residents Group.

Name	Address
KELLY MITCHELL	28 FILTON GROVE
PETE PRITCHARD	23 FILTON GROVE
P.M. Bule	26 FILTON GROVE
Margaret Davies	22 FILTON GROVE
DAVID DAVIES	22 FILTON GROVE
SABOL	20 FILTON GROVE.
G. J. J. J.	30 FILTON GROVE

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Filton Grove Residents Group.

Name	Address
Stephen Barrett	40 Filton Grove, Horfield
Sally Barrett	40 Filton Grove Horfield
John McKeogh	2. FILTON GROVE Horfield
GLENYS MCKEOGH	2 FILTON GROVE, HORFIELDS
Ian Pugh	16 Filton Grove .
James Davies	4 Filton Grove
Josh Vincent	4 Filton Grove
CHRIS JENKINS	6 FILTON GROVE BS7 0AJ.
JEAN FOLEY	6 FILTON GROVE .
Paul Norman	10 FILTON GROVE
LYN TOLSON	12 FILTON GROVE
LUCY PAUL	14 FILTON GROVE
KEVIN PAUL	14 FILTON GROVE.

STATEMENT NUMBER A1 (i)

Statement

To whom it may concern,

I write in regards to application 21/02372/H | Height increase to rear extension and fire escape fabrication installations.

No equalities consideration, no following of guidance or protocol. I don't want to be legalistic and detail every law broken or ignored as it would be more than 1 page.

Why has this not been done?

The LPA only rely on an external organisations officer findings, which is also not in accordance to case law, which basically says, we totally recognise the benefits, the health issues and disabilities and the significant weight of these however the applicant will die so there's no point.

If this is supported at committee you are effectively setting a precedent that hey if your disabled and need a development for your needs, tough luck as we don't care because you will die one day, maybe not now, or decades away you will die one day.

Everyone dies.

Im also concerned as to the lack of oversight and possible ability of BCC to even hold the case officer to account, he's been set up as the fall guy and someone to use to avoid accountability.

effectively a
for employee?

The LPA case officer also then relies upon the validity of lawfulness of the build that this development is within, stating incorrectly its unlawful as to the time expiry. I understand they have been informed of the legislation that shows this to be incorrect but they choose to ignore this, why?

No shadow, no overbearing, no light reduce occurs here, look at the data please. Do not be misled and just be good human beings. This is for an elderly lady, disabled , who has lived there for decades.

This really reflects upon us as a society as a whole if we do not step up to help her. All of this has made her conditions so much worse. You now have an opportunity to correct this, please do so.

Yours faithfully

T K

STATEMENT NUMBER A1 (ii)

Statement

To whom it may concern,

I write in regards to application 21/02373/H | Retrospective planning for reinstatement of section of original house structure. | 1 Milsom Street Bristol BS5 0SS

THIS IS HER EXISTING ORIGINAL HOUSE, HER ACTUAL HOUSE, LAWFULLY IT IS RECOGNISED AS THE ORIGINAL STRUCTURE

Why does she have to fight for her own house that when in place received no complaints what so ever.

This all has started the moment No 2 had a civil dispute with No 1 and we are concerned that there may have been a personal relationship involved that the LPA officer at the time did not disclose.

Once again No equalities consideration, no following of guidance or protocol. I don't want to be legalistic and detail every law broken or ignored as it would be more than 1 page.

Why has this not been done?

No shadowing, no light reduction, the actual windows they talk about are non habitable and have faced No 1 blank wall forever. It will stay the same no matter what happens. This reinstatement does in no way affect that, yet bringing it back brings a significant health benefit for the applicant.

Please do the right thing and approve this.

Yours faithfully

T K

STATEMENT NUMBER A2 (i)

STATEMENT FOR APPLICATION - 21/02372/H | Height increase to rear extension and fire escape fabrication installations. | 1 Milsom Street Bristol BS5 0SS

To : DEVELOPMENT COMMITTEE B , BRISTOL CITY COUNCIL - 21ST JULY 2021

Hello Development Committee,

I am studying to be a doctor, I have no clue on planning laws or council policy. But I do know that the proposal requested and its benefits would far outweigh any argument against it.

The height is small, but it gives a rehabilitation area that allows treatment, less dependence on the over worked NHS with waiting times of years, is not dependant on public funding thus saving tax payers money and most importantly it gives the applicant a chance, a real chance of a quality of life and significant help with her disability.

I am sure there are laws that encourage this as its the decent thing to do as humans. To help each other.

This will provide significant benefits and is needed upon medical grounds also. I have no hesitation in supporting the applicant.

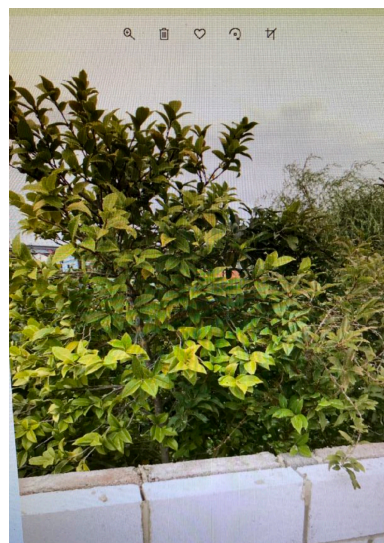
Also the fire escape? Come on they are everywhere there, even one opposite the property garden wall. this one is small and its there to save lives. TO SAVE A LIFE.

If we are arguing over preventing a minor development that will better lives, health and also save lives then it is a sad day for us all.

Also see the pictures below, Number 2 Milsom Street trees do more harm , since they have moved here there trees literally blocked all light at Number 1 and they throw branches over expecting a disabled lady to clean their mess on her own property which she can't do as to her health.

This application makes no affect on them.

I support this application.



Sincerely,
Z K

STATEMENT NUMBER A2 (ii)

STATEMENT FOR APPLICATION - 21/02373/H | Retrospective planning for reinstatement of section of original house structure. | 1 Milsom Street Bristol BS5 0SS

TO DEVELOPMENT COMMITTEE B , BRISTOL CITY COUNCIL - 21ST JULY 2021

Hello Development Committee.

From a medical perspective the use of the part of her house that fell into disrepair is absolutely essential.

This part of the main house has never received complaints before and many other houses still have it with no complaints and the are inner terraces also this one is an end terrace.

Right opposite on Stapleton Road those are 3 storey High properties. This part of the house affect neither them or No 2 Milsom Street.

Planning aside, this is an issue of being humane and helping someone enjoy a quality of life. The development was there before and it being back does not affect anyone but delivers significant health benefits.

If those in the area can use theirs so should this application be allowed for Mrs Z to use hers.

I support this application, also below are the pics of the windows No 2 complain about , its a storage room and faces a number 1 blank wall and this development does not even affect it.

I support this application



Sincerely
Z K

C/o 1 Milsom St, Bristol, BS5 0SS - **STATEMENT A3 (i)**

Reference: 21/02372/H | Height increase to rear extension and fire escape fabrication installations.

FAO DEVELOPMENT COMMITTEE B 21ST JULY 21 STATEMENT

19/7/21

Dear Councillors of the Development Control Meeting,

I have been involved with the external liaison, technical consultation, contractors sourcing and neighbourhood consultations for the applicant amongst others.

In my opinion the Case Officers report is highly misleading and inaccurate and factual data does not justify his statements.

Please can you see the attached Case Officers report with my comments / statement on them. [attached] This would be essential to read to see the truth

I also attach some questions which I hope can be asked to the Case Officer.

Further I would kindly request you refer to the solar / shadow data attached that is not with the application that will provide factual data that is at significant odds to the the case officers and No 2 Milsom Street assertions..

I thank you in advance of taking the time to scrutinise this application which I support.

Enc: Case Officers report to committee with my statements in blue and bold typeface.

Enc: Brief questions to ask the case officer.

Enc - Sun / Shadow data analysis for application 21/02372/H

M

Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1
Milsom Street Bristol BS5 0SS 21/02372/H – 1 Milsom Street, Bristol, BS5 0SS

BACKGROUND AND SUMMARY

This planning application seeks planning permission for the installation of a fire escape/balcony to a rear extension constructed without planning permission.

■ - Rear extension has not been constructed without planning permission. Due process and consultation followed and approved under existent planning permission ref: 19/01584/HX The case office knows this but is misleading you.
The unobtrusive fire escape has been advised to place from the authorities on grounds of health and safety / fire escape that is all. It is not a balcony. It is a fire exit.

The proposals further seek a 0.8m height increase to facilitate a first floor extension to works not built in accordance with approved plans.

■ - These proposals are not 'further', the matter has been decided [19/01584/HX] and approved legally and is closed. The 0.8 increase increase is not to facilitate a first floor extension. That was refused and revised considerably smaller to within the attic space also providing greater subservience to the host dwelling. The case officer is parroting the response of the previous officer [who copy pasted the neighbours 2 response as his own] without an independent open mind as required under BCC Part 5D [May 2020] Good Practice Protocol For Planning Section 14. 19/01584/HX is not complete, thus it is premature also to state not built in accordance. So far they are well within the parameters permitted. The Case Officer knows this but is misleading you.

Further the application is for the height increase not to debate existing approved planning permission granted.

This planning application is dependent on the grant of planning permission for application ref. 21/02373/H.

The planning application as stated by the case officer is incorrect. It is in no way interdependent on the other application. It is distinct and separate. That is why two separate planning applications were paid and submitted for. To be considered separately.

Please refer to attached clarification of this issue on 1 page attached to the committee given the Case Officer has not mentioned it and is misleading.

In terms of the planning application, 1no. objection was received from a neighbouring occupant on the grounds of design and residential amenity issues.

Correct - It should be added only 1 out of 12 Householders/tenants/owners contacted on top of the further wider neighbourhood consultation we did prior to applying, just 1. It should be noted that all consulted by us were happy and most have been part of the community for decades as the applicant.

It should also be note that this objector No2 Milsom Street did not object on the primary application. Only when dispute arose over his racist behaviour, harassment, damage to No 1

property and issues over their enormous trees did No 2 initiate this campaign of vexatious complaints. Unfortunately No 2 Milsom Street have considerable influence within the LPA and where matter go through due process they are steamrolled at the behest of No 2. So much so that the previous decision on refusal were the words of No 2 exactly in places.

The Case Officer responsible for the application has undertaken a site visit and has noted that the proposed development would further exacerbate the existing scale and massing through an additional 0.8m height increase to the 6.0m rear extension.

The height increase is 3-4 blocks very minor. The existing scale is not complete and is in full accordance to GDPO which at a cursory glance on the planning portal of the LPA they approve a significant number every week. Only in this case they are they taking exception to a lawful build solely from undue weight from one neighbour and a personal vendetta by a clique of individuals at the LPA not happy they were challenged on their covert racist behaviour, harassment and them disregarding protocol or policy guidance.

Sun Data attached shows no affect of the small height mass, zero. This increase is located far away from the main buildings and further given the favourable sun orientation of the properties the increase still results in an undetectable amount of overshadowing or light.

The trees of 2 Milsom Street reach higher heights and block all the amenities of 1 Milsom street and of their own that the Case Officer omits.

Notwithstanding the above concerns, the proposed fire escape structure would afford occupants increased opportunity to overlook the rear elevations and amenity space of Stapleton Road and as well as exacerbating the residential amenity of 2 Milsom Street through additional overbearing and overshadowing.

■ - This is not possible at all and is a lie. Residential amenity in additional overbearing and overshadowing is non existent , zero. Purely for the fact it is on the east away and not possible to be even viewed by No 2.

The Stapleton Road commercial properties are also 3 stories high, and this proposal is situated within the ground floor attic space.

Further all the commercial buildings outside amenity space has set empty for decades for rubbish storage and drugs partaking., most are now restaurants. No tenant has access to that area on the ground floor. Further their living rooms and so forth are on the third floor. If anything all amenities overlooking not them but 100% the applicants property in full by them, unimpeded.

The Case Officer was responsible for an identical application in Spring 2021. A Councillor referral from Cllr Hibaq Jama was submitted one day after the referral deadline and therefore the application was due to be refused under delegated powers, however, was withdrawn prior to determination.

The case officer refused the councillors referral, which was also being done with Margaret Hickman, a previous councillor also on the development committee, for one day late as to Easter / bank holiday.

Councillor Jama, informed of us legal litigation then to resolve between Labour and the LPA. With the deteriorating health of the applicant we could not afford to waste months till resolution , so withdrew and resubmitted with the addition of the front page specifically detailing to the case officer both visually and in writing exactly what the matter before him

to decide was as all he was concerned about were matter to which had been decided or not within his remit.

Further it has been suggested, it was purposefully not allowed to go to the then development committee as the Case Officer colleagues from the previous decision felt that given some member had knowledge of their blatant disregard for policy they wanted to avoid scrutiny and take their chances with the newer uninformed new development committee placed after election. Easier to mislead.

By virtue that the proposals constitute an identical resubmission of the previously unacceptable scheme, concerns have remained unaddressed and remain unacceptable.

The applicant has not failed to address initial concerns, as they have not had opportunity to . They ignore you. However extensive talks with the inspectorate on issues and other neighbours led to the formation of this significantly smaller proposal making it acceptable.

The application site is currently subject to enforcement action by Bristol City Council (BCC) Enforcement for the commencement of works deemed unacceptable by BCC Planning and The Planning Inspectorate.

This is irrelevant to the application, and the enforcement action initiated is suspended till a hearing where it will be vigorously defended. It is vague and was initiated in 1 day without due process or following protocol and as a result of a personal vendetta being orchestrated by a clique within the LPA. This should carry no weight to the matter at hand.

Of note also, by law all enforcement action stopped if we wished we could build with no consequence it is our respect for law we are awaiting the resolution of all this at a cost of thousands of pounds, ruined material and the deteriorating health of the applicant. .

This application has been referred to Development Control Committee B by Cllr Hibaq Jama and Cllr Yassin Mohamud. The application has been assessed on two occasions by the Case Officer,

The application has not been assessed twice. Mr Hill the case officer, copy and pasted his first decision that's all, and that itself is parroted from elements from the previous officer, who himself never visited the site and utilised No 2 objection response as his without independent consideration as one would expect from the LPA.

with concerns being substantiated by City Design Group also.

The city design group is misleading, Not disclosed is what Jon Hill requested of them. The reply is incorrect in terms of its assessment on tress, excavation. More importantly this same group had no worries on a much larger previous application but reducing it they now do?

It is considered that the Applicant has failed to address initial concerns, by virtue of the identical application, which remains unacceptable on deign and residential amenity grounds.

The applicant has not failed to address initial concerns, as they have not had opportunity to . However extensive talks with the inspectorate on issues and neighbours was in this proposal making it acceptable.

Refusal is therefore recommended to Members.

SITE DESCRIPTION

This application relates to the dwelling known as 1 Milsom Street in St Judes, east Bristol.

The application site comprises a two-storey end of terrace dwelling upon the north eastern side of Milsom Street, approximately 35m North West of the junction connecting to Stapleton Road (A432).

The host dwelling demonstrates a continuous flat eaves/parapet line to the front elevation along the terrace and 'butterfly-effect roof form to the rear. Properties on Milsom Street exhibit a small two storey rear protrusion to the rear, with some benefiting from a further single storey lean-to which forms part of the original building structure.

MISLEADING YOU - properties on the street and surrounding streets still have and maintain their full 2 storey rear structure. Of concern is the relevancy to the matter before the Case Officer, namely that of the small height increase.

A site visit was undertaken by the Case Officer on the previous identical applications on 6 April 2021 where it was evident that a two-storey rear extension to the existing property had been

Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS

commenced. The partial construction, in addition to previously consented works,

INCORRECT - all work is consented lawfully not in addition to but all works within consent.

extended the entire depth of the rear garden cumulatively.

MISLEADING - Irrelevant to matter before officer, however the entire depth of the rear garden is a lie. Further it is what is lawfully allowed and being given permission for in all parts of the city everyday in Bristol and throughout the UK subject to neighbourhood consultations.

You must ask why they have issue with this here, no complaints apart from no 2 after they did not object but volte faced after a dispute and also why the LPA would devote so much resource to pursue a lawful build that they are also allowing everywhere else?

Only difference is ethnicity and complaining too be treated equally and fairly as all citizens and No 2 CONSIDERABLE undue influence within the LPA and undisclosed relationship with the previous lpa officer.

Due to the tight knit built from of Milsom Street and properties to the rear at Webb Street and Stapleton Road, the degree of overbearing and overshadowing on the rear curtilage and adjacent neighbours was apparent.

Not apparent , it is how the area is 'cheek by jow'l characteristics. In this case however there is much more open space owing to 1 Milsom Street being an end terrace which is more favourable for the application at hand.

The application site is not within a conservation area.

APPLICATION

This application seeks full planning permission for the erection of a fire escape/balcony fabrication

Fire escape not balcony. This proposal is. Not taken lightly as to additional cost, but has been put in place to accord with the guidance from authorities and to deliver a higher standard more safe build, than the death traps currently allowed in some developments whereby no fire escape is present or means of escape.

to the side elevation of an extension sought under planning application 21/02373/H

This is not an extension sought it is the original house recognised under planning legislation, there can be no dispute on that.

and a further height increase to a partially constructed extension consented under application 19/01584/HX with minor alterations including one additional door and 2no. roof lights.

Fire escape door

As outlined above, the proposed development is reliant on retrospective planning permission sought under 21/02373/H to facilitate the retention of a two-storey rear extension to the existing dwelling.

Incorrect. This application is not reliant on planning permission sought under 21/02373/H. It is distinctly separate and has been made and paid for separately. One decision on one case does not affect the other, albeit the same acceptance will provide greater harmony to the structure overall.

Notwithstanding the above interdependence on unconsented works,

Once again no interdependence and wholly slanderous remark on unconsented works. It partial not completed within parameters and there is absolutely no judgement to the contrary to support this case officers view that is a parrot of the one before him who himself forwarded No 2 response as his work.

the proposed development seeks to amend works partially undertaken under prior approval.

MISLEADING - Does not seek to amend. That is closed. To put a minor increase on a lawfully building approved.

Of Note, on this street, application 19/02269/h , 08/00250/h, were decided separately with no mention of amendment, and most importantly also allowed to the change the front building line to the street setting a precedent where none has been set in the area. Why is it a different rule for one and another rule for another?

The partially constructed prior approval extension has not been fully constructed, nor was it built from the rear building line of the dwelling at the time of consent.

█ - A █ to mislead the committee. If you see the plans submitted and description to development management for the application 19/01584/hx including to building control who supervised each and every stage and were fully aware.

By Law you are permitted to develop from the the original structure, this is to prevent others developing too much.

Further this is another case of drudging up a closed case to confuse and has no relevance to the application before you which is simple a small height increase and fire fabrication. Why can this matter not be decided as per law and look at the matter requested. We are not seeing permission for matters concluded and irrelevant.

As such, the works undertaken to do not accord with the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the approved plans.

█ - the works undertaken absolutely 100% accord with the provision of the Town and Country Planning (General Permitted Development) Order 2015 and the approved plans. Neither is there not one single judgement to substantiate the case officers statement.

The insistence by the officer to drudge this up is also a breach of the applicants human rights.

Further this is outside the remit of the officer by law after a decision has been made. Another example of the officer failing to look into the actual matter before him.

As such, alterations would serve to alter works undertaken unlawfully.

█ - The officer is misleading you into thinking that there is a lawful judgement declaring the works unlawful , there is not. The work is not an alteration. The matter before you is a new additional distinct height increase to a lawful building in situ.

The proposed development would provide a fire escape/balcony fabrication to the side elevation of the two storey rear extension sought under 21/02373/H and the prior approval extension.

Fire escape not balcony. As the case officer knows and has been clarified which is omitted, that in the absence of the original part of the structure building the fire escape will simply be omitted and fabricated to provide this section only, it is not interdependent.

If reinstatement permitted, (if permission is even needed) it is common sense because the intermediate wet room is a fire hazard in an emergency and preservation of life should be a significant weight factor.

The external fabrication would range in height from 2.5m to 2.9m at the base and would extend 4.7m in length along the side elevation. The works would be constructed of metal railings and a spiral staircase down to the fully enclosed rear garden.

A bespoke discreet design , with privacy glass, aesthetically pleasing with minimal footprint down to the garden , and also recessed within the building. Being requested only to follow the advice and authorities and life preservation in an emergency. It shows building to a higher standard in the area. It could have been a straight fire escape as the one opposite the property, but this has been thought out to blend in minimise space through spiral and be functional for purpose if needed in an emergency.

As outlined, the proposed development would seek to increase the height of the single storey prior approval extension to 4.5m at the eaves and 5.1m at the ridge to facilitate a first floor extension. The

development would constitute a height increase of 0.8m and would include a single door at first floor level and two roof lights.

■■■ - Inflated incorrect figures, please see application they are no where near 5.1 or 4.5. Further the proposal is not to facilitate a first floor extension. It is within the ground floor structure within its attic space and is subservient as is required under local planning regulations. No first floor, it is inside the attic of the ground storey.

The proposed development would include render walls, interlocking roof tiles, metal railings and UPVC windows/doors to match the existing appearance of 1 Milsom Street.

For further information, please see documentation appurtenant to the application.

Not been disclosed to us so cannot comment.

As noted, the Case Officer undertook a site visit for the previous identical application and its companion on 6 April 2021 to understand the site context and undertake a photographic record of works undertaken to date.

Did the case officer even write this? No measurements were taken, a few mins wander about tick box exercise for work experience was conducted with respect to the intern case officer, A decision had already been made and no photographic record of work undertaken as far as we are aware. Most of the data to the officer comes from the highly disputed previous officers report who never visited and who relied solely on all data from No2 the only objectors.

PLANNING HISTORY

19/01584/HX Notification of prior approval for the erection of a single storey rear extension that would extend beyond the rear wall of the original house by 6m, have a maximum height of 4 metres and have eaves that are 3m high. Prior Approval Not Required

PLEASE NOTE THIS FROM BEYOND REAR WALL OF ORIGINAL HOUSE - CLEAR UNAMBIGUOUS - NOT BUILDING LINE AS CASE OFFICER SAID ORIGINAL HOUSE 6 M ALLOWED BY LAW, DEEMED ACCEPTABLE IN SIZE AND SO FAR NOT EVEN TO THESE PARAMETERS BUT YOU ARE BEING MISLED BY THE LPA OFFICER.

20/01228/H First floor extension to rear, with external staircase and light well to front. Refused Application 20/01228/H was appealed by the Applicant following the refusal by the LPA; however, the appeal was dismissed by the Planning Inspectorate under appeal reference 20/20127/REF.

The appeals officer was not allowed to see our submissions and was heavily dependent on No 2 and the LPA officer report regrettably. This is the same officer who approved a application at 6-8 Belgrave Hill Clifton Bristol at the same time period as 1 Milsom Street, but gave a total opposite decision, such as allowing that to be built 100% upon curtilidge. This application take less than 1% of that. Further it was not allowed by the committee several times, he approved it and slapped the LPA for thousands of pounds in fine.

The Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS

appeal was dismissed on the grounds of unacceptable design, living conditions of intended/future occupants and residential amenity impacts on adjacent occupants.

Judicial review to quash it was £50k plus thus suspended to resubmit a much more smaller proposal before you.

21/00983/H Retrospective planning for raising of roof. Application Withdrawn

21/01014/H Rear height increase to rear extension and fire escape fabrication with external stair installation to first floor. Application Withdrawn.

Withdrawal reason as stated before.

As stated, the development hereby applied for contains a first floor door which is reliant on the delivery of a fire escape/balcony fabrication applied for under a concurrent planning permission (21/02372/H) which will be determined concurrently to this application.

As explained before, not interdependent, no balcony and also that is the wrong concurrent application number written by the case officer.

In terms of planning enforcement, a case was opened on 17 April 2020 to consider multiple reports of works to the rear without planning permission. The planning enforcement team attempted to contact the property owner in order to view the development that summer, when it was noted that an Appeal against the refusal was being considered by the Planning Inspectorate the case was put on hold until the appeal decision was received on 10 December 2020.

Vehemently disputed but to save members time with the tons of paper work will not delve into it owing to irrelevancy to the matter before you.

Shortly after that a site visit was conducted and a further visit undertaken in February 2021.

Again irrelevant but just to briefly state on first visit within a few minutes an enforcement decision was reached - did not disclose why , where , followed no protocol or nothing. Subject to judicial review pending. Also this site visit was done after our insistence to the legal department they take measurements, which in any case they got wrong.

This is all irrelevant to this application and not a matter for committee.

The outcome of that was that a Planning Enforcement Notice was served requiring complete demolition of the extension on 17 March 2021. That is currently subject to an Appeal which will be heard by way of a Hearing in the next 3-6 months.

Average waiting time to hearing is end or start of next year 2022. Done vexatiously to applicant despite being given legal precedents to clarify, but they know even if successful the applicant still have to wait years homeless and deteriorating health which is the main aim of the EN. They have no regard for impact or public interest, yet right before them illegal developments that have occurred literally daily and not a single shred of action despite complaints by a lot of minority ethnic people but one white neighbour complains and Armageddon on 1 Milsom Street.

IMPORTANT NOTE - THE City Design Group'S Ms Anotonia Whatmore did not voice any objections to the first much larger proposal, but does now on a much smaller one? Further her response is confused, at parts references aspects that are not existent and thus her view regretfully cannot be taken as a true factual opinion based on the actual facts. Further it is of note the case officer has not disclosed what question he asked for a response to Ms Whatmore, such as 'could you please give me reasons to refuse this to support us?'. It should be made clear there is no evidence to confirm this without disclosure, just a suggestion.

“This application seeks retrospective planning approval for a two storey extension. This extension would be incongruous to the rest of the terrace introducing a two storey element beyond the building line of the other two storey extensions properties along this street. This approach will;

- Set the precedent for a back building line for 2 storey extensions beyond the existing allowing for the undermining of the back land garden character. The gardens acts as mitigation of the contributing factors of climate change;

Irrelevant to this application and planning it concerns a small height increase.

- Impact the daylight/sunlight of the adjacent property and would potentially impinge on their right to light;
- **ACTUAL DATA DOES NOT SUPPORT THIS IN ANY WAY SEE SOLAR DATA**
- • Create overshadowing of the adjacent garden affecting it's amenity value;
- **ACTUAL DATA DOES NOT SUPPORT THIS IN ANY WAY SEE SOLAR DATA**
- • Create overlooking and privacy issues for two properties along Stapleton Road due to the separation distances, which is below the national accepted 21m from window to window;
- **Someone from the city design group must know the 21m is flexible according to the areas characteristics. This area is cheek by Jowl and guidance indicates a more suitable much less allowable separation distance, which this application satisfies.**
- • Raise concerns that the removal of earth to achieve a lower ground level would impact the boundaries of all the properties bordering the site.
- **Irrelevant - no excavation is proposed for the proposal before you.**
-
- In summary, the proposals are incongruous, detrimental to the back land garden character, and would affect the amenity of the neighbouring properties. Accordingly as the above issues demonstrate this application represents over development.

And this was not stated with no objection on the much larger prior proposal. You must ask why? Further their response has just been disclosed to us by reading it in the public forum section, at no time has the case officer mentioned this before for an opportunity to challenge.

- Therefore, it is recommended this application be refused”.

Neighbour notification letters were sent to owners/occupiers of properties abutting the application site. In total, 1no. objection was received from the adjacent neighbour (2 Milsom Street) relating to both applications.

Omits how they called other neighbours to get them to put in an objection that was refused as the neighbours were happy with the proposals. They consulted very widely for this application not the common next door neighbour only as in other planning applications of other citizens. In any event only No 2 Milsom St complained . vexatious.

In regard to application ref. 21/02373/H, the following comments were raised:

Irrelevant as it refers to application 21/02373/H. As distinct separate application and should be considered there.

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- Previous works built have not been built in accordance with the approved plans or with the General Permitted Development Order (GPDO); **████ - IT IS**
- - Concerns raised that the ridge and eaves lines of the elements already built and those portrayed on submitted plans are inconsistent and would be much greater than portrayed in application; - Ground heights between 1 and Milsom Street are not as shown in the submitted plans, resulting in differing design and residential amenity impacts; **FALSE AND VEXATIOUS**
- - Trees considered to screen the development are not as depicted in the submitted plans;]
- - Concerns raised that the resubmission does not rectify the issues underpinning the appeal dismissal of the Planning Inspectorate.
- **Incorrect - Further despite repeated and numerous attempts to engage and incorporate into the proposal any issues No 2 have to alleviate any of their concerns, it was met with, no answer or we are too busy despite appointments being arranged and rearranged for weeks on multiple, multiple occasions.**

-

WARD MEMBERS

Planning Applications 21/02372/H and 21/02373/H was referred to Planning Committee by Cllr Yassin Mohamud on 3 June 2021. While Cllr Mohamud outlined a neutral stance on the submitted applications, the proposals were referred to Planning Committee for additional scrutiny due to the complex planning history of the site.

Cllr Mohamud and his colleague in the green party requested to view the site and did so, and all questions were answered for them.

An additional referral was submitted by Councillor Hibaq Jama on 17 June 2021 outlining that the applications should be determined by Planning Committee should the application be recommended for refusal.

RELEVANT POLICIES National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

**Adapted 2011 - so long ago, the area has changed considerably. Please look at future draft plan , [Bristol Local Plan Review: Draft Policies and Development Allocations – Consultation (March 2019)] particularly the part on future health forecast. This type of proposal will be needed significantly more in this area in the coming years , right now in this are there are close to none, and a significant number are required, this proposal meets future needs also. Old Market irrelevant as not cover this area
Lawrence Weston Neighbourhood Development Plan does not cover its literally miles away?**

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

They have not, they have not considered the applicants health, her needs, her disability, the statutory duties of the council to vulnerable people in the area has been ignored, no consideration of the equalities act, human right, we could go on and on. Simply they have not followed their own protocol and guidance and neither national legislation. They have although given undue prominence to No 2 Milsom Street desires.

KEY ISSUES

A. IS THE DESIGN AND SCALE/CONTEXT ACCEPTABLE?

Policy BCS21 states that new development should be of a high quality and should contribute positively to an area's character and identity.

It is.

Policy DM26 sets out that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes; and respecting, building upon or restoring the local pattern and grain of development.

Irrelevant here but nonetheless height minimal in attic right opposite a 3 storey building this is effectively within a structure from original ground level ground storey attic space.

Policy DM27 states that developments should respect the layout, form, pattern and arrangement of buildings, structures and spaces to contribute quality urban design.

It does.

Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS Policy

DM30 sets out that new development 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.

It does

SPD2 'A Guide for Designing House Alterations and Extensions' states that proposed extensions should not protrude further than 2.75 metres and should maintain visual subservience to the existing dwelling.

Misleading and unlawful - gdpo over rules this. Also not relevant as an extension is not being requested , a height increase minimal only.

As outlined in the Application, the proposed development (cumulatively) would measure approximately 10.7m in depth constituting a two-storey extension.

Irrelevant. The proposal requested does not alter depth. 10.7m is wrong anyway but irrelevant.

While the retention of the two storey infill extension and prior approval extension do not form part of this application, provisions of this application are reliant on the grant of full planning permission under 21/02372/H.

See above no they are not mentioned earlier.

The proposed 0.8m increase in height to the rear extension would further exacerbate the unsympathetic nature of the cumulative extension and would result in a built form which is incongruous to the existing area.

Existing area? Illegal 3 storey builds by incompetent people lack building control, lack health and safety or regard for fire safety. And the extension is by law, in law. Not cumulative misleading extension to existing original house.

The proposals would result in a stark side elevation visible from 2 Milsom Street and other properties situated upon the eastern side of Milsom Street and the western side of Webb Street.

Stark? That is how they are here. Its the grain of the environment this is not a rural area and even then they are close. Further any impact is lessened severely significantly as end terrace.

It is considered that cumulative depth and unacceptable height demonstrates the uninformed design of the proposals which indicates minimal regard to the prevailing aesthetic and residential amenity of adjacent neighbours.

Case Office, wrong characterisation - These revised proposal much smaller, no 1st storey, roof light windows to avoid any amenity issues whilst giving light and airy interior to host property, with bespoke fire exit minimised as unobtrusive with privacy shielding in an area rife with illegal developments and no discernible impact from solar shadow study - does not substantiate the case officers statement.

As such, the proposed development fails to accord with policies BCS21, DM26, DM30 and SPD2 guidance. The proposed development would provide an external fire escape fabrication to the side elevation of the rear protrusion to the fully enclosed rear garden below.

Minimal footprint recessed within structure excellent way and intelligent design unlike others they have passed, and life is more important

The development would be situated to the rear of the main property and would not be visible from the public realm, however, visible from properties at Stapleton Road.

While the design and visual appearance of an external staircase is not unacceptable,

IMPORTANT NOTE AND POSSIBLY THE ONLY THING BOTH PARTIES AGREE UPON

the development would afford current and future occupants the opportunity to overlook adjacent properties which are in close proximity to the application site,

Future occupants is the current applicant for generations before and after. This is the applicants family home it will not change. Plus mitigating measures to hide as allowed and alternative and further an emergency fire escape, if in use if at all would be brief and to safe

**life and extremely rare. Also 3 storey no one at that level opposite kitchens and bathrooms, living on third floor, also ground level commercial.
If used in an emergency, it will literally be minutes to use and only in the event of a fire/ emergency escape.**

undermining levels of privacy, as discussed in Section B of this report.

See above on privacy also I have no section B

The Local Planning Authority are aware of the justification for development,

Acknowledge but make no mention of health grounds neither any equalities health assessment or equal opportunities or reasonable adjustment or simply just some compassion

however, the residential amenity concerns stemming from a raised balcony would mean that the placement of such fabrications would not be acceptable in this circumstance.

In talking with the inspectorate a differing view was taken.

The weight of life is substantial, further it encourages safe building and not the other way round, further there are fire escape opposite anyway, precedents have been set. To limit one person and not the other is strange/

As such, the proposed development would fail to accord with policies BCS21, DM26, DM30 and SPD2 guidance.

The Committee have discretion and further by law are allowed to deviate from the rigidity of the rules in special cases such as this one on grounds of health and safety.

Based on the information provided to the Local Planning Authority, it is considered that the proposed development would be unacceptable in terms of design. As stated, the proposals would be wholly reliant on the grant of planning permission under 21/02372/H which is deemed unacceptable and further amendments would exacerbate issues further. As such, it is considered that both applications are unacceptable.

AS STATE NO THEY WILL NOT AND NOT AMENDMENTS.

B. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY OF FUTURE OR ADJACENT OCCUPIERS?

Policy BCS21 states that new development should safeguard the amenity of existing development.

IT DOES

Policy DM30 states that proposals should not prejudice the existing and future development potential of adjoining sites.

IT DOES NOT

SPD2 'A Guide for Designing House Alterations and Extensions' states that rear extensions should not cross a 45° line drawn from the extension to the mid-point of the nearest adjacent habitable

window perpendicular to the proposed development as to not cause overlooking, overbearing or overshadowing on adjacent occupiers.

IT DOES NOT.. Secondly further assessment on 25 degree also done again no breach. Thus concluding acceptability to adequate light for No 2.

As outlined in the Case Officer report appurtenant to application 21/02373/H, the retention of the two storey infill rear extension and prior approval protrusion would give rise to significant overbearing and overshadowing upon the adjacent neighbours of 2 Milsom Street, as evidenced by

Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS photographs provided in the respective objection.

The proposed development would further increase the roof height of the prior approval extension to 4.5m to the eaves and 5.1m to the ridge to facilitate a first floor extension.

Not first floor again, attic of ground floor structure, and sizes incorrect in planning terms.

The proposals would further exacerbate residential amenity issues through further enclosure and overbearing on 2 Milsom Street. Due to the provision of a 10.7m two-storey protrusion (cumulative) to the rear of the property, it is considered that the development would undermine the residential amenity of adjacent occupants and would therefore be contrary to policies BCS21, DM30 and SPD2 guidance and is unacceptable.

The original structure has been there since the mid 1940s and is defined under law as the original structure from where applications are assess. A case in example is development of curtilidge under 50% this takes zero percent apart from stair imprint. The extension is law government we should not be penalised for following law available to other citizens.

Due to the scale and projection of the development, the side elevation upon the party wall of the extension crosses a 45°line drawn from the nearest habitable window perpendicular to the development, on both plan and elevation. As such, it considered that the development results in unacceptable overshadowing impacts which undermine both internal living rooms and the use of the rear garden.

█ - 100% incorrect this proposal no where near infringes the 45 degree line or 25 degree line to any habitable or even inhabitable room. The case officer is fully aware of this, he is misleading you with purposeful intent given he knows this and has been showed to him to disprove.

Concerns in this regard were raised by the Planning Inspectorate and are considered to remain unaddressed during the subsequent resubmissions in 2021.

Incorrect, misleading , all addressed.

Based on the site visit, photographs provided and assessment of the unacceptably large extension,

Within law, original house and gdpo, making it out to be something it is not, opposite is a three storey structures all on Stapleton rd.

it is considered that the development results in unacceptable residential amenity impacts on 2 Milsom Street in relation to overshadowing and loss of sunlight.

■ - ACTUAL DATA DOES NOT SUPPORT THIS SEE SOLAR AND SHADOW DATA

As such, the development is considered to be contrary to policies BCS21, DM30 and SPD2 guidance and is unacceptable.

Notwithstanding the unacceptable height increase to the rear extension, the proposed development would include a first floor fire escape/balcony fabrication to the side elevation of the rear infill extension.

The external fabrication would extend to 2.9m in height at the infill section and 2.5m at the proposed first floor of the prior approval extension, affording current and future occupants to overlook the rear elevations and private gardens of properties fronting Stapleton Road. Due to the tight-knit form of the local area, the sheer projection and height would result in a sense of overbearing on adjacent neighbours which would be further exacerbated by the erection of the external fabrications. The proposed development would result in a loss of privacy and overlooking which would undermine the residential amenity of current and future occupants which would be contrary to policies BCS21, DM30 and SPD2 guidance and is unacceptable.

As outlined in the design section, it is considered that the development constitutes the overdevelopment of the rear curtilage, resulting in compromised living conditions for intended/future occupants. The site visit, undertaken on 6 April 2021, indicated that the remaining garden area endures a sense of enclosure/overbearing and loss of light due to the scale of the in situ development. As such, the remaining garden provides minimal functional space for domestic and leisure activities, thus failing to accord with policies BCS21, DM26, DM27 and DM30 and is therefore considered to be unacceptable.

This is incorrect, the space is fully functional and this application does not impinge upon the curtilage, further the LPA have, despite objection allowed a multitude of developments to be built 100% curtilage despite objections, opposite , 58 Stapleton Road rear case in point. This property has more than adequate space outside.

The in-situ development and planned additions would further detriment the residential amenity of adjacent and intended occupants and would fail to accord with policies BCS21, DM30 and SPD2. As such, the development is unacceptable in terms of residential amenity impacts.

CONCLUSION

Based on the information provided to the Local Planning Authority for the resubmitted application and site conditions observed during the Case Officers site visit on 6 April 2021, it is apparent that the development in situ is of a scale and form which is unsympathetic to the constraints of the site and the character of the area. Furthermore, due to the scale of development, significant residential amenity impacts would be endured by occupants of 2 Milsom Street and 58-72 Stapleton Road which remain unaddressed following the previous refusal. The proposals outlined in this application would further exacerbate issues already deemed unacceptable and would therefore detriment design and residential concerns further. As such, the application is recommended for refusal on the grounds of unacceptable design and residential amenity impacts.

END

See questions that is requested to be asked, next.

QUESTIONS THAT IS REQUESTED TO BE ASKED TO THE CASE OFFICER REGARDING APPLICATION 21/02372/H | Height increase to rear extension and fire escape fabrication installations.

QUESTIONS

1. On a number of occasions you have stated the in situ development is unlawful, in the context of this application, the 6m extension. What precise authority and lawful judgement can you show that concludes that?
2. What do GDPO rules allow?
3. You diverge a lot onto the previous applications, enforcement action, existing buildings, but is it not correct to state the matter before you is a height increase , fire escape only and those matters are not within your remit and being decided elsewhere.
4. Does the actual height increase cause additional overshadowing and loss of light - the specific height increase part? Why does the Solar / shadow data show otherwise?
5. Do not the benefits of disability and health outweigh any inconvenience a minor height does. Talking solely about the height increase part, nothing else , only what is the proposal before you.?
6. You say the fire escape will cause shadowing / sunlight to No 2, how can this physically possible as it is to the east?
7. How high or how many stories is the Stapleton Road buildings
8. Who is most overlooked 1 Milsom BY Stapleton Rd or vice versa?
9. Does fire safety, not be of a significant weight in deciding this application?
10. Most importantly what are fire escapes used for?
11. How long would you presume someone in the event of a fire would need to use the fire escape?.
12. You state the city design group amid whatever substantiates your conclusion. Why did she have no objections on the refused application where the height increase was to the main house ridge line before.?
13. Are you seriously saying that a minor increase will cause significant overbearing and overshadowing to adjacent neighbours despite the data showing otherwise and common sense?
14. Are you aware No 2 was informed by the lpa to cut there trees on the day pictures were to be taken by them, (when cut it was a storm),to mislead any future assessment personnel and also do you agree the trees will grow back as is the course of nature?

*SUN /SHADOW ANALYSIS
FOR APPLICATION
21/02372/H*

**COMPUTATION PATH
ANALYSIS DATA OF THE
SUN WITH RESULTANT
SHADOWS FOR
APPLICATION 21/02372/H
[1 Milsom Street Easton
BS5 0SS]**

SUNCALC.ORG

Computation Path Analysis Data of path of the Sun and resultant shadow for Application 21/02372/H

1. The following analysis and data show the sun path and resultant shows of the direct proposal area of application 21/02372/H
2. Note - Each data set is singular to the particular structure only. What has not been analysed in depth is the shadow analysis of other neighbouring properties that would affect No 2 Milsom Street, such as the building opposite their boundary wall at North east, or the high boundary fence and trees on the property opposite 1 Milsom street.
3. Data analysis provided at 2 hour intervals (0700hrs - 2100hrs) on the standard date for calculation [equinox] 21 June 2021 on the following areas.
 - A. No 2 Milsom Street x3 trees.
 - B. Current permitted development
 - C. Minor height Increase effect - that is subject to this application
 - D. Brief 3 storey commercial 58-62 Stapleton Rd.

Conclusion - No Impact

- I. **The analysis show quite clearly that the proposed height increase will have close to zero affect on the amenity of No 2 Milsom Street.**
- II. No 2 Milsom Street 3 trees have a significant impact on shadow and sunlight amenity to its No 2 itself and significantly to No 1
- III. The Commercial 3 Storey side by virtue of its height above all other properties from the brief analysis shows its impact upon both 1 and 2 Milsom street in the Morning.
- IV. Cases have gone to the high court have concluded an acceptable figure of 2 hours sunlight for an affected neighbour. No 2 enjoy over 10 Hours before midday to Sunset, most of the day.
- V. **The minimal height increase make no discernible affect to loss of sunlight or shadow as a result, as evident on the data provided.**
- VI. The BRE guidance that the LPA use are more precise in that guidance recommend that for garden amenity areas at least 50%, not all, 50% should be capable of receiving 2 hours sunlight. Again the data shows 2 Milsom Street enjoy over 10 Hours of unimpeded sunshine from the proposal.
- VII. It follows that there is no loss of sunlight, over shadowing, over bearing as a result of this proposal being approved. Claims counter to this are false.
- VIII. Further this Data should be considered alongside the 45 degree and 21 degree angles from habitable windows that are totally free from interference also.

THE BLACK LINE ON THE MAPS INDICATE THE SHADOW EXTENT AND IS TRUE TO SCALE.

0600HRS



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 06:00 UTC+1

Solar data for the Location

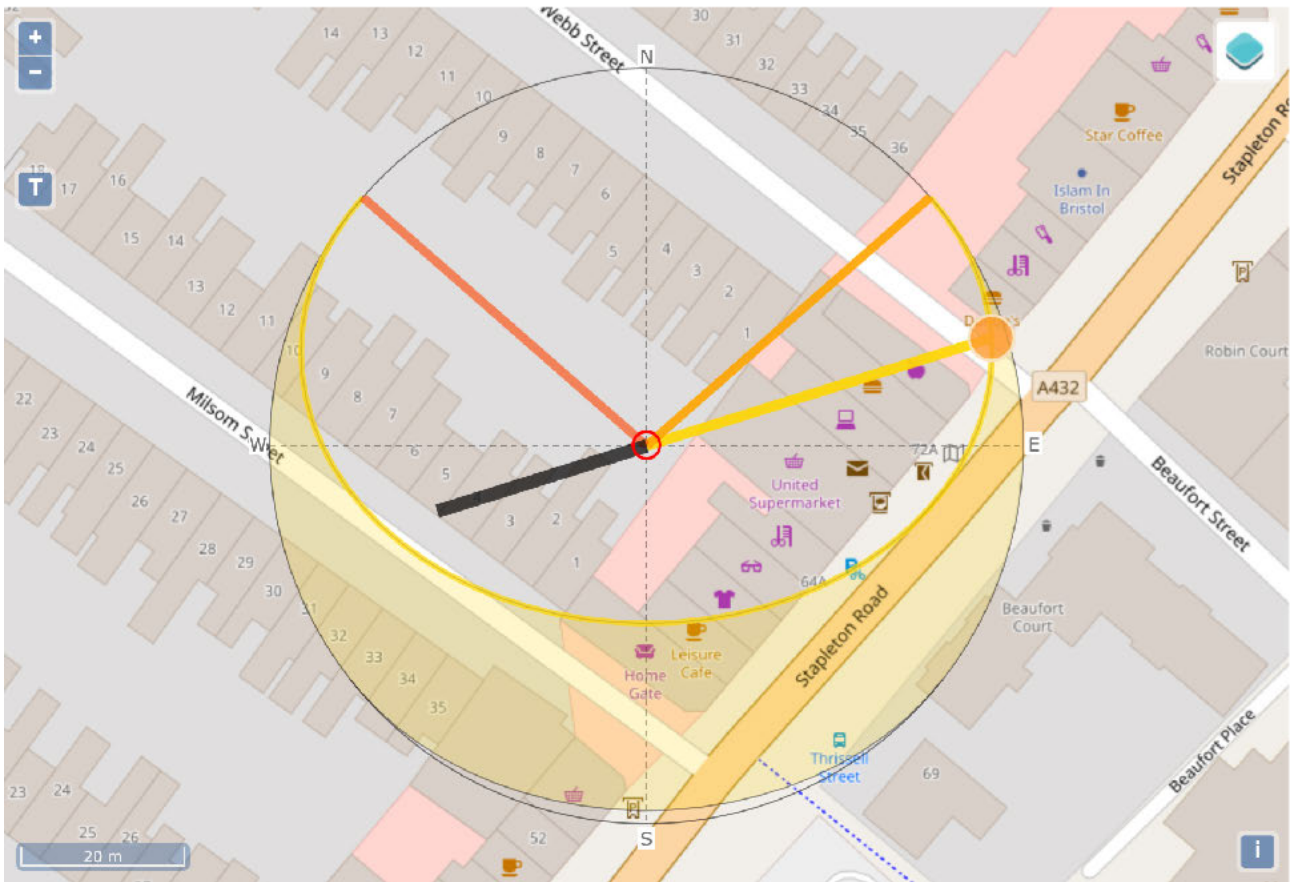
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 7.83°
Azimut: 61.69°
Shadow length: 58.21

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m

0700HRS TREES



05/07/2021

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Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 07:00 UTC+1

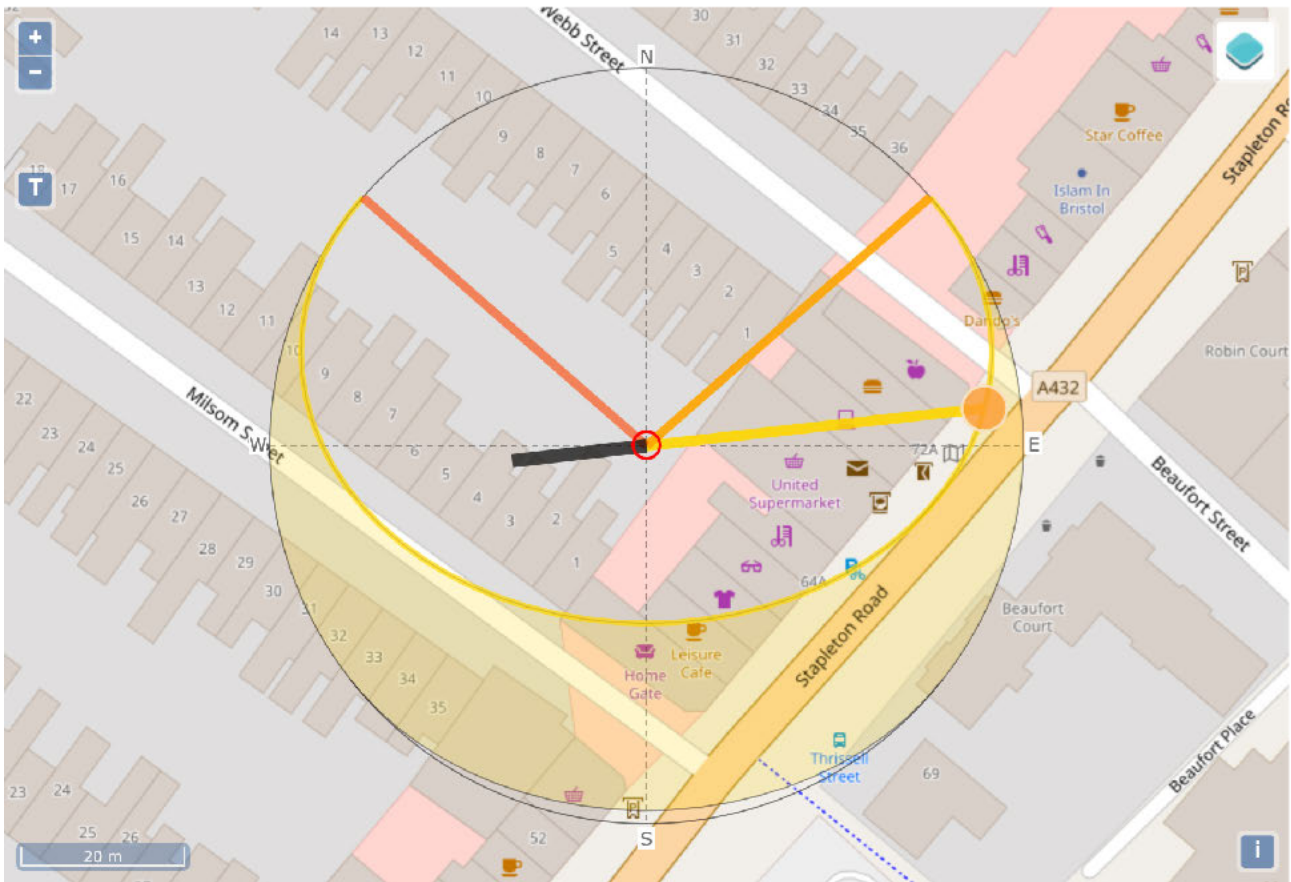
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 16.37°
Azimut: 72.68°
Shadow length: 27.23

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m



05/07/2021

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Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 08:00 UTC+1

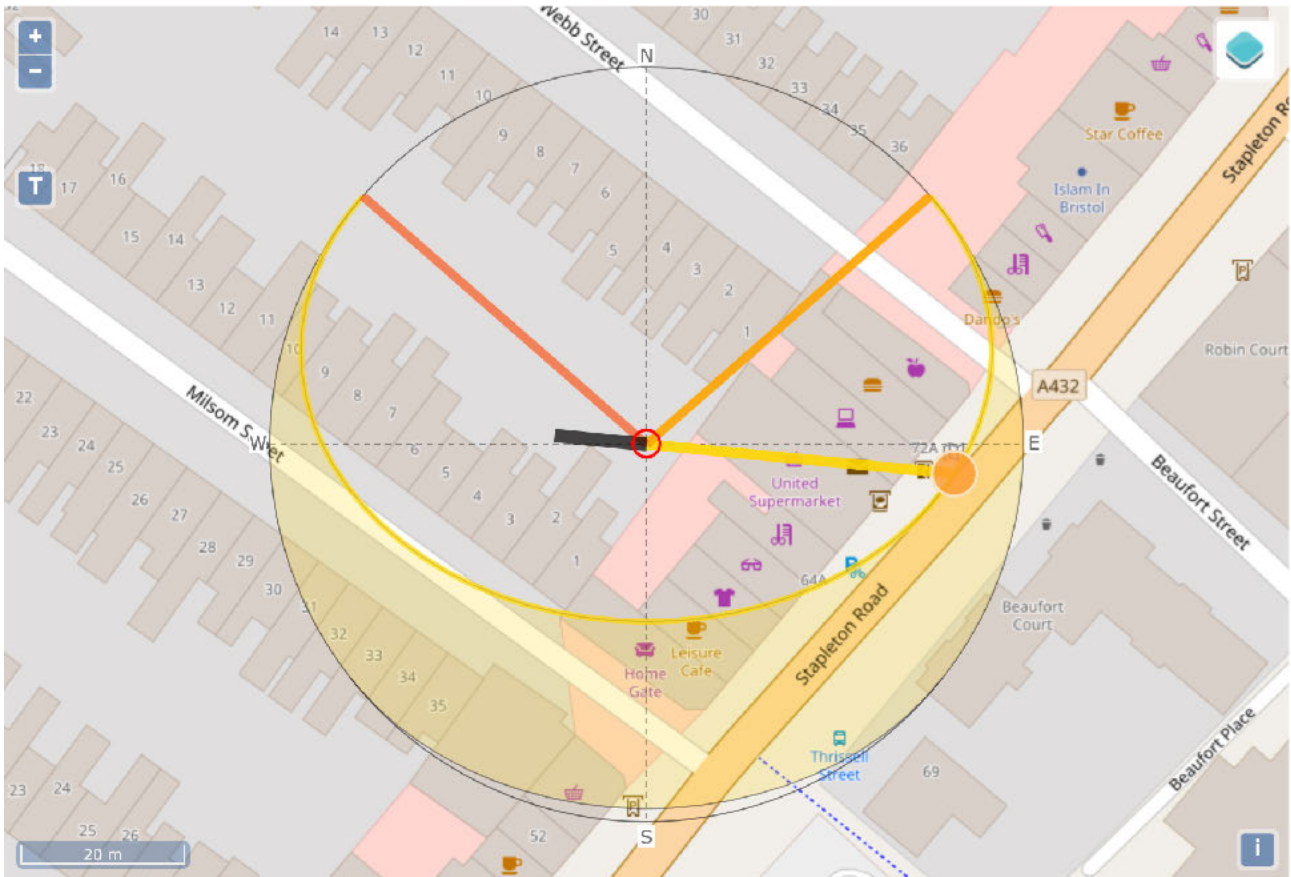
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 25.48°
Azimut: 83.71°
Shadow length: 16.79

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m



05/07/2021

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Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 09:00 UTC+1

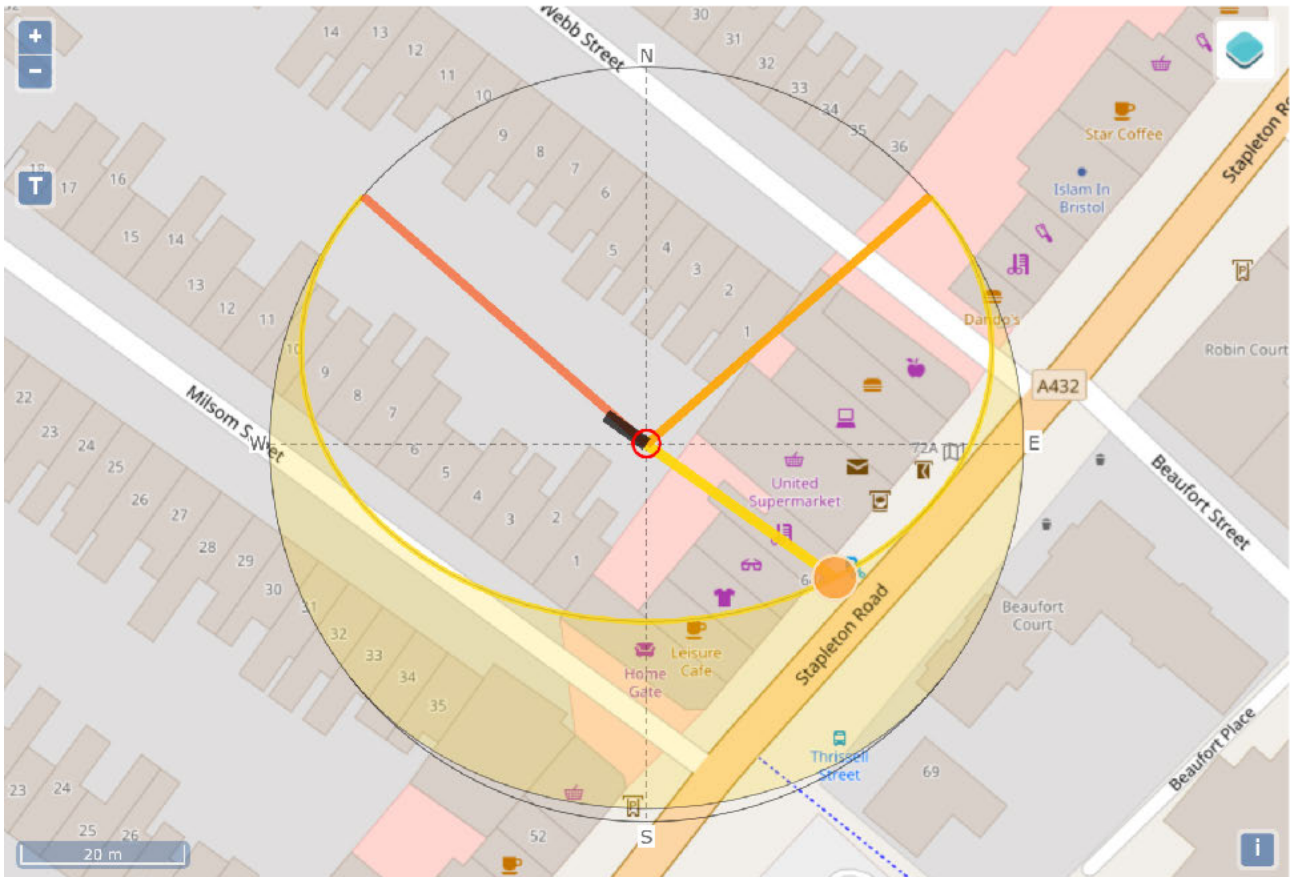
Solar data for the Location

Dawn: 04:05:30
 Sunrise: 04:52:39
 Sun peak level: 13:12:09
 Sunset: 21:31:39
 Dusk: 22:18:48
 Duration: 16h39m0s
 Altitude: 34.80°
 Azimut: 95.42°
 Shadow length: 11.51

Geo data for the Location

Height: 13m
 Latitude: N 51°27'38.48" 51.46069°
 Longitude: W 2°34'29.2" -2.57478°
 Timezone: Europe/London BST

at an object level: 8m



05/07/2021

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Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 11:00 UTC+1

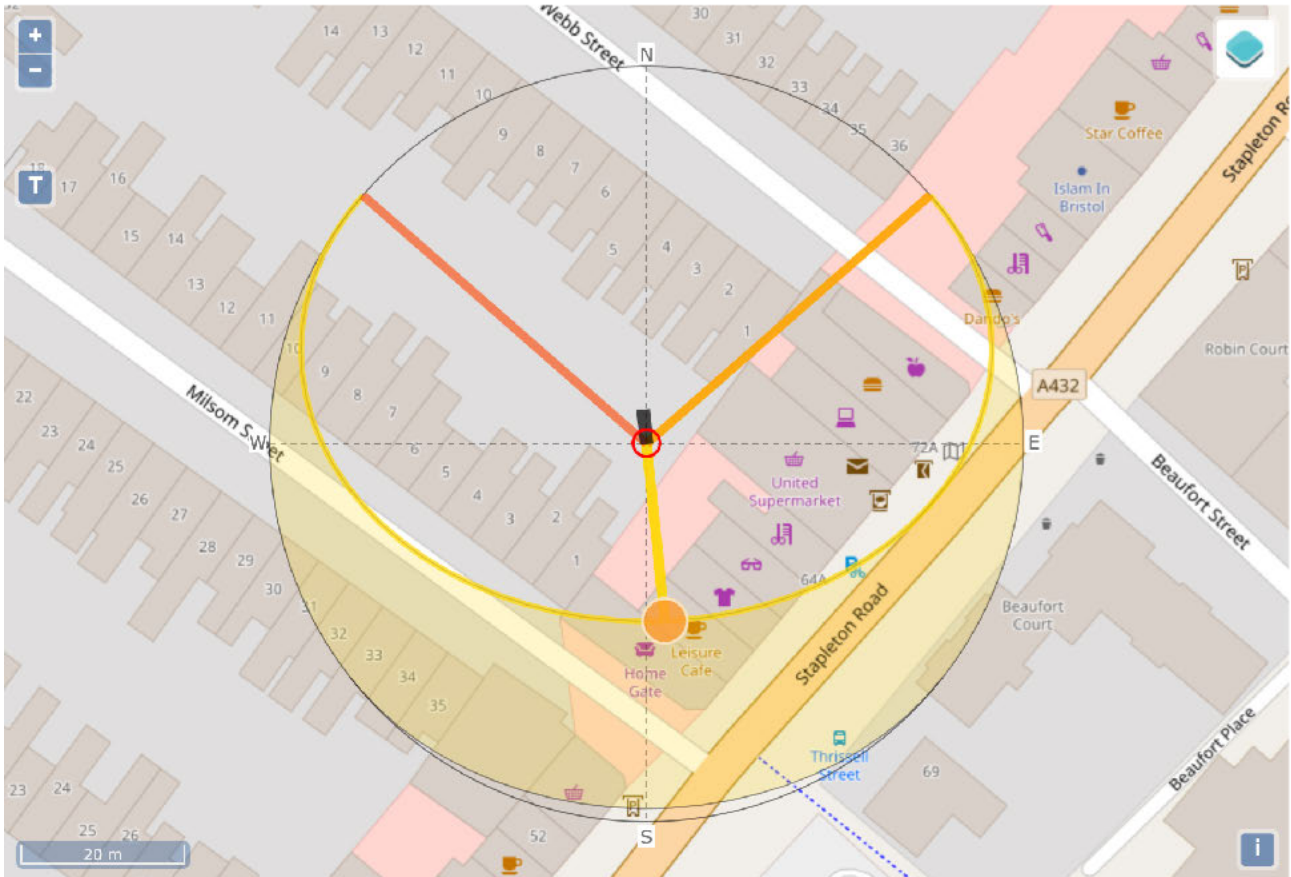
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 6.20

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m



05/07/2021

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Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 4.27

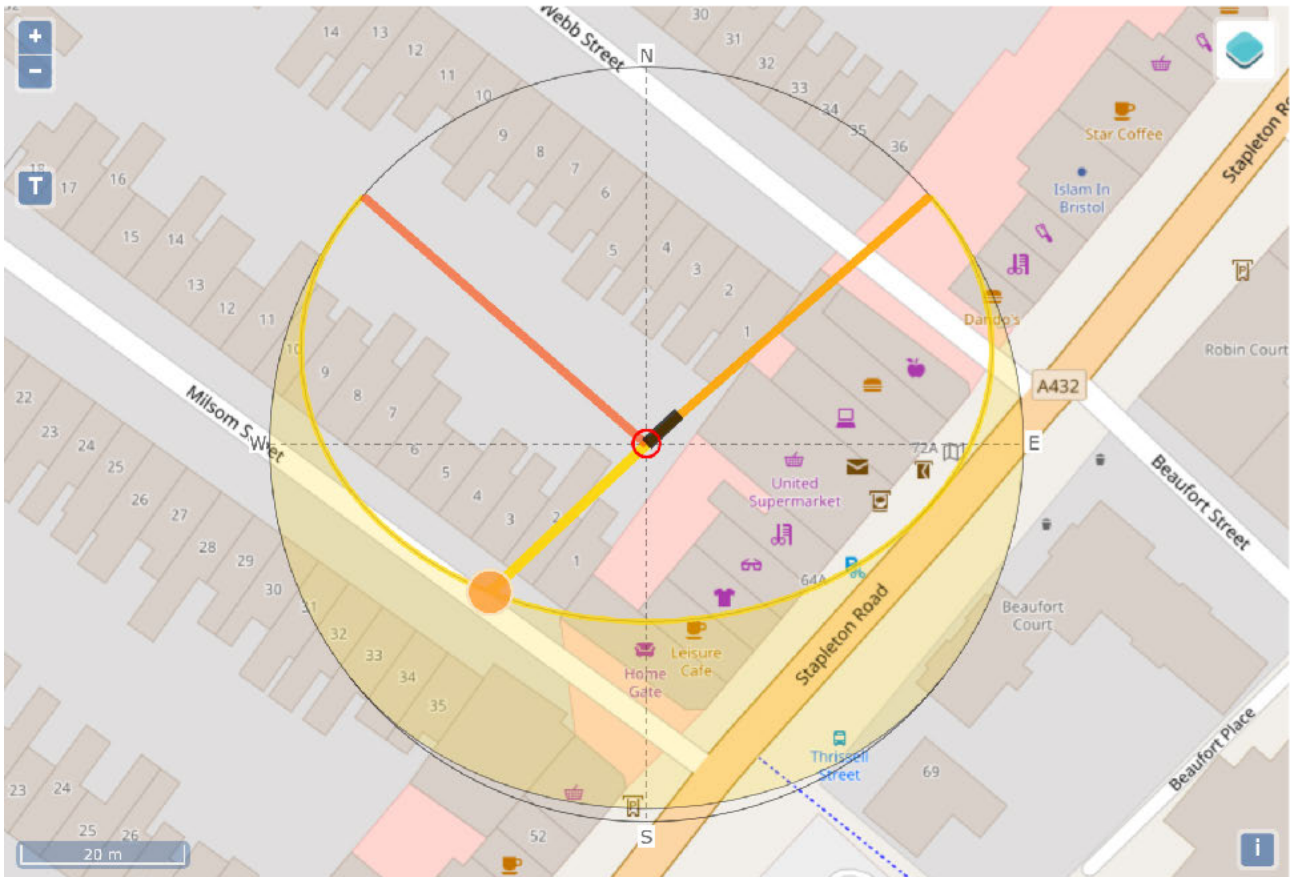
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m

1500HRS

TREES



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 15:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 55.16°
Azimut: 226.70°
Shadow length: 5.57

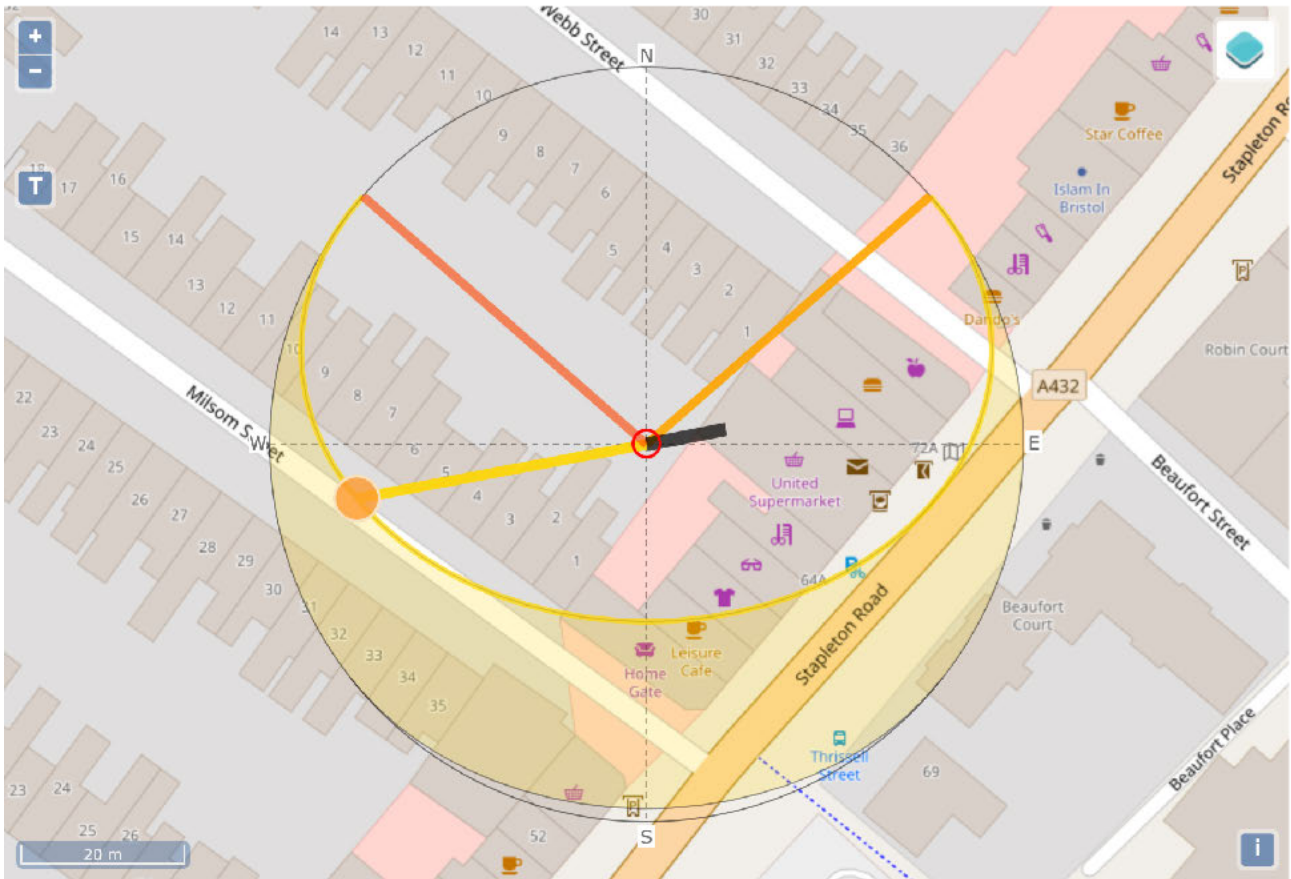
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m

1700HRS

TREES



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 17:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 10.04

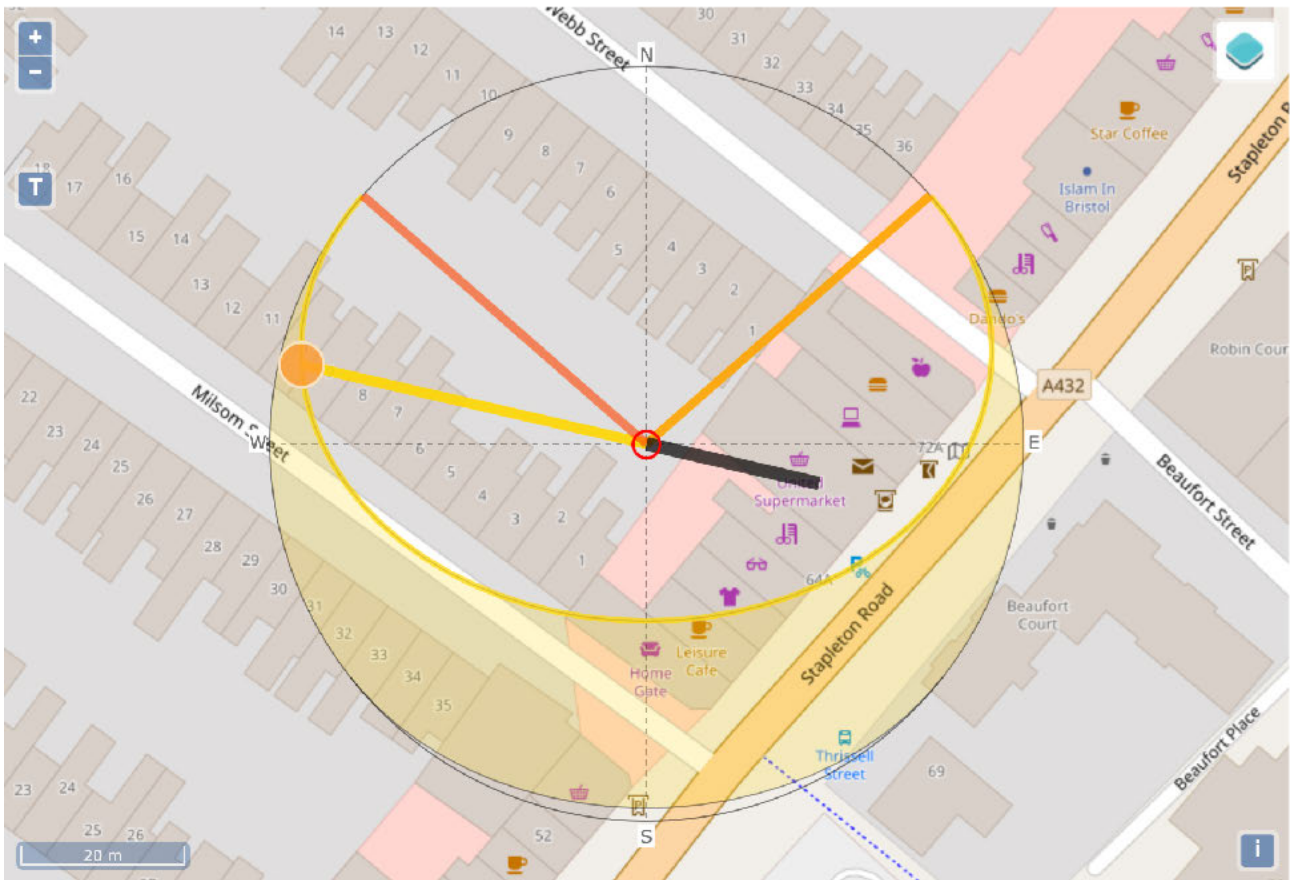
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 8m

1900HRS

TREES



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
 Sunrise: 04:52:39
 Sun peak level: 13:12:09
 Sunset: 21:31:39
 Dusk: 22:18:48
 Duration: 16h39m0s
 Altitude: 20.02°
 Azimut: 282.88°
 Shadow length: 21.96

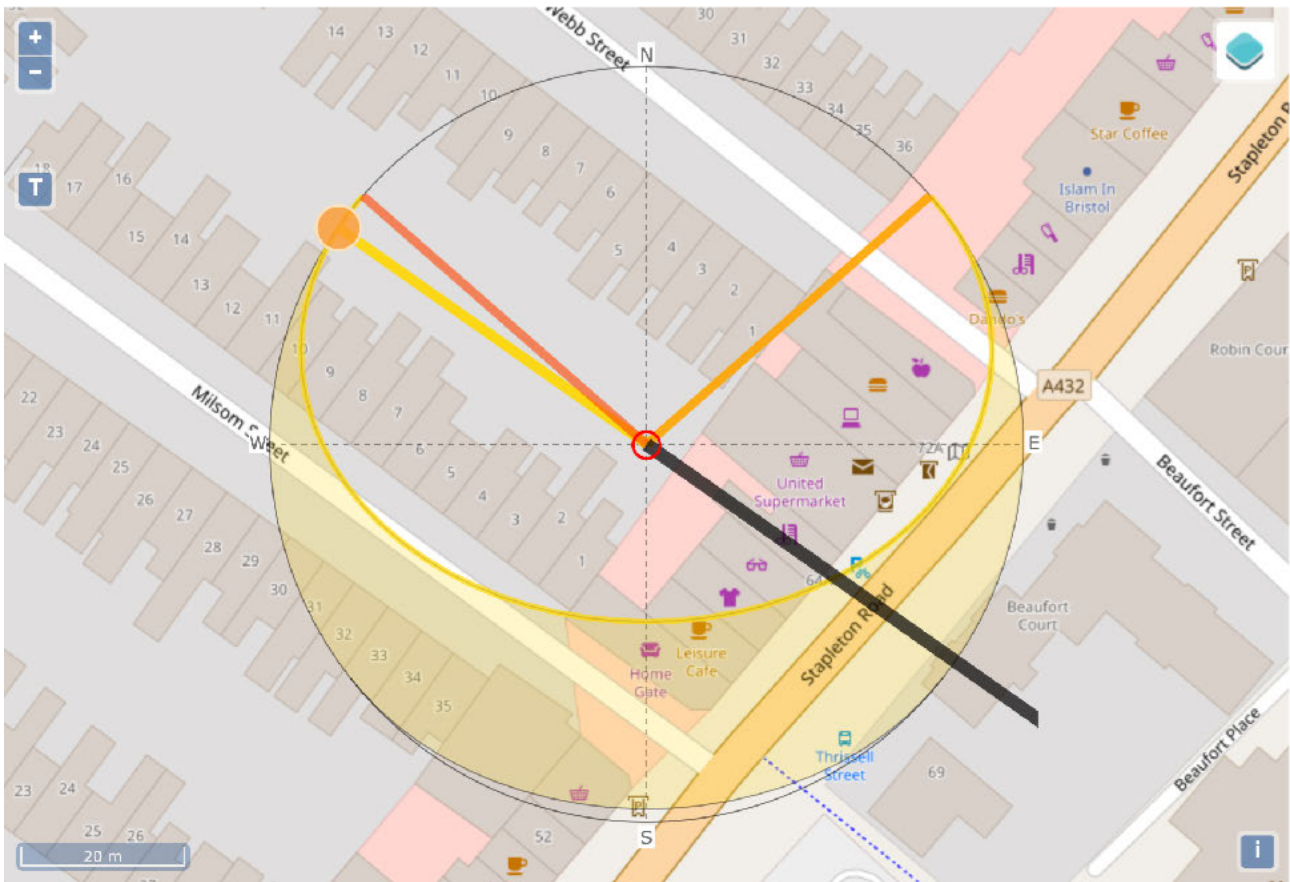
Geo data for the Location

Height: 13m
 Latitude: N 51°27'38.47" 51.46069°
 Longitude: W 2°34'29.23" -2.57479°
 Timezone: Europe/London BST

at an object level: 8m

2100HRS

TREES



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 3.21°
Azimut: 305.01°
Shadow length: 142.55

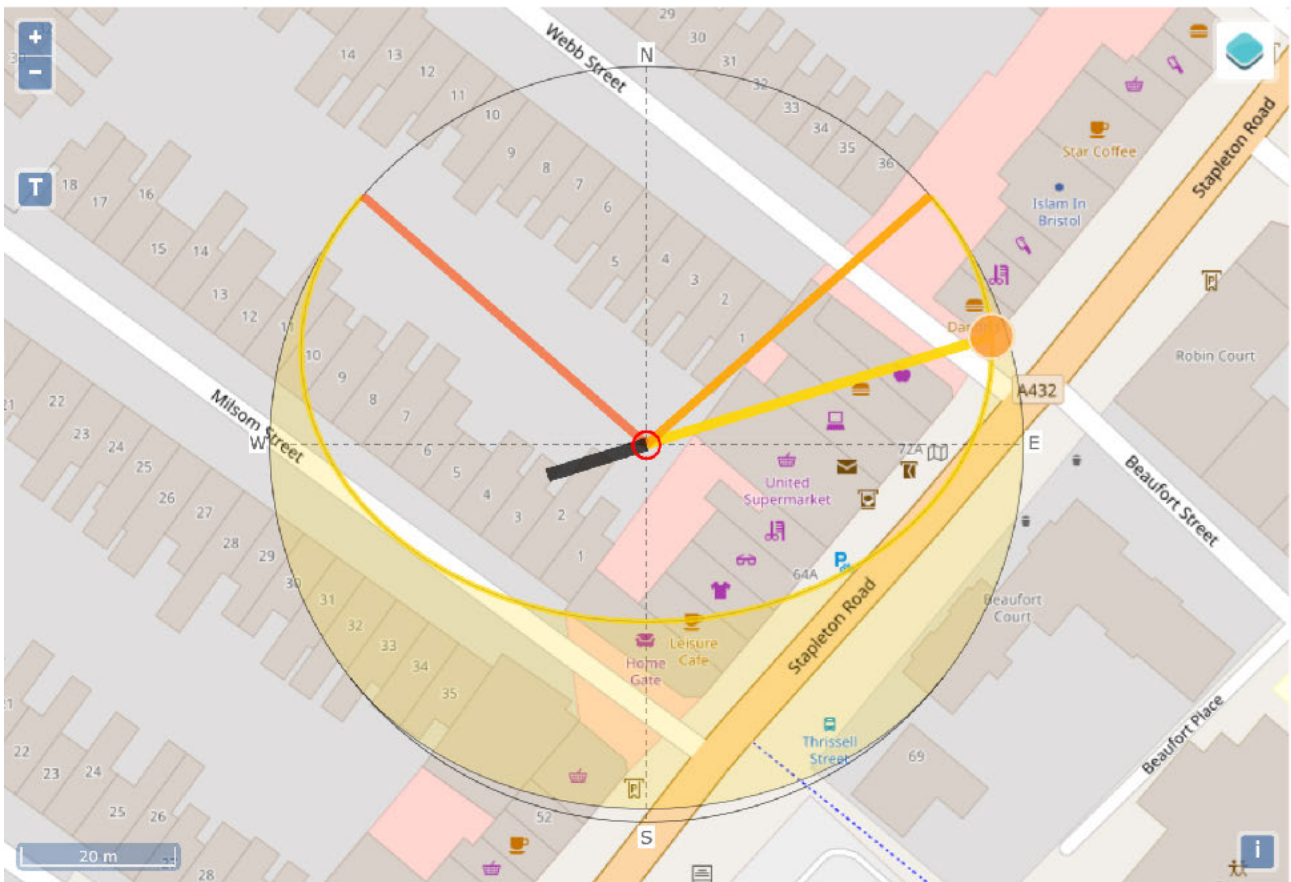
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.47" 51.46069°
Longitude: W 2°34'29.23" -2.57479°
Timezone: Europe/London BST

at an object level: 8m

EXISTING 6M PERMITTED

0700HRS



05/07/2021

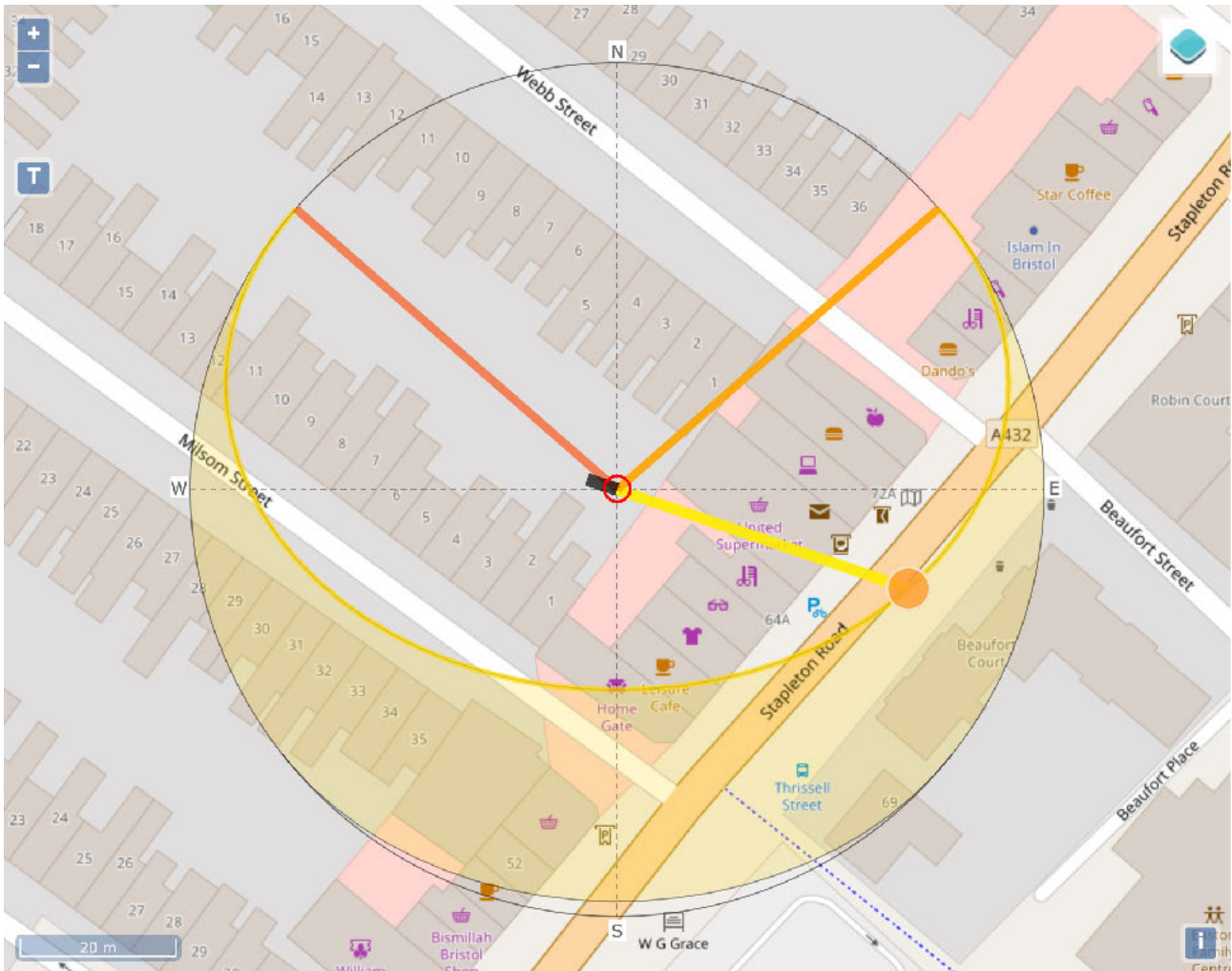
www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location		Geo data for the Location	
Dawn:	04:05:30	Height:	13m
Sunrise:	04:52:39	Latitude:	N 51°27'38.48" 51.46069°
Sun peak level:	13:12:09	Longitude:	W 2°34'29.2" -2.57478°
Sunset:	21:31:39	Timezone:	Europe/London BST
Dusk:	22:18:48		
Duration:	16h39m0s		
Altitude:	16.37°		
Azimuth:	72.68°		
Shadow length:	13.62	at an object level:	4m

0900HRS 6M PERM

FIND IT OR DO 10



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 10:00 UTC+1

Solar data for the Location

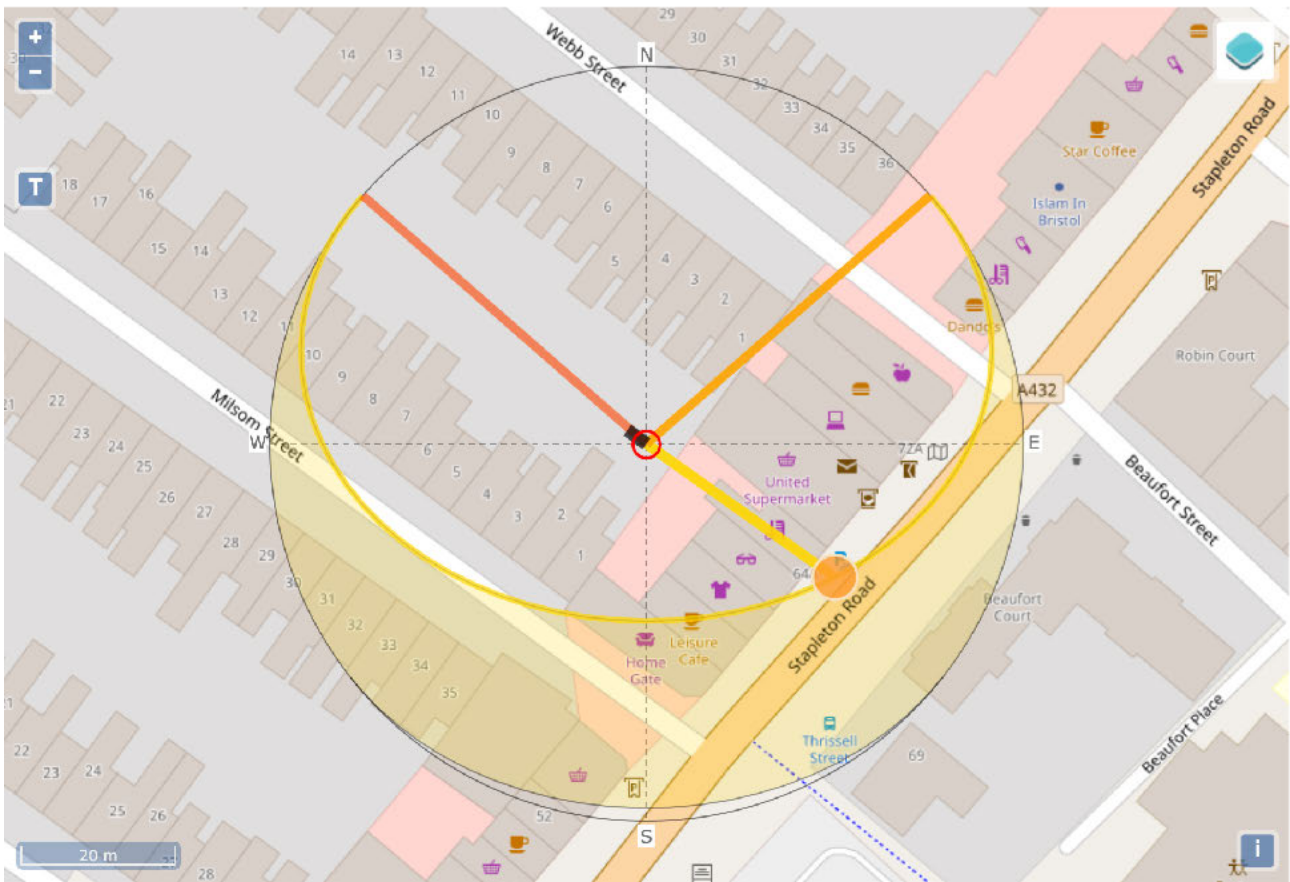
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 43.91°
Azimut: 108.79°
Shadow length: 4.15

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m

1100HRS 6 PERM



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 11:00 UTC+1

Solar data for the Location

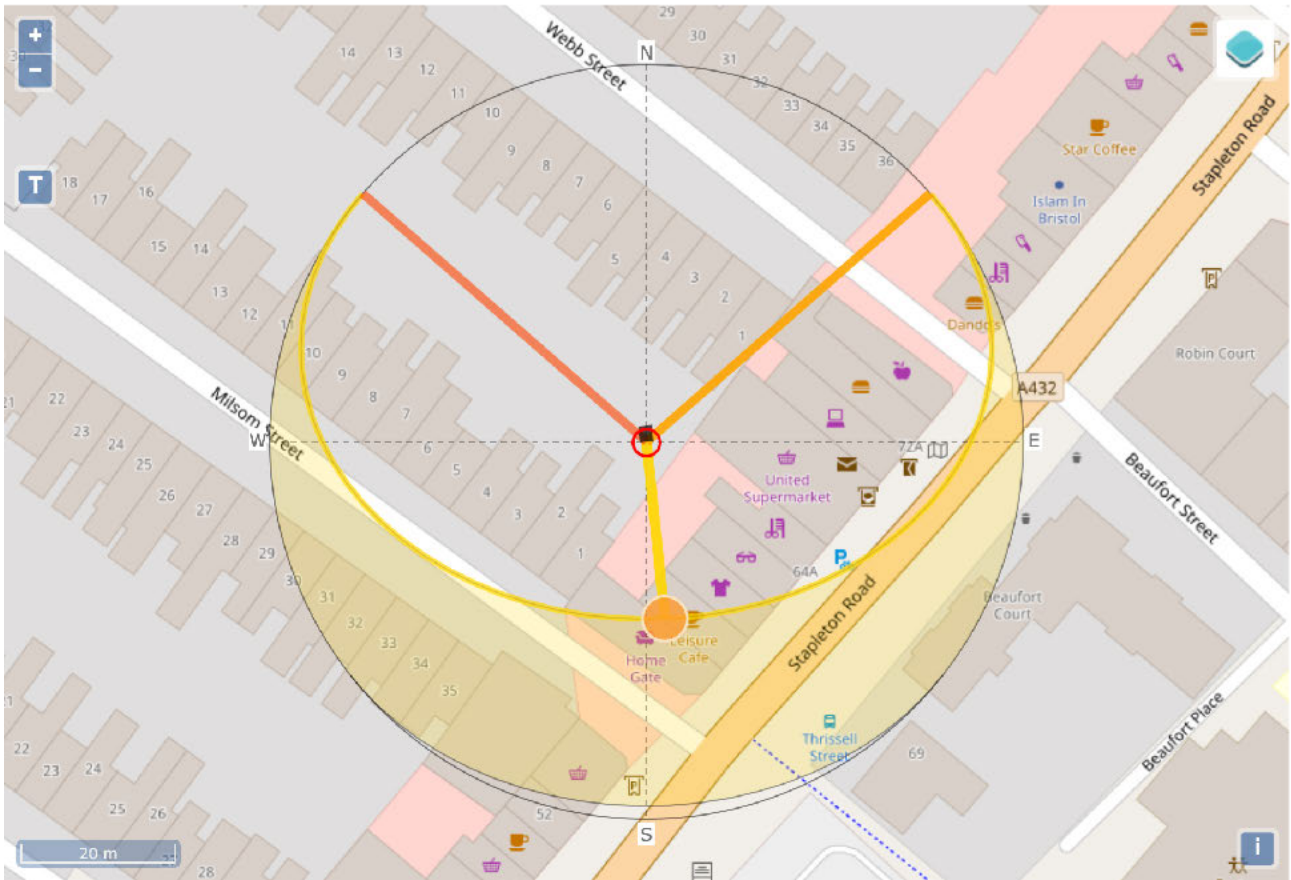
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 3.10

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m

1300HRS PERM



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

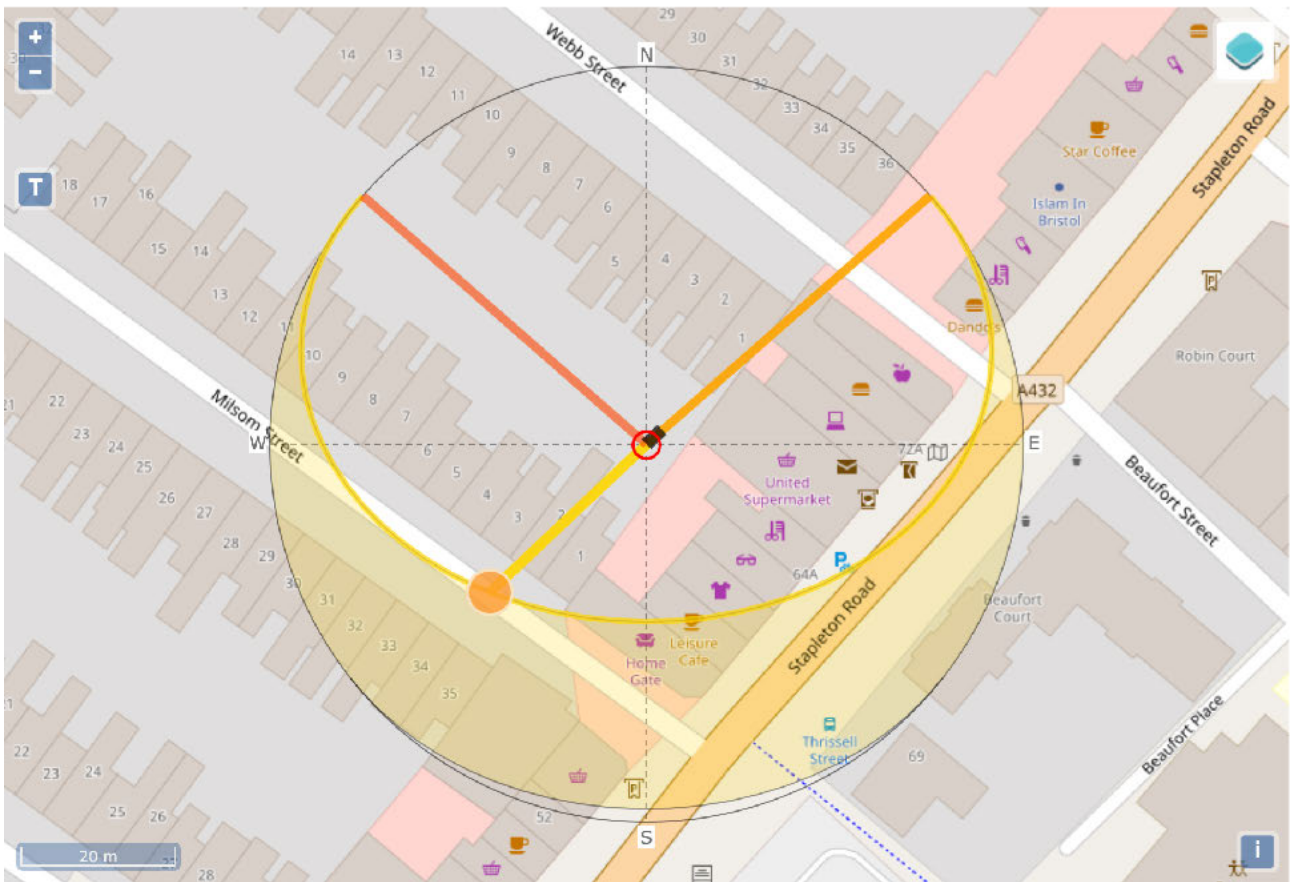
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 2.14

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m

1500HRS 6M PERM



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 15:00 UTC+1

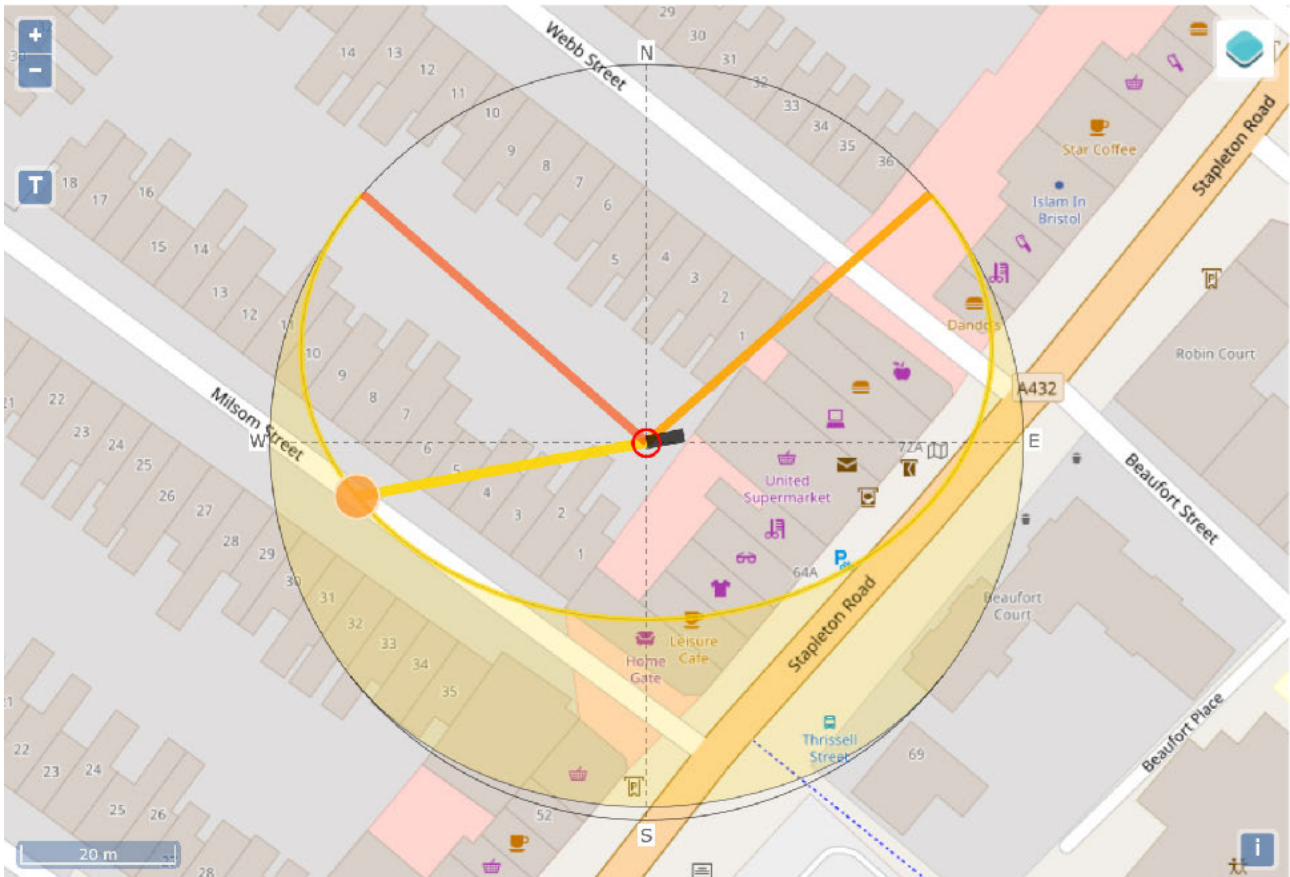
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 55.16°
Azimut: 226.70°
Shadow length: 2.78

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 17:00 UTC+1

Solar data for the Location

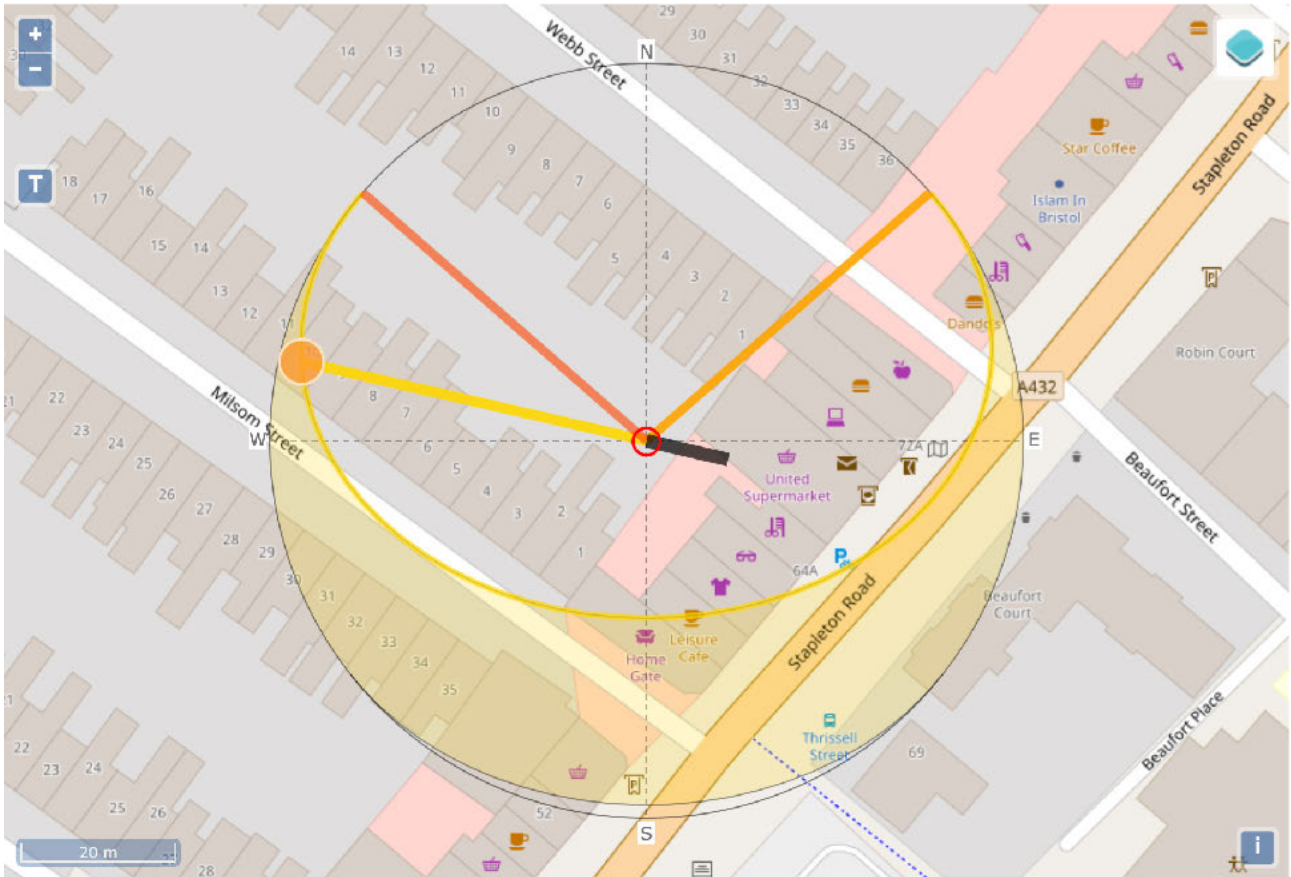
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 5.02

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m

1900HRS PERM



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

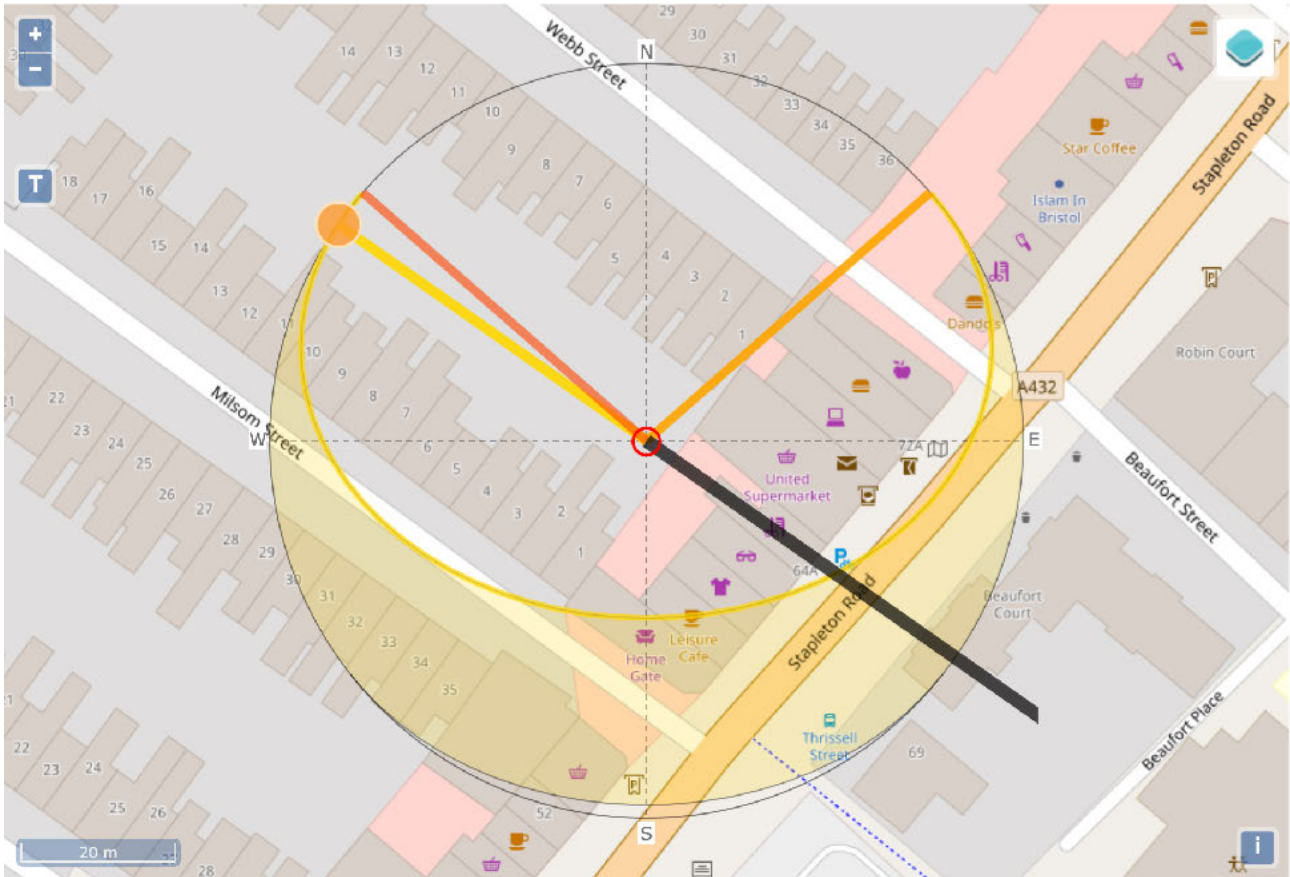
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 20.02°
Azimut: 282.88°
Shadow length: 10.98

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 3.21°
Azimut: 305.01°
Shadow length: 71.28

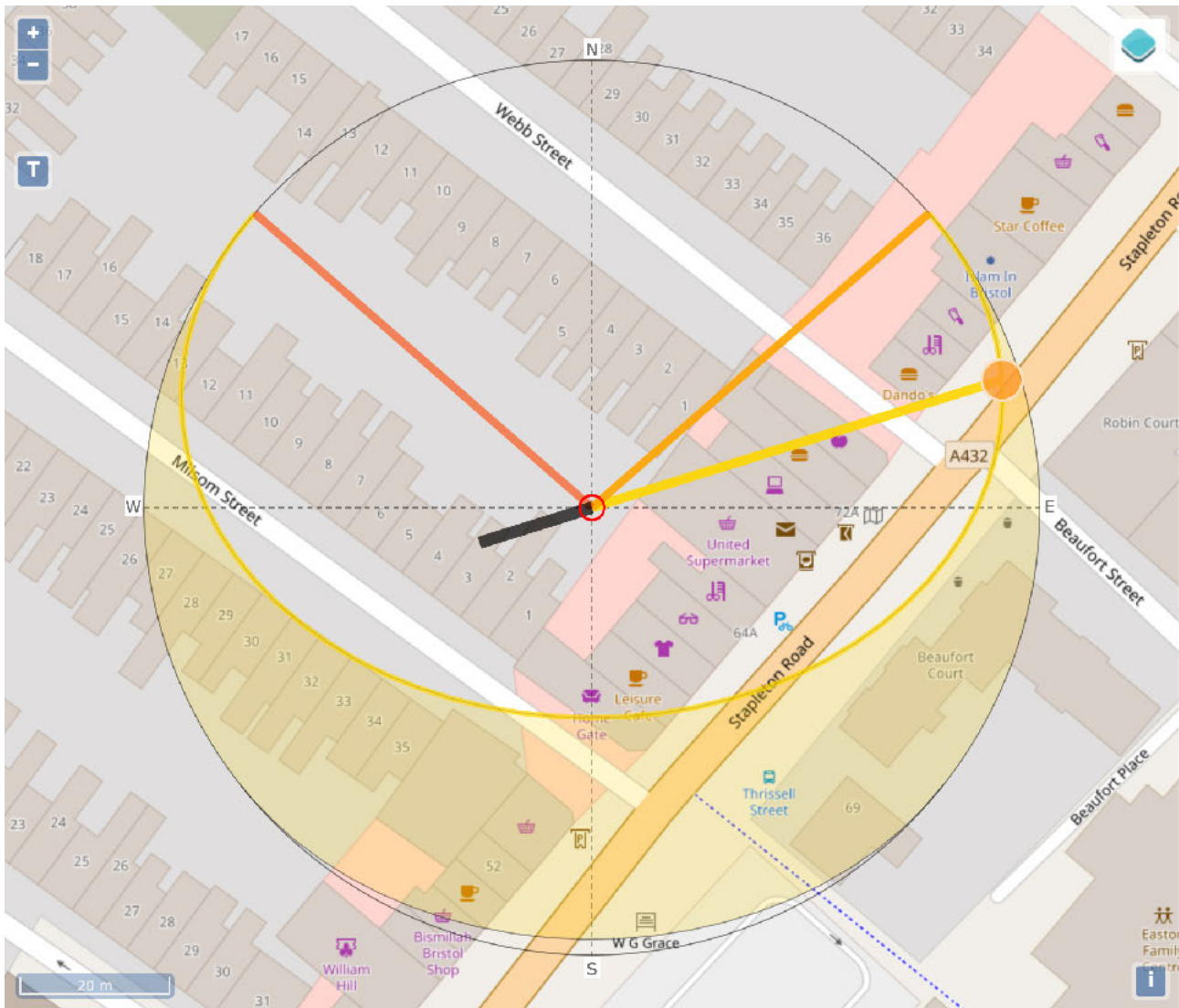
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4m

HEIGHT INCREASE NO DIFF

0700HRS HEIGHT



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location

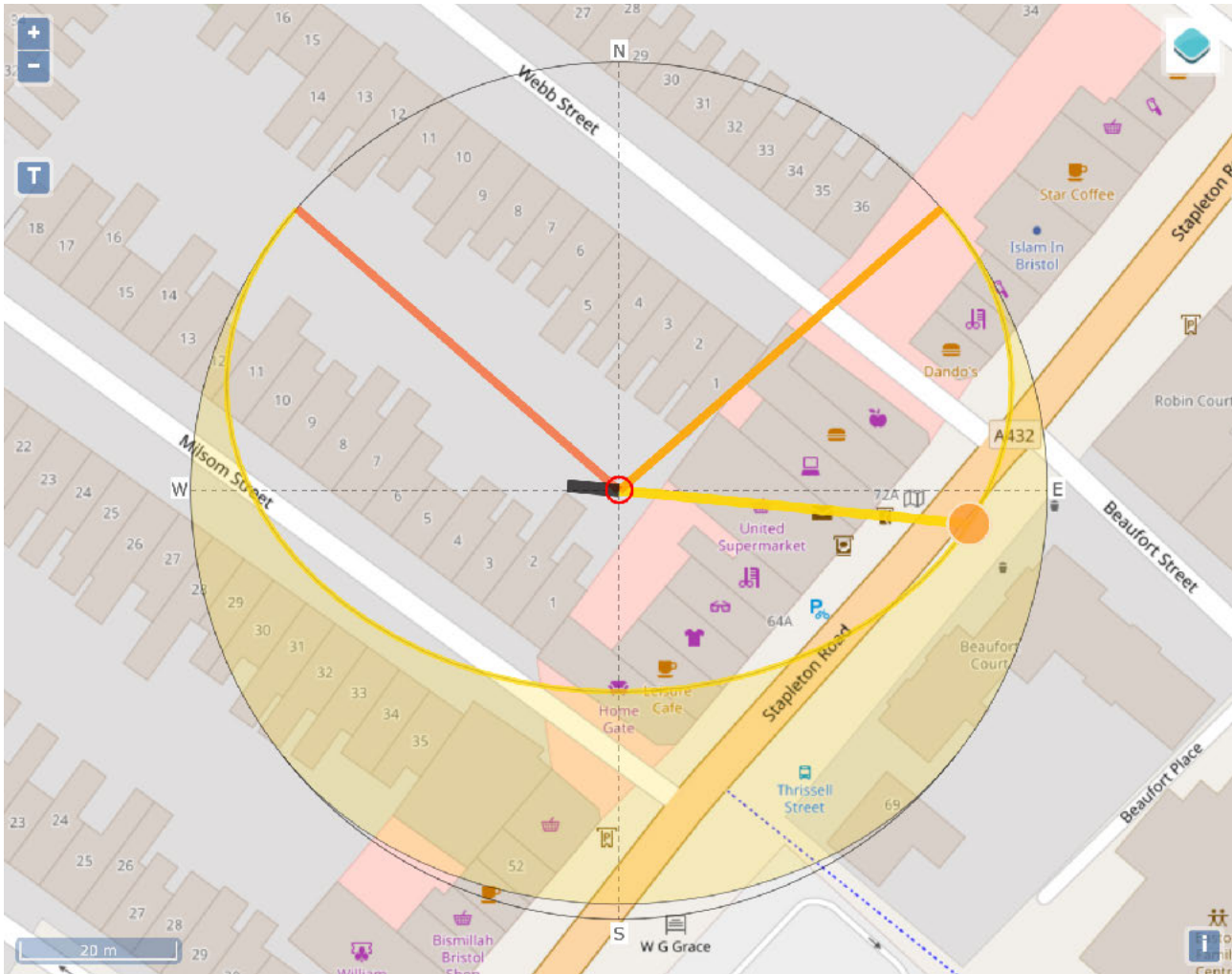
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 16.37°
Azimut: 72.68°
Shadow length: 16.00

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

0900HRSHEIGHT NO DIFF



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:00 UTC+1

Solar data for the Location

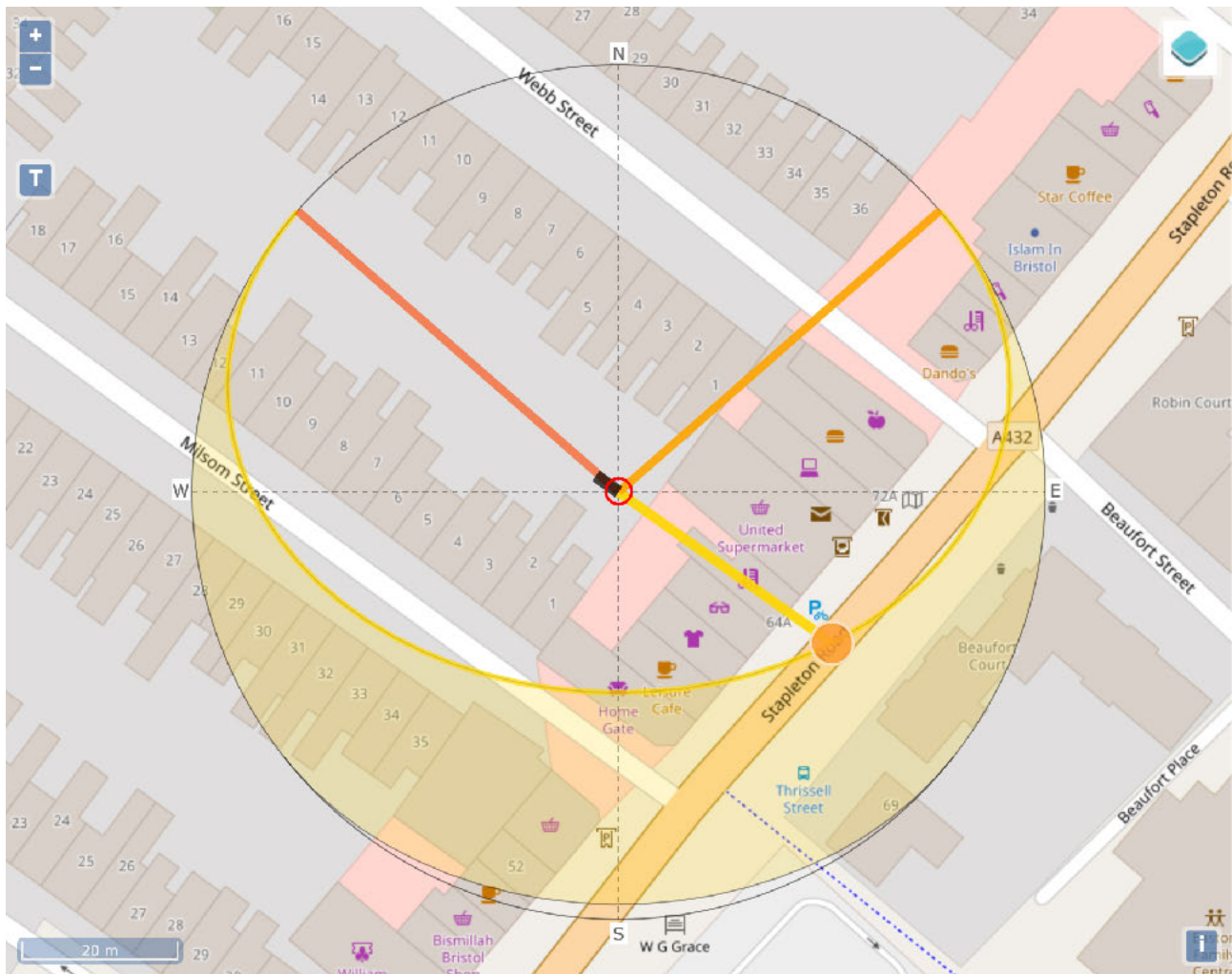
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.80°
Azimut: 95.42°
Shadow length: 6.76

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

1100HRS HEIGHT NO DIFF



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 11:00 UTC+1

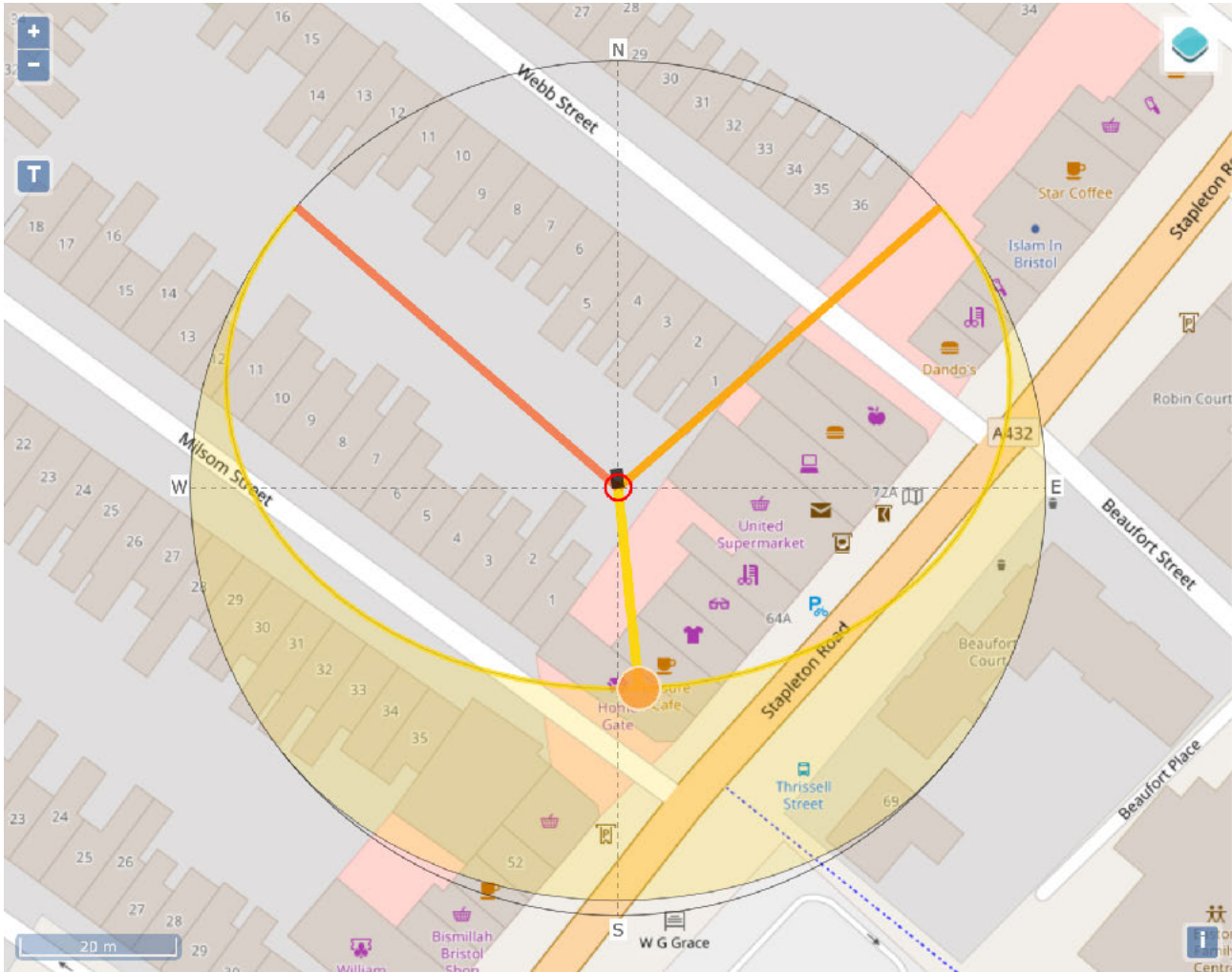
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 3.64

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST
at an object level: 4.7m

1300HRS HEIGHT



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

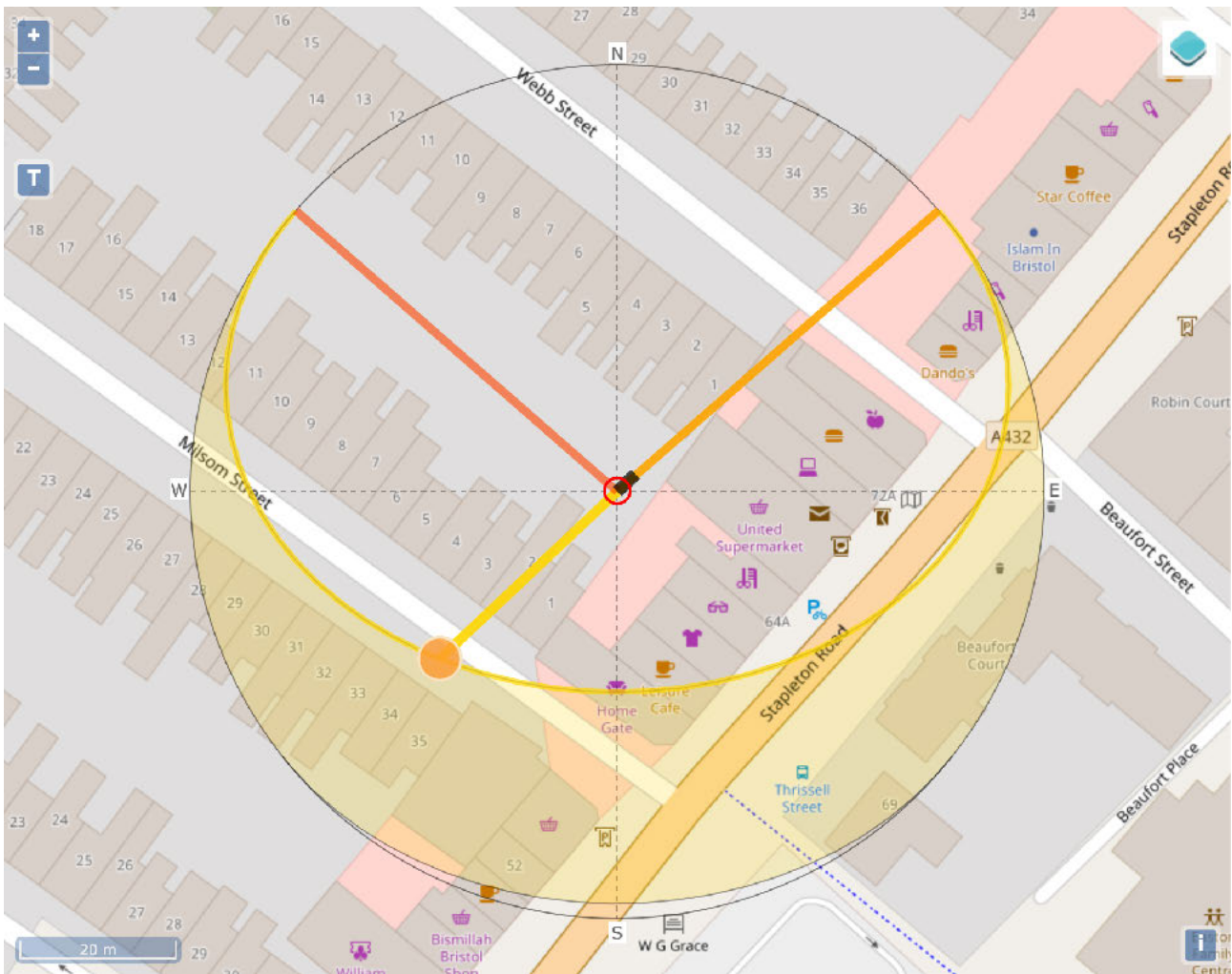
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 2.51

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

1500 HRS HEIGHT NO DIFF



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 15:00 UTC+1

Solar data for the Location

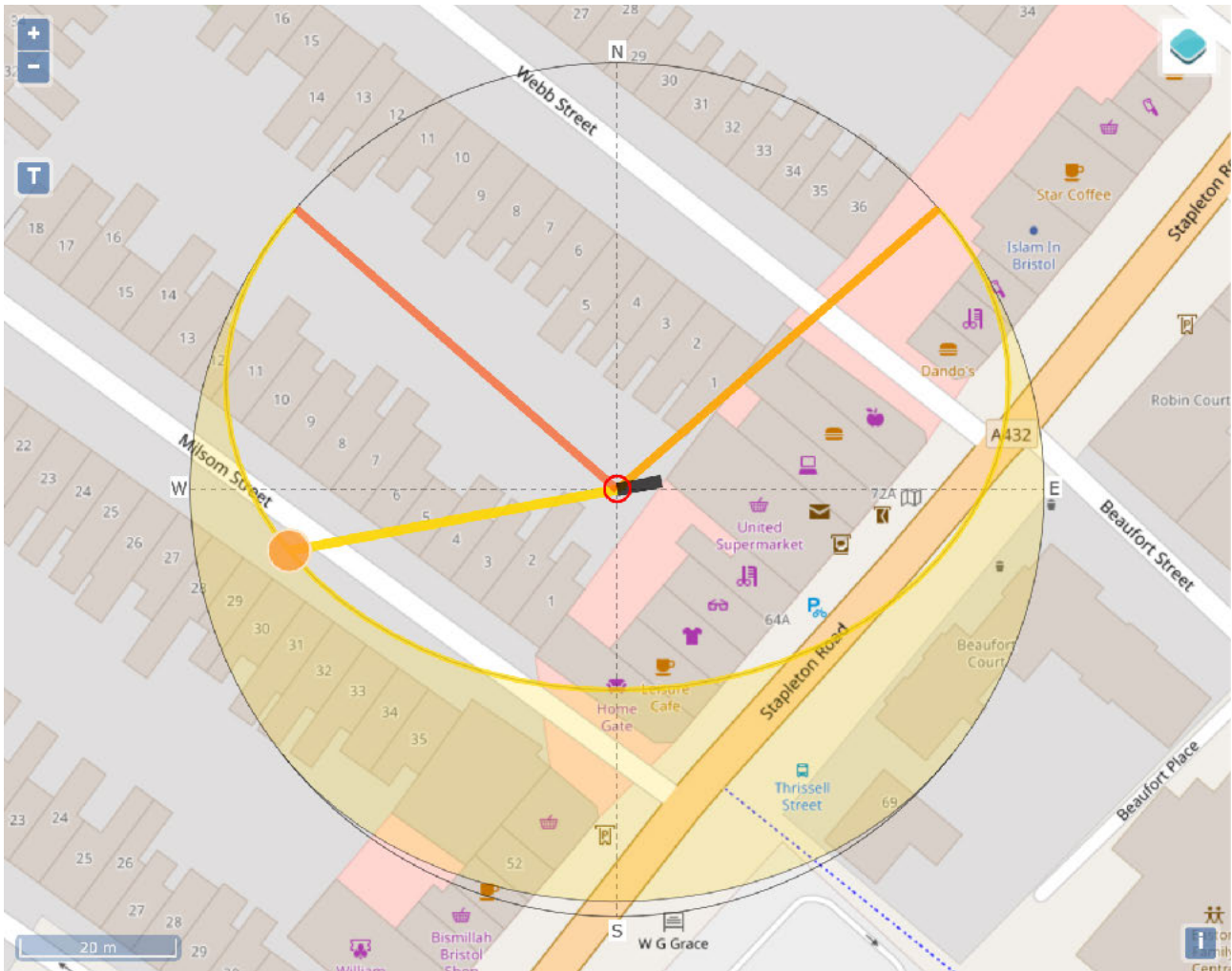
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 55.16°
Azimut: 226.70°
Shadow length: 3.27

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

1700HRS HEIGHT



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 17:00 UTC+1

Solar data for the Location

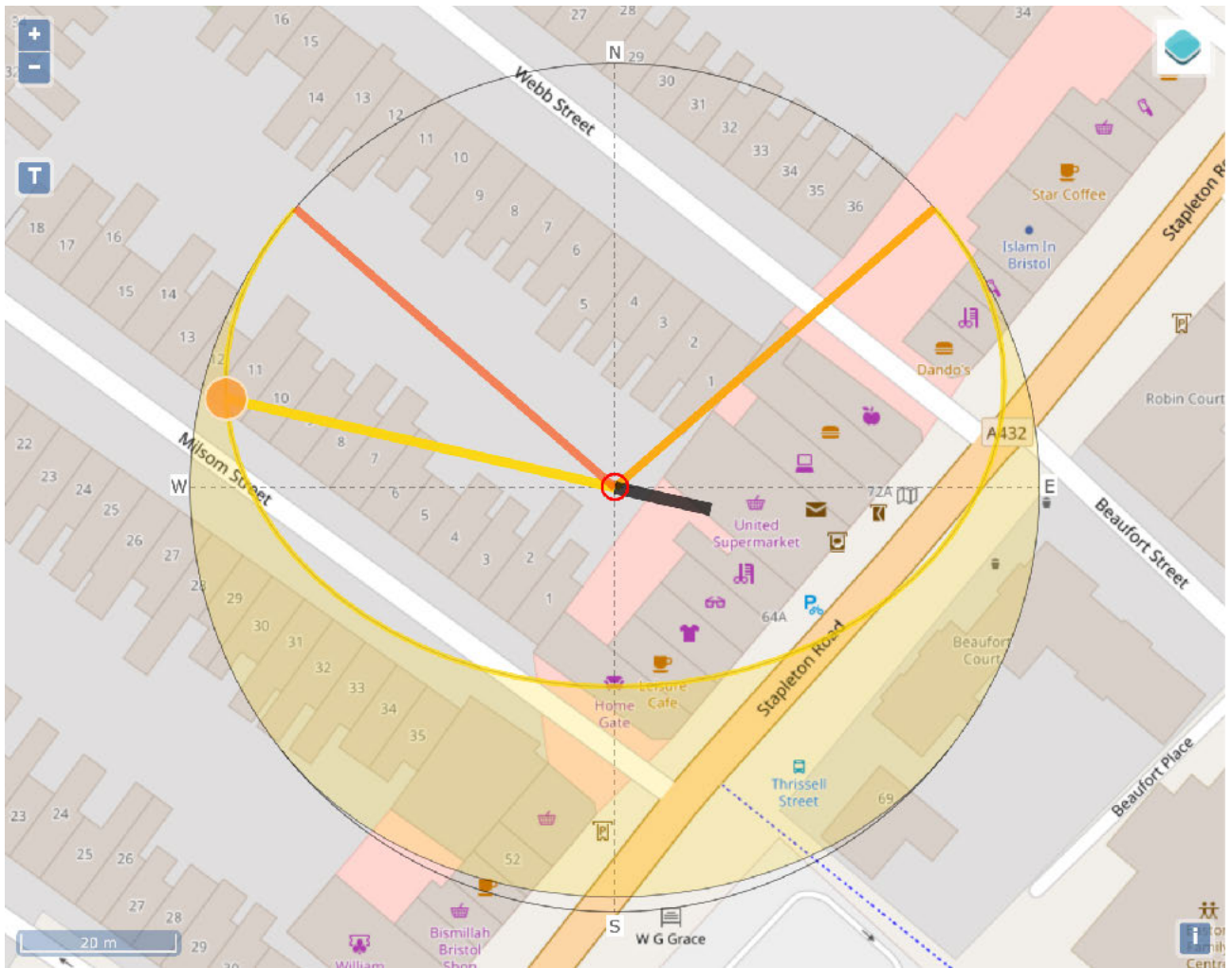
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 5.90

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

1900 HRS HEIGHT



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

Solar data for the Location

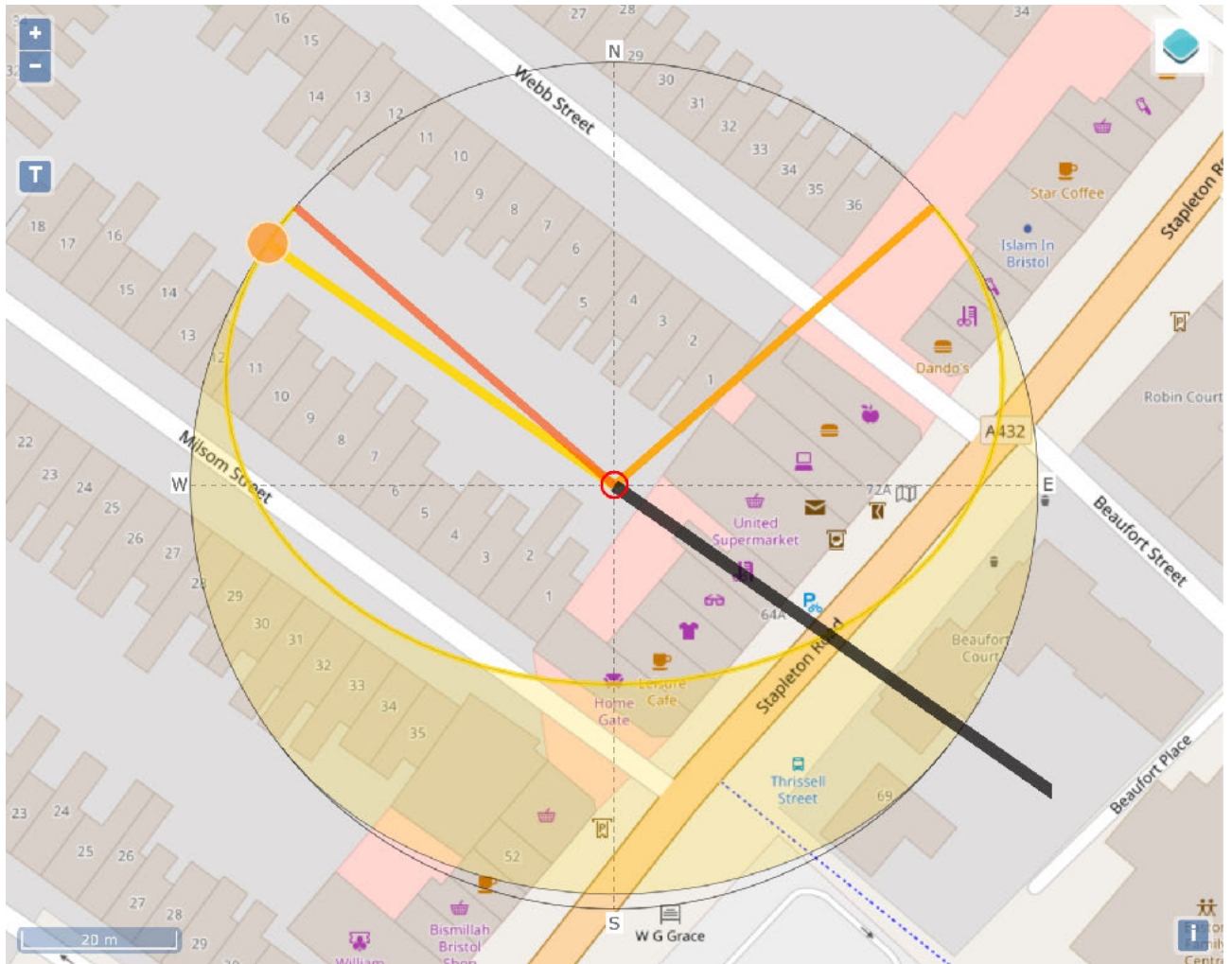
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 20.02°
Azimut: 282.88°
Shadow length: 12.90

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

2100HRS HEIGHT NO DIFF



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 3.21°
Azimut: 305.01°
Shadow length: 83.75

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.48" 51.46069°
Longitude: W 2°34'29.2" -2.57478°
Timezone: Europe/London BST

at an object level: 4.7m

Brief Shadow Analysis of the 3 storey commercial structures upon No 2 fro 0700 to 1100Hrs

0700hrs



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location

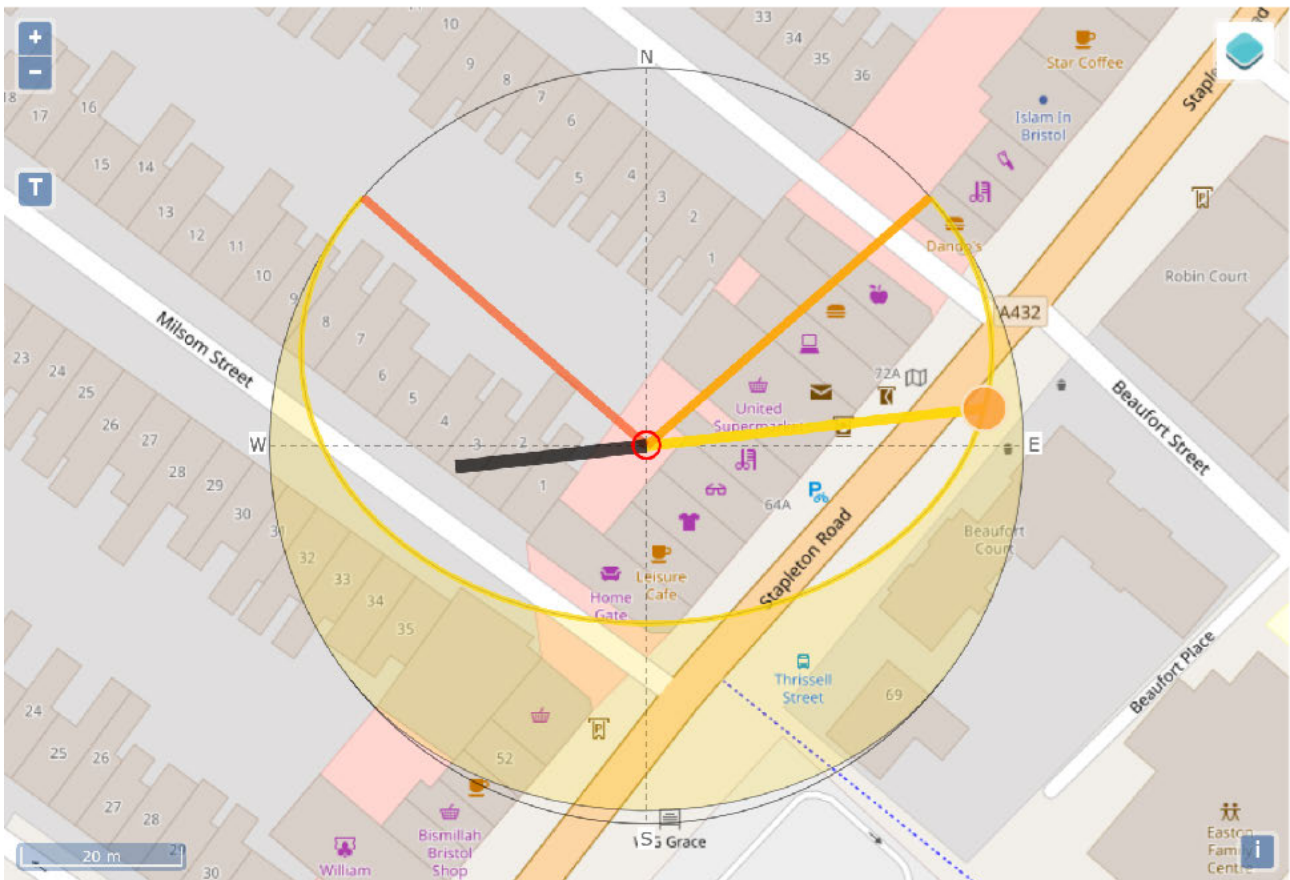
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 16.37°
Azimut: 72.68°
Shadow length: 39.15

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

0800hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 08:00 UTC+1

Solar data for the Location

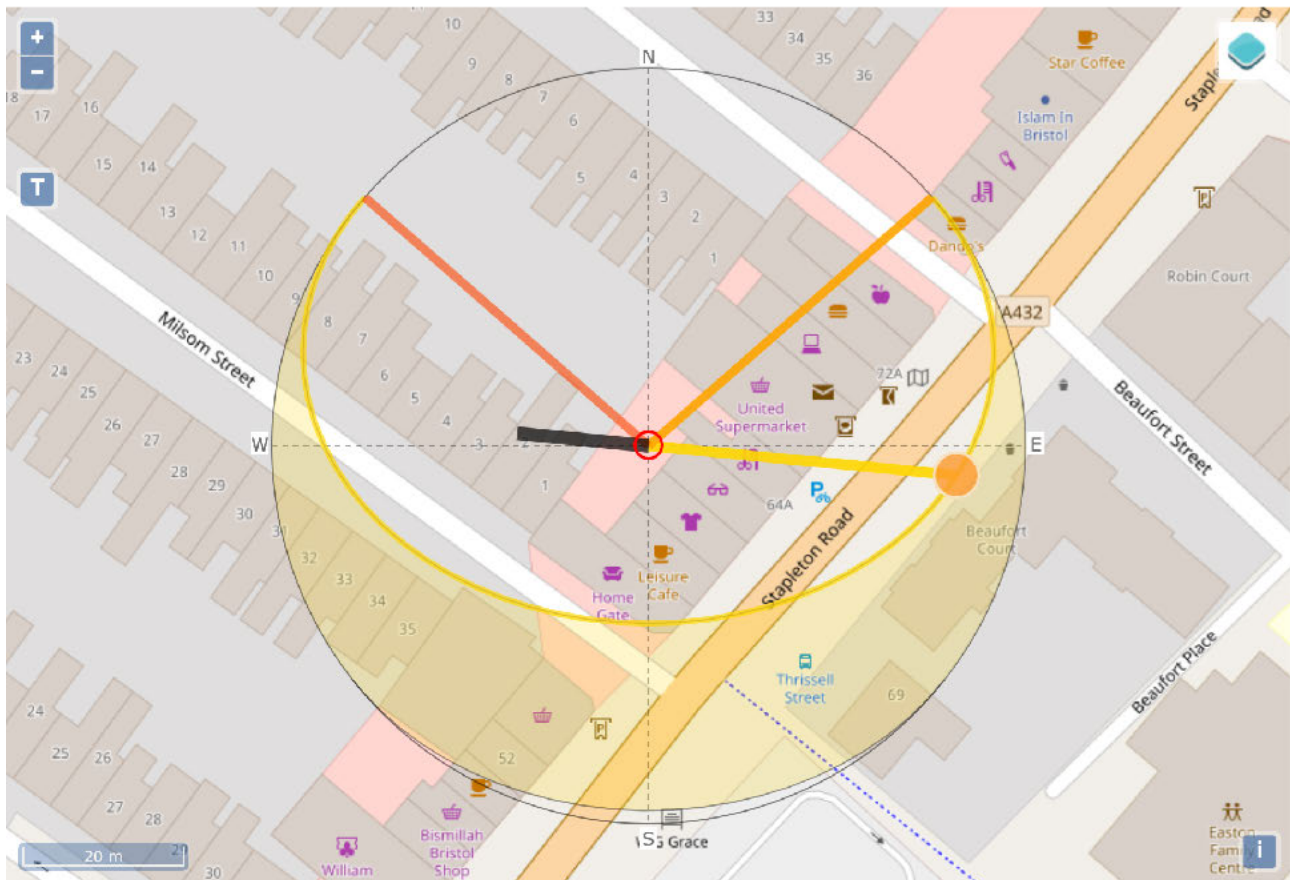
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 25.48°
Azimut: 83.71°
Shadow length: 24.13

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

0900hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.80°
Azimut: 95.42°
Shadow length: 16.55

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

100hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 10:01 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 44.06°
Azimut: 109.03°
Shadow length: 11.88

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

1100hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 11:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 8.91

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

END

C/o 1 Milsom St, Bristol, BS5 0SS - **STATEMENT NUMBER A3 (ii)**

Reference: **21/02373/H** | 21/02373/H | Retrospective planning for reinstatement of section of original house structure. | 1 Milsom Street Bristol BS5 0SS

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FAO - DEVELOPMENT COMMITTEE B 21ST JULY 21 STATEMENT

19/7/21

Dear Councillors of the Development Control Meeting,

Please note, this statement also have pictures attached of other 2 storey original house structures in the street and area.

It would be requested the Case Officer be asked, how a precedent can be set as he states when they are elsewhere and the proposed part is actually the main house original building structure?

As stated before:

I have been involved with the external liaison, technical consultation, contractors sourcing and neighbourhood consultations for the applicant amongst others.

In my opinion the Case Officers report is highly misleading and inaccurate and factual data does not justify his statements.

Please can you see the attached Case Officers report with my comments / statement on them. [attached] This would be essential to read to see the truth

Further I would kindly request you refer to the solar / shadow data attached that is not with the application that will provide factual data that is at significant odds to the the case officers and No 2 Milsom Street assertions..

I thank you in advance of taking the time to scrutinise this application which I support.

Enc: Case Officers report to committee with my statements in blue and bold typeface.

Enc - Sun / Shadow data analysis for application 21/02372/H

Enc- Pictures of other 2 storey Original Building structures existing currently.

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BACKGROUND AND SUMMARY

This planning application seeks retrospective planning permission for the 'reinstatement' of a lean-to extension. The works would extend 4.5m in depth, exceeding the previous depth by approximately 1-1.5m and include a first floor extension.

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Misleading and False - Application seeks as shown in page 1, retrospective planning for the rebuild of the original house structure. That existed, not anything new, but part of the original house.

Depth stated internally are 3.9m with 2.1m width

█ - the previous depth has in no way been exceeded. The reinstatement has been done exactly upon previous footprint, overseen by the LPA in person, and smaller given the excluded the coal shed footprint which by Law the applicant could have done. Further the only difference is that the reinstatement is up to date modern standards, greener, but as a consequence gives limited space inside, so the space is smaller inside, it smaller than the full original footprint, utilises the exact same drainage system that was in place before.

There is no lean to extension, it is part of the original house structure, and also again no first floor extension but part of the original house structure just as other neighbours have within the area and street, albeit some a bit larger. This is an important point, others have it.

The first floor extension is not an extension in planning terms it is the original house structure that was there prior and reinstating.

Further to give a subservience a lower height has been put in place, where as the original building structure ridge was identical to the main house.

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In terms of the planning application, 1 no. objection was received from a neighbouring occupant on the grounds of design and residential amenity issues.

Out of 12 Neighbours consulted by the LPA, and an instance of a LPA officer getting a citizen to complain without success, and our more extensive consultation with more neighbours further afield, there is only 1 objection that stems from No 2 Milsom street, that has arisen after a civil dispute of them building to the applicants property without consent and there trees destroying property and all amenity of the applicant since they have newly moved to the area. They are new neighbours to the area.. It should be noted when application 19/01584/HX was under neighbourhood consultation and they were clearly informed of the intent to rebuild the original house no objection was received. They are now intent on demolition as vexatious revenge.

The Case Officer responsible for the application has undertaken a site visit and note that works had commenced

Works were at a full stop when the Case Officer visited and had been for a significant time owing to these proposals not being assessed in accordance to law previously. Work only commenced at the start when full approval was ascertained and each stage was fully assessed by Building Control. Of note we ensured a site visit take place even though by pictures was acceptable at the time [covid] but we wanted the LPA to be fully involved at each stage. No

issues occurred then. Only when No 2 complained after construction when other disputes rose has this whole issue started.

and were of a scale and massing which were uncharacteristic of the host property and the Milsom Street terrace.

MISLEADING - this is a 2 bed terrace, whose original structure within LAW is the actual property. That is its true characteristic. This reinstatement is the exact characteristics of the property.

This is also evidenced with other properties within the area.

What is uncharacteristic is the extensive illegal developments that the LPA has found to do nothing about that has totally bought significant societal issues also and poor building. There continuance to not remedy this only leads to the reasonable assumption that they find that standard as an acceptable bar. This is simply rebuilding the dilapidated part to modern standards and far exceeds the building standards in the area.

It has been built with contractors who were sourced from critical and national infrastructure projects including those that have helped build some of Bristol's iconic buildings. This is rare for such a small modest project and for the area where much work is undertaken by those with less of a skill set and experience.

The works would exceed the definition of 'reinstatement' by virtue of the additional depth and first floor extension which would not be in keeping with the built form and well-established rear building line.

█ - As stated above there is zero additional depth and the upper part of the original structure is part and parcel of the original house.

The built form rear building line is being permitted to be changed every day by the lpa in Bristol. Also this is the rear, the LPA has allowed a street opposite to change the front building line setting the first precedent where there was none in the area which is significantly more serious , see application 08/00250/HI as proof. Its also on Milsom Street.

Also the reason for building line change has not changed, apart from the illegal developments is simple. The area is in a low socioeconomic area - council houses dominate , who do not have the budget to build and those that own there house cannot afford to and further given the rampant antisocial issues in the area to even build is a money pit here, this is being done for health reasons and the desire of the applicant to live in her home and community.. Everyone is entitled by law to do so. If the lpa is so concerned then an article 4 direction can be issued and a debate and resolution democratically done. They have not done so indicating this is not of concern.

Nearly everyone has their down stairs bathroom yet someone with a medical need cannot, defies sense.

In planning terms the rear building line is determined to be as we stated. They should know this but after being told the case officer ignores it purposefully.

Further the definition of 'reinstatement ' is not exceeded. The Oxford dictionary defines it as "The action of giving someone back a position they have lost""The restoration of something.." Mrs Zafar is actually restoring less technically and in absolute no way exceeding.

Due to the scale and protrusion, coupled with a prior approval rear extension, the development protrudes 10.5m from the existing rear elevation, undermining the residential amenity of adjacent occupants. As such, the development would be unacceptable on design and residential amenity grounds.

MISLEADING - The main house and original building structure from where all calculations are established for any further development this reinstatement is within that. And the next 6m is allowed by law and approved.

No Amenities is affected that was not before. In fact this section , the matter before you does not affect any of the amenity, check the solar and shadow data.

And this is not some new development, it is an existing structure part and parcel of the main original house. Other have it also in the street and area.

The Case Officer was responsible for an identical application in Spring 2021. A Councillor referral from Cllr Hibaq Jama was submitted one day after the referral deadline and therefore the application was due to be refused under delegated powers, however, was withdrawn prior to determination. By virtue that the proposals constitute an identical resubmission of the previously unacceptable scheme, concerns have remained unaddressed and remain unacceptable.

The case officer refused the councillors referral, which was also being done with Margaret Hickman, a previous councillor also on the development committee, for one day late as to Easter / bank holiday.

Councillor Jama, informed of us legal litigation then to resolve between Labour and the LPA. With the deteriorating health of the applicant we could not afford to waste months till resolution , so withdrew and resubmitted with the addition of the front page specifically detailing to the case officer both visually and in writing exactly what the matter before him to decide was as all he was concerned about were matter to which had been decided or not within his remit.

Further it has been suggested, it was purposefully not allowed to go to the then development committee as the Case Officer colleagues from the previous decision felt that given some member had knowledge of their blatant disregard for policy they wanted to avoid scrutiny and take their chances with the newer uninformed new development committee placed after election. Easier to mislead.

The application site is currently subject to enforcement action by Bristol City Council (BCC) Enforcement for the commencement of works deemed unacceptable by BCC Planning and The Planning Inspectorate.

FALSE - THE Enforcement team will not confirm exactly if it is, even to our elected councillors.

This is irrelevant to the application, and the enforcement action initiated is suspended till a hearing where it will be vigorously defended. It is vague and was initiated in 1 day without due process or following protocol and as a result of a personal vendetta being orchestrated by a clique within the LPA. This should carry no weight to the matter at hand.

Of note also, by law all enforcement action stopped if we wished we could build with no consequence it is our respect for law we are awaiting the resolution of all this at a cost of thousands of pounds, ruined material and the deteriorating health of the applicant. .

This application has been referred to Development Control Committee B by Cllr Hibaq Jama and Cllr Yassin Mohamud.

The application has been assessed on two occasions by the Case Officer, with concerns being substantiated by City Design Group also. It is considered that the Applicant has failed to address initial concerns, by virtue of the identical application, which remains unacceptable on design and residential amenity grounds.

The application has not been assessed twice. Mr Hill the case officer, copy and pasted his first decision that's all, and that itself is parroted from elements from the previous officer, who himself never visited the site and utilised No 2 objection response as his without independent consideration as one would expect from the LPA.

The city design group is misleading, Not disclosed is what Jon Hill requested of them. The reply is incorrect in terms of its assessment on trees, excavation. More importantly this same group had no worries on a much larger previous application but reducing it they now do? Further, This is not a new development it is maintaining the existing original structure. By this logic you would have to destroy an awful lot of properties in inner city areas.

The applicant has not failed to address initial concerns, as they have not had opportunity to . However extensive talks with the inspectorate on issues and neighbours was in this proposal making it acceptable.

Refusal is therefore recommended to Members.

SITE DESCRIPTION

This application relates to the dwelling known as 1 Milsom Street in St Judes, east Bristol.

The application site comprises a two-storey end of terrace dwelling upon the north eastern side of Milsom Street, approximately 35m North West of the junction connecting to Stapleton Road (A432).

The host dwelling demonstrates a continuous flat eaves/parapet line to the front elevation along the terrace and 'butterfly-effect roof form to the rear.

Properties on Milsom Street exhibit a small twostorey rear protrusion to the rear, with some benefiting from a further single storey lean-to which forms part of the original building structure. **MISLEADING YOU - properties on the street and surrounding streets still have and maintain their full 2 storey rear structure. for example - 31 Milsom Str, BS5 0SS, 2 NEWTON sT, BS5 0QZ, Corner Webb St, BS5 0SU, 9 Perry St, BS5 0SY, to name but a few, This application site is also bigger given its an end terrace. PLEASE SEE PICTURES ATTACHED**

A site visit was undertaken by the Case Officer on the previous identical applications on 6 April 2021 where it was evident that a two-storey rear extension to the existing property had been commenced.

The partial construction, in addition to previously consented works, extended the entire depth of the rear garden cumulatively. **INCORRECT - all work is consented lawfully not in addition to but all works within consent.**

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Due to the tight knit built form of Milsom Street and properties to the rear at Webb Street and Stapleton Road, the degree of overbearing and overshadowing on the rear curtilage and adjacent neighbours was apparent.

FALSE - SEE THE SOLAR DATA COMPUTATION ATTACHED THAT SIMPLY DOES NOT SUPPORT THIS BASED ON ACTUAL FACTS.

The application site is not within a conservation area.

APPLICATION

This planning application seeks full retrospective planning permission for the construction of a two-storey extension to the rear of the property, connecting the original dwelling with a prior approval extension consented by Bristol City Council in 2019 under reference 19/01584/HX). The planning authority contends that this has now lapsed/has not been built in accordance with the General Permitted Development Order (GPDO) and cannot be relied upon as condition 3 of that prior approval required that the development to be completed on or before 30 May 2019.

█ - The committee is requested to closely scrutinise this aspect of the Case officers statement. In essence what has been said to us it is illegal as it is out of time. So every other discussion is irrelevant. More directly the LPA know that what has been done and given permission for is fully legal and their position is unsustainable in law, so they rely heavily on it being out of the time limit which in effect they say renders all discussion of the design pros as moot as its illegal.

Please refer to the The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 Amendments to Part 1, Class A 4 (a)(b)

In effect the deadline is removed and made permanent, and LPA completion notification removed.

The LPA legal assertion is incorrect and also does not apply to someone whose reinstating / maintaining their original house structure.

So the committee must ask itself this. If the LPA can concede in private its all ok but say well it is out of time and illegal and then be provided clear and irrefutable proof of the law rendering their reliance on that also void, why are they still pursuing this?

The development in situ measures 3.0m in width and 4.5m in depth, connecting to the 6m prior approval extension at the rear.

Incorrect it is smaller, and more smaller inside as to the requirement to exceed certain values to make it more greener.

Although works to the roof form have not been commenced, submitted plans demonstrate the intention to provide a mono-pitch roof form measuring 5.2m and 6.5m to the eaves and ridge respectively.

Incorrect again.

The development would include a window at ground floor level and 2no. windows and a door at first floor level.

**The ground floor reinstatement window overlook no one from any angle.
Fire Door**

The works would be finished with render walls, interlocking roof tiles and PVC windows and doors to the side elevation overlooking properties at Stapleton Road.

The Stapleton Road properties are 3 stories high, ground is commercial, no-one allowed to use the back space, habitable windows are at third floor far higher than this proposal. And nothing is directly facing any other window, even the uninhabitable ones.

A concurrent application has been submitted under application reference 21/02372/H to provide a fire escape/balcony structure to the side elevation for the occupant's use which would overlook the rear elevations and gardens of properties situated on Stapleton Road.

Fire escape - not balcony.

It is noted that a prior approval extension consented under application reference 19/01584/HX has been partially constructed within the rear curtilage. Based on submitted plans and observations undertaken during the site visit, the rear extension does not extend from the rear elevation at the time of the applications submission and heights exceed those outlined in the planning submission.

█ - The case officer did not do any measurements, and took a few mins. On the submitted and approved application reference 19/01584/hx it is crystal clear the exact point from where the rear elevation and height is and is not even complete but exactly below I repeat below what has been said. This is an outright lie, parroting the previous officer who never visited, and utilised No 2 report as his own.

Moreover a requirement of the prior approval was that it was completed on or before 30 May 2019. As such, it is of the Local Planning Authorities (LPAs) contention that development provided on site has been unlawfully constructed.

Once again see above. It is legal they are incorrect they have been provided and told of the statute they choose to ignore it too prolong the process to court where it will inevitable fail but years of hardship and money will have past / wasted to inflict as much damage as possible which is the true intent from a clique in the LPA one whom has an undisclosed relationship with No 2 neighbours..

For further information, please see documentation appurtenant to the application.

Not provided so cannot comment

As noted, the Case Officer undertook a site visit for the previous identical application and its companion on 6 April 2021 to understand the site context and undertake a photographic record of works undertaken to date.

The case officer came as a tick box exercise to get work experience as he was an intern, no measurement or record as stated were taken. This is incorrect.

PLANNING HISTORY

19/01584/HX Notification of prior approval for the erection of a single storey rear extension that would extend beyond the rear wall of the original house by 6m, have a maximum height of 4 metres and have eaves that are 3m high. Prior Approval Not Required

20/01228/H First floor extension to rear, with external staircase and light well to front. Refused

This does not include the area of this application.

Application 20/01228/H was appealed by the Applicant following the refusal by the LPA; however, the appeal was dismissed by the Planning Inspectorate under appeal reference 20/20127/REF. The appeal was dismissed on the grounds of unacceptable design, living conditions of intended/future occupants and residential amenity impacts on adjacent occupants.

This did not include this application area.

Also,

The appeals officer was not allowed to see our submissions and was heavily dependent on No 2 and the LPA officer report regretfully. This is the same officer who approved a application at 6-8 Belgrave Hill Clifton Bristol at the same time period as 1 Milsom Street, but gave a total opposite decision, such as allowing that to be built 100% upon curtilidge. Further it was not allowed by the committee several times, he approved it and slapped the LPA for thousands of pounds in fine.

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21/00983/H Retrospective planning for raising of roof. Application Withdrawn

21/01014/H Rear height increase to rear extension and fire escape fabrication with external stair installation to first floor. Application Withdrawn.

As stated, the development hereby applied for contains a first floor door which is reliant on the delivery of a fire escape/balcony fabrication applied for under a concurrent planning permission (21/02372/H) which will be determined concurrently to this application.

FALSE - This application is separate and should be treated in its own accordance. We still are of the view it was allowed after being told by the LPA. As noted we are not even sure if we need this application. This is a separate application not interdependent to the other. This concerns the existing original house.

In terms of planning enforcement, a case was opened on 17 April 2020 to consider multiple reports of works to the rear without planning permission. The planning enforcement team attempted to contact the property owner in order to view the development that summer, when it was noted that an Appeal against the refusal was being considered by the Planning Inspectorate the case was put on hold until the appeal decision was received on 10 December 2020. Shortly after that a site visit was conducted and a further visit undertaken in February 2021. The outcome of that was that a Planning Enforcement Notice was served requiring complete demolition of the extension on 17 March 2021. That is currently subject to an Appeal which will be heard by way of a Hearing in the next 3-6 months.

Again irrelevant but just to briefly state on first visit within a few minutes an enforcement decision was reached - did not disclose why , where , followed no protocol or nothing. Subject to judicial review pending. Also this site visit was done after our insistence to the legal department they take measurements, which in any case they got wrong.

This is all irrelevant to this application and not a matter for committee.

RESPONSE TO PUBLICITY AND CONSULTATION

Bristol City Council City Design Group (Objection – 10 June 2021)

“This application seeks retrospective planning approval for a two storey extension.

No extension rebuild of original house structure

This extension would be incongruous to the rest of the terrace introducing a two storey element beyond the building line of the other two storey extensions properties along this street. This approach will;

- Set the precedent for a back building line for 2 storey extensions beyond the existing allowing for the undermining of the back land garden character.]
-
- **Incorrect, there are many houses with this, some are bigger, as mentioned earlier and some addresses given as case in point.**
-
- The gardens acts as mitigation of the contributing factors of climate change;
- • Impact the daylight/sunlight of the adjacent property and would potentially impinge on their right to light;
- **ACTUAL DATA DOES NOT SUPPORT THIS IN ANY WAY SEE SOLAR DATA**
- • Create overshadowing of the adjacent garden affecting it’s amenity value;
- **ACTUAL DATA DOES NOT SUPPORT THIS IN ANY WAY SEE SOLAR DATA**
-
- • Create overlooking and privacy issues for two properties along Stapleton Road due to the separation distances, which is below the national accepted 21m from window to window;
- **Someone from the city design group must know the 21m is flexible according to the areas characteristics. This area is cheek by Jowl and guidance indicates a more suitable much less allowable separation distance, which this application satisfies. Also its the original house, this cannot be stated more clearly.**
- • Raise concerns that the removal of earth to achieve a lower ground level would impact the boundaries of all the properties bordering the site.

Not true, no excavation

In summary, the proposals are incongruous, detrimental to the back land garden character, and would affect the amenity of the neighbouring properties. Accordingly as the above issues demonstrate this application represents over development. Therefore, it is recommended this application be refused”.

This response has just been disclosed to us by reading it in the public forum section, at no time has the case officer mentioned this before for an opportunity to challenge. Also Solar/shadow data does not substantiate this view and further if it even did, quite simply, this is how

the houses are here, No 2 knew this before they bought it, and knew it would be rebuilt to as before.

Neighbour notification letters were sent to owners/occupiers of properties abutting the application site. In total, 1 no. objection was received from the adjacent neighbour (2 Milsom Street) relating to both applications. In regard to application ref. 21/02373/H, the following comments were raised:

- Previous works built have not been built in accordance with the approved plans or with the General Permitted Development Order (GPDO);
- **█ - they have and currently well below parameter set. Also not relevant to this application.**
- - Concerns raised that the ridge and eaves lines of the elements already built and those portrayed on submitted plans are inconsistent and would be much greater than portrayed in application;
- - Ground heights between 1 and Milsom Street are not as shown in the submitted plans, resulting in differing design and residential amenity impacts;
- **False and vexatious**
- - Trees considered to screen the development are not as depicted in the submitted plans; and,
- **█ AND MISLEAD - The three enormous trees that destroyed No 1 large shed and completely rendered any amenity value for the applicant useless was never pruned despite repeated requests. However the LPA personally informed them the date and time they would come to take pics and advised to cut them to fool the inspector afterwards. Despite requests to prune since they moved in, they are new neighbours, to hoodwink you all No 2 cut them in the middle of the worst storms this year to ensure they were not discovered. In any event they will grow back to their original size.**

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- Concerns raised that the resubmission does not rectify the issues underpinning the appeal dismissal of the Planning Inspectorate.

WARD MEMBERS

Planning Applications 21/02372/H and 21/02373/H was referred to Planning Committee by Cllr Yassin Mohamud on 3 June 2021. While Cllr Mohamud outlined a neutral stance on the submitted applications, the proposals were referred to Planning Committee for additional scrutiny due to the complex planning history of the site.

Cllr Mohamud and his colleague in the green party requested to view the site and did so, and all questions were answered for them.

An additional referral was submitted by Councillor Hibaq Jama on 17 June 2021 outlining that the applications should be determined by Planning Committee should the application be recommended for refusal.

RELEVANT POLICIES

National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

Please ask yourself if these are relevant to the reinstatement of the original house, there is nothing new here, no new development.

Also

Adapted 2011 - so long ago, Please look at future draft plan , [Bristol Local Plan Review: Draft Policies and Development Allocations – Consultation (March 2019)] particularly the part on future health forecast. This type of proposal will be needed significantly more in this area in the coming years , right now in this are there are close to none, and a significant number are required, this proposal meets future needs also.

Old Market irrelevant as not cover this area

Lawrence Weston Neighbourhood Development IRRELEVANT , IT IS MILES AWAY.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

A. IS THE DESIGN AND SCALE/CONTEXT ACCEPTABLE?

Policy BCS21 states that new development should be of a high quality and should contribute positively to an area's character and identity.

Not new development, reinstate of what was there, and it does conform to Policy BCS21, its the areas original character but of a higher more green environmentally standard than what it was before.

Policy DM26 sets out that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes; and respecting, building upon or restoring the local pattern and grain of development.

This is the existing building being reinstated, and others have it also.

Policy DM27 states that developments should respect the layout, form, pattern and arrangement of buildings, structures and spaces to contribute quality urban design.

It does

Policy DM30 sets out that new development 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.

Its existing, part of the original house structure, as the same as others.

SPD2 'A Guide for Designing House Alterations and Extensions' states that proposed extensions should not protrude further than 2.75 metres and should maintain visual subservience to the existing dwelling.

It is not an extension, it is part of the original house structure to its very footprint and also to give subservience the ridge line has been lowered, originally it was exactly the same ridge line to the all the house.

The development in situ extends approximately 4.5m from the existing rear protrusion and demonstrates a width of 3.0m to the party wall shared with 2 Milsom Street.

No party wall. This is inside the applicants boundary. And the width is lower.

Cumulatively, the development, in combination with the prior approval extension protrudes 10.7m in depth within the rear garden. The development would demonstrate a mono-pitch roof form measuring 5.2m to the eaves and 6.5m to the ridge, representing a step change from the existing protrusion. The development far exceeds to the rear building line of 1 Milsom Street and those of adjacent

No it does not, No 2 building line is actually a bit longer, and this is the existing original house that should be treated separately to any other additional development as under planning law for everybody. Further all development was approved prior by the LPA prior to any works by commenced.

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properties on the terrace. It is considered that the development in situ fails to respect the built form of the property and the local area.

The is the original house not something new, others in the street and area have it, ours is based in a more open surround given its an end terrace. Also the form of adjacent property on Stapleton Road are 3 stories high that impose over the applicants property.

The works provided far exceed policy guidance set out in SPD2, extending well beyond the 2.75m considered appropriate for two-storey extensions. Furthermore the provision of a two-storey extension to the rear of the existing protrusion is uncharacteristic and would appear visually incongruous to the local built form.

That applies to new developments from Original House this is within and part of original house structure and confirmed as such when looked against planning legislation.

Based on the information provided to the Local Planning Authority, it is considered that the development would fail to constitute high quality urban design and is not informed by its immediate surroundings/tight knit built form. As such, the proposals are unacceptable and contrary to policies BCS21, DM26, DM30 and SPD2.

In addition to the concerns raised above, the development would be of a depth which exceeds 2.75m, exceeding SPD2 guidance and failing to maintain visual subservience to the host dwelling. While the development is partially visible from the public realm upon the corner of Milsom Street and Stapleton Road, the development does not significantly undermine the character public areas. However, the sheer scale and projection from the existing rear elevation undermines the visual subservience of the development and fails to safeguard the character of the host dwelling or the character of the terrace. As outlined in Paragraph 127 of the National Planning Policy Framework (NPPF), planning decisions are expected to ensure that developments are sympathetic to the local character and history, including the surrounding building environment. It is considered that the development is unsympathetic of the existing area and would not be visually attractive as outlined under Paragraph 127 (b) of the NPPF. The development evidences a disregard for the character and form of the host dwelling, constituting overdevelopment of the host rear curtilage. Owing to the above assessment, it is considered that the development fails to accord with policies BCS21, DM26, DM30 and SPD2 guidance and is unacceptable.

Disagreed totally, its more than sympathetic, its literally identical but better, and its the true form to character and local history. Also it is not partially visible from the public realm, the case officer was showed this, he is misleading you.

Paragraph 127 of the NPPF further advocates that development should create places which promote health and well-being with a high standard of amenity for existing and future users.

We are aware and further, it does, and The updated 2018 National Planning Policy Framework (NPPF) also crucially inserts Health and well being into it . Homes and neighbourhood – Paragraph 127 f) Under Section 12, design policies are strengthened and recognised to play a strong role in creating places that are safe, inclusive and accessible and which promote health and well-being. Using quality assurance tools and assessments such as Building for Life should help to provide a consistent and clear expectation for developers and to communities.

As further supported by policy DM27 and DM30, development should provide and or retain sufficient usable external amenity space for occupants of the property. The development in situ extends 4.5m in depth and the entire length of the rear garden cumulatively, providing an oppressive and enclosed segment of the garden for leisure and domestic purposes. Due to the scale and protrusion, the rear garden would remain overshadowed and or a configuration which is not conducive to promote the health and well-being of intended and future occupants. Owing to the above assessment, it is considered that the proposed development would be contrary to Paragraph 127 of the NPPF and policies DM27 and DM30 and is unacceptable.

It takes zero curtilage space in planning terms as it is the existing building as before. Further as mentioned in the before application, area mentioned is fully functional, adequate and fit for purpose. Also not that previous planning applications to others have given zero disregard to this despite concerns such as 58 Stapleton rd.

The development in situ would use materials including render walls, interlocking concrete roof tiles and white UPVC windows and doors. It is considered that the materials would be entirely consistent with those of the existing dwelling and similar to those of the host terrace and immediate area. As such, the development, in regard to materials only, would be acceptable and would safeguard the existing character and appearance of the local area. The proposals would be acceptable in terms of materials only and would accord with policies BCS21, DM26 and DM30.

Agreed

Based on the information provided to the Local Planning Authority and the observations of the Case Officer during the site visit, it is considered that the development is of a scale and massing which is inconsistent and detrimental to the built form of the host dwelling and terrace. Notwithstanding the above assessment, the development would give rise to significant residential amenity implications, as set out below. In conclusion, the development is unacceptable in terms of design and would warrant a recommendation for refusal.

B. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY OF FUTURE OR ADJACENT OCCUPIERS?

Policy BCS21 states that new development should safeguard the amenity of existing development.

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Policy DM30 states that proposals should not prejudice the existing and future development potential of adjoining sites.

SPD2 'A Guide for Designing House Alterations and Extensions' states that rear extensions should not cross a 45° line drawn from the extension to the mid-point of the nearest adjacent habitable window perpendicular to the proposed development as to not cause overlooking, overbearing or overshadowing on adjacent occupiers.

As stated, the development hereby applied for measures 4.5m in depth (10.7m cumulatively), far exceeding the 2.75m guidance set out in SPD2. Due to the two storey nature of the development, it is considered that the development gives rise to a significant overbearing and overshadowing impact on the adjacent neighbours at 2 Milsom Street. Photographs provided by the adjacent occupant and an inspection of the adjacent garden undertaken during the site visit further evidenced the unacceptable scale and stark nature of the party wall or the rear extension. It is considered that the proposed development gives rise to an unacceptable degree of enclosure and sense of overbearing which would be contrary to policies BCS21 and DM30. Concerns in this regard were also expressed by the Planning Inspectorate in the previous appeal which has not been adequately addressed by the Applicant for the resubmission. As such, the current application is considered to give rise to an unacceptable degree of overbearing and sense of enclosure, thus failing to accord with policies BCS21, DM30 and SPD2.

Sun / Shadow does not substantiate this and please refer to all earlier comments to avoid repetitiveness

Due to the scale and projection of the development, the side elevation upon the party wall of the extension crosses a 45° line drawn from the nearest habitable window perpendicular to the development, on both plan and elevation. As such, it is considered that the development results in unacceptable overshadowing impacts which undermine both internal living rooms and the use of the rear garden.

■ - Data analyses again does not support this. Further as the case officer is aware it does not breach the 45 or even 25 degree , and the closest window is not habitable. Also this is the actual original house that was there for decades with no issue or complaint.

Concerns in this regard were raised by the Planning Inspectorate and are considered to remain unaddressed during the subsequent resubmissions in 2021. Based on the site visit, photographs provided and assessment of the unacceptably large extension, it is considered that the development results in unacceptable residential amenity impacts on 2 Milsom Street in relation to overshadowing and loss of sunlight. As such, the development is considered to be contrary to policies BCS21, DM30 and SPD2 guidance and is unacceptable.

As outlined in the design section of this Case Officer report, the development would include several first floor side windows overlooking the rear elevation and gardens at Stapleton Road. Two windows and a door would be provided at first floor level which would be served by a fire exit/ balcony fabrication applied for under the a concurrent application 21/02372/H. Due to the elevated nature of the windows and a limited degree of separation from the boundary wall shared with properties at Stapleton Road, it is considered that the development would give rise to an unacceptable degree of overlooking and loss of privacy.

Misleading - please refer to earlier comments. Further the windows stated are uninhabitable, the habitable windows are on the third storey, they are also indirect resulting in insignificant

oblique angles. Further once again there is no balcony. Only Fire Escape if permitted to built unto standards of health and safety only.

Notwithstanding the above assessment, the sheer projection of the cumulative development would undermine the rear exterior amenity space of adjacent occupants and would give rise to an unacceptable sense of overbearing and overshadowing. Specifically, it is considered that residential occupants situated at 58-72 Stapleton Road would endure a significant impact on their residential amenity which would be contrary to policies BCS21, DM30 and SPD2 guidance.

As outlined in the design section, it is considered that the development constitutes the overdevelopment of the rear curtilage, resulting in compromised living conditions for intended/future occupants. The site visit, undertaken on 6 April 2021, indicated that the remaining garden area endures a sense of enclosure/overbearing and loss of light due to the scale of the in situ development. As such, the remaining garden provides minimal functional space for domestic and leisure activities, thus failing to accord with policies BCS21, DM26, DM27 and DM30 and is therefore considered to be unacceptable.

Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS

The in-situ development is considered to be detrimental to the residential amenity of adjacent and intended occupants and would fail to accord with policies BCS21, DM30 and SPD2. As such, the development is unacceptable in terms of residential amenity impacts.

CONCLUSION

Based on the information provided to the Local Planning Authority in the form of the resubmitted application and the site conditions observed during the Case Officers site visit on 6 April 2021, it is apparent that the development in situ is of a scale and form which is unsympathetic to the constraints of the site and the character of the area. Furthermore, due to the scale of development, significant residential amenity impacts would be endured by occupants of 2 Milsom Street and 58-72 Stapleton Road which remain unaddressed following the previous refusal. As such, the application is recommended for refusal on the grounds of unacceptable design and residential amenity impacts.

RECOMMENDED REFUSAL

REASONS: Unacceptable and Unsympathetic Design

Due to the depth of projection of the development out from the existing rear elevation of 1 Milsom Street and due to its height both to eaves and to ridge it is considered to fail to demonstrate a sympathetic design or visual subservience to the host property, thus failing to accord with Paragraph 127 of the National Planning Policy Framework. Notwithstanding the above assessment, the development fails to demonstrate regard for the existing rear building line of the Milsom Street terrace and would significantly undermine the tight-knit built form of the surrounding area. Due to the scale of development the proposals would constitute the overdevelopment of the rear curtilage and undermine the residential amenity of an intended/future and adjacent occupants as a result. Based on the information provided to the Local Planning Authority, it is considered that the development fails to accord with Policy BCS21 – High Quality Design of the Bristol City Council Core Strategy (adopted June 2011), Policy DM26 – Local Character and Distinctiveness, Policy DM27 – Layout and Form and Policy DM30 – Alterations to Existing Buildings of the Site Allocations and Development Management Policies Document (adopted July 2014) and Supplementary Planning

Document 2: A Guide for Designing House Alterations and Extensions (adopted October 2005). As such, the development is considered to be unacceptable.

Unacceptable Residential Amenity Impacts (Intended, Future and Adjacent Occupants)

The development in situ demonstrates disregard for the residential amenity of adjacent residential occupants, most notably 2 Milsom Street and the occupants of 58-72 Stapleton Road. The projection and height of the development creates a stark party wall which has resulted in a sense of overbearing and oppression within the rear garden of 2 Milsom Street. As a result of the unacceptably large rear extension, the neighbouring property endures restricted natural light and a compromised use of the rear garden which is considered to be at the detriment of the adjacent occupants. In regard to the residential amenity of occupants located at 58-72 Stapleton Road, the development would provide additional windows to the side elevation at an elevated position, affording the host occupants to overlook adjacent properties. It is considered that the development would undermine the privacy of adjacent occupants due to overlooking which is unacceptable. Notwithstanding the above, the development would retain an unacceptable degree of space for domestic and leisure activities of the intended/future occupants and would therefore fail to contribute towards positive well-being, as required under Paragraph 127 of the National Planning Policy Framework. Based on the information provided to the Local Planning Authority and the site visit undertaken, it is considered that the development fails to accord with Policy BCS21 – High Quality Design of the Bristol City Council Core Strategy (adopted June 2011), Policy DM26 – Local

Item no. 1 Development Control Committee B – 21 July 2021 Application No. 21/02372/H & 21/02373/H: 1 Milsom Street Bristol BS5 0SS

Character and Distinctiveness, Policy DM27 – Layout and Form and Policy DM30 – Alterations to Existing Buildings of the Bristol City Council Site Allocations and Development Management Planning Policies Document (adopted July 2014) and Supplementary Planning Document 2: A Guide for Designing House Alterations and Extensions (adopted October 2005) and is unacceptable.

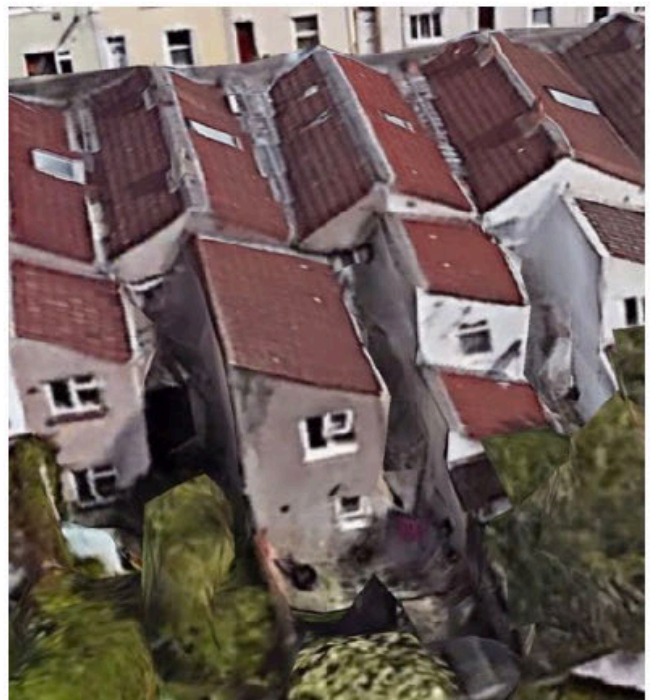
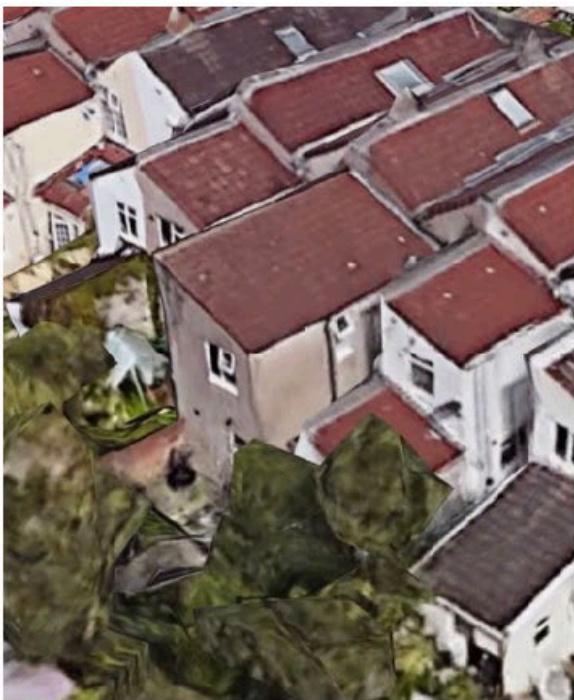
END

PLEASE SEE ATTACHED PICTURES NEXT OF 2 STOREY ORIGINAL STRUCTURES WITHIN THE STREET/AREA NEXT

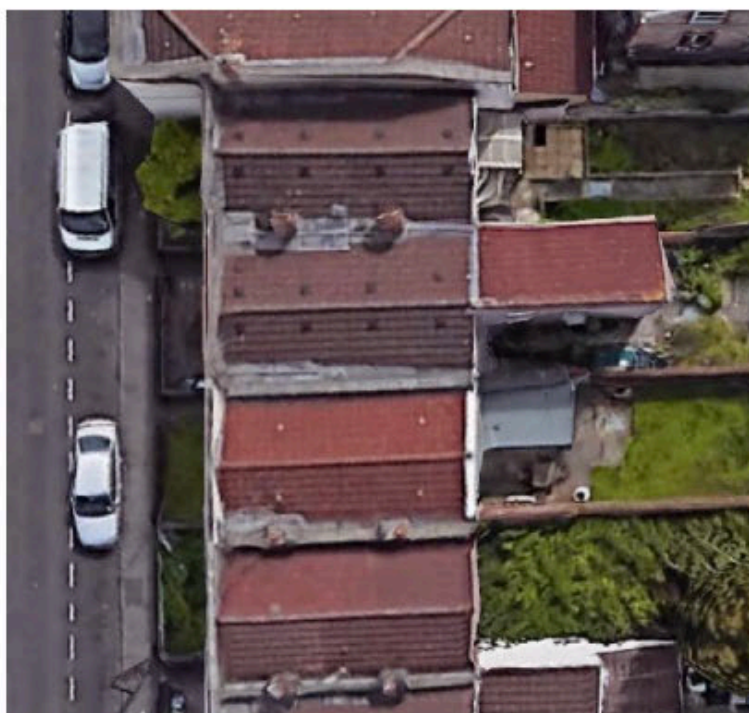
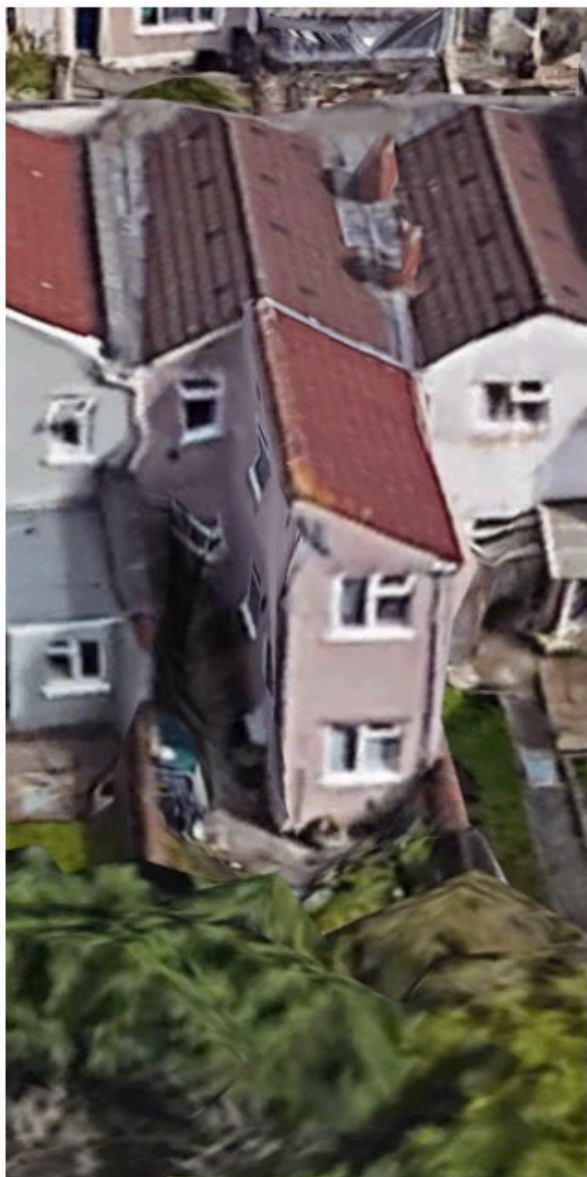
FAO OF DEVELOPMENT COMMITTEE B 21ST JULY 2021
21/02373/H | Retrospective planning for reinstatement of section of original house structure. | 1
Milsom Street Bristol BS5 0SS

**[Houses in street and area with two storey rear to original house boundary line
Pictures with Addresses]**

**31 Milsom Street, Bristol, BS5 0SS
[2 Storey rear to original house boundary]**



2 Newton Street, Bristol, BS5 0QZ
[2 Storey rear to original house boundary]

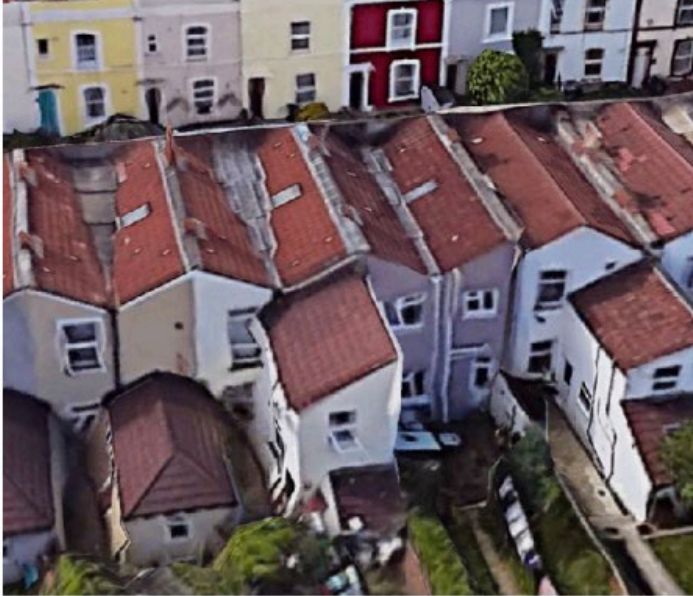


PICTURES

**Corner of Webb Street Bristol, BS5 0SU - Stapleton Road Side
[2 Storey rear to original house boundary]**



9 Perry Street Bristol, BS5 0SY
[2 Storey rear to original house boundary reinstated]



**Compuatation Path
Analysis Data of path of the
Sun and resultant shadow
for Application 21/02373/H |
Retrospective planning for
reinstatement of section of
original house structure.**

SUNCALC.ORG

The following data show the sun path and resultant shadows of the structures relevant to the Application 21/02373H

1. Note - The data set excludes shadow analysis of other neighbouring properties that would affect No 2 Milsom Street, such as the building opposite their boundary wall at North East, or the high boundary fence and trees on the property opposite 1 Milsom Street.
2. Data is shown at 2 hour intervals from 0700 HRS TO 2100HRS on the standard date of calculation [equinox] 21 June 2021 on the following areas:
 - A. Part of the main house, excluding the original structure that is the subject to this application.
 - B. Original Building Wall
 - C. Original Structure reinstatement
 - D. 3 Storey structure of 58-62 Stapleton Rd, brief analysis of the morning.

FINDINGS

- I. The data clearly shows that the part of the main house is mostly responsible for the shadowing and sunlight limit effect to the non habitable windows of No 2 on the 1st floor. This is characteristic of the area.
- II. As to whether or not the reinstatement structure is in place, there will always remain the overbearing, overshadowing and sunlight limit in the morning for No 2. This is increased by No 2 repositioning of windows and there illegal down stairs corrugated without consent structure.
- III. The Original Building wall data shows it s sunlight and shadow impact to be very similar to the original structure reinstatement data. Thus reinstatement or not that will remain and have the same effect as that of if the reinstatement is approved.
- IV. As it is a straight reinstatement of the same footprint albeit a bit smaller there will be a small increase in light and no shadow given the original reinstatement is being reinstated below the main ridge line height where it was before, therefore like for like the reinstatement is identical albeit smaller in height and shadows, daylight, sunlight will remain the same.
- V. For 58-62 Stapleton Road, given their distance and other party walls in between the effect is insignificant.
- VI. Both will enjoy considerable day/sun light of upto 10 hours.

CONCLUSION - Very Minimal Insignificant Impact.

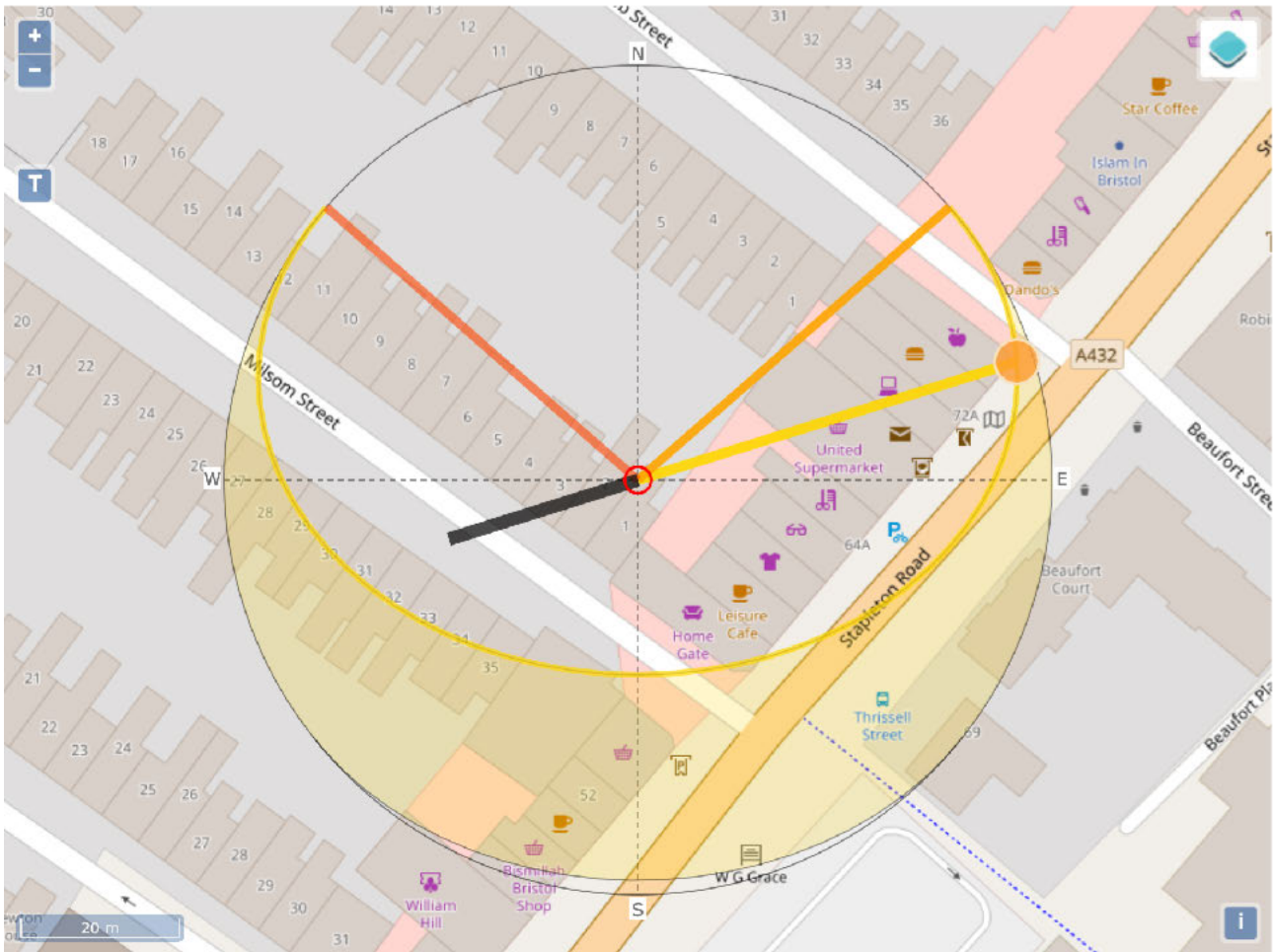
- VII. The existing part of the main house, is directly opposite the non habitable windows No 2 are complaining about. The morning loss of light and shadow emanates from there. The shadowing and loss of light are inherent characteristics of the way these houses were built/

VIII. The data shows that the reinstatement structure is away from all windows of No 2 Milsom Street, does not breach their 45 or 21 degree angles and does not cause loss of sunlight, additional shadowing etc. Any claims to the contrary are unsubstantiated and false.

- IX. Minimal if any affect to 58-62 Stapleton Road given its distance and intermediary party wall, further the habitable rooms occupy the 3rd floor that look down upon 1 Milsom Street and have clear views as before.

The Existing House [1 Milsom St] facing the uninhabitable room windows [2 Milsom Street] directly not subject to enforcement

0700HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location

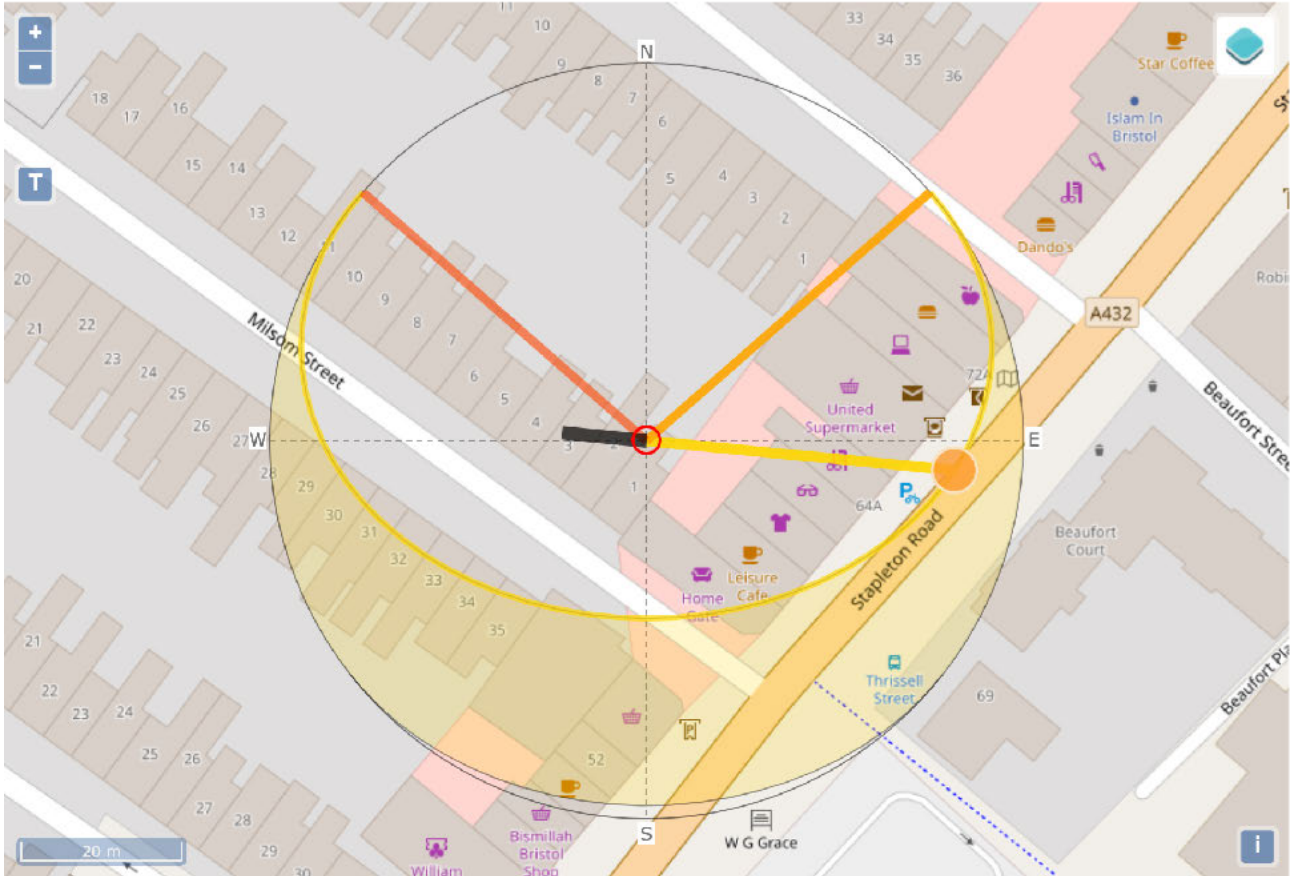
Dawn: 04:05:30
 Sunrise: 04:52:39
 Sun peak level: 13:12:09
 Sunset: 21:31:39
 Dusk: 22:18:48
 Duration: 16h39m0s
 Altitude: 16.37°
 Azimut: 72.68°
 Shadow length: 25.19

Geo data for the Location

Height: 13m
 Latitude: N 51°27'38.2" 51.46061°
 Longitude: W 2°34'29.57" -2.57488°
 Timezone: Europe/London BST

at an object level: 7.4m

0900HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.80°
Azimut: 95.42°
Shadow length: 10.65

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.2" 51.46061°
Longitude: W 2°34'29.57" -2.57488°
Timezone: Europe/London BST
at an object level: 7.4m

1100HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 11:02 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.48°
Azimut: 125.90°
Shadow length: 5.68

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.2" 51.46061°
Longitude: W 2°34'29.57" -2.57488°
Timezone: Europe/London BST

at an object level: 7.4m

1300 HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 3.95

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.18" 51.46061°
Longitude: W 2°34'29.59" -2.57489°
Timezone: Europe/London BST
at an object level: 7.4m

1500HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 15:01 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 55.05°
Azimut: 227.05°
Shadow length: 5.17

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.18" 51.46061°
Longitude: W 2°34'29.59" -2.57489°
Timezone: Europe/London BST
at an object level: 7.4m

1700HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milson Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 17:00 UTC+1

Solar data for the Location

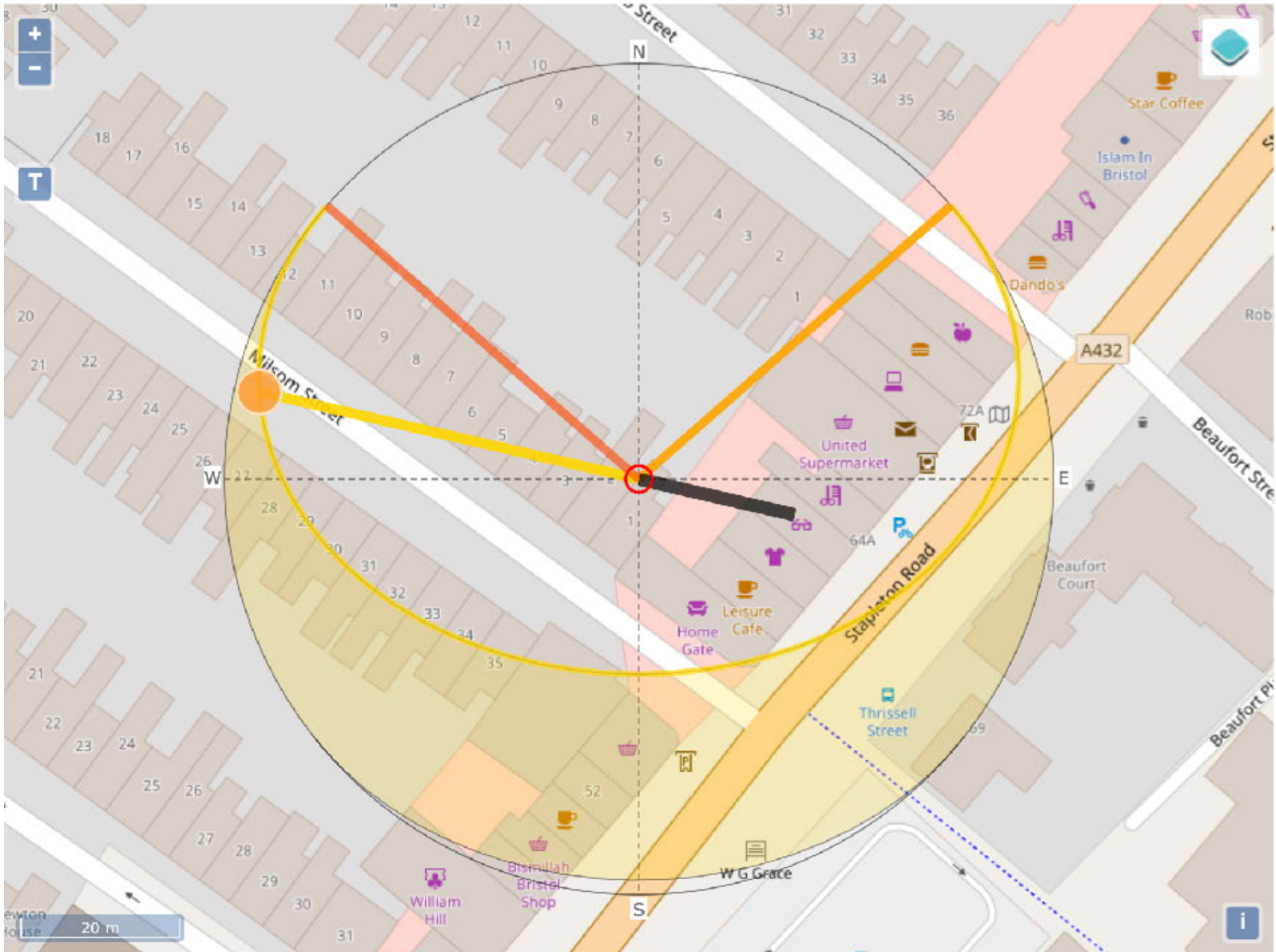
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 9.29

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.18" 51.46061°
Longitude: W 2°34'29.59" -2.57489°
Timezone: Europe/London BST

at an object level: 7.4m

1900HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

Solar data for the Location

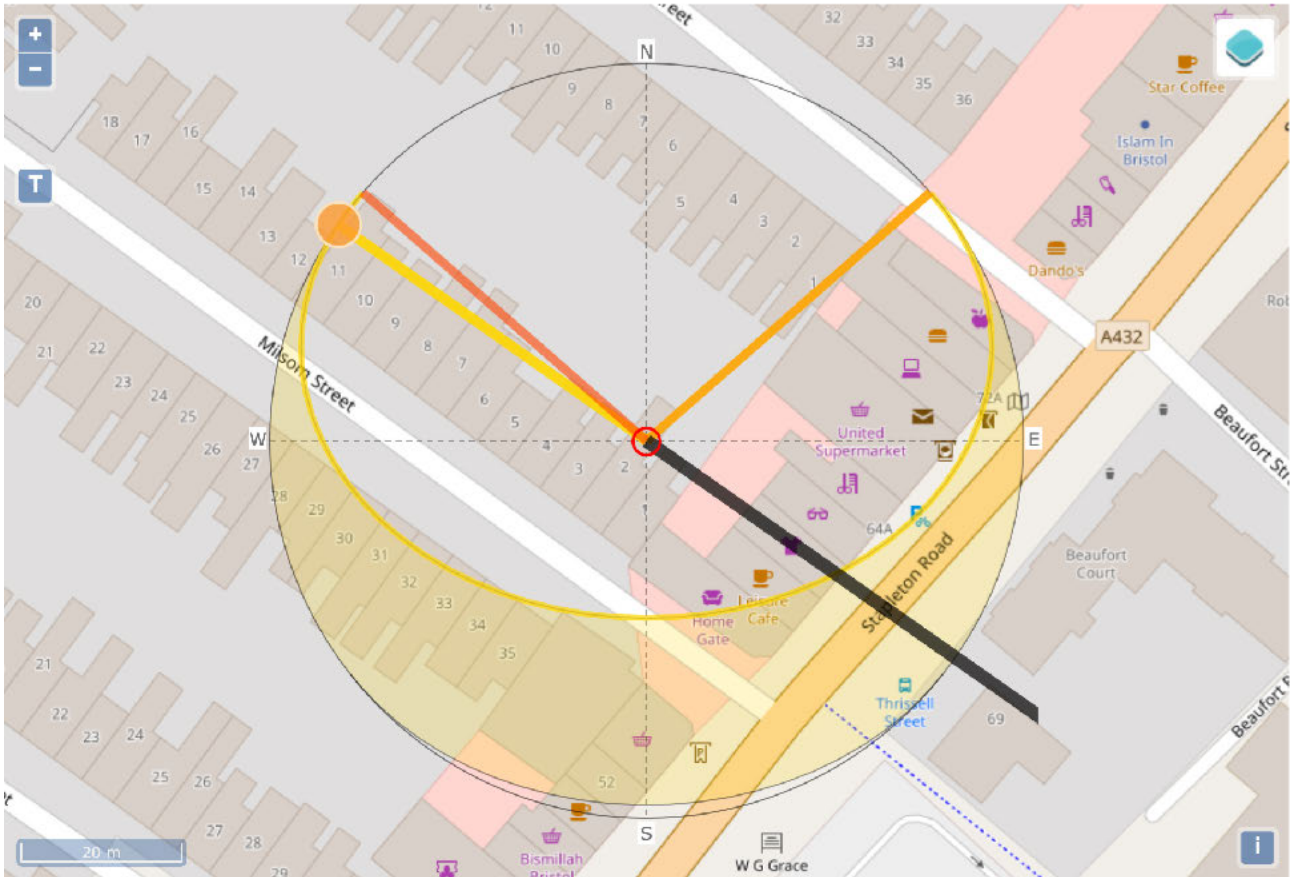
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 20.02°
Azimut: 282.88°
Shadow length: 20.31

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.18" 51.46061°
Longitude: W 2°34'29.59" -2.57489°
Timezone: Europe/London BST

at an object level: 7.4m

2100HRS EXIST



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:00 UTC+1

Solar data for the Location

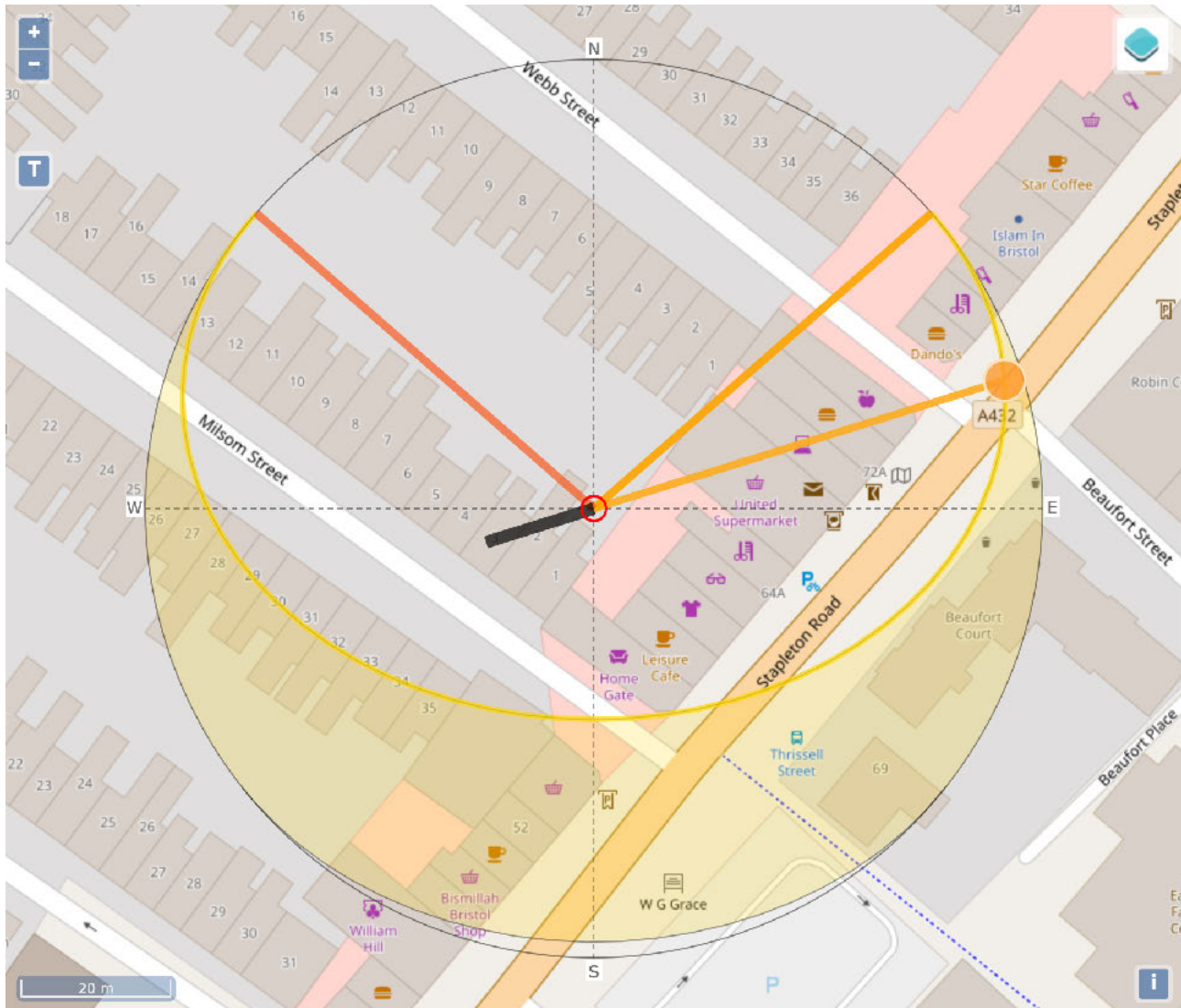
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 3.21°
Azimut: 305.01°
Shadow length: 131.86

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.29" 51.46064°
Longitude: W 2°34'29.63" -2.57490°
Timezone: Europe/London BST
at an object level: 7.4m

WALL

0700hrs wall



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

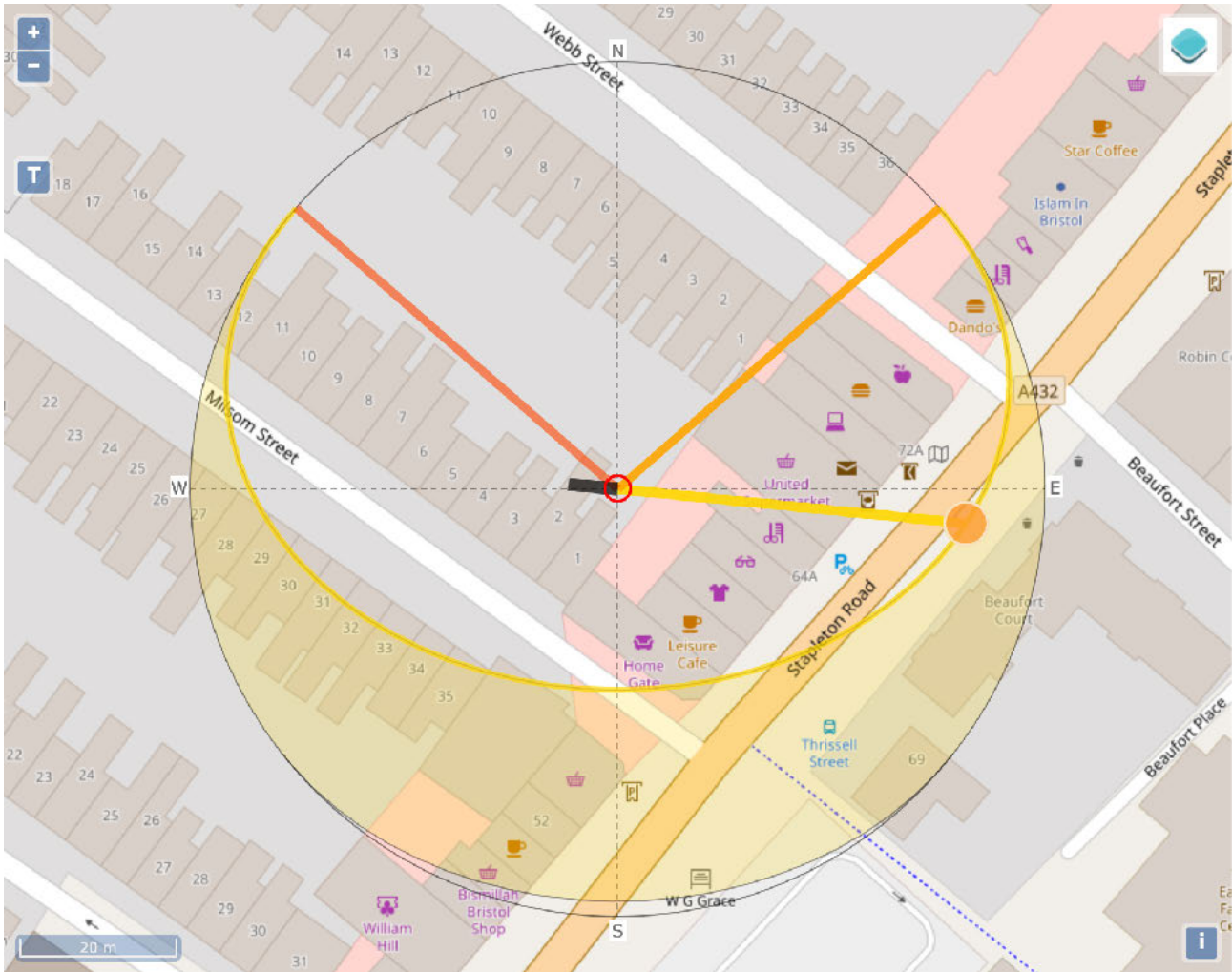
Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 16.37°
Azimut: 72.68°
Shadow length: 15.32

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:01 UTC+1

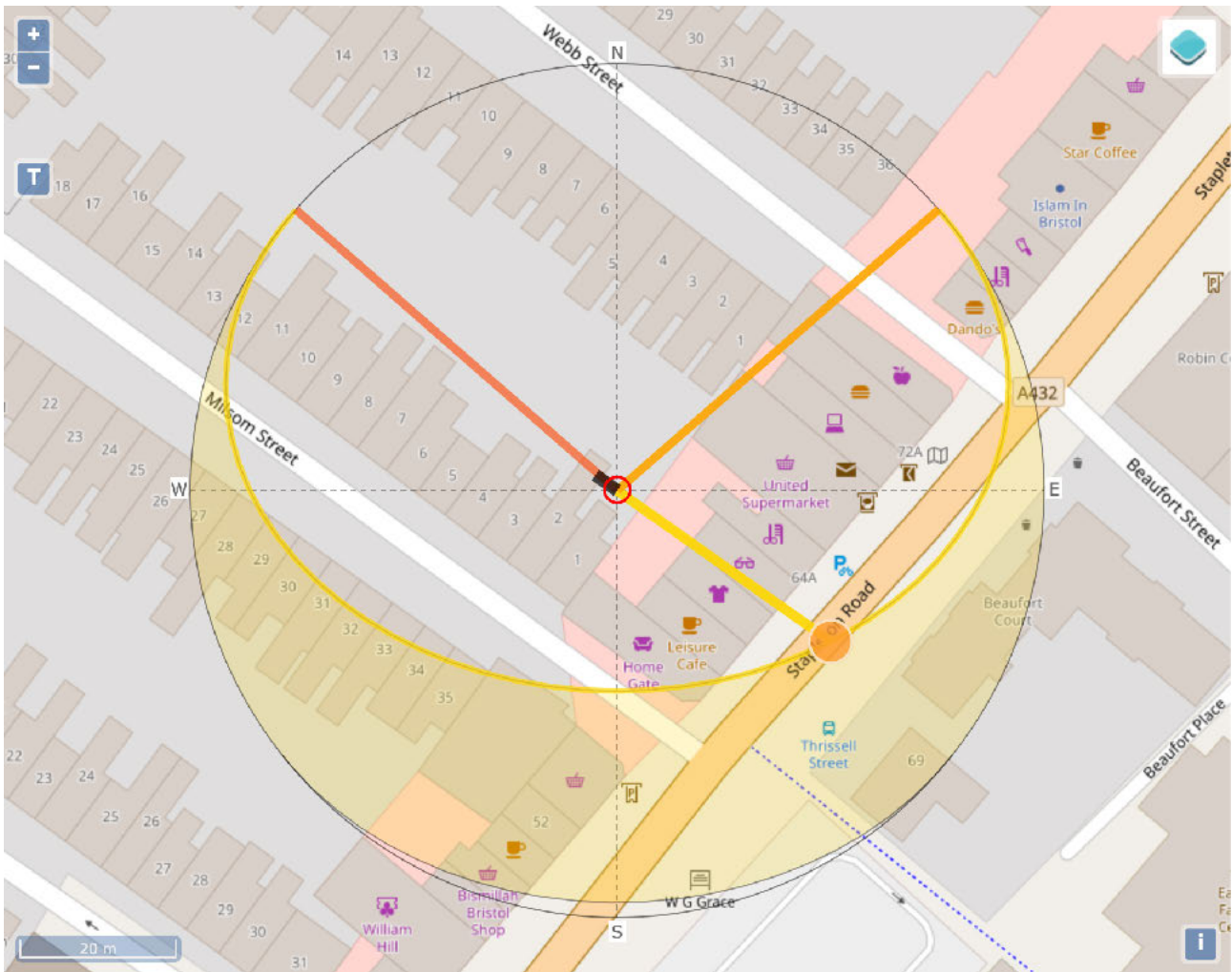
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.95°
Azimut: 95.63°
Shadow length: 6.44

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 4.5m



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 11:00 UTC+1

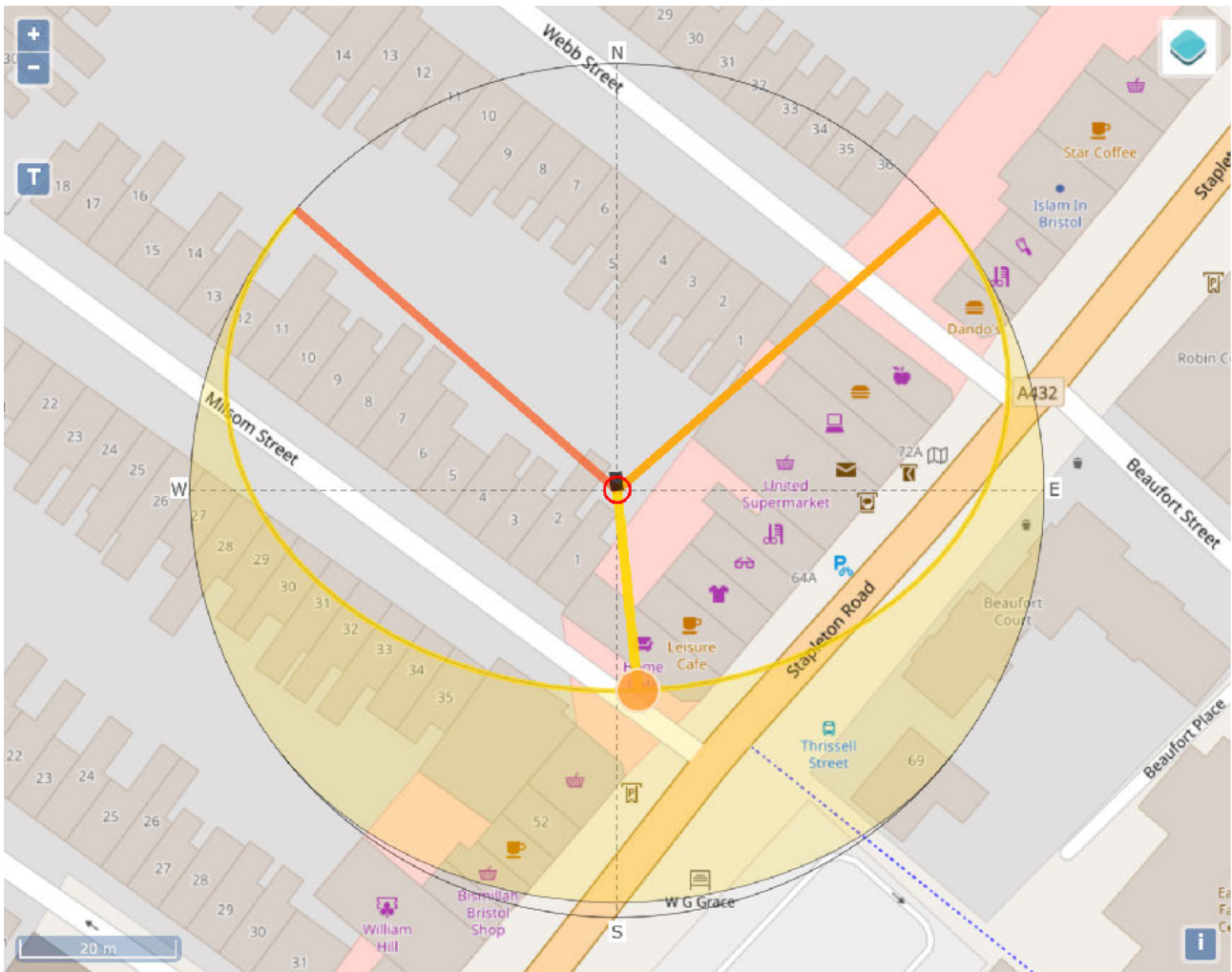
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 3.49

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 4.5m



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

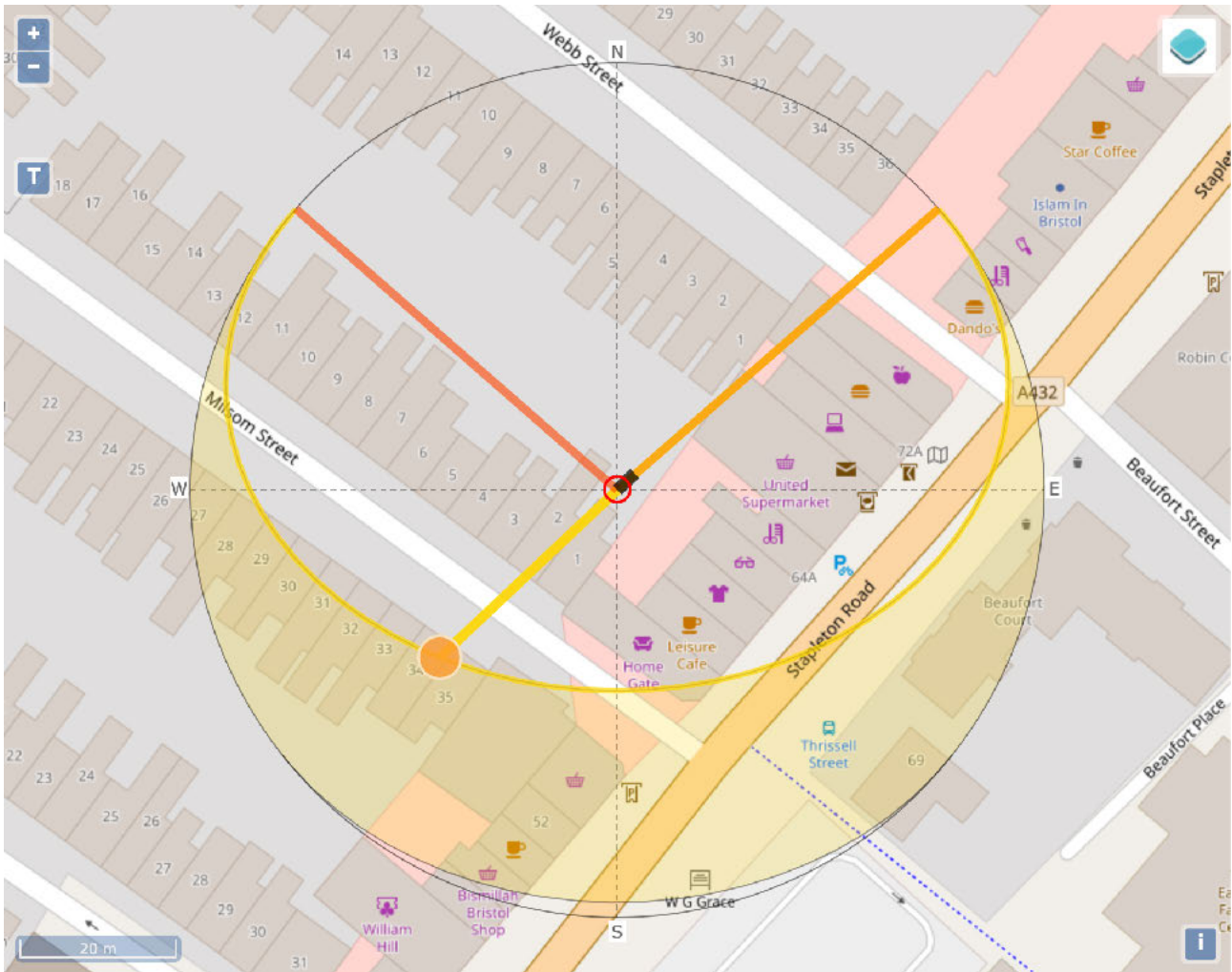
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 2.40

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 4.5m

1500WALL



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 17:00 UTC+1

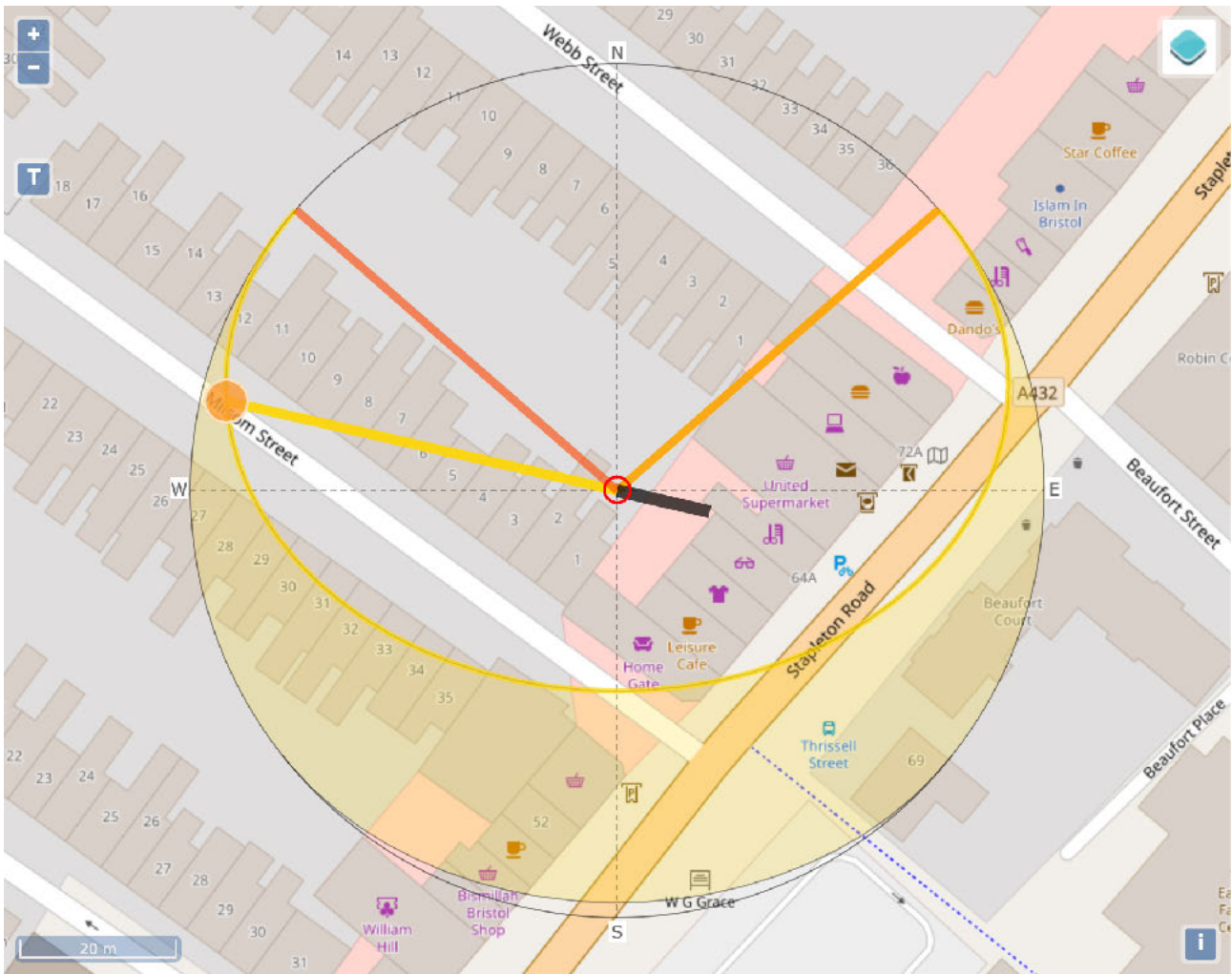
Solar data for the Location

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Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 5.65

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 4.5m



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

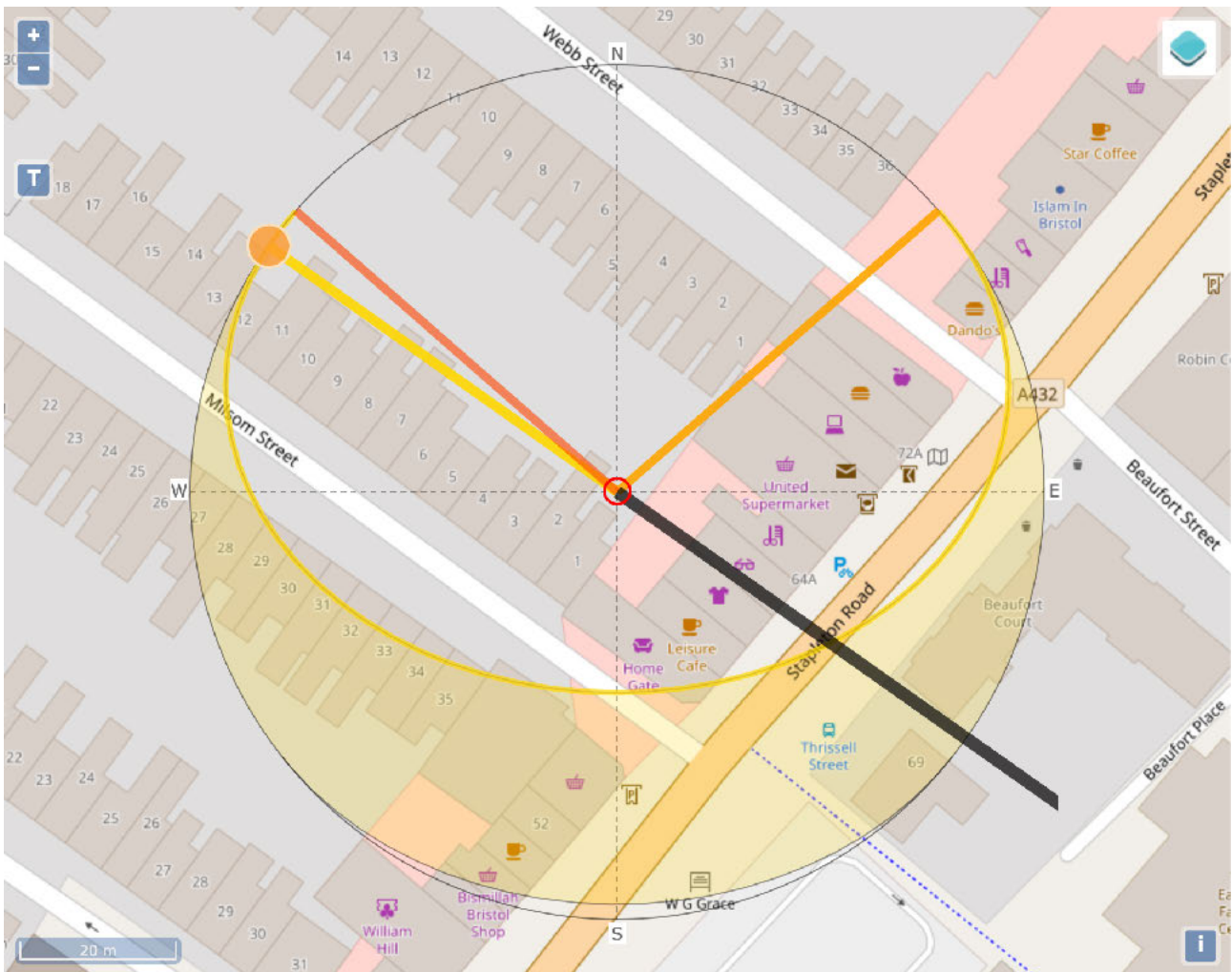
Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 20.02°
Azimut: 282.88°
Shadow length: 12.35

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.3" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 4.5m



18/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:01 UTC+1

Solar data for the Location

Dawn: 04:05:30
 Sunrise: 04:52:39
 Sun peak level: 13:12:09
 Sunset: 21:31:39
 Dusk: 22:18:48
 Duration: 16h39m0s
 Altitude: 3.09°
 Azimut: 305.20°
 Shadow length: 83.34

Geo data for the Location

Height: 13m
 Latitude: N 51°27'38.3" 51.46064°
 Longitude: W 2°34'29.38" -2.57483°
 Timezone: Europe/London BST

at an object level: 4.5m

ORIGINAL HOUSE

0700 OBUIL



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 14.Jul.2021, 07:00 UTC+1

Solar data for the Location

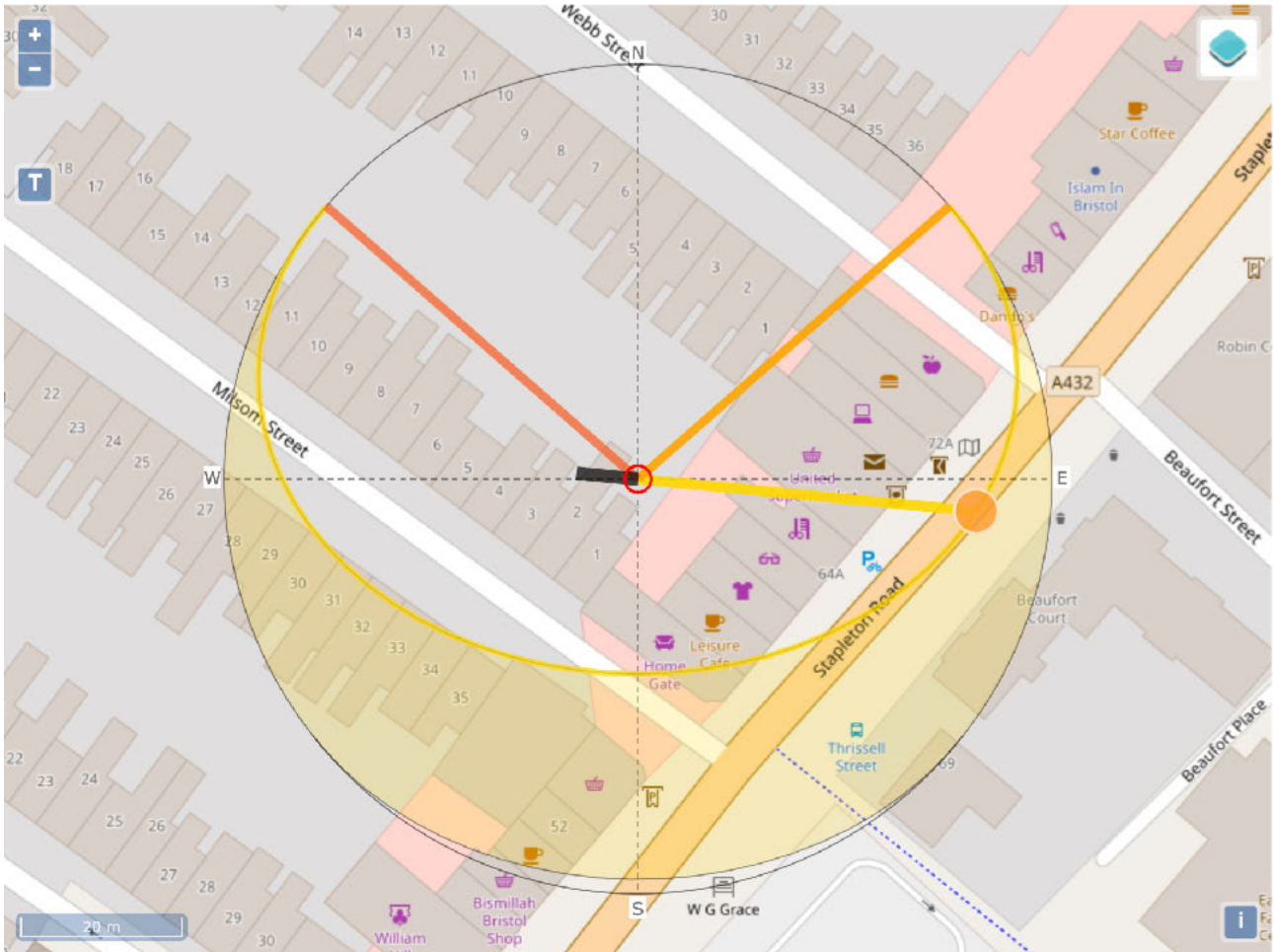
Dawn: 04:25:09
Sunrise: 05:09:28
Sun peak level: 13:16:13
Sunset: 21:22:15
Dusk: 22:06:20
Duration: 16h12m47s
Altitude: 14.39°
Azimut: 73.14°
Shadow length: 21.04

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

0900HRS OBUILD



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.80°
Azimut: 95.42°
Shadow length: 7.77

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 11:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 4.18

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST
at an object level: 5.4m



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 13:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 61.89°
Azimut: 174.07°
Shadow length: 2.88

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

1500HRS OBUILD



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 15:00 UTC+1

Solar data for the Location

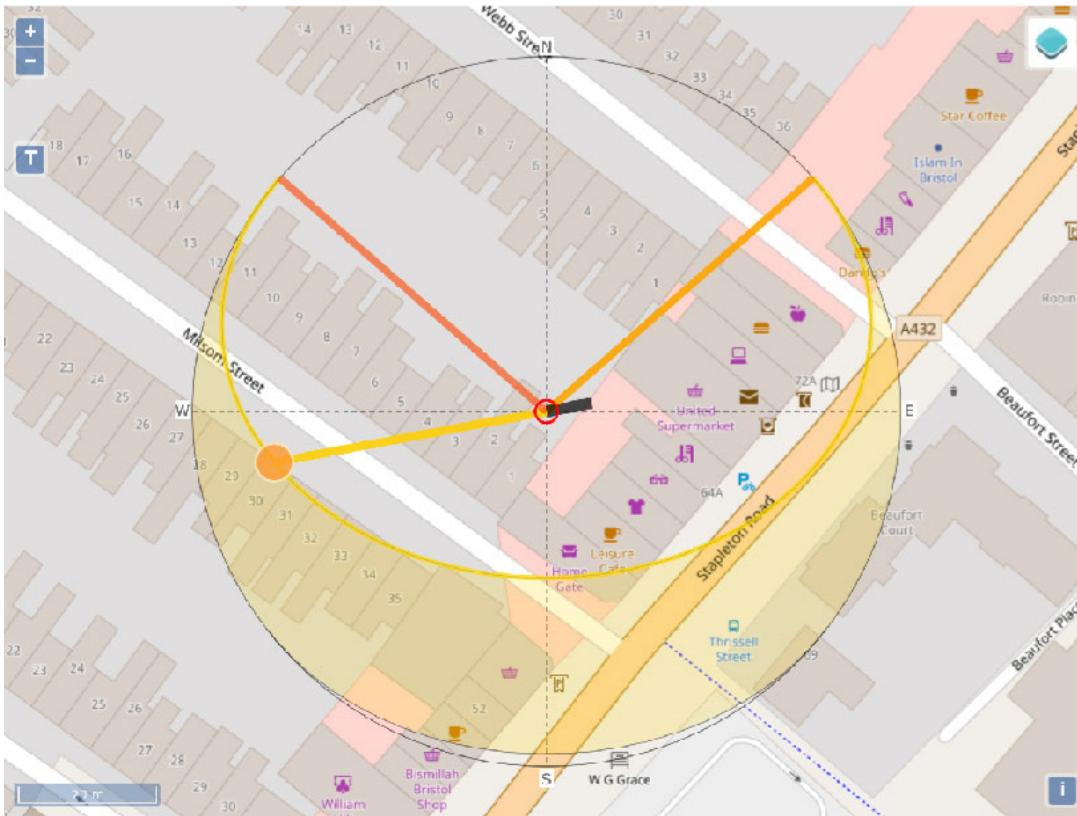
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 55.16°
Azimut: 226.70°
Shadow length: 3.76

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

1700HRS OBUILD



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 17:00 UTC+1

Solar data for the Location

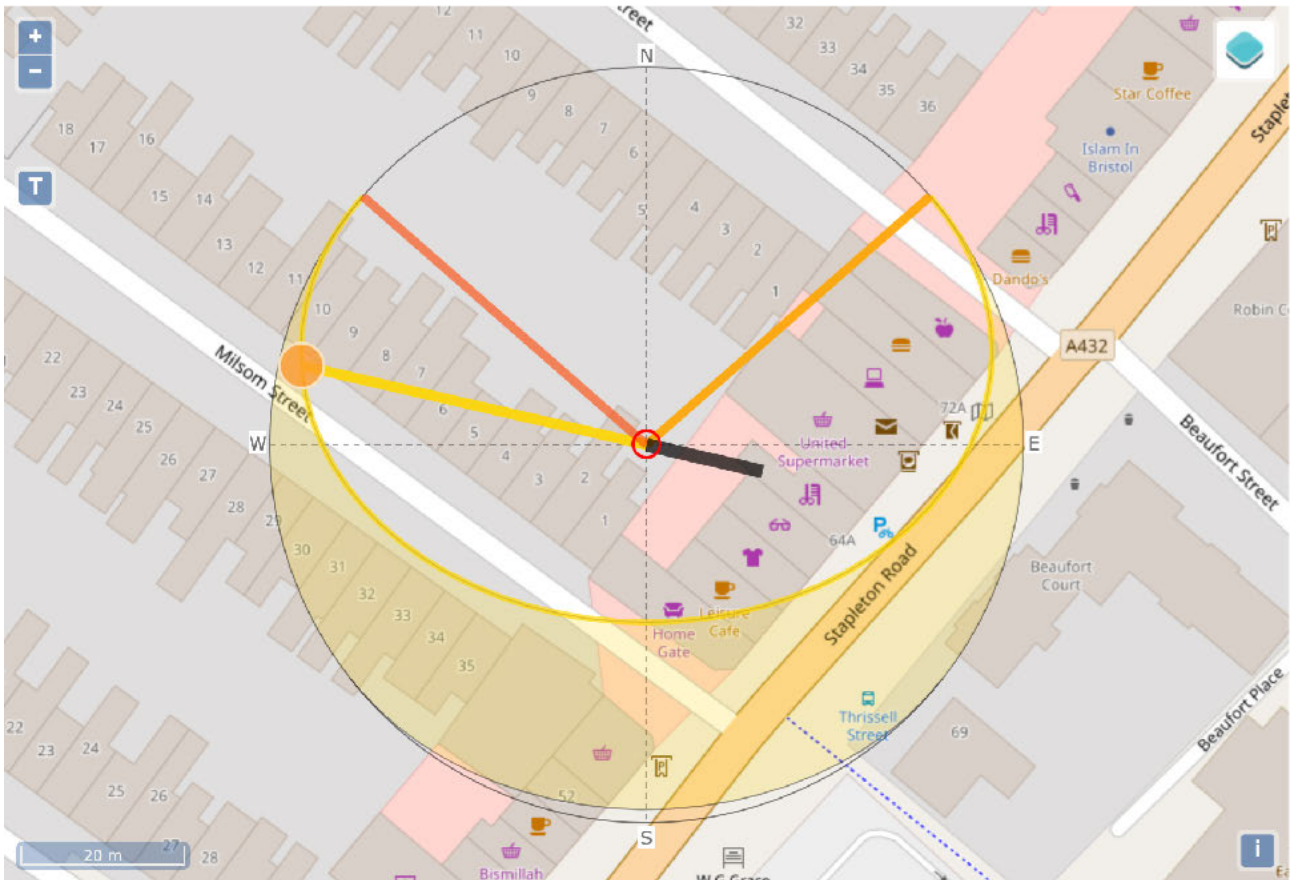
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 38.54°
Azimut: 259.43°
Shadow length: 6.78

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

1900HRS OBUILD



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 19:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 20.02°
Azimut: 282.88°
Shadow length: 14.82

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

2100HRS OBUILD



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: 1-18 Milsom Street, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 21:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 3.21°
Azimut: 305.01°
Shadow length: 96.22

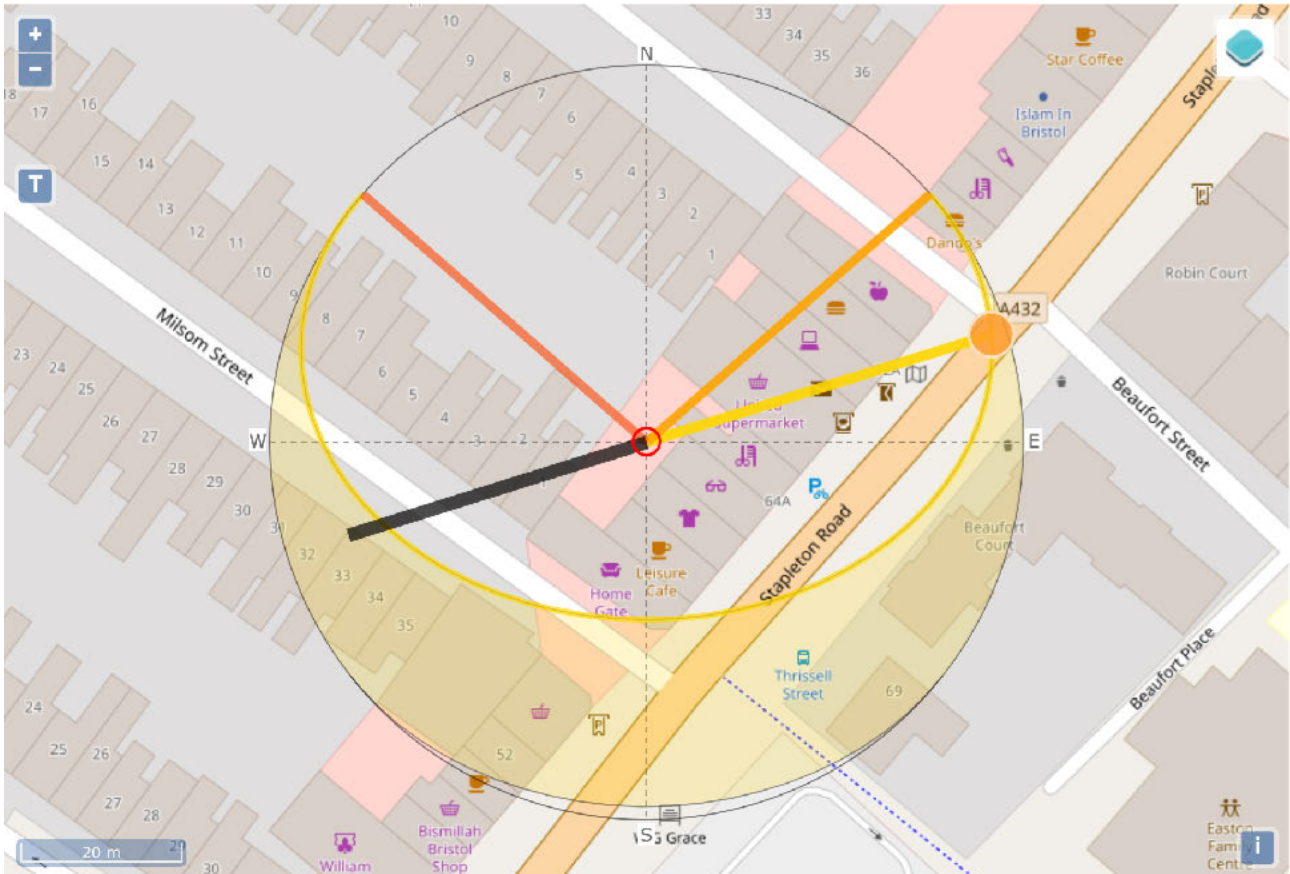
Geo data for the Location

Height: 13m
Latitude: N 51°27'38.31" 51.46064°
Longitude: W 2°34'29.38" -2.57483°
Timezone: Europe/London BST

at an object level: 5.4m

Brief Shadow Analysis of the 3 storey commercial structures upon No 2 fro 0700 to 1100Hrs

0700hrs



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 07:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 16.37°
Azimut: 72.68°
Shadow length: 39.15

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

0800hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 08:00 UTC+1

Solar data for the Location

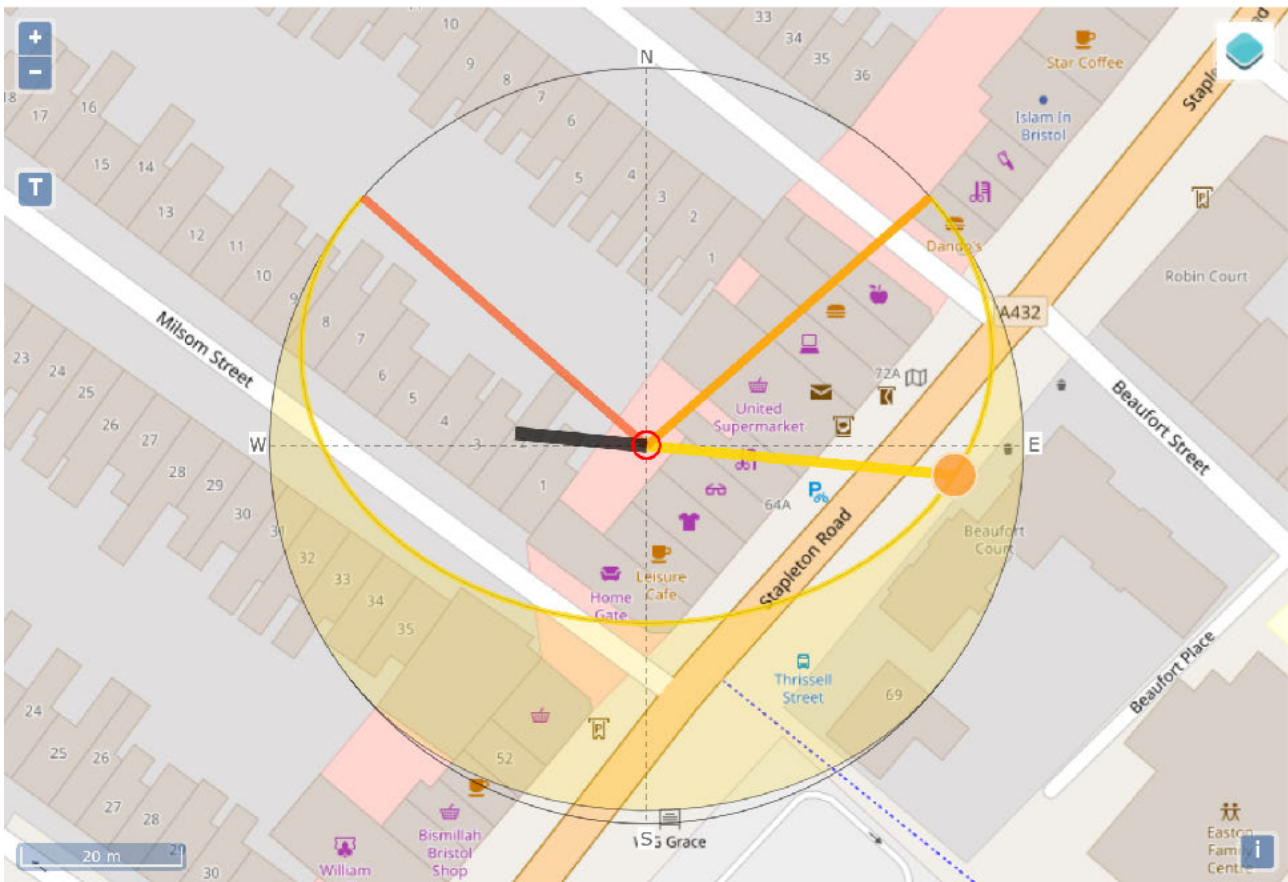
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 25.48°
Azimut: 83.71°
Shadow length: 24.13

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

0900hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 09:00 UTC+1

Solar data for the Location

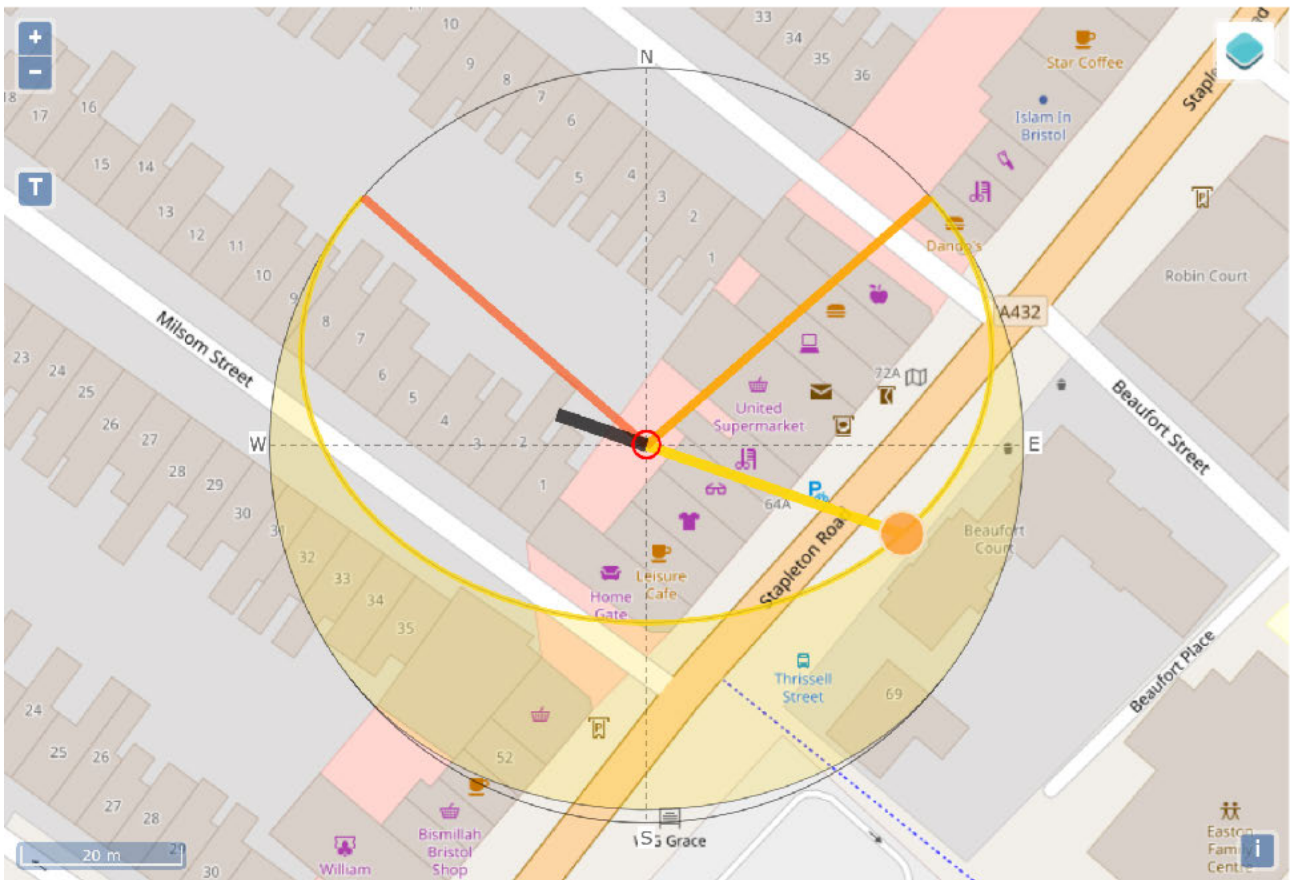
Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 34.80°
Azimut: 95.42°
Shadow length: 16.55

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

100hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR

Time: 21.Jun.2021, 10:01 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 44.06°
Azimut: 109.03°
Shadow length: 11.88

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

1100hrs shops



05/07/2021

www.suncalc.org [Printversion] ©Torsten Hoffmann

Location: Al Noor Supermarket, Stapleton Road, Bristol, Avon, England, BS5 0, GBR
Time: 21.Jun.2021, 11:00 UTC+1

Solar data for the Location

Dawn: 04:05:30
Sunrise: 04:52:39
Sun peak level: 13:12:09
Sunset: 21:31:39
Dusk: 22:18:48
Duration: 16h39m0s
Altitude: 52.23°
Azimut: 125.27°
Shadow length: 8.91

Geo data for the Location

Height: 13m
Latitude: N 51°27'38.17" 51.46060°
Longitude: W 2°34'28.97" -2.57472°
Timezone: Europe/London BST

at an object level: 11.5m

END

STATEMENT NUMBER A4 (i)

**REF: 21/02372/H | Height increase to rear extension and fire escape fabrication installations. | 1
Milsom Street Bristol BS5 0SS - 21st July Committee Hearing**

Dear Chair and members of Develop Control Meeting B,

The matter before you is simple, a small height increase that will deliver significant benefits for the urgent health needs and disability of the applicant, a rehabilitation room.

Under the Town and Country Planning Act 1990 Section 70 (1)(c) you are legally permitted to deviate from the strict rigidity of any planning rules in 'other matters'.

This is an 'other matter' it is for the exceptional health needs of the applicant.

The weighted benefits of the proposal far outweigh the minimal impact.

The stated impact that has been stated by No 2 Milsom Street and the Case officer, simply are not substantiated after looking at the factual data presented in terms of shadows and light concerns.

Then there is the arc of acting with compassion in this case. It has been close to two years, an elderly frail lady has been homeless effectively in the pandemic with deteriorating health whilst those with a duty to care, did nothing at the local authority.

Notwithstanding numerous breaches or disregards for protocol, following guidance or even the law, this matter, had it been decided equally and fairly with no covert discrimination on race or health the LPA would have been approved, as it does to others that do not even have a urgent health need as this case does.

The future draft plan under currently progressed, recognises the need for these adaptations and development, and the need to significantly implement these for the near future given the predicted increase in disability needs our population within these areas will have. This meets current and future need in an area sadly lacking of it currently.

The fire escape fabrication has not been proposed in the application lightly, purely for the fact as to it being very costly for the applicant to implement. But a commitment to high quality design and taking on the recommendation of the professionals who advise this on health and safety grounds it is a necessity, which hopefully never be used and if so, be used to preserve life.

Issues of lawfulness of what this builds upon is irrelevant. The structure is within the law and its size has been legislatively approved under GDPO legislations from a trial to permanence. Legal challenges and debates have concluded with the law as it stand to say it is lawful in size, acceptable under planning legislation and any claims contrary are a ruse to confuse.

Further the proposal is embedded within the attic space of the ground floor building, with sky windows to protect adjacent neighbours amenities, be sympathetic to the area and provide at the same time through a minor increase a functional, light healthy area for rehabilitation.

You are our elected representatives, this is not a case of whatever No 2 Milsom Street is the law. The matter needs to be considered in the public interest.

Councillors, Members of Parliament, Disability organisation and most importantly all of the community within this area support the applicant and proposal. Some have written to you as well I understand for this meeting.

The lack of oversight thus far and the impunity with which this application has been conducted needs to stop right here, and our elected members, you, need to fully scrutinise, and absolutely make sure what you are being told is accurate and genuine.

This proposal no way affects the 45 or 25 degree angle and shadowing, lighting etc is close to zero. I support this application and hope you will all do the right thing.

Z Vicky

21/02373/H I Retrospective planning for reinstatement of section of original house structure. I 1 Milsom Street Bristol BS5 0SS

STATEMENT NUMBER A4 ii

Dear Chair and members of Develop Control Meeting B,

Prior to reinstatement, the LPA were consulted and approved it, categorically stating it did not require planning permission. There is absolutely no way the applicants or her representatives would have embarked on the maintenance / reinstatement without permission.

The enforcement alluded to is irrelevant and not a matter for the committee, but will be decided within its own framework, however of note is the LPA will not categorically state it does not have permission.

If Councillor Margeret Hickman , an ex member of the development committee can not get clarification as the councillor at the time, as normal citizens we are at a quandary as to what the position even is.

As a result it has been suggested to put an application in , but it is done without prejudice and protest. I would even question the jurisdiction of the LPA on the maintenance / reinstatement of the original house as it existed.

Further claims it will set a precedent are false, many other homes have it, that's the true characteristics of the homes in the area. Further why can everyone, even No 2 have a down stairs bathroom and not the applicant for urgent medical needs? And that too in her previously existing original house.

You have read my concerns on the covert racism and discrimination in my other statement so I will not repeat all but to say it applies here well.

This part of the house under planning legislation is defined as the original house structure, there is no ambiguity at all.

Further it was disclosed prior to any work, with the LPA approving it to go ahead and moreover the LPA overseeing the standard of work at every single stage which were met or exceeded.

The only difference it appears is the smaller inside owing to more greener modern construction methods.

Theres really not much to say, its just unbelievable hat this matter is going to be debated, it's the applicants house!

I would urge you to show compassion and also be reminded that under the Town and Country Planning Act 1990 Section 70 (1)(c) you are legally permitted to deviate from the strict rigidity of any planning rules in 'other matters'.

This is an 'other matter' it is for the exceptional health needs of the applicant and quite frankly its her house, literally her original house.

The weighted benefits of the proposal far outweigh the minimal impact.

I trust you will all do the right thing, I support this application.

Z Vicky



STATEMENT NUMBER A5

16 July 2021

Dear Sir or Madam,

Mrs Zafar – 1 Milsom Street, Bristol BS5 0SS

I am writing on behalf of my constituent Mrs Zafar of 1 Milsom Street, Bristol BS5 0SS who has contacted me for support with a long standing planning dispute.

I understand that the dispute relates to two planning applications:

Application -21/02373/H is for the reinstatement of a small section of the original house structure. This allows for the reinstatement of a downstairs bathroom, medical equipment storage area and purpose built walk in wet room.

Application -21/02372/H relates to the construction of a rehabilitation room and the installation of a fire escape which is necessary for health and safety reasons.

Mrs Zafar has multiple health conditions and the protracted planning dispute has had a significant negative impact on her mental and physical health.

I understand that the work undertaken to the house has been necessary to ensure that Mrs Zafar can remain at home and receive the care she needs and I am writing this letter as evidence of my support for Mrs Zafar and to request that this case is considered with care and compassion and no further planning enforcement action is taken against her.

Yours faithfully

Thangam Debbonaire, MP for Bristol West

STATEMENT NUMBER A6 - 16th July 2021

To the Planning Application Panel.

Re: Planning Application 21/02373/H and 21/02372/H

WECIL is a user led Charity which promotes inclusive living for Disabled People across the South West. We have been contacted by the family of a disabled woman from the Easton area of Bristol regarding the following planning application 21/02373/H and 21/02372/H. The family claim that the correct Planning procedures regarding the assessment of equality and disability have not been followed by Bristol City Councils Planning Department, specifically that the planning department has recommended that no adjustment or additional space should be allowed, despite acknowledging the significant benefits for the applicant siting that the reason, that the alterations will not be required in the future when the applicant is no longer alive.

WECIL understand that the Planning applications are due to be heard at a Panel meeting on Wednesday 21st of July. As an organisation we would encourage the panel to make every effort to consider the social model of disability in their decision making and remove the systemic barriers, derogatory attitudes, and social exclusion, which stop individuals with impairments from functioning in society.

Yours sincerely



Dominic Ellison
Chief Executive Officer,
WECIL Ltd.

Amendment Sheet 21st July 2021

Item 1: - 1 Milsom Street Bristol BS5 0SS

Page no.	Amendment/additional information
	No amendments

Item 2: - Land At Access 18 Access 18 Bristol BS11 8HT

Page no.	Amendment/additional information
46	<p>REFERRAL TO NATIONAL CASEWORK UNIT</p> <p>The applicant has proposed to revise the floor areas of the retail uses to a combined area of 470sqm (reduced from 600sqm in the application). This is so that the overall floorspace proposed falls below the threshold to refer to the Secretary of State. This aspect is therefore no longer recommended (ie no referral necessary).</p>
51	<p>HIGHWAYS ENGLAND</p> <p>Holding response was removed on 19.07.21 and conditions were recommended. The following comments were made (comments are summarised):</p> <p>Highways England's interests include the operation and safety of the SRN, which in proximity to the site includes the A4(T), M5 and M49. This includes the M5/ A4 (Portway) Roundabout, M5/ A4/ Avonmouth Way (St Brendan's) Roundabout and the A4 Crowley Way/ A403 (St Andrew's) Roundabout. The scale of development and associated traffic generation is significant and has the potential to have a material impact on junction performance.</p> <p>A new motorway junction, J1 on the M49 will also provide direct access from the motorway network into the Avonmouth Severnside Enterprise Area. The new junction is fully constructed, but a connecting link road into the Severnside Enterprise Area is yet to be constructed. As such, the junction remains closed for use. The new junction is of relevance to the current application in that it is forecast to cater for some movements that currently route via the M5/ A4/ Avonmouth Way (St Brendan's) Roundabout, and was assumed to be open to traffic as part of junction assessment work included in the applicant's original assessment.</p> <p>Traffic modelling assessment has been undertaken for the mix of employment uses that were reported in the applicant's modelling (which is reported to have proposed combined area of 72,000sqm - a lower floor area than that proposed elsewhere in the application which is 92,903sqm). As the application form does not detail the same split in B2 and B8 uses, a planning condition limiting the scale of floor area to that assessed is considered necessary, given variation in traffic generation levels for B2 and B8 uses including dedicated parcel distribution.</p> <p>The applicant's modelling work reported in the Transport Assessment has accounted for both full development build out, and the reassignment effects of the new M49 J1. In light of the identified mitigation requirements, it has been necessary to demonstrate the scale of development that can come forward before implementation of the agreed mitigation works,</p>

Page no.	Amendment/additional information
	<p>and whether further mitigation would be required should M49 J1 not open to traffic in the near future.</p> <p>To address the issues around mitigation timing and effectiveness before M49 J1 is open to traffic, the applicant provided further assessments considering operation of St Brendan's roundabout in a number of scenarios. These indicated that the St Brendan's roundabout will be at capacity in the 2023 assessment scenario. The material increase in queues on the A4 Crowley Way would not be acceptable to Highways England. It will therefore be necessary to limit the scale of development traffic generation by way of condition to avoid unacceptable impacts on the safe and efficient operation of the St Brendan's roundabout.</p> <p>The 2025 assessment scenario indicates that the upgraded St Brendan's roundabout (following mitigation works) is capable of accommodating development traffic without a severe or unacceptable impact on the safe and efficient operation of the junction. This assessment does not account for any reassignment effects associated with M49 J1, and is therefore considered a worst case scenario. In reality, it is anticipated that the new motorway junction and connecting link roads will be open to traffic and will therefore provide a level of traffic relief to St Brendan's roundabout.</p> <p>Conditions are recommended</p> <ul style="list-style-type: none"> - Limitation on employment use floorspace to 47,000 sqm GFA for B2 General Industry use, and 25,000 sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution (*NB this is 72,000sqm - lower than the figure in the committee report of 92,903sqm overall floorspace in these uses) - Thresholds for development prior to delivery scheme of improvement works - Operational management strategy to be in place at key stages - Construction management plan <p>(see appendix for full wording)</p>
59	<p>TREES</p> <p>There is no objection in principle to the proposed native woodland planting - it will contribute to the ecological richness of the area and create more wildlife habitats. However, officers considered that more meaningful tree replacements to improve amenity and canopy cover could be incorporated, including planting trees with more space surrounding them so they would be more likely to survive in the longer term. Since the majority of the proposed tree planting is to enhance the ecological value of large areas of the site, officers asked the applicant if additional tree planting could be incorporated to provide amenity value in the areas populated by hardstanding in efforts screen the proposed buildings with tree planting. The applicant has stated that as Landscaping is reserved for future consideration, there would be scope at these stages to incorporate additional tree planting.</p>
64	<p>TRANSPORT DEVELOPMENT MANAGEMENT – FINAL COMMENTS (summarised)</p> <p>Car Parking No objections have been raised to the number of car parking spaces, however the number and type will need to be based on further information regarding the usage/numbers/scale of each area of development and officers are content further detail can be appropriately secured via condition, or as part of the Reserved Matters application for Layout.</p> <p>Travel Planning The applicant has included a commitment to join the local transport forum (SevernNet)</p>

Page no.	Amendment/additional information
	<p>within both travel plans and both the hotel and wider outline users are encouraged to consider joining the SevernNet employer bus to improve the bus network and increase access to employment opportunities.</p> <p>The hotel travel plan has been assessed by the BCC travel plan co-ordinator and is deemed to be acceptable.</p> <p>Two conditions are required relating to travel planning; one aimed at the hotel use considered within the full application and one towards the outline application.</p> <p>A Travel Plan Management and Audit Fee for the following use classes in the sum of are required;</p> <p>C1 - £3,832 B2 - £5,474 B8 - £5,474</p> <p>An individual audit fee is required for each Travel Plan and each individual parcel's Travel Plan will require additional fees/auditing.</p> <p>The fees are to be secured through a S106 agreement payable on commencement of the development.</p> <p>The developer is required to implement, deliver and monitor their own agreed Travel Plan over the 5-year period, reporting biennial progress to the Council.</p> <p>S106 Transport mitigation</p> <ul style="list-style-type: none"> • £150,000 towards the completion of a study, the funding of a public engagement and the delivery of a scheme of mitigation along Kings Weston Lane to address the impacts of through traffic and encourage active and sustainable travel • £50,000 towards the upgrade of the operational system of the St Andrews Road/ Kings Weston Lane junction and St Andrews Road/ Access to St Georges Industrial Estate signalised junctions • £12,134 towards Traffic regulation orders • £3,832 Travel Plan management and audit fee for the C1 Hotel Use. <p>Other highway works that would be secured:</p> <ul style="list-style-type: none"> - The design and construction through s278 highway works of a segregated cycle route along Avonmouth Way from Crowley Way to Kings Weston Lane. • The design and construction of a segregated cycle route along land within the applicants control between the main Access 18 access and Boundary Road with linking into the existing highway network. • Installation of Kings Weston Lane/ Avonmouth Way bus gate through s278 highway works. • Installation of two sets of two bus stops within the site consisting of 8-bay reverse cantilever shelters and a 20-metre raised kerbs with real time information. • Installation of a pedestrian refuge along Kings Weston Lane at the Kings Weston Lane/ Merebank Road junction. • Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works. • Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout. - Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout. <p>Additional Conditions (summarised)</p> <ul style="list-style-type: none"> -Highways – General Arrangement Plan (showing details of all junction improvements) -Highway adoption details -Phasing plan

Page no.	Amendment/additional information
	<ul style="list-style-type: none"> -EV charging details -Travel Plans -Scheme of highways improvements to Highways England junctions to include improved signalling and junction alterations -Operational Management Strategy – to monitor the use of the roads -Limitation of floor areas to 47,000sqm GFA for B2 General Industry use, and 25,000sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution - To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network. -Standard highways conditions on securing areas for parking/highway condition survey/cycle parking etc (see appendix full wording)

Item 3: - The Windmill 14 Windmill Hill & 3 Eldon Terrace Bristol BS3 4LU

Page no.	Amendment/additional information
	No amendments



City Transport

Transport Development Management

Application Response

To: Susannah Pettit, Planning Team

From: Luke Phillips, Transport Development Management

Date: 19th July 2021

Address: Land at Access 18 Access 18 Bristol BS11 8HT

Application No: 20/02903/P

Proposal: Hybrid planning application comprising a mixed commercial/ industrial development for A1, A3, A5, C1, D1, D2, B2 and B8 use classes over seven plots (Area A-G). Full planning permission is sought for the development of a hotel within Area F, access works to the site and to the identified proposed development plots, earthworks, ecological enhancements, the diversion of the existing public right of way, landscaping works across the whole site and other infrastructure works to support the proposed development.

Outline planning permission is sought for the principle of employment development at Areas A, B, C, D, E and G and the principle of retail, non-residential institutions and assembly and leisure uses at Area F.

Response: Final

Recommendation: Approval subject to Conditions and s106

Principle / history

Transport Development Management (TDM) has been consulted on the hybrid planning application comprising a mixed commercial/ industrial development for A1, A3, A5, C1, D1, D2, B2 and B8 use classes over seven plots (Area A-G).

Full planning permission is sought for the development of a hotel within Area F, access works to the site and to the identified proposed development plots, earthworks, ecological enhancements, the diversion of the existing public right of way, landscaping works across the whole site and other infrastructure works to support the proposed development.

Outline planning permission is sought for the principle of employment development at Areas A, B, C, D, E and G and the principle of retail, non-residential institutions and assembly and leisure uses at Area F.

The proposals for Phase 8 comprise mixed commercial / industrial development with supporting office space (Use Classes B2 and B8 – up to 92,903sqm floorspace) and business uses comprising a hotel (125 bedrooms) and retail space (Use Classes C1, A1-A3 and A5). It is unclear where the D1/D2 use will be situated.

The majority of the Phase 8 development is proposed to take access from the private estate road between Avonmouth Way and Kings Weston Lane, with a further access to the employment development to the north of Kings Weston Lane directly onto this road. The hotel and retail land uses would be accessed directly from Avonmouth Way via a separate, dedicated point of access.

Table 4.1 of the submitted Transport Assessment outlines the level of proposed development modelled per use class. The planning application form also details this quantum of development.

Use Class	Square Metre (Sqm)
Full Planning	
Hotel (including ancillary restaurant use)	4522 (125 bedrooms)
Outline Planning	
A1/A2	550 (no individual unit more than 400)
A3/A5	550 (no individual unit more than 400)
B2/B8	92903 (no more than 50% B2)
D2	600
Total	99125

It should be noted 25% of the B8 classification is modelled as parcel distribution given this has a higher trip rate than other B8 sites.

Junctions

Junction 1: Kings Weston Lane/Merebank Road

Following further discussions between the applicant and TDM which involved the submission of plans it has been concluded there is the inability to create a right turn lane within the confines of the highway. The applicant does not own any land adjacent to this junction and therefore would be unable to offer any land through a s38 adoption agreement to facilitate the introduction of a right turn lane. There will however be the introduction of a pedestrian/ cyclist island to facilitate crossing of the busy junction and offer improved access to routes towards the North for both pedestrians and cyclists. This has been demonstrated within plan 03446-SK-031-P0.

Junction 4: Kings Weston Lane/Kings Weston Road and Junction 5: Long Cross Roundabout

Following TDM's initial comment there have been further discussion regarding these junctions between the applicant, the planning department and TDM. It has been acknowledged by the applicant that the development will generate a significant impact upon both of these junctions however the provision of mitigation at these junctions will have an impact upon the wider Lawrence Weston area and should therefore not be considered in isolation.

On this basis £150k is to be secured through s106 contributions towards the completion of a study, the funding of a public engagement and the delivery of a scheme of mitigation within the Lawrence Weston area to address the impacts of through traffic and encourage active and sustainable travel.

Junction 6: St Brendan's Roundabout

Junction 7: A4 Portway Roundabout

Junction 8: St Andrews Roundabout

These junctions are maintained as part of Highways England's network and therefore any mitigation has been agreed in conjunction with them. BCC transport officers have assessed the impact of the development on these junctions and the subsequent impact on BCC's highway network and are content no issues arise, subject to the appropriate mitigation as secured by HE.

This mitigation will include:

- Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works as defined in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout, as detailed in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout as detailed in PJA drawing number 03446-SK-40-P0, titled 'St Brendons Roundabout Proposed revision to Crowley Way lane destination markings'.

Junction 9: St Andrews Road/Kings Weston Lane

As with junctions 4 and 5 the applicant has acknowledged they would generate a significant impact upon the safe operation of the St Andrews Road/ Kings Weston Lane junction and have therefore agreed to the provision of a £50,000 s106 contribution towards:

- o Upgrade for management by the traffic control service, including upgrading the sites from RMS to UTC for improved monitoring and management.
- o Upgrade MOVA licences and MOVA functionality to include 'MOVA Gap Out' enhancement.

Cycling

Cycle Link KWL

The applicant will be implementing then offering for adoption by the highway authority the missing segregated cycle link between the Access 18 main entrance and the Boundary Road Access onto Kings Weston Lane. The land is currently within the applicant's control and these proposed works must tie into the amendments to the Boundary Road access and Kings Weston Lane access as outlined within the submitted drawing 11256-ES-DR-BCC01-04 'BCC Route 1 Kings Weston Lane 4 of 4'. This must also be have sufficient lighting and be constructed to an adoptable standard and offered for adoption through a s38 highways adoption agreement.

Avonmouth Way Cycle Path

Following TDM's initial comment the applicant has agreed to the implementation of the Avonmouth Way segregated two-way cycle route. This scheme offers segregated cycling along the length of Avonmouth Way, from Crowley Way in the west, to Kings Weston Lane in the east. This scheme has been shown within the submitted plan 'Route 2- Avonmouth Way and Third Way' however it is noted this does not show the vehicular access into Area F. These works will be

undertaken through the s278 Highway Works process and will require a legal agreement, payment of bond and fee and technical approval. This will bring a significant sustainable cycling offer linking to the site from both Avonmouth and Kings Weston and is critical in mitigating the impact of the development on the local area. The provision of infrastructure to encourage cycling is critical in allowing and promoting modal shift which the development will be reliant upon.

It should be noted the existing Kings Weston cycle route and the link onto Avonmouth Way both require lighting be installed as outlined within TDM's initial response.

Public Transport

The applicant has proposed two sets of two bus stops within the site to accommodate public transport use. The stops will involve the installation of an 8-bay reverse cantilever shelter and a 20-metre raised kerb. Real time information (RTI) is also required. Although these stops will be constructed on private land the design and installation must be in conjunction with the Public Transport team at BCC to ensure they are designed and installed to standard. As the stops will be located on private land, agreement must be reached, with the site, for staff from BCC, WECA and Council/WECA contractors to be permitted access to maintain the infrastructure and post timetables/information.

The public transport facilities must be established as early as possible in the construction phase of the development so that the facilities are in place as employers start to move into the area reinforcing modal shift to public transport. It is noted that discussions have taken place with First on the principle of extending the 3 through the development, it should be noted that there are also other bus operators who may wish to consider registering services to serve the development and TDM require regular dialogue between St Modwen's and the BCC public transport team.

Bus Gate

In order to facilitate the use of public transport and the requirement to reduce the reliance of the site on private car travel the applicant will be implementing a signalised bus gate linking Kings Weston Lane and Avonmouth Way. This will be conditioned to be delivered through an s278 highway works agreement to be undertaken by the applicant with any applicable commuted sums secured at this point for all s278 works. This must include the provision of cameras and linkage to BNET. The proposals are demonstrated within plan 03446-SK-032-P0.

EV Charging

Due to the nature, scale and location of this development, and given the number of trips generated, its location in close proximity the M5 junction (regional trip attractor) BCC require a mix of Fast and Rapid chargers for the outline areas of development. The number and type will need to be based on further information regarding the usage/numbers/scale of each area of development and TDM are content further detail can be appropriately secured via condition. It should however be noted that BCC would seek at a minimum 20% active provision and 80% passive provision in line with emerging policy.

Passive provision installation for in-curtilage parking spaces needs to adhere to: the IET 4th Edition and BS7671 and requires the provision of necessary underlying infrastructure (e.g. capacity in the connection to the local electricity distribution network and electricity distribution board, as well as ducting, cabling to parking spaces, connected within the property

with termination outside. BCC recommend using the Matte OPEN system rather than earth electrodes (where earthing is needed), to enable the simple installation and activation of a charge point at a future date. For both Active and Passive provision, ducting and associated power connections, including transformer units shall be provided throughout the development as required to enable charging points to be installed to all parking spaces at a future date.

TDM are content this could be secured via condition.

TRO'S

A review of waiting restrictions at Avonmouth Way was completed in 2019 (TRO 1934. However, the restrictions must be extended into the new access road serving Area F (hotel), to the limit of the adoptable highway. The developer is required to fund the requisite TRO and the traffic signs/carriageway markings necessary to give it effect on site.

A further TRO is required which extends the weight restrictions from Campbell Farm Drive to the access to the Travellers site. The associate signing is required to be implemented by the developer and right turn only signage is required which is visible for vehicles emerging from the Area A access.

All TRO's are subject to an s106 contribution figure of £6067. On this basis a contribution of £12,134 is required. It should be noted the physical lining and signage is not covered within this contribution and must be provided by the developer.

Travel Planning

The applicant has included a commitment to join the local transport forum (SevernNet) within both travel plans and both the hotel and wider outline users are encouraged to consider joining the SevernNet employer bus to improve the bus network and increase access to employment opportunities.

The hotel travel plan has been assessed by the BCC travel plan co-ordinator and is deemed to be acceptable.

Two conditions are required relating to travel planning; one aimed at the hotel use considered within the full application and one towards the outline application.

A Travel Plan Management and Audit Fee for the following use classes in the sum of are required;

C1 - £3,832

B2 - £5,474

B8 - £5,474

An individual audit fee is required for each Travel Plan and each individual parcel's Travel Plan will require additional fees/auditing.

The fees are to be secured through a S106 agreement payable on commencement of the development.

The developer is required to implement, deliver and monitor their own agreed Travel Plan over the 5-year period, reporting biennial progress to the Council.

The Travel Plan Management and Audit Fee have been calculated on the basis of the Council officer time required, together with the provision and maintenance of supporting systems, to:

1. Set up and update the database to ensure monitoring takes place at appropriate times.
2. Attend the development Travel Plan Steering Group meetings to monitor progress and to support the delivery and success of the Travel Plan.
3. Provide training to developer Travel Plan Co-ordinators.
4. Audit and review biennial monitoring over the 5-year period of the Travel Plan.
5. Review Travel Plan progress in light of monitoring results.
6. Discuss the results and future measures with the site Travel Plan Co-ordinator.

This fee does not cover the surveys, data inputting or analysis, which are the responsibility of the developer and their Travel Plan Co-ordinator. All monitoring reports and survey output data must be submitted to BCC.

Proposed Hotel Use

Vehicular Parking

The applicant has outlined the change in number of disabled parking spaces to ten in line with TDM's initial comment and minimum policy requirements. In addition, two rapid chargers will be provided on site to enable EV charging.

Cycle Parking

14 cycle parking spaces are to be provided in the form of sheltered Sheffield Stands. These are located to the west of the site. No concerns are raised regarding the design and quantum of the cycle parking given these meets minimum policy requirements.

Servicing

Servicing will be undertaken during the daytime. Deliveries between hotel sites are coordinated to reduce vehicle movements on the highway network. The operators have advised that deliveries are undertaken by articulated HGVs and 12m rigid vehicles. The site access junction and internal layout have been tested using swept path analysis and demonstrate the ability of a servicing vehicle to emerge onto the highway in forward gear, as detailed within plan 2019/5178/001, 2019/5178/002 and plan 2019/5178/003.

Waste will be collected privately, and no concerns are raised given waste will not be stored on the highway.

Mitigation

To conclude the following mitigation measures are to be provided by the applicant in order to adequately mitigate their developments impact upon the highway network

- £150k towards the completion of a study, the funding of a public engagement and the delivery of a scheme of mitigation along Kings Weston Lane to address the impacts of through traffic and encourage active and sustainable travel
- £50,000 towards the upgrade of the operational system of the St Andrews Road/ Kings Weston Lane junction and St Andrews Road/ Access to St Georges Industrial Estate signalised junctions

- £12,134 towards Traffic regulation orders
- £3,832 travel plan management and audit fee for the C1 Hotel use.
- The design and construction through s278 highway works of a segregated cycle route along Avonmouth Way from Crowley Way to Kings Weston Lane as shown within plan 'Route 2- Avonmouth Way and Third Way'.
- The design and construction of a segregated cycle route along land within the applicants control between the main Access 18 access and Boundary Road with linking into the existing highway network as shown within '11256-ES-DR-BCC01-04 'BCC Route 1 Kings Weston Lane 4 of 4'.
- Installation of Kings Weston Lane/ Avonmouth Way bus gate through s278 highway works as shown within plan 03446-SK-032-P0.
- Installation of two sets of two bus stops within the site consisting of 8-bay reverse cantilever shelters and a 20-metre raised kerbs with real time information.
- Installation of a pedestrian refuge along Kings Weston Lane at the Kings Weston Lane/ Merebank Road junction as shown within plan 03446-SK-031-P0.
- • Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works as defined in Jacobs technical memorandum dated 21st April 2021.
- • Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout, as detailed in Jacobs technical memorandum dated 21st April 2021.
- • Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout as detailed in PJA drawing number 03446-SK-40-P0, titled 'St Brendons Roundabout Proposed revision to Crowley Way lane destination markings'.

Recommendation

TDM recommend approval of the application subject to the following s106 contributions and the following conditions:

S106 Contributions

- £150,000 towards the completion of a study, the funding of a public engagement and the delivery of a scheme of mitigation along Kings Weston Lane to address the impacts of through traffic and encourage active and sustainable travel
- £50,000 towards the upgrade of the operational system of the St Andrews Road/ Kings Weston Lane junction and St Andrews Road/ Access to St Georges Industrial Estate signalised junctions
- £12,134 towards Traffic regulation orders
- £3,832 Travel Plan management and audit fee for the C1 Hotel Use.

Conditions

B1B Highway works – General Arrangement Plan

NB: Add relevant advices I024A, I025A, I053, I055

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

- Implementation of two-way segregated cycle route along Avonmouth Way from the St Brendan's Roundabout to Kings Weston Lane in line with drawing plan 'Route 2- Avonmouth Way and Third Way'
- Implementation of signalised camera-controlled bus gate at the Avonmouth Way/ Kings Weston Lane in line with plan 03446-SK-032-P0.
- Creation of pedestrian island at the Kings Weston Lane/ Merebank Road junction in line with plan 03446-SK-031-P0.
- Creation of junction access points onto Kings Weston Lane
- Creation of junction access point onto Avonmouth Way
- Resurfacing of footway along Avonmouth Way
- Upgrade to street lighting along Avonmouth Way
- Introduction of lighting along the Kings Weston Lane cycle link
- Introduction of lighting along the existing Cycle link from Access 18 onto Avonmouth Way

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- Signing, street furniture, street trees and pits
- Structures on or adjacent to the highway
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

B2A Highway to be adopted

NB: Add relevant advices I027A, I055

No development shall take place until plans to a scale of 1:200 showing the following information has been submitted to and approved in writing by the Local Planning Authority.

- Long sections
- General arrangement showing the missing Kings Weston Lane link between Boundary Road and the main entrance to Access 18 as shown within plan '11256-ES-DR-BCC01-04 'BCC Route 1 Kings Weston Lane 4 of 4'.
- General arrangement showing land to be adopted as highway at all access points into the development
- Threshold levels to buildings
- Drainage
- Structures
- Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the internal access road(s) will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory standard for use by the public and are completed prior to occupation.

B36A Structure Adjacent To/Within 6m of the Highway

NB: Add relevant advice I059

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

Phasing and Completion Plan

No development shall take place until a phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority. The phasing and completion plan shall set out the development phases and completion sequence of the development will be completed.

The development shall then be carried out in accordance with the approved phasing and completion plan.

Reason: To ensure the safe management of the highway network during phasing and completion.

B38 Construction Management Plan – Major Developments

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - o Deliveries, waste, cranes, equipment, plant, works, visitors;
 - o Size of construction vehicles;
 - o The use of a consolidation operation or scheme for the delivery of materials and goods;
 - o Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - o Programming;
 - o Waste management;
 - o Construction methodology;
 - o Shared deliveries;
 - o Car sharing;
 - o Travel planning;
 - o Local workforce;
 - o Parking facilities for staff and visitors;
 - o On-site facilities;
 - o A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and

neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

B39 Highway Condition Survey

NB: Add relevant advice I052

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

B43 Temporary Access to the Site

No development shall take place until a plan that shows any temporary access from the adopted highway and the routes construction traffic will use has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

EV Charging

“No building or use hereby permitted shall be commenced until details of Electrical Vehicle Charging infrastructure, management plan and phasing for implementation has been submitted to and approved in writing by the Local Planning Authority.

This shall include details of the following:

- Final Layout
- Number and location of EV parking spaces
- Number and location of EV charging points
- Type of EV charging points (fast, rapid)
- Indicative locations for feeder pillars and protective infrastructure
- Evidence of power supply from WPD (to ensure substation capacity is adequate)
- Indicative location of substation (where required)
- Indicative cable routing
- Management plan outlining proposed management of spaces, charging network and infrastructure
- Electrical Layout and Schematic Design

- Feeder Pillar Design/Electrical Layout/Schematic Layout Designs]

The Electric Vehicle Charging Points and management strategy as approved shall be implemented prior to occupation / as per the agreed phasing plan and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change

Further details of internal bus stops

Detailed drawings at the scale of 1:200 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Four 8-bay reverse cantilever bus stop shelters with real time information and 20-metre raised kerbs.

Reason: To ensure there are adequate public transport facilities

C7A Completion of Vehicular Access – Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

C8 Completion of Pedestrians/Cyclists Access – Shown on approved plans

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

Reason: In the interests of highway safety.

C12A Completion and Maintenance of Car/Vehicle Parking – Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) 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. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

C13 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.

C14A Travel Plan – Not submitted

NB: Add relevant advice I060

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

D19 Restriction of Parking Level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

D34A Travel Plan – Submitted

Prior to occupation or use commenced, evidence that the pre-occupation elements of the approved Hotel Travel Plan have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority.

The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

Works on Highways England Network

The combined scheme of improvement works at St Brendan's Roundabout, St Andrew's Roundabout and the A4 Crowley Way as detailed below being implemented in full and open to traffic, and the combined improvement scheme shall be implemented in full and open to traffic no later than the end of 2024.

The combined scheme of improvement works shall comprise of the following:

- Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works as defined in Jacobs technical memorandum dated 21st April 2021.

- Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout, as detailed in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout as detailed in PJA drawing number 03446-SK-40-PO, titled 'St Brendons Roundabout Proposed revision to Crowley Way lane destination markings'.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network and BCC's Highway Network.

Operational Management Strategy

No part of the development hereby approved shall be brought into use until an Operational Management Strategy (OMS) has been submitted to and approved by the Local Planning Authority in consultation with Highways England. The strategy will set out the management measures and monitoring mechanisms necessary to monitor any unauthorised use of the development spine road for through-traffic.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network and BCC's highway network.

Limitations of Uses

Use of the development hereby approved shall be limited to 47,000 sqm GFA for B2 General Industry use, and 25,000 sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.

Access to internal bus stops

Access to the four bus stops to be situated within the site for the purpose of maintenance and timetable changes by BCC, WECA or any appointed contractors shall be granted by the landowner in perpetuity.

Reason: To ensure maintenance of the bus stops and accurate timetable information.

Advices

I024A Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the

following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved

I026A Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

Bristol City Council

Development Management

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We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at transportdm@bristol.gov.uk

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

I027A Highway to be Adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's Engineering Standard Details and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Transport Development Management Team at

DMengineering@bristol.gov.uk You will be required to pay fees to cover the Council's cost's in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

To discuss the requirement for sewers contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted

by the Highway Authority.

N.B. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured

I028A Public Right of Way

The property boundary of the development hereby approved abuts a Public Right of Way PROW (No.) (SPECIFY). You are advised that before undertaking any work you must contact the Highway Authority's Public Rights Of Way Team at rightsofway@bristol.gov.uk Whilst it may be unlikely that the Public Right Of Way will be affected by the proposed development (PROW) (No.) (SPECIFY):

- Should remain open, unobstructed and safe for public use at all times;
- No materials are to be stored or spilled on the surface of the PROW;
- There must be no encroachment onto the width of the PROW;
- No vehicles are to use the PROW without lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.
- Any scaffolding and/or skips placed over or adjacent to the PROW must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed.

Licences are available at www.bristol.gov.uk/highwaylicences

- Any interference of the PROW either whilst demolition/construction is in progress or on completion, may well constitute a criminal offence.

If construction works are likely to temporarily affect the right of way, a Temporary Traffic Regulation Order (TTRO) may be required to close or divert the PROW for the duration of the works on the grounds of safety of the public. To discuss and/or apply for a TTRO contact the Highway Authority's Network Management Team at traffic@bristol.gov.uk

N.B. Any damage caused to the surface of the PROW during development works must be made good to the satisfaction of the Local Highway Authority.

I043A Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

I052 Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

I053 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at

www.bristol.gov.uk/highwaylicences

I054 Private Road

You are advised that as a result of the proposed layout and construction of the internal access road, the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980.

The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road.

The exemption from adoption will be held as a Land Charge against all properties within the application boundary. Contact the Highway Authorities Transport Development Management Team at **DMengineering@bristol.gov.uk**

I055 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the Bristol City Council Development Management Page 46 of 47 Last updated: 4 June 2019 emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see **www.bristol.gov.uk/registeraddress**

I057 Stopping or Diverting a Public Right Of Way

You are advised that to facilitate the development an order must be obtained to stop up or divert the Public Right of Way, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss and/or apply for an order contact the Local Planning Authority at **development.management@bristol.gov.uk**

I059 Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at **bridges.highways@bristol.gov.uk**

I060 Travel Plan Statement / Travel Plan – Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at **www.travelplans.gov.uk/travelplans**

I061 Freight Consolidation

You are advised that to reduce the impact of delivery vehicles servicing the development a freight consolidation scheme can be utilised. Further details about freight consolidation are available at **www.travelwest.info/freight**



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Regional Director, South West Operations Division, Highways England
planningsw@highwaysengland.co.uk

To: Bristol City Council

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: 20/02903/P

Referring to the notification of a hybrid planning application referenced above, comprising a mixed commercial/ industrial development for A1, A3, A5, C1, D1, D2, B2 and B8 use classes over seven plots (Area A-G), with full planning permission sought for the development of a hotel within Area F, access works to the site and to the identified proposed development plots, earthworks, ecological enhancements, the diversion of the existing public right of way, landscaping works across the whole site and other infrastructure works to support the proposed development, and Outline planning permission sought for the principle of employment development at Areas A, B, C, D, E and G and the principle of retail, non-residential institutions and assembly and leisure uses at Area F, on land at Access 18 site in Avonmouth, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk.

Signature: *Lisa McCaffrey* **Date:** 19 July 2021

Name: Lisa McCaffrey

Position: Planning Manager

Highways England: Ash House, Falcon Road, Sowton Industrial Estate, Exeter, EX2 7LB

Email: lisa.mccaffrey@highwaysengland.co.uk

Annex A Highways England recommended Planning Conditions

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to planning application reference 20/02903/P and has been prepared by the Planning Manager for the West of England.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the DCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, WSP.

Statement of Reasons

Development Proposals

The application is for Phase 8 of a wider development known as Access 18 at Avonmouth. Access 18 is a former industrial and distribution site, which was the subject of an outline planning application in 2007 following significant environmental remediation works. The current application proposals comprise mixed commercial/ industrial development with supporting office space (Use Classes B2 and B8 – up to 92,903sqm floorspace) and business uses comprising a hotel (125 bedrooms) and small-scale retail space (Use Classes C1, A1-A3 and A5).

The application is supported by a Transport Assessment (TA) and Framework Travel Plan prepared by PJA dated June 2020. A Full Travel Plan has also been submitted in connection with the proposed Hotel. The Hotel Travel Plan is prepared by RGP on behalf of the Hotel operator. A review of the PJA TA, subsequent Addendum document and standalone Technical Notes has informed our response to the application.

Access 18 is located between Avonmouth Way and Kings Weston Lane. Avonmouth Way connects to the M5/ A4/ Avonmouth Way (St Brendan’s) Roundabout, and this junction would form the principal gateway for strategic access to the site. Access 18 is accessed from both Avonmouth Way and Kings Weston Lane, with a private estate road connecting the two. Existing signage confirms the private nature of the road and that there is no legal right of access. Nevertheless, Highways England recommend that any unauthorised use be monitored to ensure that the route is not utilised by through-traffic at any point in the future. The majority of the Phase 8 development would take access from this private estate road although some plots would have alternative access to Boundary Road, or direct to Kings Weston Lane and Avonmouth Way.

Highways England’s interests include the operation and safety of the SRN, which in proximity to the site includes the A4(T), M5 and M49. This includes the M5/ A4 (Portway) Roundabout, M5/ A4/ Avonmouth Way (St Brendan’s) Roundabout and the A4 Crowley Way/ A403 (St Andrew’s) Roundabout. The scale of development and associated traffic generation is significant and has the potential to have a material impact on junction performance.

A new motorway junction, J1 on the M49 will also provide direct access from the motorway network into the Avonmouth Severnside Enterprise Area. The new junction is fully constructed, but a connecting link road into the Severnside Enterprise Area is yet to be constructed. As such, the junction remains closed for use. The new junction is of relevance to the current application in that it is forecast to cater for some movements that currently route via the M5/ A4/ Avonmouth Way (St Brendan's) Roundabout, and was assumed to be open to traffic as part of junction assessment work included in the original PJA TA.

Planning Context

Avonmouth is identified as a priority area for industrial and warehousing development and renewal in Policy BCS4 of the Bristol Core Strategy (2011). The policy continues as follows:

“Principal Industrial and Warehousing Areas will be identified and retained for industrial and warehousing uses. Development in these areas for those uses will be supported in principle. Proposals for port-related activities, manufacturing industry, logistics / distribution, waste management and other environmental technology-related industries will be particularly encouraged. There may be opportunities for the development of energy from waste facilities, biomass energy and further largescale wind turbines.

Development will be expected to respect the area's environmental assets and take account of its physical constraints. Proposals will be expected to contribute to both the strategic and local infrastructure necessary to mitigate any adverse impacts that would result from the development. Freight and passenger rail infrastructure sites will be safeguarded.”

Bristol City Council is in the process of updating its Local Plan and published a draft Policies and Development Allocations document in March 2019. The draft Local Plan includes the Access 18 Phase 8 as an allocated site, “Land at Kings Weston Lane, south of Access 18”, with draft Policy E5 identifying the site as a location designated for the retention, development and redevelopment of existing industrial land for industrial, distribution, energy and port related uses.

Consequently, the proposed development appears to be in accordance with the adopted (and emerging) development plan.

Assessment Scope

As part of assessing the highways impact of the proposed development, PJA have made use of the strategic GBATS4 model developed and operated on behalf of Bristol City Council and South Gloucestershire Council. The model has been used to establish development trip distribution and assignment and derive changes in forecast year traffic flows. Use of the strategic model was considered necessary to take account of the impact of network changes due to take place, most significantly the opening of M49 J1.

The following assessment scenarios have been considered by PJA and within the GBATS model, with weekday peaks hours of 08:00-09:00 and 17:00-18:00 assessed for all scenarios:

- 2019 Base year
- 2025 Opening Year without development
- 2025 Opening Year with development
- 2036 Future Year without development
- 2036 Future Year with development

For the original PJA TA, inputs to junction models for the SRN junctions referred to above were based on the application of flow differences from the GBATS model to 2019 traffic survey data for each junction. The 2019 flow data has been accepted as representative of pre-pandemic traffic levels.

In accordance with paragraph 27 of DfT Circular 02/2013, Highways England has used the 2025 Opening Year scenario to determine potential requirements for capacity mitigation associated with the proposed development.

Trip Generation, Distribution and Assignment

The GBATS model scenarios commissioned by PJA assumed the following mix of land uses across the Access 18 site:

- B1 Business – 3,000 sqm
- B2 General Industry – 47,000 sqm
- B8 Storage or Distribution (Warehousing) – 25,000 sqm
- B8 Storage or Distribution (Parcel Distribution) – 25,000 sqm

Traffic modelling assessment has therefore been undertaken for the mix of employment uses detailed above. As the application form does not detail the same split in B2 and B8 uses, a planning condition limiting the scale of floor area to that assessed is considered necessary, given variation in traffic generation levels for B2 and B8 uses including dedicated parcel distribution.

Highways England has previously accepted that supplementary land uses proposed as part of the application (A1/ A2 retail, Food and Drink outlets, and D2 Gym) will not generate additional trips on the SRN. With additional allowance for the proposed Hotel, the assessment of 100,000 sqm of employment uses is likely to provide a robust assessment of the remaining uses for which planning permission is sought.

Whilst Highways England consider that trip rates for individual site uses may vary from those adopted, the overall traffic generation for the combined site uses provides a robust assessment. Combined traffic generation levels (in Passenger Car Units) for the proposed development are reproduced in Table 2.

Table 2 – Combined Development Traffic Generation (PCUs)

Time Period	Arrivals	Departures	Total
08:00-09:00	554	452	1,004
17:00-18:00	276	393	671

Source - PJA Transport Assessment Table 6.1 Vehicular Trip Generation

The submitted TA used the GBATS model to distribute and assign development traffic. During scoping discussions with PJA, Highways England highlighted concern that the GBATS model underestimates the volume of development trips assigned to SRN routes, and requested comparison to Census ‘travel to work’ data. This was not undertaken by PJA, but has been undertaken by Highways England. In light of continuing concern over the adopted distribution for light vehicles, Highways England requested sensitivity analysis using a revised distribution based on Census travel to work data. The sensitivity analysis assumes higher use of the SRN than originally assessed by PJA, resulting in higher traffic demands at the St Brendan’s Roundabout. The findings of this sensitivity analysis inform our response to the application.

Mitigation

Based on the findings of junction modelling for the 2025 opening year scenario, PJA have proposed the following mitigation relevant to the SRN:

- Change in lane markings and designation on A4 Crowley Way on approach to M5 St Brendan's roundabout.
- Modification of signal set-up for the M5 St Brendan's roundabout to enable a more efficient signal operation, adopting a parallel stage stream method of control whereby control of the main roundabout is split into four streams.

The works to the A4 St Brendan's roundabout will necessitate a general refurbishment of the signal installation. It is also necessary to undertake works at the neighbouring A4 St Andrew's roundabout in conjunction with the St Brendan' Road refurbishment (with the intention that the A4 St Andrew's roundabout scheme would be designed and funded by Highways England, if the timing of the schemes align). The combined scheme of works at A4 Crowley Way, A4 St Brendan's roundabout, and A4 St Andrew's roundabouts, will therefore need to be secured by way of condition to any planning consent.

The scope of mitigation measures has been agreed by Highways England and proposed works to the A4 Crowley Way have been subject to a Road Safety Audit. Given the majority of development traffic is distributed via the M5 and M49, no mitigation works are deemed necessary at the A4 Portway roundabout.

PJA modelling work reported in the Transport Assessment has accounted for both full development build out, and the reassignment effects of the new M49 J1. In light of the identified mitigation requirements, it has been necessary to demonstrate the scale of development that can come forward before implementation of the agreed mitigation works, and whether further mitigation would be required should M49 J1 not open to traffic in the near future.

Interim Assessments

To address the issues around mitigation timing and effectiveness before M49 J1 is open to traffic, PJA have provided further assessments considering operation of St Brendan's roundabout under the following scenarios:

- 2023 forecast year + Phase 1 development, with M49 J1 remaining closed to traffic and no mitigation.
- 2025 forecast year + full development, with M49 J1 remaining closed to traffic but mitigation works to St Brendan's roundabout and A4 Crowley Way.

The assessments apply background traffic growth to the 2019 survey data and have been undertaken outside of the GBATS model with no modelled reassignment to M49 J1. Phase 1 development has been based on initial delivery of the proposed Hotel (Area F) and industrial development at Area A accessed from Kings Weston Lane. The Phase 1 assessment assumes that Area A development traffic will not route via the private estate road and will instead approach St Brendan's roundabout via the A4 Crowley Way.

The interim assessments undertaken by PJA have indicated that the St Brendan's roundabout will be at capacity in the 2023 assessment scenario. The PJA assessment indicates a material increase in queues on the A4 Crowley Way which would not be acceptable to Highways England. Whilst it is accepted that a level of development traffic can be accommodated ahead of mitigation, it will be necessary to limit the scale of development traffic generation by way of condition to avoid unacceptable impacts on the safe and efficient operation of the St Brendan's roundabout.

The 2025 assessment scenario indicates that the upgraded St Brendan's roundabout (following mitigation works) is capable of accommodating development traffic without a severe

or unacceptable impact on the safe and efficient operation of the junction. This assessment does not account for any reassignment effects associated with M49 J1, and is therefore considered a worst case scenario. In reality, it is anticipated that the new motorway junction and connecting link roads will be open to traffic and will therefore provide a level of traffic relief to St Brendan's roundabout.

Construction Traffic Impacts

PJA have estimated daily construction vehicle movements using information from a recently completed development phase at Access 18, and profiled movements across different phases of the build programme. It is anticipated that the majority of movements would be to/from the M5, and spread across the day, although some clustering of movements could occur. It is accepted that construction traffic impacts will be much less than the operational impacts of the scheme. Construction vehicle movements are also forecast to be lower than traffic generation associated with Phase 1 development. Nevertheless, a Construction Traffic Management Plan should be secured by way of condition to any future planning consent.

Recommendation

In light of the above Highways England recommends that planning conditions should be attached to any permission that Bristol City Council is minded to grant in respect of application 20/02903/P, to the effect that:

Condition 1

Use of the employment development hereby approved shall be limited to the following floorspace:

- A maximum floorspace of 92,903sqm GIA of Use Class B8 (Storage and Distribution) and Use Class B2 (General Industrial).
- No more than 50% of the total employment floorspace to be delivered should be B2 use.
- No more than 25,000sqm of employment floorspace to be delivered shall be used for dedicated B8 parcel distribution.

Reason: To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network, and in the absence of evidence to show that the impacts beyond this restriction would not be severe.

Condition 2

Prior to occupation of the hereby approved development, no more than one of the following thresholds (see i to vi below) shall be brought forward prior to delivery of a combined scheme of improvement works at St Brendan's Roundabout, St Andrew's Roundabout and the A4 Crowley Way as detailed below, and the improvement works shall be implemented in full and open to traffic no later than 2 years from the start of construction:

- i) Up to 14,000 sqm GFA of B2 development
- ii) Up to 70,000 sqm GFA of B8 development (not including dedicated parcel distribution)
- iii) Up to 13,500 sqm GFA of dedicated B8 parcel distribution development
- iv) A combination of employment uses listed above such that the combined traffic generation (arrivals and departures in combination) shall not exceed 170 PCU trips in the AM peak hour and 125 PCU trips in the PM peak hour.

For the purposes of calculating total traffic generation for a combination of individual employment uses, the following PJA two-way Passenger Car Unit (PCU) trip rates are to be used.

Land Use	AM Peak Hour	PM Peak Hour
B2 General Industry	1.215	0.682
B8 Warehousing	0.236	0.106
B8 Parcel Distribution	1.062	0.915

The combined scheme of improvement works will be comprised of the following:

- Works to A4 St Brendan's roundabout to comprise the provision and design of additional controller unit(s) and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works as defined in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout, as detailed in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout as detailed in PJA drawing number 03446-SK-40-P0, titled 'St Brendons Roundabout Proposed revision to Crowley Way lane destination markings'.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.

Condition 3

No part of the B2 or B8 use employment development hereby approved shall be brought into use until an Operational Management Strategy (OMS) has been submitted to and approved by the Local Planning Authority in consultation with Highways England. The strategy will set out the management measures necessary to prevent unauthorised use of the estate road between Kings Weston Lane and Avonmouth Way. Measures contained within the OMS shall thereafter be implemented for the lifetime of development. The OMS shall also detail arrangements for the monitoring, reporting and enforcement of any unauthorised use of the estate road through the Travel Plan review process to be submitted to and approved by the Local Planning Authority in consultation with Highways England.

Reason: To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.

Condition 4

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:

- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development