

# Development Control B Committee Agenda



**Date:** Wednesday, 7 December 2022

**Time:** 2.00 pm

**Venue:** The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

Members of the public attending meetings or taking part in Public Forum are advised that all Development Control meetings are filmed for live or subsequent broadcast via the council's webcasting pages. The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years.

If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

**Councillors:** Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Lesley Alexander, Fabian Breckels, Andrew Brown, Lorraine Francis, Katja Hornchen and Guy Poultney

**Copies to:** Gary Collins and Claudette Campbell (Democratic Services Officer)

**Issued by:** Claudette Campbell, Democratic Services

City Hall, College Green, Bristol BS1 5TR

E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**Date:** Tuesday, 29 November 2022



# Agenda

## 1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 5 - 8)

## 2. Apologies for Absence

## 3. Declarations of Interest

To note any interests relevant to the consideration of items on the agenda.

Any declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

## 4. Minutes of the previous meeting

To agree the minutes of the last meeting as a correct record.

(Pages 9 - 16)

## 5. Action Sheet

The Committee is requested to note any outstanding actions listed on the rolling Action Sheet for DCB Committee.

(Page 17)

## 6. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision.

(Pages 18 - 27)

## 7. Enforcement

To note enforcement notices.

(Page 28)

## 8. 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:



**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 1<sup>st</sup> December 2022.

**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 12.00 noon on Tuesday 6<sup>th</sup> December 2022.

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

**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.

**9. Planning and Development**

To consider the following applications for Development Control Committee B - **(Page 29)**

**10. Amendment Sheet**

To follow

- a) **22.01878.P Land at Broom Hill Brislington Meadows BS4 4UD** **(Pages 30 - 158)**

**IMPORTANT NOTE:**

Please be advised that, due to the appeal against non-determination of this application, the Committee is not able to make the decision on this application and will have to confine itself to confirming the Council's case at the Public Inquiry taking place early next year. For example, the Committee could not technically decide to grant



planning permission. We would be grateful if you could bear this in mind when considering whether to submit a public forum statement.

- b) 22.01199.PB Former School Site, New Fosseway School BS14 9LN (Pages 159 - 187)**
- c) 22.03490.F Land at Derby Street Car Park BS5 9PH (Pages 188 - 209)**
- d) 22.01550.F 29 Hobhouse Close BS9 4LZ (Pages 210 - 238)**
- e) 21.01808.F 2 Birchwood Road BS4 4QH (Pages 239 - 252)**

## **11. Date of Next Meeting**

18<sup>th</sup> January 2023 at 6pm





# Public Information Sheet

## Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at [www.bristol.gov.uk](http://www.bristol.gov.uk).

## Public meetings

Public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny will now be held at City Hall.

Members of the press and public who plan to attend City Hall are advised that you may be asked to watch the meeting on a screen in another room should the numbers attending exceed the maximum occupancy of the meeting venue.

## COVID-19 Prevention Measures at City Hall (June 2022)

When attending a meeting at City Hall, the following COVID-19 prevention guidance is advised:

- promotion of good hand hygiene: washing and disinfecting hands frequently
- while face coverings are no longer mandatory, we will continue to recommend their use in venues and workplaces with limited ventilation or large groups of people.
- although legal restrictions have been removed, we should continue to be mindful of others as we navigate this next phase of the pandemic.

## COVID-19 Safety Measures for Attendance at Council Meetings (June 2022)

We request that no one attends a Council Meeting if they:

- are required to self-isolate from another country
- are suffering from symptoms of COVID-19 or
- have tested positive for COVID-19

## Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.



## Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk).

The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

### During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.



- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

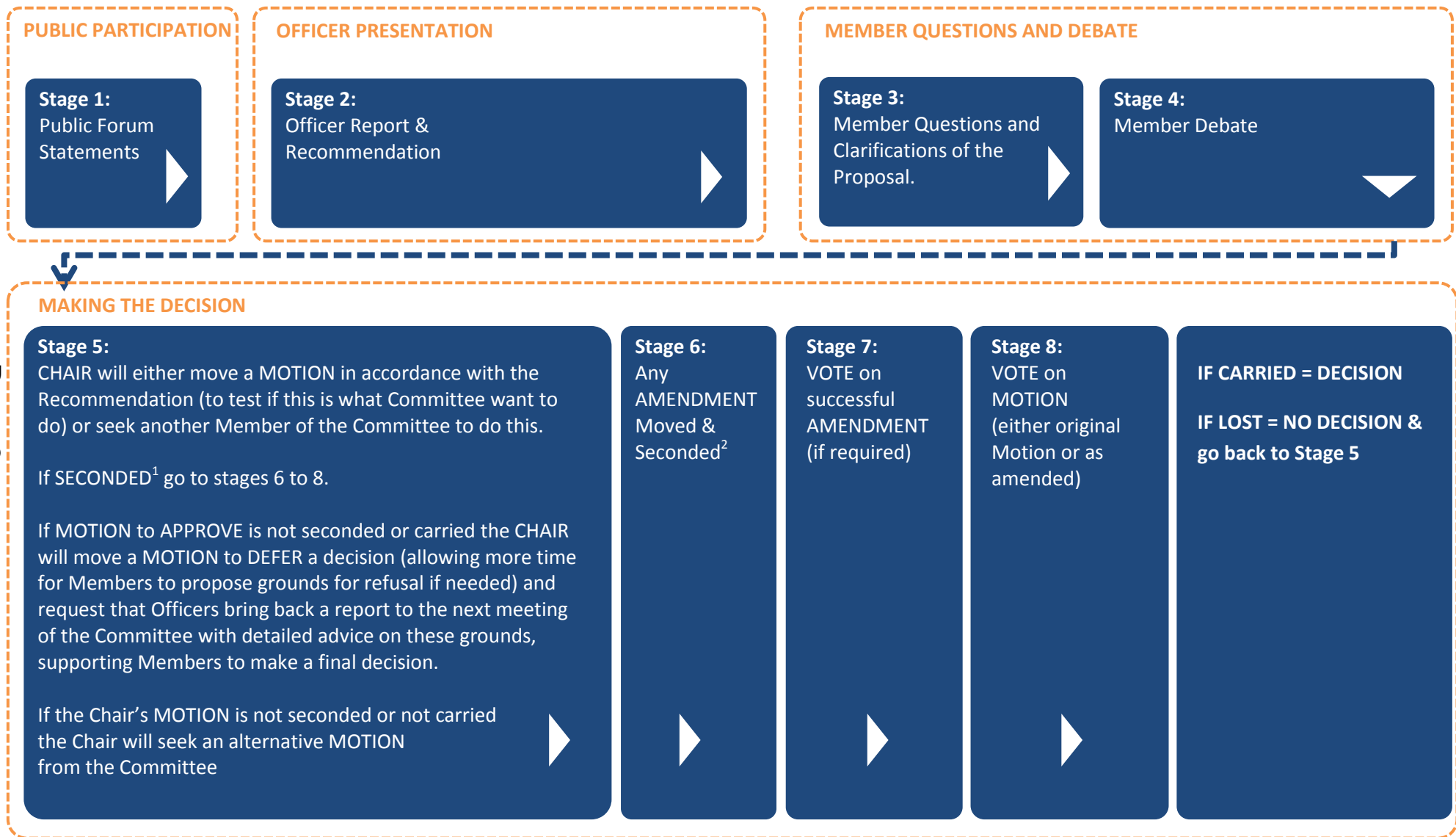
### Webcasting/ Recording of meetings

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The privacy notice for Democratic Services can be viewed at [www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services](http://www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services)



# Development Control Committee Debate and Decision Process



Page 8

<sup>1</sup> A Motion must be Seconded in order to be formally accepted. If a Motion is not Seconded, the debate continues

<sup>2</sup> An Amendment can occur on any formally approved Motion (ie. one that has been Seconded) prior to Voting. An Amendment must itself be Seconded to be valid and cannot have the effect of negating the original Motion. If Vote carried at Stage7, then this becomes the Motion which is voted on at Stage 8



**Bristol City Council**  
**Minutes of the Development Control B Committee**

**26 October 2022 at 6.00 pm**



**Members Present:-**

**Councillors:** Ani Stafford-Townsend (Chair), Lesley Alexander, Fabian Breckels, Andrew Brown, Lorraine Francis, Katja Hornchen, Guy Poultney and Chris Jackson (substitute for Marley Bennett)

**Officers in Attendance:-**

Gary Collins, Jeremy Livitt and Philippa Howson

**1 Welcome, Introduction and Safety Information**

The Chair welcomed all parties to the meeting and explained the arrangements in the event of an emergency evacuation procedure.

**2 Apologies for Absence**

Apologies for absence were received from Councillor Marley Bennett (Councillor Chris Jackson substituting).

**3 Declarations of Interest**

Councillor Guy Poultney and Councillor Ani Stafford-Townsend declared non-substantial Interests in Agenda Item 9(b) Planning Application Numbers 21/06128/F and 21/06129/LA at 80 St Andrews Road, Montpellier as they had previous dealings with the applicant.

**4 Minutes of the Previous Meeting**

The Committee were advised that the minutes of the previous meeting held on Wednesday 12<sup>th</sup> October 2022 had not yet been finalised and would be submitted for approval to the next Development Control B Committee meeting, together with the minutes of this meeting.

**5 Action Sheet**

It was noted that all previous actions had been completed.



## 6 Appeals

Officers advised that a decision in respect of Agenda Item 11 493 - 499 Bath Road Brislington Bristol BS4 3JU, was likely to be received shortly and available for the next meeting. Key issues relating to this appeal were the amenity of proposed residents, design and also the heat hierarchy.

## 7 Enforcement

The Committee noted the enforcement action listed in the report.

## 8 Public forum

Members of the Committee received Public Forum Statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

## 9 Planning and Development

The Committee considered the following Planning Applications:

### 9a Planning Application Number 22/01736 - Land Surrounding Dove Lane St Pauls Bristol BS2

Officers presented this report and made the following points as part of their presentation:

- Details of the amendment sheet provided an update from the sustainable city team and a list of conditions
- On 23<sup>rd</sup> October 2022 there had been a briefing by the Development Team
- The application site was a 1.6 hectare inner city location in Ashley Ward St Pauls. Details of the surrounding areas were provided
- A building located to the north of the site was the closest residence and 13 to 17 Dove Lane was the closest business to the application
- Details of the proposed development were provided, including 55 car parking spaces. 5 comments had been received to the proposal, including two objections, 1 expressing support and 2 neutral. Objections commented on the impact on the road network, the building heights and amenity impact
- Details of the plots within the site were provided to the Committee
- Vehicular access was a key issue. Movements will continue along Wilson Place and Newfoundland Road
- An aerial view was shown to put the development in context with surrounding buildings



- Historic England had raised no objection in relation to any impact on St Pauls Church
- Measures would be put in place to ensure noise insulation was implemented to ensure business use of the site was safeguarded
- Contributions would be made to public transport infrastructure as part of the proposal
- Officers recommended approval subject to conditions and a Section 106 agreement

In response to Councillors' questions, officers made the following comments:

- There would be a gain of 63 trees on the site as there were currently none. There was a proposed detailed landscaping condition so officers could see if this number could be increased. There was a scheme for local people which would see if job opportunities could be maximised
- The proposal for 20% affordable housing was consistent with housing practice policy in the central area. This would be subject to the development being commenced within 18 months and would be reviewed if it was not achieved within this timescale. The affordable housing part of the scheme would be secured through a Section 106 agreement
- Whilst there was always a possibility that the amount of affordable housing offered by the developer could be increased, this could not be enforced through a Section 106 agreement
- Whilst the scheme could encourage more grant funding, a viability assessment did not apply for this application
- Officers confirmed that the development was policy compliant
- Affordable housing would be provided and managed by a registered social landlord at a rate that someone on housing benefits can afford. The remainder would be at discounted market sale value
- C2 block would be set back from the parking area of the school and a large easement with the drain provided through Wessex Water. A study had been carried out on neighbouring properties and confirmed that there was no impact on any windows
- There was a public realm gain with this development. It was proposed to have green roofs as part of this proposal
- There was a net gain in terms of biodiversity relating to landscaping and shrub planting
- The proposal included ground floor commercial units
- The developer will fund a connection to the Heat Network which was a key development in the feasibility of the scheme and will ensure it connects. It was noted that the Heat Network was increasing around the city due to City Leap and that there were other developments nearby such as the Frome Gateway area. If the Heat Network was not in operation on the first day of the opening of the development, the developer would be required to provide alternative sources
- Each plot on site would be managed by a Servicing Refuge Plant. Transport had no objection to the development and conditions were in place as required
- Car Club – BCC asked for membership as a standard request for such a development. BCC recommended that the developer works with Car Club providers but they can use on their own if they wish. There is a condition for a Car Club space
- The development would be completed plot by plot but it was not possible to compel the developer to provide social housing first





- The Housing Officer confirmed and welcomed the mix of schemes including 3 bedroom apartments and 3 bedroom homes
- Urban living requirements were now more up to date to meet a growing need and allow higher density to increase without diminishing quality.
- Whilst it was acknowledged that different documents (such as the St Pauls and Urban Living SPDs) provided different standards on different timescales, each needed to be given weight in its own way. Since BCC did not currently meet Housing needs or the Housing Delivery Test, there was a greater pressure to ensure higher densities. This was an issue for Councillors to weigh up in making their decision
- If there was any attempt to push social housing into the less desirable areas of the development without a legitimate reason, officers could object under the Section 106 proposals
- The requirement for 2% of units to be accessible for disabled was set out in Policy DM4. The scheme was compliant under these criteria. The developers could choose to increase this if they wished. Future amendments to the Local Plan on this issue would also strengthen the Committee's authority going forward
- Pollution control had generally assessed the noise control as sufficient. However, mitigation measures had been identified, particularly in relation to Dove Lane Studio and would be subject to condition

Councillors made the following points:

- Whilst this scheme was near the M32, it seemed a good scheme and there was an urgent need for housing. It should be supported
- Whilst there were some reservations about the height of the 10 storey block, the need for variety of scale was appreciated. This was a good high quality development
- The scheme should be supported in principle. However, it was important to ensure that developers met their commitments and did not reduce any affordable housing
- This application should be supported. It was a great inner city site and the proposals for vehicle charging and cycling were good.
- More housing was required. Whilst there was a concern about the clash between the Urban Living and St Paul's SPD, there was a great deal to like in this proposed development.
- It was important to ensure that the will of the community in 2006 was taken into account, that the affordable and social housing was properly provided, that more trees were provided on site if possible and that greater accessibility was provided for disabled users if possible.

Councillor Chris Jackson moved, seconded by Councillor Fabian Breckels and upon being put to the vote, it was

**RESOLVED – that the application be granted subject to a Section 106 Agreement and subject to the conditions set out in the report and the requirements set out in the Amendment Sheet (8 for, 0 against – unanimous of those in attendance).**





## 9b Planning Application Numbers 21/06128/F and 21/06129/LA - 80 St Andrews Road, Montpelier

Officers introduced this report and made the following points as part of their presentation:

- Details of the application were provided. It was explained that there was no access between the application site and the main property No.93 Richmond Road.
- The site is located in the Montpelier Conservation Area and is Grade 2 listed
- Adjacent to the site was a coach house which is ancillary to No.91 Richmond Road
- Details of the view facing north and south were provided
- The site was currently overgrown and in a poor state of repair
- The proposed front elevation and street scene elevation were shown to the Committee
- There had been three rounds of consultation, with 30, 15 and 21 objections respectively. Most objections focused on the impact of listed buildings, building in a Conservation Area and the impact on local parking provision
- The site is sustainable and is characterised by mews houses, strongly influenced by the surrounding gardens
- The urban design team had no objection to the overall scale and design of the development
- This would be the first residential development to the rear of the listed terrace which makes up Nos.73-93 Richmond Road with primarily ancillary buildings being developed to the rear of the terrace so far but some mews properties have been permitted to the rear of other listed buildings further up from the site
- The conservation officer has raised no objection and has stated that the development is proportionate
- Amenity Impact – the overall footprint is the same as other properties. The separation distance is also consistent
- Obscure glazing would be installed to ensure there was no overlooking to Richmond Road from the first floor rear window.
- Officers believed the scheme was acceptable and so recommended approval.

In response to members' questions, officers made the following points:

- The Richmond Road site had Listed Buildings status
- Previously permission was sought to construct a mews house at the site as part of a wider development. This plot was removed due to potential harm to the setting of listed buildings. However, the situation was now different due to changes in local and national planning policy, together with the increased housing need
- The original proposed scheme had been much bigger and had been considered too large. There had been amendments to the scale and design following three rounds of consultation. Following a reduction in height, it was now considered acceptable
- Details of the garden plot were provided. The single storey garage is the main part of the development site
- It was recommended that this development would be exempt from both types of permit ie resident and visitor permits. New dwellings within the RPZ should not benefit from the Residents Parking Zones but this is purely for advice. Applications for a residents permit could still be made



- All developments within this part of the Conservation Areas to the rear of listed buildings will be assessed according to criteria and on their individual merits as to whether or not they were appropriate. It is not considered that the development would set a harmful precedent
- The most recent previous application in 2020 was withdrawn due to concerns about the scale and design. The proposed scheme was noticeably smaller than the one which had originally been submitted. Stands for bikes and the location for bins were located at the front
- Policy DM21 confirms that the development does meet the required policy. A previous application in Clyde Road had been similar and was refused by the Committee but allowed on appeal which could happen in this instance
- Registered carers would be allowed permits so the issue of equalities would be addressed
- Any removal or change to Advice Note 8 would not be legally enforceable

Councillors made the following comments:

- A site visit might be appropriate in the circumstances
- A site visit was unnecessary as the details provided were clear
- Whilst this was a small development, the level of objections was quite high. This site should be protected to avoid taking a portion out of the back garden and adding more houses which will change the character of the street
- The size of the garden was a concern and needed to be protected. The height was also of concern
- The scheme should be supported since Policy DM21 applies
- There was already a mismatch on the site with the 4 modern houses nearby. It was therefore unlikely any refusal could be sustained at appeal

Councillor Andrew Brown moved, seconded by Councillor Chris Jackson that the application be approved. Upon being put to the vote, this was LOST (4 for, 4 against, Chair exercising the casting vote to vote against).

Councillor Guy Poultney moved, seconded by Councillor Lesley Alexander that the item be deferred pending a Site Visit. Upon being put to the vote, this was LOST (2 for, 6 against).

Councillor Fabian Breckels then moved, seconded by Councillor Chris Jackson and upon being put to the vote, it was

**RESOLVED (5 for, 3 against) – that the application be approved subject to the conditions set out in the report and the removal of the following wording from the end of Advice Note 8 “ as well as visitors’ parking permits if in a Residents Parking scheme”.**

Councillor Chris Jackson left the meeting at this point.



## 9c Planning Application Number 21/04574/F - 66 to 70 Church Road, Redfield

Officers introduced this report and made the following point as part of the presentation:

- The site was not located in the Conservation Area
- The development was a mix of buildings both commercial and industrial
- Different views of the site were provided, including an electricity sub-station at 68 to 70 Church Road
- Two rounds of consultation had been taken with 14 objections, followed by a further 7. Concerns raised by objectors included the issues of height, scale and massing
- Following the omission of the second floor from the original proposal, this had reduced the size of the proposed development.
- Measures had also been proposed to add additional lighting to the first floor and to prevent overlooking
- The views from the north of the site for the proposed development showed the separation distances
- The development would be car free. Previous developments had not been refused on transport grounds
- Officers recommended approval for this Planning Application

In response to members' questions, officers made the following comments:

- Subject to the proposed changes relating to lighting, the development could be approved. The proposed arrangements for the entrance to the door of the flats and specification would be an advice note to the applicants who were aware of the design requirements
- The Coal Authority did not object to the proposed development. It was noted that the development was in a high risk coal mining area. However, following a review of this site, this was not considered a reason to refuse the application. However, the Committee might deem it appropriate to provide an Advice Note for this application
- Councillors' concerns about the possibility of fire in the chimney were noted. However, neither the Fire Authority nor Health Authority had raised any objections
- The applicant was proposing an in fill timber panel for the development with high window and roof lights. They had also submitted a landscaping scheme
- It was not yet clear whether or not the property would be rented out or sold

Councillors made the following comments:

- This was a past coal mining area and all housing required a survey first to assess whether or not it would be suitable. Measures were in place to deal with this issue
- The site had been an eyesore since the 1990's and empty for a long time. Whilst the exact location was not perfect, it was a huge improvement. The proposed curved style of building suited the development well



- The proposal was good subject to an advice note being added to recommend that the developer carried out a full coal mining assessment survey on the site
- This development was a good mixed use of employment and space and could breathe new life into the area

Councillor Ani Stafford-Townsend moved, seconded by Councillor Guy Poultney and it was

**RESOLVED: that the application be approved subject to the conditions included in the report and the proposed amendment to Condition 26 set out in the Amendment Sheet, with an additional Advice Note also to be included urging a detailed and thorough coal mining assessment prior to development of the site (unanimously of those in attendance – 7 for, 0 against).**

### 10 Date of Next Meeting

It was noted that the next meeting was scheduled to be held at 2pm on Wednesday 7<sup>th</sup> December 2022.

The meeting ended at 8.55 pm

**CHAIR** \_\_\_\_\_



## Action Sheet – Development Control Committee B

Date of Meeting	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
26.10.22		No Actions		

## DEVELOPMENT CONTROL COMMITTEE B

7th December 2022

### REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	St George Troopers Hill	42 Nicholas Lane Bristol BS5 8TL A single storey extension is proposed to the rear of the property with a roof terrace accessed from the rear bedroom. Appeal against refusal Delegated decision	12/10/2020
2	Stoke Bishop	49 The Crescent Sea Mills Bristol BS9 2JT Proposed enlarged ground floor rear extension which is permitted development and first floor stairwell extension. Appeal against refusal Delegated decision	28/09/2022
3	Redland	30 Codrington Road Bristol BS7 8ET Single storey rear extension to replace existing conservatory. Appeal against refusal Delegated decision	29/09/2022
4	Filwood	22 Courtenay Crescent Bristol BS4 1TQ Rear ground floor extension with part first floor bedroom extension and new front porch. Appeal against refusal Delegated decision	16/11/2022
5	Knowle	79 Minehead Road Bristol BS4 1BP Two story side & rear extension & single storey front bay / porch and creation of 2 parking spaces to front. Appeal against refusal Delegated decision	17/11/2022
6	Stoke Bishop	14 Mariners Drive Bristol BS9 1QQ Oak frame 1.5 car garage to the front garden. Appeal against refusal Delegated decision	18/11/2022

7	Westbury-on-Trym & Henleaze	7 Wildcroft Road Bristol BS9 4HZ First floor extension over present garage. Appeal against refusal Delegated decision	18/11/2022
8	Hartcliffe & Withywood	50 Hareclive Road Bristol BS13 9JN Retrospective application for boundary wall with adjustments. Appeal against refusal Delegated decision	18/11/2022

### Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
9	Brislington West	515 - 517 Stockwood Road Brislington Bristol BS4 5LR Outline application for the erection of a five-storey building comprising 9no. self-contained flats, with Access, Layout and Scale to be considered at part of the outline application. Appeal against refusal Delegated decision	TBA
10	Brislington West	515 - 517 Stockwood Road Brislington Bristol BS4 5LR Outline application seeking matters of Access, Layout, and Scale for the erection of a care complex (Use Class C2). Appeal against refusal Delegated decision	TBA
11	Lawrence Hill	11 - 17 Wade Street Bristol BS2 9DR Outline application for the demolition of buildings and erection of student accommodation, with access, layout and scale to be considered. Appeal against non-determination	TBA
12	Clifton Down	Land At Home Gardens Redland Hill Bristol BS6 6UR Outline planning application for the redevelopment of the site comprising demolition of existing buildings (1-4 Home Gardens, 1-2 The Bungalows and associated garages and outbuildings) and the erection of two new buildings to provide up to 60 residential units (Class C3) (including 20% affordable housing) and up to 262sqm of flexible office space (Class E) to Whiteladies Road frontage and associated works. Permission sought for Access, Scale and Layout). Appeal against refusal Committee	15/11/2022

13	Avonmouth & Lawrence Weston	8 - 10 Station Road Shirehampton Bristol BS11 9TT Redevelopment of the site to include 18no. houses and 3no. apartments with associated access, parking and landscaping. Appeal against non-determination	TBA
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### Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
14	Brislington East	Land At Broom Hill/Brislington Meadows Broomhill Road Bristol BS4 4UD Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major) Appeal against non-determination Committee	31/01/2023

### Written representation

Item	Ward	Address, description and appeal type	Date lodged
15	Eastville	Merchants Arms Bell Hill Bristol BS16 1BQ Change of use from public house (Sui Generis) to mixed use Class F2 (Local Community Uses), Class C3 and Class C4. Appeal against non-determination Delegated decision	06/06/2022
16	Henbury & Brentry	Severn House Ison Hill Road Bristol BS10 7XA Window and balcony door replacement scheme for 16 flats. Appeal against refusal Delegated decision	07/06/2022
17	Horfield	3 Hunts Lane Bristol BS7 8UW Change of use of existing garage/store to a single 1 bed dwelling (Use Class C3). Appeal against refusal Delegated decision	14/06/2022
18	Westbury-on-Trym & Henleaze	Land Opposite Car Park Westbury Court Road Bristol BS9 3DF Application to determine if Prior Approval is required for proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	21/06/2022



19	Westbury-on-Trym & Henleaze	15 Westfield Road Bristol BS9 3HG Demolition of existing buildings and erection of 4no. dwellinghouses, with parking and associated works. Appeal against refusal Delegated decision	21/06/2022
20	Hartcliffe & Witherwood	1 Maceys Road Bristol BS13 0NQ Erection of a two-storey two-bedroom dwelling attached to 1 Maceys Road, with vehicular access, refuse and cycle stores. Appeal against refusal Delegated decision	19/07/2022
21	Central	40 Baldwin Street Bristol BS1 1NR Erection of a building containing 9 residential flats and office space. Appeal against refusal Delegated decision	20/07/2022
22	Bedminster	Land Adjacent To Teddies Nurseries Clange Road Bristol BS3 2JX Proposed demolition of existing buildings and erection of replacement building for indoor recreation use (Class E(d)), with associated car parking. Appeal against refusal Delegated decision	08/08/2022
23	Central	Rear Of 6 Tyndalls Park Road Bristol BS8 1PY Application for removal or variation of a condition 12 (List of Approved Plans) of permission 20/01279/F - Demolition of boundary wall and construction of a two storey building containing 1no. residential unit with associated provision of amenity space, refuse and cycle storage - revised plans to show the proposed building sitting higher on the site as compared to the consented scheme, given the proposed use of existing foundations. Appeal against refusal Delegated decision	23/08/2022
24	Bishopston & Ashley Down	229 - 231 Gloucester Road Bishopston Bristol BS7 8NR Erection of a new building to provide 4no. residential flats with refuse/recycling and cycle storage and associated development. Appeal against refusal Delegated decision	02/09/2022
25	Frome Vale	Strathmore Pound Lane Bristol BS16 2EP Appeal against High hedge at 4 metres in height in rear garden. Appeal against high hedge	09/09/2022

26	Horfield	160 Monks Park Avenue Bristol BS7 0UL Erection of a two bedroom dwelling; with associated vehicular access from Kenmore Drive and pedestrian access from Monks Park Avenue, refuse storage, cycle storage, car parking, provision of private gardens and new landscaping. Appeal against refusal Delegated decision	09/09/2022
27	Southmead	Telecoms Mast Corner Of Charlton Road/ Passage Road Westbury Bristol BS10 6TG Application to determine if prior approval is required for a proposed - Proposed 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	27/09/2022
28	Bishopston & Ashley Down	Telecommunication Monopole Junction With Queens Drive And Kings Drive Bristol BS7 8JW Proposed 15 metre tall slim-line, phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works. Appeal against refusal Delegated decision	29/09/2022
29	Hillfields	Communication Mast Ingleside Road Bristol BS15 1JD Application to determine if prior approval is required for a proposed 5G telecommunications installation: H3G Phase 8 17 metre high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets. Appeal against refusal Delegated decision	29/09/2022
30	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for hardstanding. (C/22/3306445). Appeal against an enforcement notice	04/10/2022
31	Clifton	The Richmond Building 105 Queens Road Clifton Bristol BS8 1LN Proposed telecommunications Rooftop installation upgrade and associated ancillary works. Appeal against refusal Delegated decision	04/10/2022
32	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for builders yard. (C/22/3306441). Appeal against an enforcement notice	04/10/2022

33	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for bunds & portable buildings. (C/22/3306446). Appeal against an enforcement notice	04/10/2022
34	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for plant equipment. (C/22/3306444). Appeal against an enforcement notice	04/10/2022
35	Bedminster	Telecoms Installation Winterstoke Road Bristol BS3 2NW Application to determine if prior approval is required for a proposed 5G telecommunications installation: 15 metre slim line phase 8 monopole c/w wraparound cabinet at base, 3 no. additional ancillary equipment cabinets and associated ancillary works. Appeal against refusal Delegated decision	06/10/2022
36	Lockleaze	36 Stothard Road Bristol BS7 9XL Enforcement Notice enforcement for the erection of detached building in garden without planning permission. Appeal against an enforcement notice	17/10/2022
37	Bishopston & Ashley Down	37 Maple Road Bishopston Bristol BS7 8RD Change of use from small house in multiple occupation (C4) to a large house in multiple occupation for up to 7 people (sui generis). Appeal against refusal Delegated decision	17/10/2022
38	Cotham	38 Chandos Road Bristol BS6 6PF Demolition of 8no. existing garages and construction of 2no. two storey residential dwellings. Appeal against refusal Delegated decision	17/10/2022
39	Redland	7 Belvedere Road Bristol BS6 7JG Change of use from 3no. 2-bed flats (Class C3) to a 12-bed extension to the nursing home at 8-9 Belvedere Road (Class C2) (Revised proposal). Appeal against non-determination	24/10/2022

40	Bishopston & Ashley Down	21 Oak Road Bristol BS7 8RY Change of use from residential dwellinghouse (Use Class C3) to a House in Multiple Occupation (HMO) for up to 6 residents (Use Class C4), with associated cycle and refuse/recycling storage. Appeal against non-determination Committee	25/10/2022
41	Bishopsworth	Land To Rear Of 44 & 46 Wrington Crescent Bristol BS13 7EP Construction of 2no. three bedroom semi-detached dwellings. Appeal against non-determination	26/10/2022
42	Westbury-on-Trym & Henleaze	10 Rylestone Grove Bristol BS9 3UT Demolition of existing detached house and erection of 6 bedroom replacement detached dwelling with integral garage, associated landscaping and adjusted access. (Self Build). Appeal against refusal Delegated decision	17/11/2022
43	Stoke Bishop	2 Bramble Drive Bristol BS9 1RE Enforcement notice appeal for front boundary not completed as per plans approved as part of planning permission 21/00431/H and additional planting. Appeal against an enforcement notice	22/11/2022
44	Henbury & Brentry	Site Opposite Bradbury Court 117 Station Road Henbury Bristol BS10 7QH Application to determine if prior approval is required for a proposed - Proposed telecommunications installation: Proposed 15.0m Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	23/11/2022

### List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
45	Ashley	123 Chesterfield Road Bristol BS6 5DU Construction of a detached single storey 1 bedroom dwelling within site curtilage. Appeal against refusal Delegated decision	Appeal dismissed 01/12/2021

46	Westbury-on-Trym & Henleaze	334 Canford Lane Bristol BS9 3PW Demolition of existing dwelling and construction of proposed 2No dwelling Houses. (Self Build). Appeal against refusal Delegated decision	Appeal dismissed 24/10/2022
47	Cotham	4A-12H Alfred Place Kingsdown Bristol BS2 8HD Window replacement works to UPVC. Appeal against refusal Delegated decision	Appeal dismissed 17/10/2022
48	Stoke Bishop	St Edyths Church Avonleaze Bristol BS9 2HU The replacement and relocation of the existing 6 No. face mounted antennas, the installation of 2 No. additional face mounted antennas painted to match the stone work and the installation of 1 No. GPS node to be installed behind the parapet and associated development thereto. Appeal against refusal Delegated decision	Appeal dismissed 25/10/2022
49	Brislington West	493 - 499 Bath Road Brislington Bristol BS4 3JU Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application). Appeal against refusal Committee	Appeal dismissed 08/11/2022
50	Hengrove & Whitchurch Park	9 Doulton Way Bristol BS14 9YD First floor side extension. Appeal against non-determination	Appeal allowed 02/11/2022
51	Horfield	16 Luckington Road Bristol BS7 0US Demolition of existing conservatory and construct accessible ground floor bedroom extension. Appeal against refusal Delegated decision	Appeal allowed 19/10/2022
52	Stoke Bishop	79 Bell Barn Road Bristol BS9 2DF Two-storey rear/side extension and basement works. (Self Build) Appeal against refusal Delegated decision	Appeal dismissed 14/10/2022

53	Hartcliffe & Witherwood	Telecommunication Outside 530 Bishport Avenue Bristol BS13 9LJ Application to determine if prior approval is required for a proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal dismissed 25/11/2022
54	Redland	75/77 Harcourt Road Bristol BS6 7RD Single storey, rear extension to rear of 77 Harcourt Road. Appeal against non-determination	Appeal dismissed 31/10/2022
55	Horfield	8 Cordwell Walk Bristol BS10 5BZ 2 No. dwellings to the side of 8 Cordwell Walk with garden space provided by land to the rear of 44 and 44a Bishop Manor Road. Appeal against refusal Delegated decision	Appeal dismissed 19/10/2022
56	Hillfields	179 Charlton Road St George Bristol BS15 1LZ Construction of a 2-bed dwelling and associated works. Appeal against refusal Delegated decision	Appeal dismissed 19/10/2022
57	Horfield	Land To Rear Of 374 Southmead Road Bristol BS10 5LP 2 new one bedroom dwellings on 2 storeys. Appeal against refusal Delegated decision	Appeal dismissed 24/10/2022
58	Horfield	Junction Muller Road & Gloucester Road Bishopston Bristol BS7 0AB Application to determine if prior approval is required for a proposed - Proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal allowed 04/11/2022
59	Lockleaze	37 Crowther Road Bristol BS7 9NS Conversion of an existing house into a 1 bed flat and 2 bed, 2 storey maisonette, including a roof extension and single storey extension. Erection of 2 dwellings on land to side. Appeal against refusal Delegated decision	Appeal dismissed 08/11/2022

60	Stoke Bishop	<p>Corner Of Coombe Lane/Stoke Lane/Parry's Lane Bristol BS9 1AL</p> <p>Application to determine if Prior Approval is required - proposed 'slim-line' phase 8 c/w wraparound cabinet at base, 3no. additional ancillary cabinets and associated works.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal dismissed</p> <p>08/11/2022</p>
61	Windmill Hill	<p>41A St Johns Crescent Bristol BS3 5EL</p> <p>Two storey side extension.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>31/10/2022</p>
62	Clifton Down	<p>13 Wellington Park Bristol BS8 2UR</p> <p>Proposed permeable paving to the forecourt area, providing an additional parking space and replacement railings.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>01/11/2022</p>

**DEVELOPMENT CONTROL COMMITTEE B**  
**7th December 2022**

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE  
LIST OF ENFORCEMENT NOTICES SERVED

<b>Item</b>	<b>Ward</b>	<b>Address, description and enforcement type</b>	<b>Date issued</b>
1	Cotham	71 Arley Hill Bristol BS6 5PJ  Change of use of the building to large HMO with 8 bedrooms. Enforcement notice	22/11/2022



## Development Control Committee B 7 December 2022

### Report of the Director: Development of Place

#### Index

#### Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Brislington East	Other	22/01878/P - Land At Broom Hill/Brislington Meadows Broomhill Road Bristol BS4 4UD Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major)
2	Hengrove & Whitchurch Park	Grant subject to Legal Agreement	22/01199/PB - Former School Site New Fosseway Road Bristol BS14 9LN Outline application (with all matters reserved except for means of access) for the provision of up to 200 residential dwellings (including as extra care facility)(Use class C3) and up to 250 sqm of flexible Class E, F1 and F2 uses (as part of the extra care facility) along with car parking, landscaping and associated infrastructure. Means of access from New Fosseway Road and Petherton Road (Major).
3	St George West	Grant	22/03490/F - Land At Derby Street Car Park Derby Street Bristol BS5 9PH Installation of 8 modular homes (Solohaus) with associated on-site services, landscaping and amenity space to include bin store and cycle parking, remodelling of existing car park, and adjustment of existing access.
4	Westbury-on-Trym & Henleaze	Grant	22/01550/F - 29 Hobhouse Close Bristol BS9 4LZ Retrospective application for retention of dwelling.
5	Brislington East	Refuse	21/01808/F - 2 Birchwood Road Bristol BS4 4QH Change of use of part of shop area from Retail (Class Ea) to Take Away (Sui Generis).

**WARD:** Brislington East

**SITE ADDRESS:** Land At Broom Hill/Brislington Meadows Broomhill Road Bristol BS4 4UD

**APPLICATION NO:** 22/01878/P Outline Planning

**DETERMINATION DEADLINE:** 27 July 2022

**Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major)**

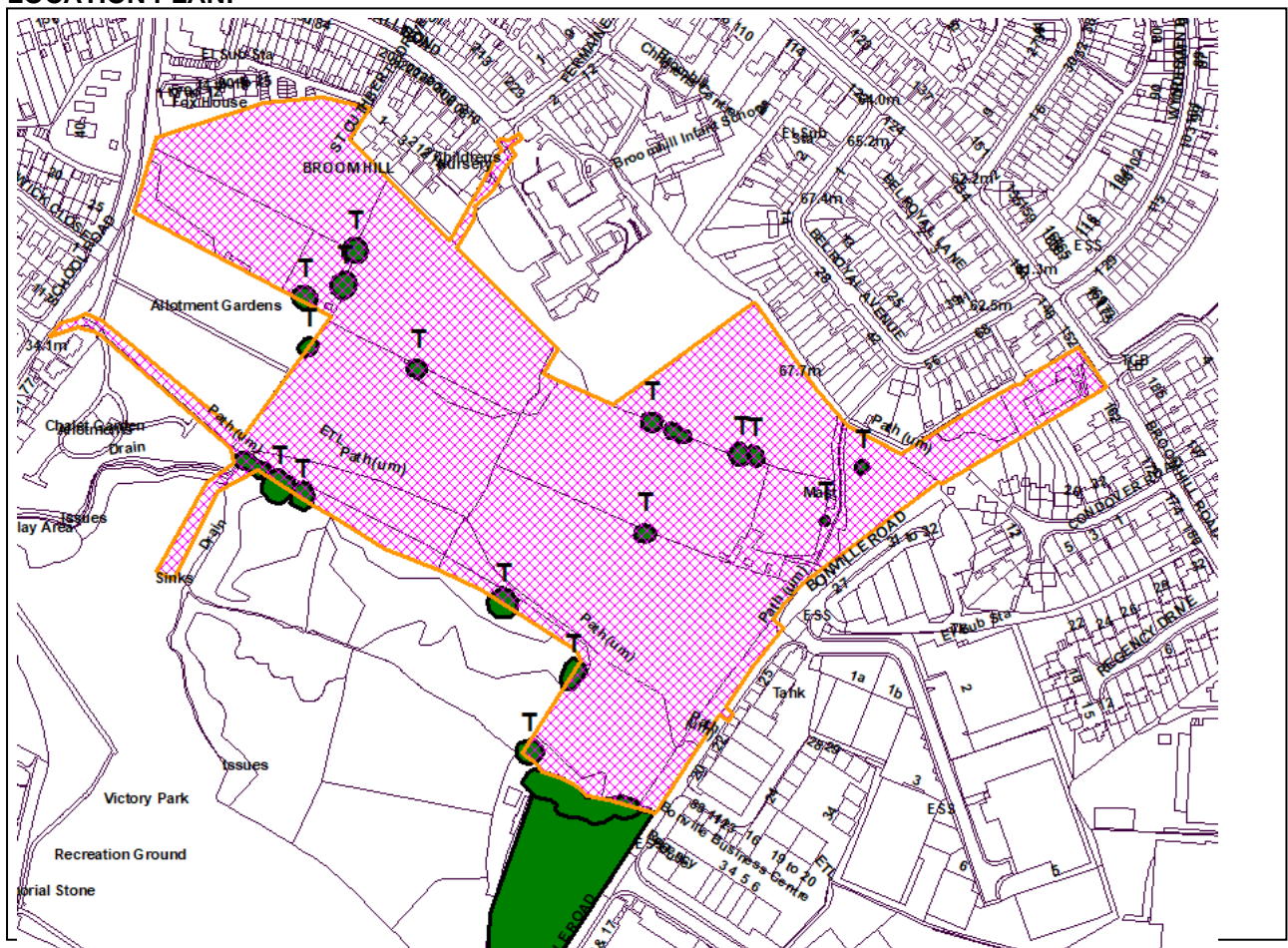
**RECOMMENDATION:** Refuse

**AGENT:** LDA Design  
Unit 4B  
36 King Street  
Bristol  
BS1 4DZ

**APPLICANT:** Homes England  
C/o Agent

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

**LOCATION PLAN:**



**Development Control Committee B- 7<sup>th</sup> December 2022**  
**Application No. 22/01878/P- Land at Broom Hill/Brislington Meadows**

## **SUMMARY**

Members are advised that the applicant notified Planning Officers on 5<sup>th</sup> September 2022 that they had submitted an appeal against non-determination to the Planning Inspectorate. The reference for the appeal is APP/Z0116/W/22/3308537 and the Council has received the 'Start Letter' confirming that the appeal is valid and that it will be considered under the Public Inquiry procedure running for 11 days starting on 31<sup>st</sup> January 2023

An appeal against non-determination is made when the statutory period for the Council to make a decision has passed and the applicant decides to place the application in the hands of the Secretary of State for Levelling Up, Housing and Communities (via the Planning Inspectorate).

In appeals against non-determination, the Council is required to put forward to the Planning Inspectorate the basis upon which the planning application would have been determined if a decision had been taken by it. This is necessary so that the Planning Inspectorate may consider the merits of the application and reach a decision on the appeal.

Officers have considered the application carefully and are of the view that it should have been refused had it been considered by the Council. In doing so, Officers have considered all of the submitted application documents, proposed plans and the appellant's Statement of Case (please see application webpage for further details)

Therefore, the purpose of this report is to summarise key issues and seek agreement from Members on the reasons as to why Officers would recommend that the application should be refused if it was to be determined by the Planning Committee.

## **SITE DESCRIPTION**

The application site known as Brislington Meadows is situated in the Brislington East ward and comprises an irregular shaped parcel of land extending to 9.6 hectares

To the northeast, the Site is bound by Broomhill Road and residential properties on Condover Road. To the north the Site is bound by residential dwellings on Belroyal Avenue and an associated rear access lane running alongside Broomhill Junior School and Mama Bear's Day Nursery and residences accessed off Allison Road.

To the east the Site is bound by Bonville Road and the Brislington Trading Estate PIWA. To the west of the site is School Road and existing allotment gardens. To the south of the site lies Victory Park and paddocks which comprise protected open space. It is to be noted that both the proposal site and the adjacent land to the immediate south are shown on the Pinpoint Online Mapping system and records held by the Bristol Regional Environmental Records Centre as being within the Brislington Meadows Site of Nature Conservation Interest (SNCI).

However, Members are advised that in policy terms the application site is not considered to be within the SNCI, as evidenced on the Council's Local Plan Policies Map. The application site is allocated for housing under policy SA1 of the Site Allocations and Development Management Policies Local Plan. Sites in SNCIs which were allocated for development are to be considered under Policy SA1 and not under the SNCI provisions in policy DM19. For those allocated sites, Policy SA1 sets out specific development considerations which address loss of nature conservation interest with provisions for ecological surveys, mitigation and compensation. The SNCI provisions contained within policy DM19 are directed to the areas shown as SNCI on the Local Plan Policies Map – this is indicated in the supporting text of DM19 at paragraph 2.19.5. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, for the purposes of this assessment the proposal site is not considered to be within the SNCI as it is not shown as being so on the Local Plan Policies Map.

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**Application No. 22/01878/P- Land at Broom Hill/Brislington Meadows**

The Site currently comprises open fields crossed by two public rights of way and a network of informal trodden paths. The Site is not subject to specific environmental or landscape designations and has an allocation for housing development in the Council's adopted Local Plan for circa. 300 homes (relevant Site Allocations and Development Management Policies Local Plan (2014) policies include SA1 and Site Allocation BSA1201). Important site specific information providing detail for any development proposal on the site is provided in the Annex to the plan: 'Site Allocations information'. Development proposals should be developed in accordance with such considerations as well as being considered in the context of all other relevant development plan policies as policy SA1 makes clear.

Whilst the majority of the Site is covered by the allocation (93%), 6.9% of the Site area is located outside of the formal site allocation boundary but has been included within the red line boundary in order to facilitate access, green infrastructure connection and drainage. The pieces of land outside of the location are situated on previously developed land in the north east corner adjacent to Broomhill Road which formerly comprised the Sinnott House police station, a strip of land at the western boundary of Broomhill Junior School included to make provision for a pedestrian and cycle link, an existing pedestrian access to School Road which will be retained and enhanced, an existing pedestrian access into Victory Park and a short length of Bonville Road included to facilitate pedestrian and cyclist crossing.

The Site is characterised by a steeply sloping topography from the northern boundary down to the southern boundary, with the gradient reducing towards the east. There are overhead electricity cables and a pylon on the lower slopes towards the southern boundary of the Site. A telecommunications mast towards the northeast of the Site will be relocated following the grant of planning consent for the proposed development.

Broomhill local centre, including a small convenience store, public house, salons and takeaway shops, is located approximately 200m north of the Site. Brislington local centre is located approximately 650m south-west of the site at the bottom of School Road and comprises additional shops, services and amenities. Brislington Retail Park is also located approximately 830m south of the site on Bath Road.

The Site is served by public transport with bus stops on Broomhill Road and School Road. Brislington Park and Ride is located 1km south of the site on Bath Road.

In terms of access to open space, the Site has a direct informal connection to Victory Park to the south. Eastwood Farm Local Nature Reserve is located approximately 150m north of the Site on the northern side of Broomhill Road. Nightingale Valley Park is located approximately 600m west of the Site off Allison Road.

There are no statutory or locally listed buildings, or scheduled ancient monuments, on the Site or within the immediate vicinity.

There are numerous trees and hedgerows on the site, a number of which are covered by Tree Preservation Order (TPO). In total, 16 trees, 3 groups of trees and 1 woodland within the site are protected by TPO 1404 (Land at Broom Hill). The site also includes 8 hedgerows, 5 of which are classified as being "important" under the Hedgerows Regulations 1997

According to the Environment Agency, the Site is located in Flood Zone 1 and considered to be at low risk from flooding and suitable for residential development.

## **RELEVANT HISTORY**

19/05220/PREAPP Provision of up to 300 residential units with infrastructure. Date Closed 21 January 2020 CLOSED

20/04579/PREAPP Provision of up to 300 residential units with infrastructure. Date Closed PCO

20/05675/SCR Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a residential development comprising up to 300 homes. Date Closed 11 December 2020

**Development Control Committee B- 7<sup>th</sup> December 2022**  
**Application No. 22/01878/P- Land at Broom Hill/Brislington Meadows**

EIANOT

21/00550/P Outline application for preliminary works to deliver a 'Green Link' between Brislington Meadows and Broomhill Road, including the laying of a pedestrian footpath, ecological enhancements and provision of a temporary construction access and compound within the site to facilitate the preliminary works. Date Closed PCO

## **APPLICATION**

The Description of Development on the submitted Application Form reads as follows:

“Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major)”

The application is made in Outline with plans and documents that have been submitted for approval being:

Location Plan (LDA Design No. 7456\_016)

### Parameter Plans

- Land Use (LDA Design Drawing No. 7456\_103)
- Heights (LDA Design Drawing No. 7456\_104)
- Access and Movement (LDA Design Drawing No. 7456\_101)
- Landscape (LDA Design Drawing No. 7456\_102)

### Access Layout Details

- Broomhill Road Preliminary Access Layout Plan (KTC No. 1066-007.D)
- Bonville Road Emergency Vehicle Access (KTC Drawing No. 1066-014)
- School Road Pedestrian and Cycle Link (KTC Drawing No. 1066-016)
- Allison Road Pedestrian and Cycle Link (KTC Drawing No. 1066003.H)

### Supporting documents

- Design Code

Further details of the application scheme are set out in the Design and Access Statement and an illustrative masterplan has also been provided

The submitted Planning Statement confirms that the applicant is committed to delivering affordable housing in line with policy requirements. As such, 30% of the dwellings will be affordable.

The only vehicle access into the site will be from Broomhill Road at the north-eastern corner. This access point will serve the main primary road running through the site. Details of the proposed junction and access onto Broomhill Road are provided on the submitted Preliminary Access Layout Plan. An emergency vehicle access is also proposed on the south-eastern boundary of the site from Bonville Road. This will be restricted using bollards and used only by emergency vehicles as needed.

Pedestrian and cycle access is proposed to be retained and enhanced to provide access to Victory Park to the south and School Road to the west. A new connection is also proposed from the north of the site, between Mama Bear's Day Nursery and Broomhill Junior School to connect to Allison Road and Broomhill Local Centre to the north.

Full details of building height and scale is reserved for future determination. However, maximum building heights are shown on the Heights parameter plan drawing which identifies that the taller elements of the scheme, comprising the apartment blocks of up to 4 storeys, will be located towards the lower eastern boundary of the site, responding to topography and the higher built form of the industrial units on Bonville

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Road.

Along the northern boundary of the site with Allison Road and Belroyal Avenue where there is the most direct relationship with existing residential dwellings, heights of up to 2 storeys are proposed.

Across the remainder of the site, a maximum height of 2.5 - 3 storeys are permitted for the dwellings. This allows for appropriate frontage to the open space to the south of the site and looking beyond to Victory Park.

Full details relating to the appearance of the proposed development and the future dwellings are reserved for future approval. Notwithstanding this, key principles are set in the DAS and also the Design Code which is submitted for approval as part of this outline application.

The Landscape parameter plan shows the retention of existing vegetation and habitats where possible. Further details of this are included within the submitted Arboricultural and Ecological Impact Assessments.

## **STATEMENT OF COMMUNITY INVOLVEMENT**

The Planning Statement details that a programme of public consultation has been undertaken since 2021. The application is supported by a Statement of Community Involvement (SCI) prepared by Cadence PR on behalf of Homes England. The Statement summarises the ways in which the community has been involved in the development process prior to the submission of the Outline planning application (matters of layout, scale, appearance and landscaping are reserved for future approval) and how the team have responded to community input.

The consultation has included a wide variety of on and offline activity to help include as many people as possible, but also to manage Covid-related risks and concerns. In summary it included: regular Councillor and stakeholder meetings; the establishment of a local community advisory group to help improve two-way engagement; two community webinars in Oct 2020; two community newsletters supported by 'register for updates' emails; a dedicated project website, and in December 2021, the main consultation, which included a webinar and in-person exhibition event. The consultation was also widely covered in the local press and on social media.

Two newsletters were sent out promoting the consultation activities to over 3,000 homes in the local area. In total, 5,371 people visited the website; 215 people registered for updates; 350 emails were received providing feedback or asking questions (125 relating to the illustrative masterplan consultation); 33 stakeholder meetings were held and 200 people attended either the webinar or in-person exhibition

## **RESPONSE TO PUBLICITY AND CONSULATION**

### NEIGHBOUR CONSULTATION

The application was advertised by neighbour notification letter, site notice and press advert. A total of 583 representations have been received consisting of 6 letters of support, 573 objections and 3 neutral to the development.

Objectors have raised the following concerns:

- Brownfield land should be built on first
- Lack of community facilities in the area and existing provision already oversubscribed
- Pressure on nursery and school places
- Loss of open space for recreation, health and wellbeing
- Loss of natural carbon capture
- Impact on Victory Park as a space for recreation
- Loss of pedestrian routes including two Public Rights of Way (PROW)

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- Lack of reliable public transport to support development resulting in car dominated development
- Increased pollution from vehicles (noise and air quality)
- Existing active travel infrastructure is lacking
- Roads already congested
- Highway safety
- Should be two entrance/access roads into the development - one road off Broomhill Road and the other road off School Road to cater for no. of cars on the development
- Impact on local businesses (access and parking for HGVs, commercial vehicles, staff, and customers)
- Proposals would result in huge traffic problems on Bonville Road
- Increased flooding and drainage issues on School Road
- Increased flood risk to off-site properties
- Loss of wildlife habitat (SNCI)
- Unclear as to how measurable net gains for biodiversity can be achieved
- Onsite net gain unrealistic and unachievable
- Offsite provision of gain unacceptable
- Loss of important/ancient hedgerows
- Loss of trees including veteran trees
- Incompatible with Climate and Ecological Emergencies
- Increased pollution of Brislington Brook
- Disruption, noise, and pollution during construction
- Over scaled, over dense, uncharacteristic development
- Poor design
- Loss of privacy
- Loss of views
- Flood risk
- Loss of sunlight and daylight
- Existing water pressure/supply issues
- Reduced security for those properties backing onto the development
- Smaller flat units are grouped together on the East side of the site
- Lack of wheelchair-accessible homes
- Insufficient affordable housing provision
- Impact on archaeology

**COUNCILLOR COMMENTS:**

**Cllr Tim Rippington OBJECTION:**

*"I fully object to the Planning Application to develop Brislington Meadows. I have reached this conclusion after hearing all the arguments on both sides, and having fully engaged with the developers Homes England to hear about their plans for the area.*

*The Brislington Meadows site was designated a Site of Natural Scientific Interest (SNCI) until the Local Plan of 2014 was approved. Since then, its status as a SNCI has been the subject of much debate, as it does not seem to have ever been formally rescinded. Nothing has changed on the site since it was designated an SNCI which means that it should not be considered one now.*

*During the consultation on the 2014 Local Plan, which took place in 2012, 324 people commented, of whom 310 did not agree with the principle of developing the site, and only 1 person was in favour. Despite this overwhelming objection, the site was approved for development in the Local Plan at that time.*

*Much has changed in the world since that local plan was adopted. In May 2021, the Mayor of Bristol announced that, in light of the Climate and Ecological Emergencies declared by the city, it was no longer appropriate to develop Brislington Meadows for housing. In 2022 Bristol City Council debated and passed a motion calling on a stop to the development of green spaces within the city, including Brislington Meadows.*

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*It is now very clear that, whilst there is still a housing crisis in the city, this cannot be addressed to the detriment of the climate and ecological disaster that the world is now facing. Furthermore, Bristol has in 2022 approved a comprehensive house building programme for the next 30 years and did not feel the need to include Brislington Meadows in these plans.*

*The current Local Plan is now 8 years old and would have been replaced by now with a new one had the government not rejected the WECA Joint Spatial Plan in 2019. This has prevented Bristol from updating its own local plan, but work continues in this area and Brislington Meadows is almost certain to be removed from housing development in the next plan, whenever it is published.*

*In the Queen's Speech in May 2022 the government has promised new legislation to grant local residents more say in the development of land in their local area - if this becomes law, residents in Brislington have already demonstrated that they would object fully to any development on the Meadows.*

*The Council, the Mayor, and the local community have all firmly voiced strong objections to developing this site. The site will not be included in the new Local Plan, and the Government's upcoming planning laws would prevent this site being developed. All these factors make it abundantly clear that this development is not wanted nor in the interests of Brislington or the wider city. This development will affect Brislington and the city for years to come; it should not be rushed through before Government policy or the Local Plan prevents it.*

*Threat to Biodiversity - Loss of Habitat*

*Wildlife habitat is being lost on a daily basis. The World Wildlife Federation describes habitat loss as "the greatest threat to the variety of life on this planet today". The UK has lost almost half of its wildlife and plant species as a result of human and land development since the Industrial Revolution, according to a new assessment by scientists at London's Natural History Museum. The country is ranked in the bottom 10% in the world and the worst among G7 nations.*

*Homes England has recognised that this development will result in significant loss of habitat; "This represents a net loss of - 24.12% in habitat unit value (a net loss of -14.23 habitat units), meaning a deficit of 20.14 habitat units compared to a 10% net gain position."*

*Indeed, in some circumstances this rises to -27.44%. It is proposed that this loss of habitat is "Offset" either on other properties or by means of financial payment. The concept of 'biodiversity net gain' is still unproven and in the current ecological emergency we simply cannot gamble on the idea that at some point in the future, the biodiversity lost by developing the meadows will be completely restored.*

*Invertebrates are central to the functioning of ecosystems. Recent work has shown that they are suffering from rapid decline. Homes England's own ecological survey states that "The ecology surveys completed at the site revealed that the greatest value of the site is its invertebrate assemblage... included nine species of conservation significance and two further species of local interest. The assemblage is dependent upon the mix of grassland, hedgerow and scrub habitats present in the site. Some species recorded are more dependent upon single habitat types or even single plant species (specific trees, grasses or wildflowers)." The loss of invertebrates on this site must be taken very seriously.*

*Homes England state that "Within the site, an estimated 46% of the land will be delivered as greenspace which will be designed, managed and monitored with biodiversity benefit at the fore, and especially benefit for pollinators. This exceeds the current objective in the Bristol Ecology Emergency Strategy for 30% of land in Bristol to be managed for wildlife." This statement is grossly misleading, as most of Bristol is already heavily developed - in order to achieve 30% of land being managed for wildlife, we need to retain biodiverse, ecologically-rich green spaces like Brislington Meadows.*

*In summary, Brislington meadows is a fantastic area of wildlife habitat which benefits the entire city and indeed the planet, and we simply cannot afford to destroy it now".*



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Councillor Hornchen OBJECTION:

*"I am writing to you to object the development on Brislington Meadows or Land At Broom Hill Broomhill Road Bristol BS4 4UD*

*This development has objections from the local councillors, the local Member of Parliament, the Mayor, Bristol City Council as a whole, and over 500 residents. This goes to show the strength of feeling that the downsides of this development significantly outweigh the upsides, so it should not go ahead.*

*Biodiversity and environmental destruction.*

*Brislington meadows is an ancient meadow with significant amount of 250 year old hedgerows. Hedgerows play an important if understated role in promoting the bio-diversity in an environment. These old hedgerows are well established and play an important part in conserving woodland birds and small mammals. Indeed, many of the priority species on the governments own Bio-diversity Action Plan use hedgerows as a safe breeding space, as well as a place to collect food and as a corridor to move from one forested area to another.*

*In urban areas hedgerows contribute to the services of climate regulation and sustainable urban drainage. This is particularly important on this site as run off water is known to flood the housing below the fields.*

*Hedgerows are important part of the homes for various wildlife, the plans put forward by homes England keep some of the ancient hedgerows, it plans to replace other hedgerows. It is well known that one cannot destroy ancient hedge row by simply planting new; it will take a generation to even begin to re-establish, which is not compatible with the city's climate goals. We also do not know what damage the construction process will do to the remaining hedgerows, I am not convinced that heavy machinery, noise, and large parts of earth moving will not disturb the Fauna and Flora of the remaining hedges.*

*Political and Social*

*There is overwhelming support for keeping the meadows as a green space from the local community. Indeed, when the change of designation was first proposed in 2011 from a Site of Nature Conservation interest to a site for possible housing, there was an overwhelming resistance to the building on the meadows. The council, however at the time, deemed the downsides of building homes on an ecological site were outweighed by the upsides. The consensus on this how now firmly changed.*

*In the meantime, our understanding of the huge threats to our climate and the destruction of our fellow creatures in the catastrophic collapse of the biodiversity of the planet. (in which the UK is in the bottom 10%.) As a city we, in November 2018 we declared a climate emergency, followed in February 2020 by declaring an ecological emergency. In September 2021 the full council passed a motion not to build on green spaces, Brislington meadows was mentioned in this motion.*

*As a city, have a right to change our mind on where houses are built. This process is underway - it's likely that Brislington Meadows will not be included in the next Local Plan. Bristol City Council has been developing the new Local Plan for a number of years and it is set to be implemented in 2024. Councillors should note that an emerging local plan can have an effect on whether decisions are overturned or not; it carries more weight the further it's developed. In the current campaign to save the meadows the planning process has already managed to collect over 500 objections to only 3 for the homes.*

*Further reasons to object to the development.*

*The meadows create a good green buffer zone and corridor between the industrial estate and the homes on the other side. It is important to keep light industrial estates as places of employment near living places. However not keeping them too close, to avoid matters such as noise complaints. We have already had complaints about noise pollution from activities on Bonnington Road - these problems would be much worse for housing on Brislington Meadows.*

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*The housing development of 260 houses will increase Brislington population by 600 + people. That alone is 5% of the total population in Brislington. There are many other developments in the area already underway. There is already a severe lack of local community facilities in the local area, particularly in area around Broomhill and Brislington Hill. Just recently a community space (the old Methodist Hall Church Hill Road) is to be converted to an HMO. As Brislington has a dearth of community facilities, Brislington Meadows, as a community space, should remain for the community.*

*Transport*

*The plans for the site, propose to be green however they completely fall short in regards to transport, which is one of the main contributors to Co2 output in cities.*

*The average parking space proposed in this development is 1.5 per household. That would add 360 cars to the already congested local streets, especially Broomhill Road, which already has traffic Queues on peak times.*

*However, I believe this to be an underestimation of the number of cars, due to the site being quite far away from the centre and other amenities. Broomhill road is narrow and over parked, as are the surrounding streets - a problem that will be compounded by increased development. The planners alluded to the existing 1 bus close by, which at the best of times is not reliable. The lack of reliability will further increase dependency on cars.*

*The proposed outline of the design of the housing uses only one access road on a very old fashioned design of a central two-lane road with each house having a parking space outside. So not only is it a place with poor access to Poor public transport, it also by design is car-centric design, which will have negative consequences for Bristol's decarbonisation efforts.*

*Simply saying that the Commercial bus company would increase services because of more passenger is disingenuous. Planning guidelines state that we shouldn't rely on the future actions of third parties to solve a problem that will arise because of development, which is the case in this application.*

*Homes England proposes an active travel through the meadows which is a welcome. Unfortunately, this active travel corridor does not connect to anything, so has a very limited purpose. Given the very real threat to our planets Bio-diversity, and the practical considerations of traffic and flooding, I strongly believe this site should not be built on, and should be looked after as a green space for our wildlife as well as amenity for future generations to enjoy”.*

EXTERNAL CONTRIBUTORS:

In the interests of brevity, these comments have been summarised. Full comments are available on the website

**Avon Fire & Rescue Service- NO OBJECTION**

**Avon Wildlife Trust- OBJECTION:**

“Avon Wildlife Trust opposes the proposals to develop Brislington Meadows for housing. We are facing an ecological emergency at a local, national and global level and urgent action is needed to protect and restore the habitats and natural systems on which wildlife and people depend. The first step in reversing wildlife declines is stopping destruction of remaining habitats. Avon Wildlife Trust recognises the balance that the Council is trying to strike in tackling the ecological emergency, the climate emergency and local crises in housing, poverty, heating and hunger, all at the same time. We do not oppose all housing development in the city, but seek to ensure that where development does happen, nature is fully taken into account, with habitats integrated into high quality design or created elsewhere to deliver an overall gain for nature. There are though sites in the city that are so important for nature that they should not be developed.

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We believe that Brislington Meadows is one of these. Brislington Meadows is important for a number of reasons: - it is a valuable habitat for wildlife designated as a Site of Nature Conservation Importance for its rich grassland habitats, - it gives local people access to nature, - it provides key "ecosystem services", reducing flooding and supporting water quality in Brislington Brook (which rises on the site) and downstream in the River Avon and Bristol City Centre as recognised in the West of England Nature Partnership's State of Environment mapping We do not believe that it will be possible to maintain the ecological value of Brislington Meadows, whilst developing the site for housing. Brislington Meadows should continue to be recognised as a valuable local wildlife site and protected from development. If development does go ahead despite our objections, measures must be put in place to reduce impacts on habitats and ecosystems as far as possible, through site layout and design, and through the creation and enhancement of large areas of habitat onsite and in the local area which maintain the ecosystem services provided by the Meadows and provide significantly greater value for wildlife, in line with the Government's policies on biodiversity net gain".

**Bristol Waste- NO OBJECTION.**

"Developers are advised to refer to the Planning Guidance for Waste and Recycling produced by Bristol Waste Company. When considering the layout, access and the design of the bin stores"

**Coal Authority- NO OBJECTION**

**Crime Prevention Design Adviser- NO OBJECTION**

**Natural England- NO OBJECTION:**

"Natural England has no detailed comments to make on this proposal".

Avon Wildlife Trust and Wessex Water were also consulted but no response has been received at the time of writing this report.

INTERNAL CONTRIBUTORS

In the interests of brevity, these comments have been summarised. Full comments are available on the website

**Affordable Housing- NO OBJECTION:**

"The site falls within the South zone and is subject to 30% Affordable Housing requirement. The tenure requirement is for 75% Social Rent and 25% Shared Ownership, or other affordable home ownership such as First Homes. If First Homes are to be delivered the Affordable Housing Statement submitted with the planning application should include proposed sales values for each house type/size, evidenced by a formal RICS valuation. This will enable identification of the appropriate units to be delivered as First Homes, where relevant to ensure that after 30% discount the sales values are not in excess of £250,000"

**Air Quality- NO OBJECTION:**

"This development will need to demonstrate no significant effect on air quality. A detailed air quality assessment may be required if the additional traffic on affected roads exceeds thresholds in the IAQM guidance. When a consultant is appointed, they should contact the air quality team to discuss scope for the assessment"

**Arboricultural Officer- OBJECTION.** Please see Key Issues B and C for further details

**Archaeology- NO OBJECTION:**

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“Archaeological evaluation of this proposed development site has established that there is extensive surviving evidence of occupation on the site dating back to the Romano-British period.

These remains lie relatively close to the surface and consist of ditched enclosures suggesting agricultural land use from the time. In addition to this agricultural use, the site has yielded evidence of Roman period glass working in the vicinity of the excavated trial trenches. Evidence of Roman period glass working is unique to this site in the Bristol region and is consequently of great archaeological significance.

Development of this site will cause a high degree of harm to this archaeological material. Consequently, a programme of archaeological works to include the excavation of the site by an approved contractor will be required to ensure the preservation by record of these remains.

These works can be secured through attaching the standard archaeological pre-commencement and pre-occupation conditions to any consent for development in accordance with the Archaeology and Development Supplementary Planning Document (SPD7). These conditions will secure an approved written scheme of works (WSI) and the deposition of the site record at a local museum and publication of the results of the excavation”.

**Building Bristol- NO OBJECTION:**

“Building Bristol confirm that we are happy with the content of the Employment and Skills template as provided. The applicant has confirmed that the requirement and responsibility for the full employment and skills plan will be passed to any future contractor. The applicant has been asked to ensure Building Bristol contact details are passed to contractors as appropriate, at the earliest opportunity so that a full employment and skills plan can be created in line with published guidance”.

**Contaminated Land- NO OBJECTION.** Conditions advised

**Ecology- OBJECTION.** Please see Key Issue B for further details

**Flood Risk- NO OBJECTION:**

“The initial drainage plans submitted for this site are acceptable overall. The SuDS measures proposed will provide benefits in terms of water quality, amenity value and biodiversity. Keeping the discharge rates to the existing QBAR greenfield runoff rates will help manage water quantity. By containing large volumes on site will help avoid an increase in the downstream, off site flood risk. This is important since there have been flooding problems on the lower levels Victory Park that flow over onto School Road. Confirmation from Wessex Water that the proposed sewer connections are acceptable will be required. As will the confirmation from BCC Parks team concerning the outlet to the drainage ditch. We await the detailed design of the drainage strategy for further review in due course”

**Pollution Control- NO OBJECTION:**

“I have looked through the application and the Noise Impact Assessment submitted with it and have no objection to the granting of outline permission for this development”.

**Public Art- NO OBJECTION:**

**Public Rights of Way- NO OBJECTION**

**Landscape- OBJECTION.** Please see Key Issue D for details

**Sustainability- NO OBJECTION:**

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“An energy and sustainability statement has been submitted with limited details. Full proposals are “reserved matters” to be submitted at a later stage of the planning process. Based on the information submitted, the outline proposals appear in accordance with BCS13, 14 and 15.”

**Transport Development Management (TDM)- OBJECTION** (Technical refusal as s106 and conditions are not yet fully resolved):

“We consider that the Design Code should be conditioned so that future development is of a high quality.

We are satisfied with the proposed accesses (which are not reserved matters) and these should be secured by condition.

We would require that the highway works are accompanied by a Road Safety Audit (which is standard procedure). We would flag that the Road Safety Audits should take place in term time and include periods before and after school to ensure that the movements of children through the area are fully taken into account.

Many design matters cannot be resolved until the Reserved Matters stage. We are not sure to what extent, if at all, it is appropriate to set out the design matters that will need to be considered at Reserved Matters stage by condition

We have asked that the Contours and Retaining Walls Plan is shown as “indicative only” as we have not accepted the proposed retaining wall and contour strategy but we are well aware that there will need to be a trade-off between construction and maintenance costs of large structures, as well as their impact on the liveability of the scheme, and making streets as accessible as possible . This will be a matter to resolved fully at Reserved Matters.

A Strategy to upgrade the PROWs through and adjacent to the site should be agreed and then implemented. This should be secured by condition.

On wider mitigation we have reached a point where, if various conditions can be secured, we would be satisfied that the impact of the development would be acceptable”

**URBAN DESIGN- OBJECTION.** Please see Key Issue D for details

**RELEVANT POLICIES**

National Planning Policy Framework – 2021

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 Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Neighbourhood Development Plan 2019.

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) PRINCIPLE OF DEVELOPMENT

The Site Allocation and Development Management Policies Plan was adopted in 2014 to support the Core Strategy (2011) and sets out detailed planning policies which are used by the council when assessing planning applications as well as identifying sites to be allocated for development.

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Under Site Allocation Ref. BSA1201 the Brislington Meadows proposal site (known as 'Land at Broomhill') is allocated for up to 300 new homes. As such, the principle of residential development at the proposal site has already been established and is considered acceptable.

The BSA1201 explanation text clarifies that a housing allocation in this location is appropriate as it is a sustainable location close to the supermarket and shops of Broomhill Road / Fermain Avenue Local Centre, the shops on the Brislington Retail Park, community facilities, employment areas and public transport infrastructure, with a residential context to the north and west

Additional support for the principle of development in this location is provided in Core Strategy policy BCS1 which states that South Bristol will be a priority focus for development and comprehensive regeneration. Development will be for a mix of uses to include the provision of around 8,000 new homes of a mix of type, size and tenure.

The policy states that development in South Bristol will primarily occur on previously developed land. However, the policy acknowledges that the delivery of new homes and regeneration will require the planned release of some open space sites which do not need to be retained as part of the area's green infrastructure provision.

The delivery of housing on previously undeveloped land is also referenced in the explanation text of allocation BSA1201 which states that a housing allocation in this location is appropriate as it reflects the Core Strategy approach to the location of new housing by developing new homes on land which does not need to be retained as part of the city's green infrastructure / open space provision.

Further to this, policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built-up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol and policy BCS5 states that the development of some new homes will be developed on open space which does not need to be retained as part of the city's green infrastructure provision.

In terms of emerging local plan policies, the local plan review consultation of March 2019 proposed that all unimplemented site allocations from the Site Allocation and Development Management Local Plan should continue to be allocated in the new local plan. It is expected that the new local plan will be adopted in Spring 2024.

However, following the declaration of the ecological emergency in 2020, the council's political leadership has given heightened priority to biodiversity and this will be reflecting in emerging local plan policies.

It is understood that further Regulation 18 consultation on the local plan review is set to start on 28<sup>th</sup> November and will run to 20<sup>th</sup> January 2023. The consultation will be open for comments which will need to be taken into account before the next stage of the local plan is produced. That stage will not be until Summer 2023 when the publication version of the local plan will be made available for representations. The new local plan is timetabled to be adopted in Autumn 2024.

As part of the local plan review it will be proposed that site allocation BSA1201 should no longer be allocated for residential development. Depending on the timing of the decision, this would be a material consideration on any application on this site, albeit weight to be given would be limited.

Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given).

As the Draft Local Plan is yet to progress through the Regulation 19 stage, the intention to remove the site from the allocation for housing can only be afforded limited weight in the planning balance and assessment of this planning application. Therefore, for the benefit of this assessment the proposal site is within an allocated site meaning the relevant local and national policy requirements in this respect remain applicable

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It is considered that the creation of up to 260 new homes would make a substantial and valuable contribution towards housing supply in accordance with the objectives of the policies detailed above. Therefore, the principle of residential development in this location is supported as it is compatible with the objectives of allocation BSA1201, Bristol Core Strategy Policies BCS1, BCS5 and policy SA1 of Site Allocation and Development Management Policies Plan

However, whilst the location of the application site may in principle be acceptable for residential development, this needs to be considered against the development considerations of allocation BSA1201 and also other policy requirements as discussed below.

**(B) IMPACT ON ECOLOGY, HABITATS AND BIODIVERSITY**

The development considerations contained within allocation BSA1201 relating to ecological issues include text that indicates any development should:

- *be informed by an ecological survey of the site and make provision for mitigation and compensation measures, including enhancement to the grazing land adjacent to Victory Park and compensation for the loss of semi-improved neutral grassland and damp grassland (the site currently has city-wide importance for nature conservation due to the presence and condition of particular species, habitats and / or features);*
- *retain or incorporate important trees and hedgerows within the development which will be identified by a tree survey;*
- *provide a green infrastructure link with Eastwood Farm Open Space to the north-east;*

The development considerations for allocation BSA1201 set out requirements for ecological survey, mitigation and compensation to address the loss of nature conservation which at least to some extent would inevitably arise from development of the site.

Policy BCS9: Green Infrastructure states that:

*“The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken.*

*Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required.*

*Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site*

*National and local sites of biological and geological conservation importance will be protected having regard to the hierarchy of designations and the potential for appropriate mitigation. The extent to which a development would contribute to the achievement of wider objectives of the Core Strategy will be carefully considered when assessing their impact on biological and geological conservation”.*

Policy DM15: Green Infrastructure Provision requires:

*“The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development”.*

Policy DM17: Development Involving Existing Green Infrastructure states that:

*“Proposals which would harm important features such as green hillsides, promontories, ridges, valleys,*

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*gorges, areas of substantial tree cover and distinctive manmade landscapes will not be permitted.*

*All new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard”*

Policy DM19: Development and Nature Conservation states that:

*“Development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to:*

- i. Be informed by an appropriate survey and assessment of impacts; and*
- ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and*
- iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network.*

*Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.*

*Development on or adjacent to sites of nature conservation value will be expected to enhance the site’s nature conservation value through the design and placement of any green infrastructure provided.*

Policy DM19 also confirms that:

*“Development which would have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted”.*

It is to be noted that the submission documents have incorrectly referred to the application site as no longer being classified as a Site of Nature Conservation Interest (SNCI). As evidenced by the Pinpoint Mapping system and records held by the Bristol Regional Environmental Records Centre, the proposal site lies within the Brislington Meadows SNCI but is also allocated for housing

However, as previously discussed in the site description section of this report, for the purposes of Section 38(6) the site is not considered to be within the SNCI as evidenced by the adopted Local Plan Policies Map which shows the site as being outside of this designation.

The SNCI status of the proposal site was taken into consideration during the allocation of the site for housing. The site allocation was proposed in the knowledge of its nature conservation interest and the balance of considerations resulted in it being allocated for development. Therefore, Officers have been advised that the allocation prevents the SNCI status from being an in-principle reason for refusal in accordance with this part of DM19.

However, all other policy requirements of DM19 remain applicable, in addition to policies BCS9 DM15 and DM17.

Further, as the report addresses below the importance of the site for nature conservation is highlighted within the policy allocation as is the importance of retaining or incorporating important trees on the site. While the current application seeks outline consent with only access to be determined in detail at this stage, the supporting documents for this application, specifically the Landscape Parameter Plan, show the degree of biodiversity loss on this site. This is further informed by the submitted Ecological Desk Study, Ecological Impact Assessment (EclA), 8No ecological appendices and Biodiversity Net Gain Assessment (BNGA).

In response to comments and objections raised by the BCC Ecologist and Arboricultural Officers, the applicant has also provided a Technical Response Note- Ecology and Arboriculture dated the 6<sup>th</sup> October



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which has also been considered by Officers.

What is shown on the landscape parameter plan and the results of the ecological and Biodiversity Net Gain (BNG) assessment forms the basis of the Ecology Officer's objection. This is then supported by development management policies and paragraphs from the NPPF which this proposal is not considered to accord with.

Brislington Meadows is a Site of Nature Conservation Interest (SNCI) which is allocated for development through the BCC adopted Local Plan 2014 (site allocation reference BSA1201). The site allocation establishes the acceptability in principle of residential development, with development considerations listed regarding nature conservation. These reference the site's ecological value (*"the site currently has city-wide importance for nature conservation due to the presence and condition of particular species, habitats and / or features"*) and must be considered in this proposal.

The Council's Ecological Officer has reviewed the submitted information and has confirmed that the ecological surveys carried out for this application are thorough, paint a good picture of the ecological features of the site and confirm that the site has high ecological value.

The Ecology Officer considers that this proposal is likely to result in multiple species displacement from the site due to extensive habitat loss. The Officer considers that this displacement would be likely to be permanent, as any habitat creation on or off-site post-development will not adequately replicate that which is going to be lost and which is currently supporting species on site.

Therefore, the Ecology Officer considers that the proposed development does not align with the development considerations of the BSA1201 site allocation regarding nature conservation. The proposed development has not identified mitigation and compensation measures for the loss of biodiversity on the site.

The NPPF states in paragraph 174 d) that *"Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity..."*.

Further to this, paragraph 179 b) clarifies that plans should *"identify and pursue opportunities for securing measurable net gains for biodiversity"*.

Paragraph 180 a) also states that *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*

The Technical Response Note provided by the applicant dated the 6<sup>th</sup> October states: *"While detailed proposals for biodiversity mitigation and compensation are not practical at this Outline stage, the submitted application commits to 10% biodiversity net gain and confirms this would be delivered through a comprehensive package of on and offsite measures which are still to be discussed and agreed with the Council"*.

The Ecology Officer has stated that there is insufficient evidence that the mitigation hierarchy has been followed so that offsite compensation is not favoured before retention, mitigation, and compensation on site. The information the ecological and BNG assessments present for this proposed development do not deliver confidence that the applicant can achieve a net gain in biodiversity because there is no agreement in place between the Council and Homes England yet for on and offsite measures. As no suitable land for BNG off setting has been identified or agreed with Officers, it is not considered that the proposal adequately demonstrates that it is possible to redress the identified loss of biodiversity from the site and secure an appropriate and acceptable BNG.

The proposed development has also not retained important hedgerows and trees within the development. Based on the details provided within the submitted Hedgerow Assessment Report and Historic

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Environment Desk-based Assessment, when assessed against the criteria contained within the Hedgerows Regulations 1997, five of the hedgerows contained within the proposal site are considered as “important” in terms of their archaeology & history, wildlife & landscape significance as specified in sections 5(a)(b) and 6(a) of Schedule 1 Part II.

These five “important” hedgerows are referred to in the Hedgerow Assessment Report as H1a, H2, H3, H4 and H5. As evidenced on the Landscape Parameter Plan, three “important” hedgerows are to be removed entirely (H2, H4 and H5) and it is proposed to remove a substantial portion of H3, in addition to a partial section of H1a. The submitted AIA identifies the important hedgerows that are to be removed as being G18, G20, G21, G24, G26 and G27.

The BSA1201 site allocation contains “*indicative capacity for 300 homes*”. The wording of the BSA1201 site allocation development considerations states “*The estimated number of homes for this site is 300*”. It clearly states that this number is an estimated capacity for the site, not what is definitively viable for the site.

The introduction of the ‘Site Allocations and Development Management Policies Annex: Site Allocations Information’ states that “*For those sites with a housing allocation, an estimated number of homes which could be developed on the site is provided. The precise number of homes to be developed will be determined through the planning application process*”.

As such, the development considerations for the BSA1201 site allocation should be met i.e “*incorporate important trees and hedgerows*”, before the number of viable houses on this site can be confirmed, especially on a site with “*city-wide importance for nature conservation*”.

Furthermore, Nature Conservation comments on the Pre-app for this site (19/05220/PREAPP) in 2019 stated the following: “*The current proposal involves a significant loss of hedgerows including species-rich hedgerows shown on the constraints and opportunities plan and is not considered ideal from an ecological perspective. The findings of the ecological surveys should be used to inform the layout and design of the scheme*”. The Ecology Officer has stated that this pre-app advice does not appear to have been followed in the current submission.

The Ecology Officer has stated that using the BCC Know Your Place mapping system online, the 1840s Tithe plan shows the same field structure in place as is existing currently at Brislington Meadows within the central part of the site. Only the northern boundary has changed since this date due to development of the school. This shows that the hedgerows and the standard trees present in them were in existence prior to the Enclosures Act (mainly passed between 1720 and 1840) and as such are considered ancient as defined by the DEFRA National Habitat Action Plan

Further evidence to support to this is provided by the Council’s Arboricultural Officer. The Officer considers that LIDAR mapping shows ditch and bank planting system which has been confirmed by a site visit and data collection. This system was utilised prior to and during the enclosures period and demonstrates the hedgerows are not a modern field system. The LIDAR mapping also identifies what appears to be ridge and furrow remains. The appellant has associated this to modern activity which includes allotment activity.

However, it is considered by Officers that there is no evidence of allotment activity within the site, the allotments occupying a site to the west and with different characteristics to the ridge and furrow to the east. The allotments adjacent to School Road date to Circa 1940’s (1946 aerial map) which originally extended to the northeast towards Allison Road but have never been located on the field system.

This means that the hedgerows on this site are demonstrably ancient and important features of this landscape, and support the high-level biodiversity shown by the ecological assessments produced. Replacing removed hedgerows with new hedgerows satisfies the requirements of the BNGA for hedgerow habitat but does not address the loss of an important and ancient feature of this landscape, the retention of which has been made a specific development consideration of the BSA1201 site allocation.

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It is also noted by the Ecology Officer that while badger activity on this site was originally only recorded on hedgerow 5, increased activity (latrines, snuffle holes and sett building) was recorded on the most recent site visit on 17<sup>th</sup> October with the Council's Ecology and Tree Officers. The majority of the activity appears to be on the western side of the site including in hedgerow 2 and 5, indicating that the hedgerows are supporting badgers.

Policy BCS9 states "*Appropriate mitigation of the lost green infrastructure assets will be required*" and this is reflected in the development considerations of site allocation BSA1201. Appropriate mitigation has not been provided. The hedgerows that are proposed for removal on this site are ancient and cannot be adequately replaced by new hedgerows.

Further to this, the BSA1201 site allocation development considerations clearly state that development should "*retain or incorporate important trees and hedgerows within the development*". The BSA1201 site allocation does not allow for the loss of these green infrastructure features.

The Technical Response Note provided by the applicant dated the 6<sup>th</sup> October states: "*The EclA fully acknowledges that it would take considerable time for habitat creation measures to replace the full biomass and ecological function of such well-established habitat. This is in part accounted for by the weightings applied within the BNG metric for habitat replacements, risks and complexities*".

The Ecology Officer confirms that the time it would take for habitat mitigation and compensation to replace the '*full biomass and ecological function of such well-established habitat*' is reason for objection, as in the interim of this site being developed and habitat creation measures being implemented, species such as breeding birds, badgers, bats, slow worms (all protected by the Wildlife and Countryside Act 1981, and The Conservation of Habitats and Species Regulations 2017), invertebrates, a high number of pollinators and others like deer and fox, will be permanently displaced from this site and Bristol will experience more wildlife decline (the trigger for BCC announcing an Ecological Emergency in 2020). This is directly in contravention of policy DM19 and paragraph 180(a) of the NPPF 2021

The Technical Response Note provided by the applicant also states that that the Nature Conservation objection "*appears to be a contention with the level of detail submitted or the outline stage, more so than an objection to the proposed scheme*".

In response to this statement, the Ecology Officer has confirmed that the level of detail submitted in the Ecological Desk Study, EclA and 8No ecological appendices are considered satisfactory for the level of planning they are informing.

Regarding paragraph 179 of the NPPF, Brislington Meadows is undeniably wildlife rich. Its components have been identified and mapped but not safeguarded for habitat management, enhancement, restoration or creation – especially not those which have been specifically mentioned in the development considerations in the BSA1201 site allocation. In addition, the proposed development does not "*promote the conservation, restoration and enhancement of priority habitats*", with those on this site being the important hedgerows.

In relation to paragraph 180 of the NPPF, an adequate mitigation or compensation plan is currently absent from this outline planning application. The Ecology Officer considers that it cannot be said in good confidence that the loss of biodiversity on this site is going to be adequately mitigated and compensated for in accordance with the development considerations. The proposed development has not given sufficient attention to ecological mitigation and compensation which form part of the site allocation's development considerations. The development proposal has not identified adequate opportunities "*to improve biodiversity in and around [the] developments*". Opportunities have been primarily referred to off-site, but this application lacks details as to how that will be achieved

### Summary

As detailed in the development considerations for allocation BSA1201, the site currently has city-wide

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importance for nature conservation due to the presence and condition of particular species, habitats and /or features.

The ecological surveys that have been undertaken for this application confirm that the site has high ecological value. The Ecology Officer has confirmed that the proposal would result in multiple species displacement from site due to extensive habitat loss. This displacement would be likely to be permanent as any habitat creation on or off-site post-development will not adequately replicate that which is going to be lost and is currently supporting species on site.

Despite its allocation for housing, the proposed development is considered to result in extensive and arguably inappropriate loss of habitat considering the sites '*city-wide importance for nature conservation*' as detailed in the development considerations relating to nature conservation.

Of primary concern are the hedgerows on the site which have been surveyed and found to be 'important' under the hedgerow regulations 1997, habitats of principle importance (HPI), ancient habitat, and to support multiple species on site. Their retention was also made a specific development consideration of the site allocation. Despite this, 5No (3No fully and 2No partially) out of the 8 important hedgerows surveyed are proposed for removal

The loss of biodiversity on this site is considered too great and is completely inappropriate for a site this large, well-established and designated for nature conservation. BNG measures are unlikely to establish replacement habitat without first permanently displacing multiple species from this site due to how well-established the existing habitats are.

As no suitable land for BNG off setting has been identified or agreed between parties, it is not considered that the proposal adequately demonstrates that it is possible to redress the identified loss of biodiversity from the site and secure an appropriate and acceptable BNG.

It is recognized that a degree of biodiversity loss is implicit in the housing allocation on this site, however this proposed development presents a biodiversity loss which is beyond what might be acceptable or envisaged by the BSA1201 allocation and related development considerations relating to nature conservation (primarily that which states that important trees and hedgerows should be retained). Development on this site could be designed with less harm to the sites ecological features considering it is a site with "*city-wide importance for nature conservation*".

On balance, the development proposal as submitted does not adequately address the matters relating to nature conservation in the development considerations, resulting in a proposal which is not demonstrably a sustainable form of development.

Therefore, Members are advised that the proposed development is considered contrary to the development considerations of BSA1201, policies SA1, BCS9, DM15, DM17, DM19 and paragraphs 174, 179 and 180 of the NPPF

### (C) IMPACT ON TREES

The development consideration contained within allocation BSA1201 that specifically relates to trees and hedgerows states that development should:

- *Retain or incorporate important trees and hedgerows within the development which will be identified by a tree survey.*

Policy DM15 clarifies that:

*The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.*

Policy DM17 states that:

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*“All new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard”*

Further to this BCS9 states:

*“The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken.*

*Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required.*

*Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site”.*

Paragraph 131 of the NPPF states that:

*“Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change... and that existing trees are retained wherever possible”.*

The application is supported by an Arboricultural Impact Assessment (AIA), Hedgerow Assessment contained within Ecological Appendix Technical C and a Historic Environment Assessment which references historic hedgerows. The submitted Landscape Parameter Plan provides details as to which trees and wooded areas are to be retained together with their Root Protection Areas.

In response to comments and objections raised by the BCC Ecologist and Arboricultural Officers, the applicant has also provided a Technical Response Note- Ecology and Arboriculture dated the 6<sup>th</sup> October which has also been considered by Officers in addition to the issues raised in the appeal Statement of Case

#### Removal of Important Trees

TPO 1404 - Land at Broomhill Road was served during the pre-application process to identify the most important trees on site. Hedges and hedgerows cannot be the subject of a tree preservation order, however individual trees of merit within a hedgerow can. In total, 16 trees, 3 groups of trees and 1 woodland are included in TPO 1404.

TPO 1404 was served to identify the most important trees on site in accordance with the site allocation development considerations. It is to be noted that a tree preservation order is a material consideration within any planning application. However, it is accepted by the Council’s Arboricultural Officer that a development proposal could in principle include the removal of trees protected by a TPO.

Of the 16 important trees identified within the TPO, 3 are proposed for removal (TPO reference T10, T15 and T16). It is to be noted that paragraph 6.6 of the AIA incorrectly identifies these TPO trees for removal as being T9 and T18 and there is no mention of T15. These trees are identified for removal within the AIA, and are shown as either not having a Root Protection Area or as being in conflict with the capacity plan as shown on Tree Conflicts Plan Drawings 300, 301 and 302

Further to this, no details of TPO T15 are made within the AIA or shown on any plan drawing, however it is clear that this tree will need to be removed. This is evidenced by the Tree Conflicts Plan contained within

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the AIA where W2 (which includes T15) is shown as being dissected by a substantial amount of yellow hatching which is annotated as being "Trees in conflict with the capacity plan".

In addition to these TPO important trees being identified for removal within the AIA, the Landscape Parameter Plan (which has been submitted for approval), does not show these trees as being retained as evidenced by the lack of any Root Protection Areas for these TPO trees. Given the TPO status of these important trees, together with the development considerations of BSA1201, it is considered that the removal of these trees is a material consideration that should be afforded significant weight within the assessment of this Outline application

Whilst in some circumstances the removal of TPO trees is accepted (provided adequate justification and mitigation is provided), in this instance the development considerations of BSA1201 specifically state that development should "*retain or incorporate important trees and hedgerows within the development which will be identified by a tree survey*". *It is not clear that the extent of tree removal proposed is necessary or desirable to develop out the site in accordance with the development plan allocation.*

Therefore, the removal of existing important trees being TPO T10, T15 and T16, is considered contrary to the development considerations of allocation BSA1201 and policy SA1. Further to this, the removal of these trees is considered contrary to BCS9, DM15, DM17 and paragraph 131 of the NPPF

Site access arrangements and impact on trees

The application is made in Outline with all matters reserved except access. The proposed access layout details are provided in the following plan drawings:

- Broomhill Road Preliminary Access Layout Plan (KTC Drawing No. 1066-007.D)
- Bonville Road Emergency Vehicle Access (KTC Drawing No. 1066-014)
- School Road Pedestrian and Cycle Link (KTC Drawing No. 1066-016)
- Allison Road Pedestrian and Cycle Link (KTC Drawing No. 1066003.H)

It is accepted by the Council's Arboricultural Officer that as the application is made in Outline, the final internal layout is yet to be finalized, meaning further details of tree removals and tree protection for the majority of trees on site will need to be secured at the Reserved Matters stage.

However, the Officer does have concerns in relation to trees that will be affected by the proposed access points into the site which have been submitted for approval and are to be considered as part of this Outline application.

In terms of the proposed access at Broomhill Rd, the submitted access layout plan (1066-007.D) only shows the access arrangements for approximately the first 30m into the site. Adjacent to his proposed access is the group of trees referenced as G39 in the AIA. This group comprises "*larger amenity trees such as oak, Norway maple and common ash growing in a narrow strip between the site and adjacent properties*". It is to be noted that this area lies outside of the site allocation area covered by BSA1201 but is not designated for any particular use on the Local Plan Policies Map

The BCC Arboricultural Officer has commented that the applicant has not provided an Arboricultural Method Statement or Tree Protection Plan in relation to where works are needed within the Root Protection Areas of trees G39. This is considered necessary to demonstrate that the construction of the access from Broomhill Road can be achieved without adversely affecting these trees proposed for retention. This lack of information also applies to the proposed School Road Pedestrian and Cycle link access as T34 is proposed for retention but again no Arboricultural Method Statement or Tree Protection Plan have been provided.

The Arboricultural Officer also raises concerns relating to the lack of detail that has been provided in relation to the impact that the Broomhill Rd access will have on the woodland group known as W2, which includes TPO tree T15. This woodland lies further into the site but is not shown on plan the Broomhill Access Plan 1066-077.D.

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The site access from Broomhill Road is the only vehicular access into the site. This location for the access was agreed with Officers at the pre-application stage. Although the Broomhill Access plan (1066-007.D) identifies the access as only extending a short distance into the site, its route through the former police station and into W2 are arguably fixed because there is no other route it can take due to the narrow width of the proposal site at this location

Therefore, in principle the loss of some trees in this location is accepted as there is no feasible way that the access route could be positioned here without the removal of some trees. The Bristol Tree Replacement Standard Table as set out in para 2.14 of the applicant's Technical Response Note dated 6<sup>th</sup> Oct demonstrates that 20 trees will need to be removed from W2 but this does not confirm which trees, most notably T15.

The approval sought as part of this Outline application for the vehicle access in this location primarily relates to highway safety issues related to its connection to the adopted highway being Broomhill Road. As the location for this access route has been agreed in principle (taking into consideration that it will require the loss of trees) it is considered reasonable and necessary to seek further details relating to any tree protection or mitigation as part of a pre-commencement condition.

The lack of detail provided in relation to the impact of the proposed development on trees G39 and T34 is a material consideration. However, the development consideration for this site relates to "important" trees, which in this case relates to those covered by the TPO. On balance, it is considered that adequate protection for these trees could be secured by pre-commencement condition so that the lack of detail at this stage is not considered to be a reason for refusing the application.

#### Summary

The proposed Landscape Parameter Plan (Dwg 7456\_102) and the Tree Conflicts Plans (Dwgs D7507.21.300, 301, 302 and 303) all confirm that an excessive amount of trees will be removed to facilitate the proposed development. The importance of these trees has been confirmed within TPO 1404

The loss of important trees and hedgerows and further the applicant's emphasis to remove and mitigate, does not show a primary objective to conserve, or enhance biodiversity in accord with para 180 of the NPPF considering *"the site currently has a city-wide importance for nature conservation due to the presence and condition of particular species, habitats and/or features.* In addition, the application is not considered to retain existing trees wherever possible as required by paragraph 131 of the NPPF

This outline application has not responded to the site allocations and therefore important trees and hedgerows have been proposed for removal. Further, the additional supporting Isopachy plan demonstrates the site wide reprofiling that will permanently alter a site that is recognised as having city-wide importance for nature conservation due to the presence and condition of particular species, habitats and/or features.

Therefore, the proposal is considered contrary to the development considerations of BSA1201 and the requirements of policies BCS9, DM15, DM17 and paragraphs 131 and 180 of the NPPF Officers advise Members that this should form a reason for refusing the application.

#### (D) IMPACT ON LANDSCAPE AND DESIGN

BCS21 states that new development in Bristol should deliver high quality urban design.

The application is made in Outline with all matters reserved except access, however the applicant has sought approval for the submitted Design Code document. In addition to the submitted Parameter Plan and site access drawings, Landscape and Urban Design Officers have considered this document, along with the submitted Design & Access Statement (DAS) and Townscape Visual Impact Assessment (TVIA).

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In addition, the application is supported by a Trees Conflict Plan, Ecology Trees Overlay Plan, Proposed Contours & Retaining Walls Plan, Isopachytes Plan and Site Sections Plan. All of these have been considered by the Landscape and Urban Design Officers in their assessment of the application but have not been submitted for approval as part of this Outline application.

However, it is to be noted that the key concerns in respect of the landscape issues relate to the information set out in the Landscape Parameter Plan and Design Code, both of which have been submitted for approval.

The Brislington Meadows site is the northern part of a large area of landscape in the eastern part of Brislington. It is made up of agricultural fields, park, cemetery, woodland areas and brook with landscaped edges. This area of landscape forms part of a green infrastructure continuum from the green belt through Brislington to the wooded Brislington Brook valley and the River Avon landscape edge.

The site itself is a topography steep green hillside. The north part of which is a high point within the cityscape at approximately 60m AOD, which affords extensive view over the city and to Dundry Hill beyond. It is made up of a collection of small-scale agricultural grazing fields with generous hedgerow boundaries, which have remained largely unchanged since the 1840's field pattern.

As previously discussed in Key Issue B, these hedgerows are defined as ancient and important hedgerows, and are considered irreplaceable natural assets that create the field pattern landscape character. This makes this site a valued landscape meaning paragraph 174 of the NPPF applies which states;

*'Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);'*

It is noted that the NPPF states at paragraph 134:

*'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design...'*

In accordance with the site allocation, it is accepted that Brislington Meadow is a development site allocated for housing but recognizes Brislington Meadows is a sensitive landscape with high value landscape assets with ancient and important hedgerows.

The Landscape Officer has commented that the vision set out in the DAS has correctly stated the approach to the site should be 'landscape-led'. However, the Officer considers that the stated aim of the DAS is not considered to have been delivered within the information under consideration.

In addition to the concerns raised in relation to the removal of important hedgerows and trees as detailed in Key Issues B and C, the Landscape Officer has also objected to the proposed extent of removal of these features.

Policy DM17 Development Involving Existing Green Infrastructure states:

*'Proposals which would harm important features such as green hillsides, promontories, ridges, valleys, gorges, areas of substantial tree cover and distinctive manmade landscapes will not be permitted.'*

The following comments relate to the first Masterplan Principle on page 11 of the Design Code which looks to *'retain and enhance existing green corridors'*

The Landscape Officer has commented that the fragmentation of three retained green corridors within the internal part of the site, as indicated on page 11 of the Design Code and Landscape Parameter Plan, would undermine these hedgerows as green corridor continuums as proposed by the Masterplan Principle. These



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areas of hedgerow are referred to as Brislington Heights, The Gate, Brislington Green on the Landscape Parameter Plan. Parts of these green corridor hedgerow features are so reduced it would no longer be perceived as a hedgerow feature.

The loss of such a large percentage of hedgerows, which act a key landscape features and green corridor forming a green continuum to the adjacent site, is negatively impacted by the proposals and detrimental to the landscape character. This is exacerbated due to the poor integration of retained hedgerows into the proposed scheme shown on the Illustrative Masterplan. This approach fails to comply with policy DM26 which states;

*“The design of development proposals will be expected to contribute towards local character and distinctiveness by:*

*i. Responding appropriately to and incorporating existing land for as, green infrastructure assets and historic assets and features”*

The removal of such an extent of hedgerow also fails DM27 which states under the heading Landscape Design;

*“In contributing to green infrastructure, design should incorporate valuable existing natural and manmade landscape features, while reinforcing it with new structural tree planting where appropriate”.*

The following comments relate to the second Masterplan Principle on page 11 of the Design Code which looks to ‘Create a biodiverse wetland meadows’.

The Wetland Meadow along the southern edge of the site proposes two large areas with extensively engineered slopes to deliver a ‘Wetland Meadow’ that acts as SUDs attenuation basins.

The Landscape Officer has stated that the severe cut and fill required to achieve the attenuation basins impacts the landscape character as banking earthworks are adjacent to the Brook and the associated tree belt running the length of the southern boundary. The banking severs this landscape feature physically from the site lacking integration of this feature appropriately into the southern edge landscape strip. This approach is considered detrimental to this positive landscape feature and therefore contrary to policy DM27 which states:

*‘Through high quality landscape design, development will be expected to contribute to a sense of place with safe and usable outdoor spaces which are planned as an integral part of the development and respond to and reinforce the character of the context within which it is to be set.’*

It is also considered contrary to policy DM22 which requires:

*‘Development which is adjacent to, or contains, waterways will be expected to: Take opportunities to enhance the recreation and leisure role of on-site waterway(s)..’*

The Landscape Officer has commented that the engineered earthwork to create the basins are poorly integrated into the existing landform requiring cut into the slope of 4m raising up to banking up of approximately 2m above existing ground level. This approach creates an unnatural landform that runs contrary to the prevailing slope.

It is considered by the Landscape Officer that the earthworks are poorly integrated into the existing landform. This delivers an engineered character to the basin planted with predominantly neutral grassland. Gentler sloped SUDs features would integrate positively into the landscape, allowing additional plant variety and tree planting to visually enhance this area of public realm, with increasing multifunctionality and recreational use. The proposed approach is not an efficient use of land in accordance with the paragraph 120 of the NPPF which states decisions should;

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*'recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*

In addition, the Landscape Officer considers that the approximately 3m depth of the basin and likelihood that the basin will be filled with water would create a potential hazard for children as the depth would potentially mean poor visibility/overlooking from the houses.

The following comments relate to the third Masterplan Principle on page 11 of the Design Code which looks to *'Set homes within the landscape'*.

The Landscape Officer considers that the masterplan principle proposes a landscape edge along Bonville Road, connecting an area of Broad leaf woodland with an area of mixed scrub altering the 'modified grassland landscape' in between to enhanced woodland.

The proposed tree planting within this landscape edge seeks to replace lost tree planting from within the site. This approach is contrary to the conservation hierarchy of retaining existing natural assets in the first instance and fails to retain the existing trees within the site which detrimentally impacts the landscape character of the site.

It is considered by the Landscape Officer that the 'homes within landscape' creates apartment blocks that relate poorly to Bonville Road and the proposed road internal to the site. The interface of the apartments and Bonville Road and the proposed road structure is considered ill-defined and incoherent.

Further to the third Masterplan Principle, Chapter 7 of the Design Code sets out the approach to the setting of the housing into the topography. The Landscape Officer has commented that to accommodate a traditional housing typology with single flat finish floor level, the site is proposed to be reprofiled with substantial earthworks as shown in the Isopachytes Plan. Only small areas around retained areas of hedgerow remain without reprofiling. This has resulted in an engineered approach to the sloping topography of site with extensive;

- retaining walls and tanking to the buildings faces;
- earthworks throughout the site fundamentally altering the landform.

The Landscape Officer considers that the overly engineered approach required to accommodate a standard housing typology, delivering extensive retaining walls with cut and fill impacts on the following:

- the character of the site defined by the topography;
- the existing landscape structure of hedgerows and trees requiring removal of the majority of these elements;
- the usability the garden areas with:
  - increased overshadowing
  - privacy issues for the garden and internally to the houses from the houses on the upper levels looking down on the lower level housing
  - reduced sunlight penetration
  - reduced usability of gardens due to the gradients
  - overbearing large retaining wall and fence in the worse cases

Whilst considering Section 6 of the Design Code relating to Street Codes, the Landscape Officer has commented that this section shows a streetscape with predominately on-plot car parking for the housing and perpendicular parking dominating housing frontages.

The Officer has commented that On-street parking is preferred as it plays an important role in activating the street and;

- is an efficient use of land.
- requires less earthwork to achieve correct levels;

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- establishing a prominent building front not dominated with car parking;
- allows for street tree planting and greening of front gardens;
- reduces speeds in the road;
- creates a safe area between the parking space and house without driveway crossovers over the footway;
- creates a single level footway without needing lower kerbs that create an undulating footway creating issues for wheelchair users.

The approach to car parking with increased car parking on-street would increase efficient use of land in line with Section 11 of the NPPF. Car parking on street is more land efficient and would require less land to be developed leave more land as green infrastructure. Accordingly, this approach is considered more appropriate to this site.

Within the Design Code the landscape proposals have been described as character areas, including Wetland Meadow, The Gate, Brislington Green, Brislington Heights Pocket Park, The Greenway, Woodland and Bonville Glade.

#### Wetland Meadow

Concerns with the Wetland Meadow character area has been discussed previously in this Key Issue regarding the second Masterplan Principle on page 11 of the Design Code which looks to 'Create a biodiverse wetland meadows'.

#### The Gate

The Isopachytes plan within The Gate landscape character area shows it is likely that more of the centrally retained hedgerow/trees running north/south will require removal than currently shown due to the proximity of the earthworks and impact on the root protection zones.

The Gate landscape character edged with house side elevations, with central raised walkway will provide limited space for play and a poor relationship between the footpath and small areas of play. The lack of visual permeability from the houses, topography and limited space for play makes this area inappropriate as a LAP (a local area of play for very young children).

Concern is also raised that this area would attract anti-social behaviour as it is poorly overlooked with an indistinct amenity function beyond the visual of the retained central hedgerow.

#### The Greenway, Woodland and Bonville Glade

The Bonville Glade and Woodland is a strip of broadly retained areas of existing landscape planting. The proposals fail to define the amenity value of this area and lacks road edge tree planting definition. It is considered the side elevations of the flats edging the Bonville Glade fail to comply with Secure by design principles with poor overlooking. The proposals need to demonstrate that this ecological strip and associated animal species are robust to likely human activity from the residents of the flats, especially as these residents have not been provided with garden space.

The Greenway is accommodated within an Important Open Space. Further to this, there is a key concern that the proposals need to ensure both street trees and utilities can be accommodated within the space, without impacting the ecology and how a footpath/cycleway will be integrated into the proposals.

#### Brislington Heights and Brislington Green

The Brislington Green is a small area of green surrounded by houses with centrally retained trees/hedgerow. It is unclear if the retained planting within Brislington Green would be appropriate to this more formal area of space surrounded by housing and how this is compatible with this area as a play space. The central planting would potentially limit visual permeability of the space and therefore is contrary

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to Secure by Design principles.

The steep topography of the Brislington Heights space will limit the amenity use of this area, particularly as play space. Concern is raised that this area would attract anti-social behavior as it is poorly overlooked with an indistinct amenity function beyond the visual amenity of the retained trees. It should be shown that the area would comply with the design requirements for a LEAP.

The 'Homes within the landscape' masterplan principles locates the largest apartment edging along an area of landscape running along Bonville Road. This area of landscape lacks a distinct definition that relates to the road edge and delivers taller buildings more visually prominent on the higher part of the site.

It should be noted that the site has delivered no areas suitable for children to play ball games on a flat area.

Other comments from the Landscape Officer regarding the Design Code are as follows:

#### Back Gardens

The back gardens have been proposed as part of the ecology network throughout the site. This cannot be considered as providing a green corridor with native garden trees species as there is no control on how these areas will be managed. Some residents will choose to remove trees and pave over gardens which will undermine the ecological value and fail to provide the continuum of a green corridor.

#### Streetscape

The streets proposed inadequate numbers of street trees for some streets to provide sufficient tree canopy to ensure urban heat resilience.

#### Summary

While it is acknowledged that the site is allocated for development, a high level of consideration needs to be given to the natural assets on site to ensure the proposals contribute to the sense of place. Although this application is made in outline only seeking approval for access, information needs to be provided at this stage that gives confidence that a high degree of consideration has been given to the landscape character and natural assets within the site. The information within the Landscape Parameter Plan and Design Codes should deliver proposals recognising the landscape sensitivity of the site, including the ancient and important hedgerows.

A 'landscape lead approach' is necessary for this sensitive landscape to retain the key landscape features expected in accordance with the development considerations of the site allocation. However, the proposals seek to remove most of the important hedgerows and some important trees. This approach is contrary to policy and the design considerations of the site allocation failing to deliver the landscape led approach set out in the Design Code vision.

Three of the four Masterplan Principles contained within the Design Code are considered detrimental the landscape character, with the proposed SUDs and apartments poorly integrated into the existing landscape.

Although the planning application in made in outline, the information submitted for approval provides insufficient confidence that the design intent set out in Section 5 of the Design Code – 'Space codes' will be achievable and raises related landscape concerns.

The proposals fail to employ an appropriate housing typology and layout that is land efficient and minimizes earthworks, reducing the need for the engineered approach of retaining walls that fundamentally changes the landform and landscape character of Brislington Meadows.

The current landscape proposals rely heavily on areas of existing landscape infrastructure to provide

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amenity space, without providing information that shows that these areas of ecology would be robust to these dual uses of ecology and amenity.

For the reasons set out above, Members are advised that an objection is recommended by the Landscape Officer related to the landscape issues. Accordingly, the application is considered contrary to the development considerations of BSA1201, policies BCS21, DM17, DM22, DM26, DM27, DM28 and paragraphs 134 and 174 of the NPPF

(E) IMPACT ON HIGHWAY SAFETY

Policy BCS10 and policy DM23 require that development does not give rise to unacceptable and/or unsafe highway impacts. Development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access for all sections of the community within the development and onto the highway network. Development should be designed and located to ensure the provision of safe streets.

With regards to parking and servicing, policy DM23 specifies development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision having regard to the Council's parking standards contained in the parking schedule at Appendix 2.

Policy DM32 also specifies that development must have regards to the need to provide and maintains safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives. The policy also states that development will not be permitted if recycling and refuse provision that meets the required capacity, design and access requirements cannot feasibly or practicably be provided.

Paragraph 111 of the NPPF states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

The Council's Transport Development Management Officer has confirmed that they are satisfied with the proposed access details subject to conditions. It is considered that any remaining highways works or related design issues could be adequately dealt with via conditions or by further details being provided at the Reserved Matters stage.

However, the TDM Officer does advise that various financial contributions are required and will need to be secured via s106 obligations, please see Key Issue F for further details. As an appeal against non-determination has been made and Officers are recommending to Members that the proposal is refused, it will not be possible at this stage to agree and secure these required contributions. Therefore, the absence of a legal agreement to secure these contributions will need to form a reason for refusing the application.

(F) PLANNING OBLIGATIONS

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment, to help ensure that the development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community as a whole.

The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in the Community Infrastructure Levy CIL Regulations (2010) (as amended). The NPPF at paragraph 57 details the tests that are required to be met when planning obligations are sought, namely that they should be necessary to make the development acceptable in planning terms; directly related to the development and, fairly and reasonably related in scale and kind to the development.

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Supplementary Planning Document entitled 'Planning Obligations' (2012) sets out the Council's overall approach to planning obligations and the types of obligation that the Council may seek to secure and complements BCS11.

Draft Heads of Terms for necessary planning obligations, which if permission were to be granted, would need to be secured via section 106 agreement are provided in Appendix A of the appellants Statement of Common Ground and are listed as follows:

- 1) Provision and timing of up to 30% affordable housing
- 2) Financial contributions towards:
  - off-site ecological mitigation
  - fire hydrants
  - public transport facilities
  - amending Traffic Regulation Orders
  - [tree planting]
  - [training and employment initiatives]
- 3) Management and maintenance of on-site public open space
- 4) Travel Plan:
  - audit fee
  - contribution
- 5) Highways – cycle and pedestrian works through Bonville trading estate

As an appeal against non-determination has been made and Officers are recommending the proposal is to be refused, the finalized required contributions have not been agreed between parties at this stage

Therefore, in the absence of a legal agreement to secure any necessary contributions to mitigate against impacts that may result from the development proposal, the application should be refused on this basis.

#### **(G) EQUALITIES ASSESSMENT**

The Equalities Act 2010 sets out the Public Sector Equalities Duty (“PSED”). Case law has established that this duty is engaged when planning applications are determined and consequently this duty has to be taken into account in the determination of this application.

During the consideration of this application due regard has been given to the impact of this scheme in relation to the Public Sector Equalities Duty in terms of its impact upon the groups with protected characteristics as set out in the Equalities Act 2010. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

#### **PLANNING BALANCE AND CONCLUSION**

When determining an application at a local level, it is the role of the local planning authority (or authorities) to exercise their judgement in weighing up the relevant factors in the context of Section 38(6) to decide whether or not to grant planning permission.

This exercise, known as the planning balance, requires weight to be apportioned to a scheme’s benefits and to any harm caused and a judgement to be made as to whether the harm, as weighted, sufficiently outweighs the benefits so as to require refusal of the planning application

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The location of housing in this location on an allocated site accords with the Core Strategy's aspiration of regenerating South Bristol and the proposal is recognized as making a significant and valuable contribution to the supply of housing (approx.260 units) on a sustainably located site. This accords with policy BCS5 of the Core Strategy and allocation BSA1201 and is awarded significant weight in the planning balance.

On 14th January 2022, the government published the results of its 2021 Housing Delivery Test, which aims to measure how effectively each local authority is delivering housing against NPPF requirement to demonstrate a five-year supply of deliverable housing sites plus five per cent land supply buffer.

Bristol was found to be delivering only 74% of the housing requirement (approximately 3.7 years of supply), but a recent appeal decision at Silverthorne Lane (APP/Z0116/V/20/3264641 and 3264642) indicates that this figure could be lower being at the upper range of 2.59-2.96 years.

The penalties for this are that Bristol is now required to provide a "buffer" of sites for 20% more homes than are needed to meet its five-year target, to produce a Housing Action Plan, and that the presumption in favour of development in the NPPF will apply.

In view of the fact that the LPA is not able to demonstrate a five year housing land supply, paragraph 11(d) of the NPPF is engaged, and the tilted balance applies meaning the presumption in favour of sustainable development as set out in paragraph 11d of the NPPF is applicable. This indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole:

*"d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

The relevance of this is that it could be argued that less weight should be attributed to the proposal's downsides, and more weight should be attributed to the proposal's housing benefits. The fact that policies have to be considered out-of-date does not mean that they can carry no weight. To carry weight, policies must be consistent with the NPPF, and as explained within this report, the policies that this development has been found to be contrary to are considered consistent with the NPPF. As such, Officers advise that whilst these policies may be considered out-of-date for reasons of inadequate housing land supply, they still carry significant weight.

Further, when considering the purpose of the planning system is to achieve sustainable development as set out by paragraph 7 of the NPPF, Officers advise that approving this development would fail to meet the NPPF's social and environmental objectives set out in paragraph 8, by nature of its unacceptable impact on ecology, trees, hedgerows and landscape.

Against this identified harm the proposal's benefits have been weighed. In terms of the benefits of the development, the proposal would make a substantial contribution to the area's housing stock and mix of housing (including 30% affordable housing). The provision of a range of dwelling sizes and types would meet the needs of different occupiers and will assist in creating a strong and balanced community. The proposal site is in a sustainable location with convenient and direct walking and cycling connections helping to access and sustain local services and business. The scheme would provide a significant amount and variety of landscaped open space and enhanced links to the existing public open space to the south of the site comprising Victory Park and to the north, comprising Eastwood Farm.

In terms of economic benefits, the proposals would contribute to the economic role of sustainable development by delivering land to improve choice and competition in the residential marketplace. The proposed development would contribute to economic growth both during construction and over the life of the development. Construction of the development would support jobs directly on site as well as indirect support to additional jobs in the supply chain. Additionally, during the construction phases, the development

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of the site would support the construction sector which will include local businesses. The construction of new housing creates a range of employment opportunities within the local and wider economy and has been acknowledged by the Government as a key driver for boosting housing delivery as required by the NPPF. In addition, the proposed development and introduction of new residents would generate funds through additional Council Tax payments.

The development would be liable for the Council's Community Infrastructure Levy from which the funds generated will be spent on city-wide infrastructure. The development would also be subject to specific S106 financial contributions towards specific improvement works directly associated with the development of the site.

However, as discussed within Key Issue B of this report, the proposed development is considered to result in an unacceptably adverse impact on ecology, biodiversity and loss of habitats on a piece of land of significant ecological value

The Council's Ecology Officer has stated that the proposal would result in multiple species displacement from site due to extensive habitat loss. It is considered that this displacement would be likely to be permanent, as any habitat creation on or off-site post-development will not adequately replicate that which is going to be lost and is currently supporting species on site.

It is not considered that the proposal makes adequate provision for mitigation and compensation measures for this ecological impact as there is no agreement in place between the applicant and the Council to secure any required offsite mitigation measures. This is not considered to comply with the development considerations for BSA1201, local plan policies or paragraphs of the NPPF

Further to this, the habitat that is proposed to be lost is very well established (in some cases 'ancient') and also includes "important" hedgerows as defined under the Hedgerows Regulations 1997.

Key Issue C also details that there are a number of "important" trees (as identified by TPO 1404) which are proposed to be removed.

Officers acknowledge that the allocation allows for the loss of some habitats, hedgerows and trees in order to facilitate the residential development of this site. It can be reasonably argued that all hedgerows cannot be practicably retained in situ as this would prevent adequate circulation around the site.

However, the development considerations clearly state that all important trees hedgerows should be retained and incorporated so the complete removal of 3 important hedgerows and the partial removal of 2 is considered excessive and contrary to the development considerations of the site allocation, relevant development plan policies and paragraphs of the NPPF

Similarly, the removal of 3 "important" TPO trees is also considered contrary to the development consideration of the site allocation, together with a number of development plan policies and paragraphs of the NPPF

Finally, as discussed in Key Issue D, the proposed development is not considered acceptable in relation to the identified harm on landscape character, as detailed in the submitted parameter plans and Design Code.

On balance, the proposal is not considered to provide adequate mitigation and compensation measures for the loss of ecology, biodiversity, habitats, does not suitably retain or incorporate important trees and hedgerows and would also be detrimental to the landscape character of the area. Therefore, the proposed development is not considered to accord with the development considerations of BSA1201, the requirements of policies SA1, BCS9, BCS21, DM15, DM17, DM19, DM22, DM26 and DM27 and also the development plan when viewed as a whole.

These issues are considered to significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF as a whole, which Officers consider to be sufficient to justify the



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refusal of permission even when the tilted balance is applied.

**RECOMMENDATION**

- A) Officers recommend Members to resolve that, if the Committee had the power to determine the application, it would REFUSE planning permission on the grounds of:
- 1) The proposed development is considered to result in the displacement of multiple species from site due to the extensive loss of habitat. Further to this, the proposal has not identified adequate on or off-site mitigation and compensation measures for the loss of existing habitats and biodiversity. The application is therefore considered contrary to the development considerations of allocation BSA1201 of the Site Allocations and Development Management (2014), policy BCS9 of Bristol Development Framework Core strategy (2011) policies SA1, DM17 and DM19 of the Site Allocations and Development Management (2014), and paragraphs 174, 179 and 180 of the NPPF (2021)
  - 2) The proposed development is not considered to retain sufficient important hedgerows and trees within the proposal site. Therefore, the proposal is considered contrary to the development considerations of allocation BSA1201 of the Site Allocations and Development Management (2014), policy BCS9 of Bristol Development Framework Core strategy (2011) policies SA1, DM15, DM17 and DM19 of the Site Allocations and Development Management (2014).
  - 3) The proposed development fails to adhere to the landscape and urban design policy considerations by virtue of excessive damage to the existing features on the site. The proposed plans and supporting documents present unsympathetic responses to the natural assets on the site and surrounding context and would prejudice the future design and delivery of an appropriate scheme. The proposal will fail to meet the requirements of the NPPF; policy BCS21 of the Core Strategy 2011; and policies SA1, DM26, DM27, DM28 and BSA1201 of the Site Allocations and Development Management Policies 2014.
  - 4) In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to make provision for the following:
    - Affordable Housing,
    - Ecological Mitigation (including BNG Biodiversity Off Setting),
    - Financial Contributions towards Fire Hydrants, Public Transport Facilities, amending Traffic Regulation Orders, Tree Planting, Training and Employment Initiatives,
    - Management and Maintenance of on-site Public Open Space,
    - Travel Plan Audit Fee and contribution,
    - Highway works including cycle and pedestrian works though Bonville Trading Estate.

These are required in order to mitigate the impacts of the development. The proposal is therefore contrary to policies BCS10, BCS11 and BCS17 of the Bristol Local Plan: Core Strategy (2011) policies DM15, DM16, DM17, DM19, DM23 of the Bristol Local Plan: Development Management Policies (2014) and the Planning Obligations SPD (Adopted 2012).

- B) Officers request Members to agree that the Head of Development Management in consultation with the Head of Legal Services be authorised :-
- (a) To draft and sign the Council's Statement of Case for the appeal
  - (b) To agree and sign the Statement of Common Ground for the appeal
  - (c) To negotiate and complete any s106 obligation that can be negotiated with the applicant that mitigates the impact of the development
  - (d) To prepare and present the evidence on behalf of the Council based on the recommended reasons for refusal outlined in this report
  - (e) To take all necessary decisions arising during the course of the Inquiry proceedings relating

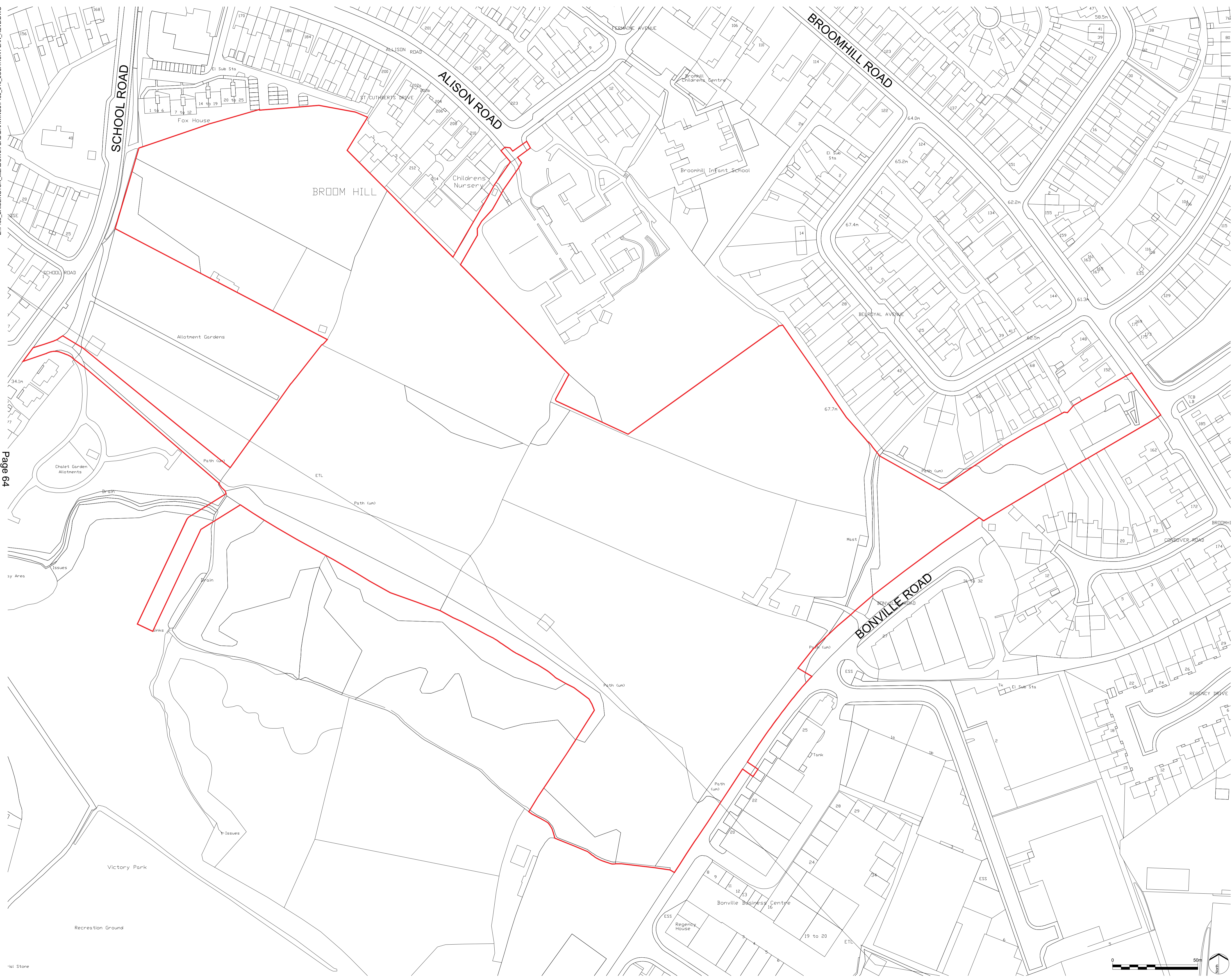
**Development Control Committee B- 7<sup>th</sup> December 2022**  
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to the presentation of the Councils case.

## Supporting Documents

1. Land at Broom Hill/Brislington Meadows
  1. Location Plan
  2. Access & Movement Parameter Plan
  3. Land Use Parameter Plan
  4. Landscape Parameter Plan
  5. Heights Parameter Plan
  6. Proposed Site Access
  7. School Rd proposed access
  8. Bonville Rd proposed access
  9. Route through school proposed access
  10. Design Code





LEGEND

— Site Boundary

REV. DESCRIPTION APP. DATE

**LDA DESIGN**

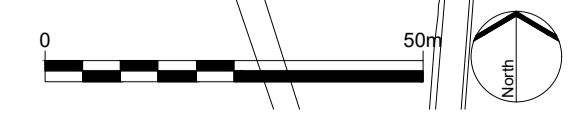
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7456 Brislington Meadows

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DATE	06 Apr 2022	DRAWN RH
SCALE	1:1,000	CHECKED RF
STATUS	For Approval	APPROVED RF

**DWG. NO 7456\_016**

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- LEGEND
- Application boundary (9.6ha / 23.7acres)
  - Broomhill Road
  - Indicative Primary Street
  - Indicative Secondary Streets
  - Public right of way (PROW)
  - Pedestrian link
  - - - All user access
  - - - Pedestrian/cycle access
  - - - Pedestrian access
  - - - Emergency vehicles, pedestrian and cycle access
  - Developable area

REV.	DESCRIPTION	APP. DATE
PL1		08 Apr

**LDĀDESIGN**

PROJECT TITLE  
7456 Brislington Meadows

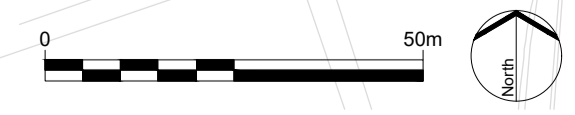
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STATUS	For Approval	APPROVED	PC

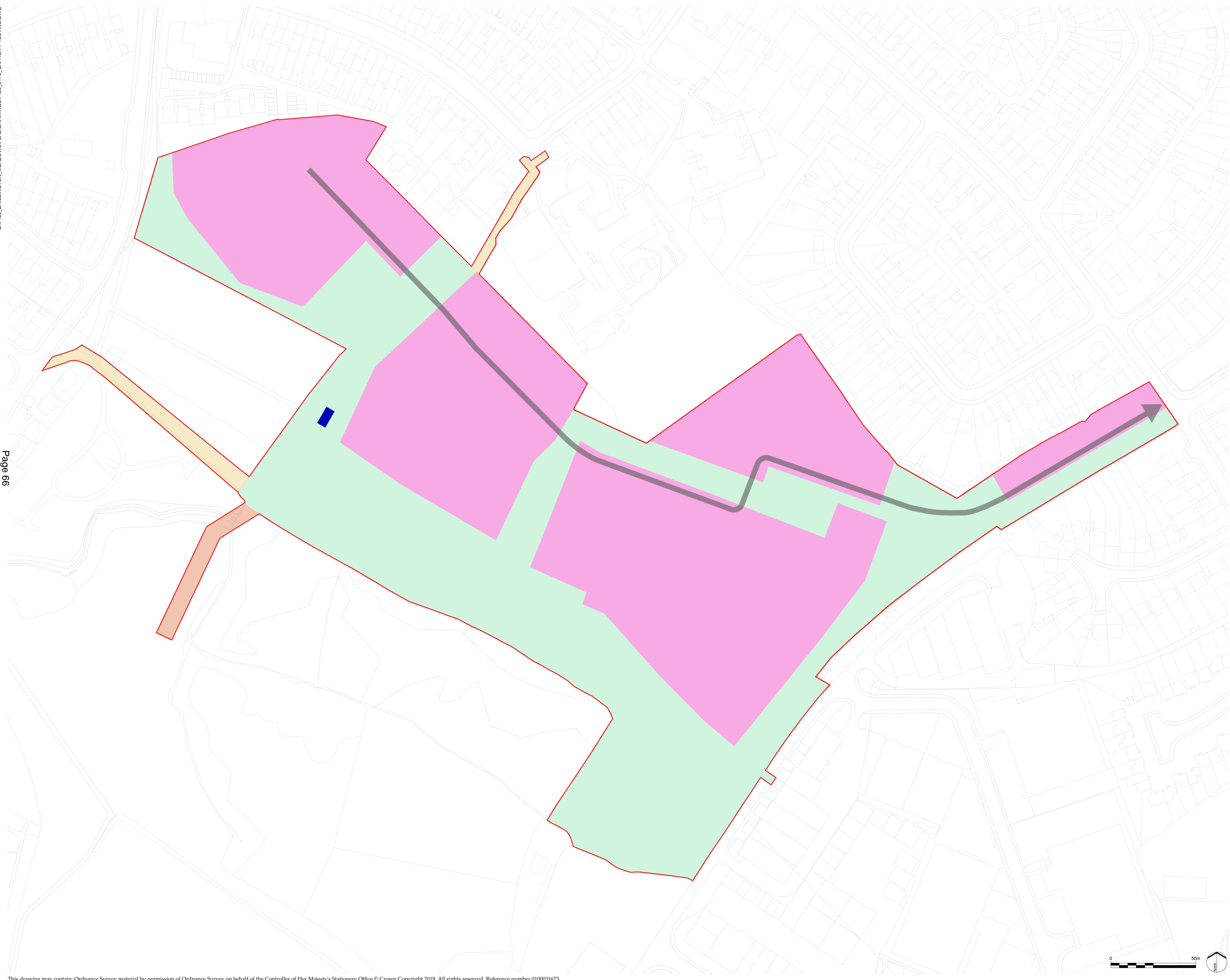
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- LEGEND**
- Application boundary (9.6ha / 23.7acres)
  - Residential development (C3 class) - c 5.12 ha
  - Pedestrian and cycle link
  - Indicative Primary Street
  - Open space (includes SuDS, public rights of way, ramp area play areas, new and existing trees and hedgerows) - c 4.48 ha
  - Underground sewer connection
  - Indicative location of pumping station

REV.	DESCRIPTION	APP. DATE
PL1		08 Apr

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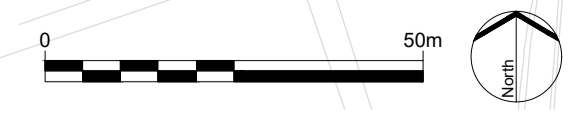
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DRAWING TITLE  
Land-use Parameter Plan

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- Application boundary (9.6ha / 23.7acres)
- Existing trees/retained wooded areas
- Root protection areas
- Indicative Primary Street
- Indicative location of Local Equipped Area for Play (LEAP)
- Indicative location of Local Area for Play (LAP)
- Open space (includes SuDS, public rights of way, ramp area, play areas, new and existing trees and hedgerows)

REV.	DESCRIPTION	APP. DATE
PL1		08 Apr

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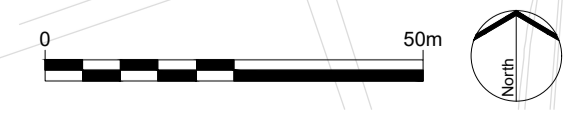
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DRAWING TITLE  
Landscape Parameter Plan







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- LEGEND
-  Application boundary (9.6ha / 23.7acres)
  -  4 storey buildings
  -  3 storey buildings
  -  2.5 storey buildings
  -  2 storey buildings
  -  Indicative Primary Street



REV.	DESCRIPTION	APP. DATE
PL1		08 Apr

**LD A DESIGN**

PROJECT TITLE  
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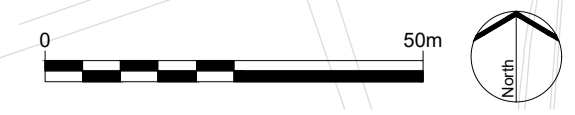
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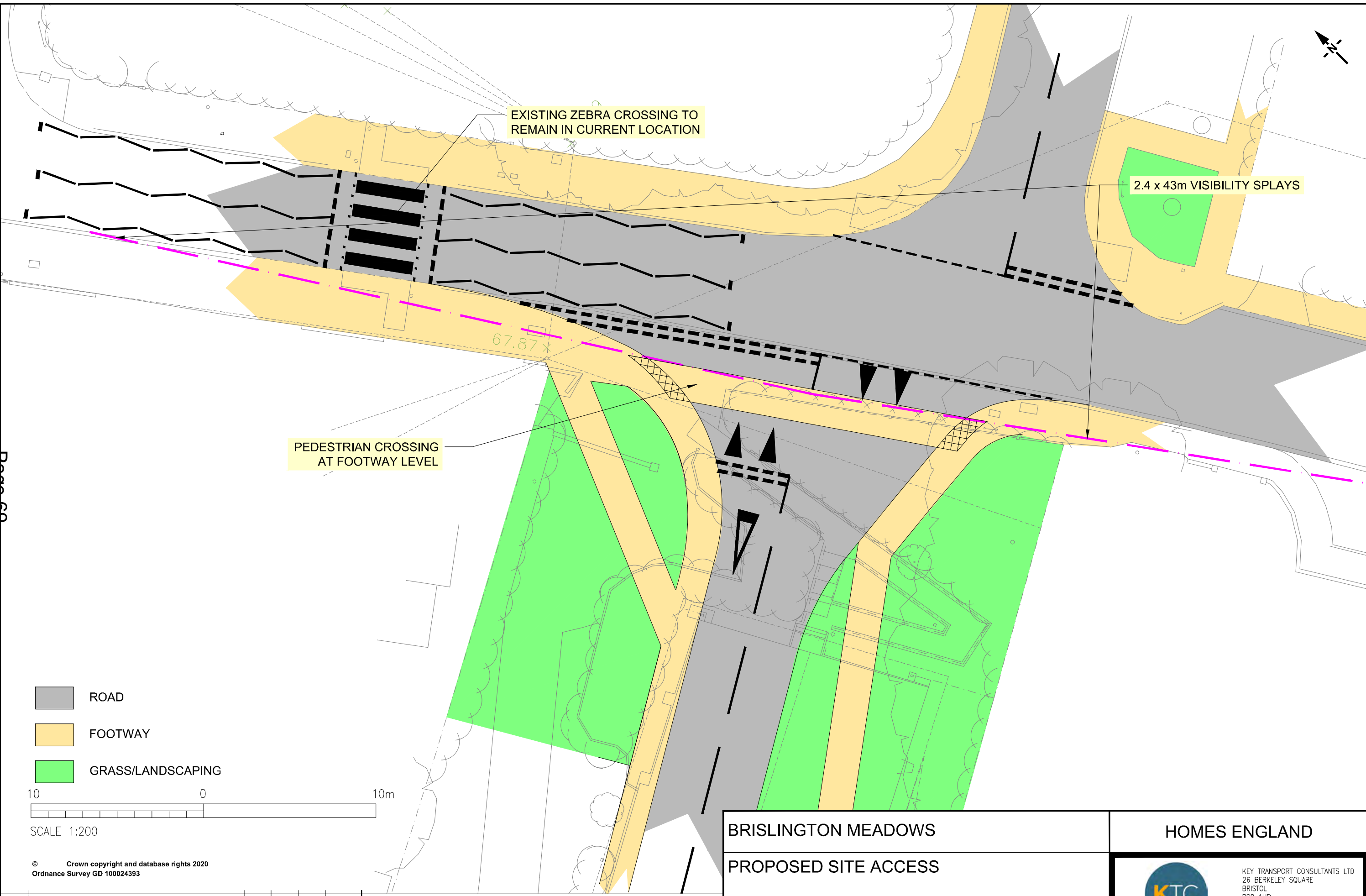
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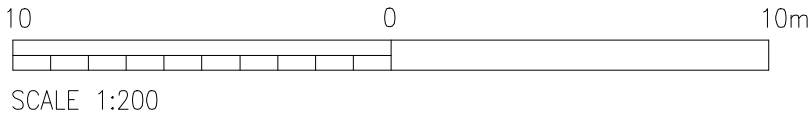


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- ROAD
- FOOTWAY
- GRASS/LANDSCAPING



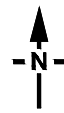
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						REV.
						<b>D</b>

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 BRISTOL  
 BS8 1HP  
 Tel : 0117 920 9430  
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 Page 70



RELOCATE EXISTING BUS STOP  
TO THE NORTH




NEW ZEBRA CROSSING  
ON SPEED TABLE

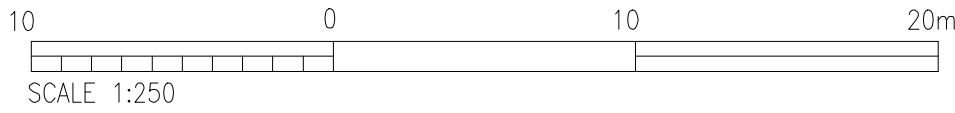
FOOTWAY WIDENED

PEDESTRIAN/CYCLE ACCESS TO THE  
ROCK AND ON TO MANWORTHY ROAD

FOOTPATH/CYCLEPATH LINK  
BETWEEN ALLOTMENTS TO SITE

ALLOTMENT ACCESS

	ROAD
	CYCLEPATH
	FOOTWAY



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BRISLINGTON MEADOWS

HOMES ENGLAND

SCHOOL ROAD ACCESS AND  
CROSSING



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BRISTOL  
BS8 1HP  
Tel : 0117 920 9430  
E-mail : info@key-transport.com

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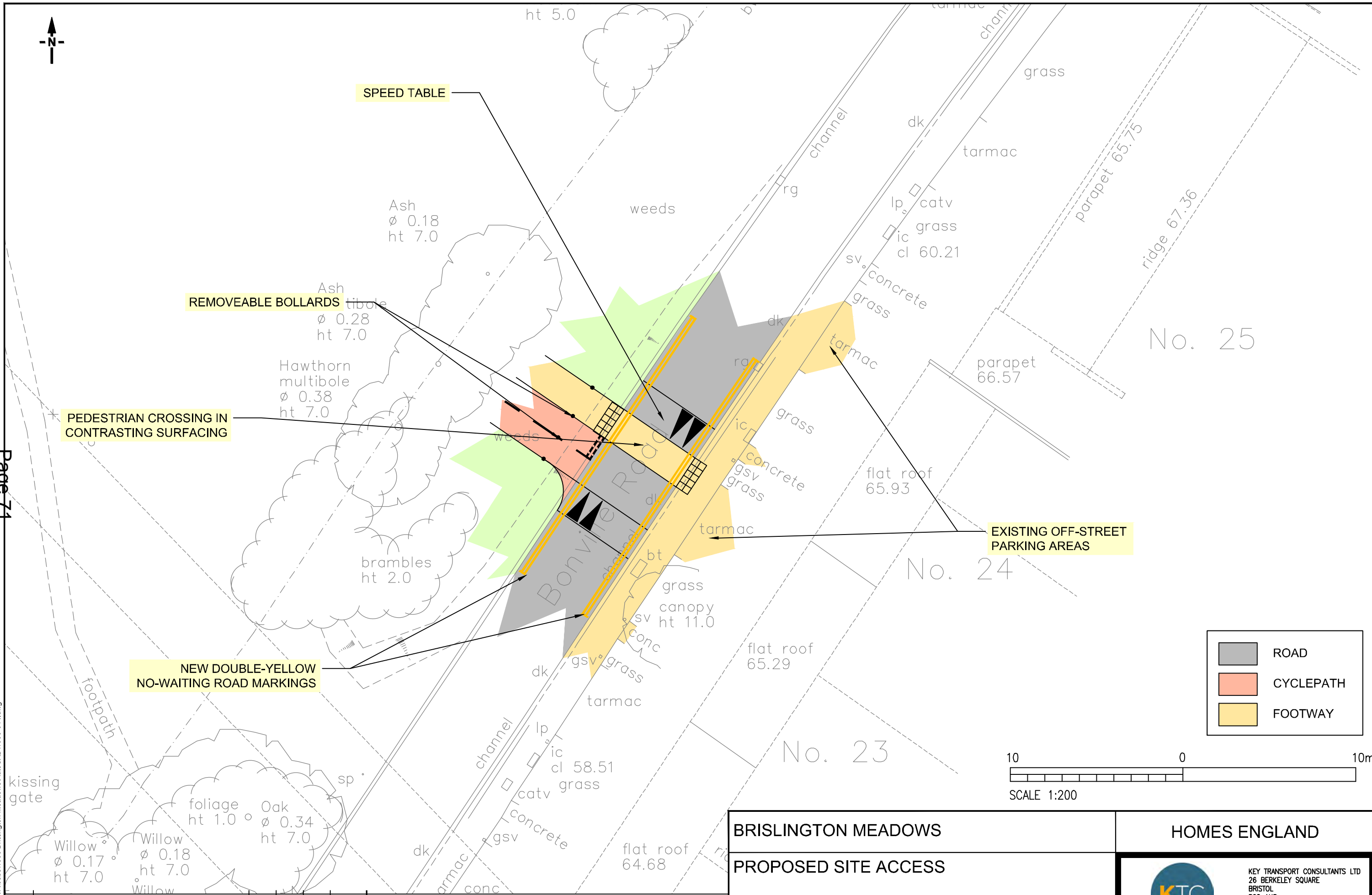
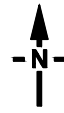
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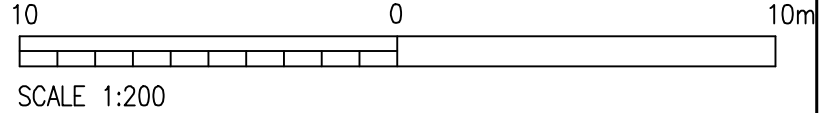
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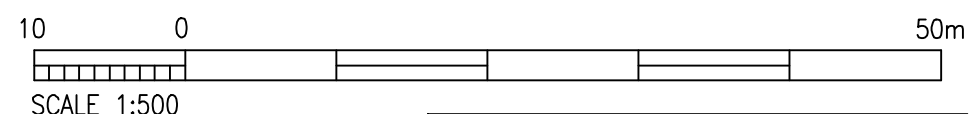
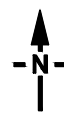
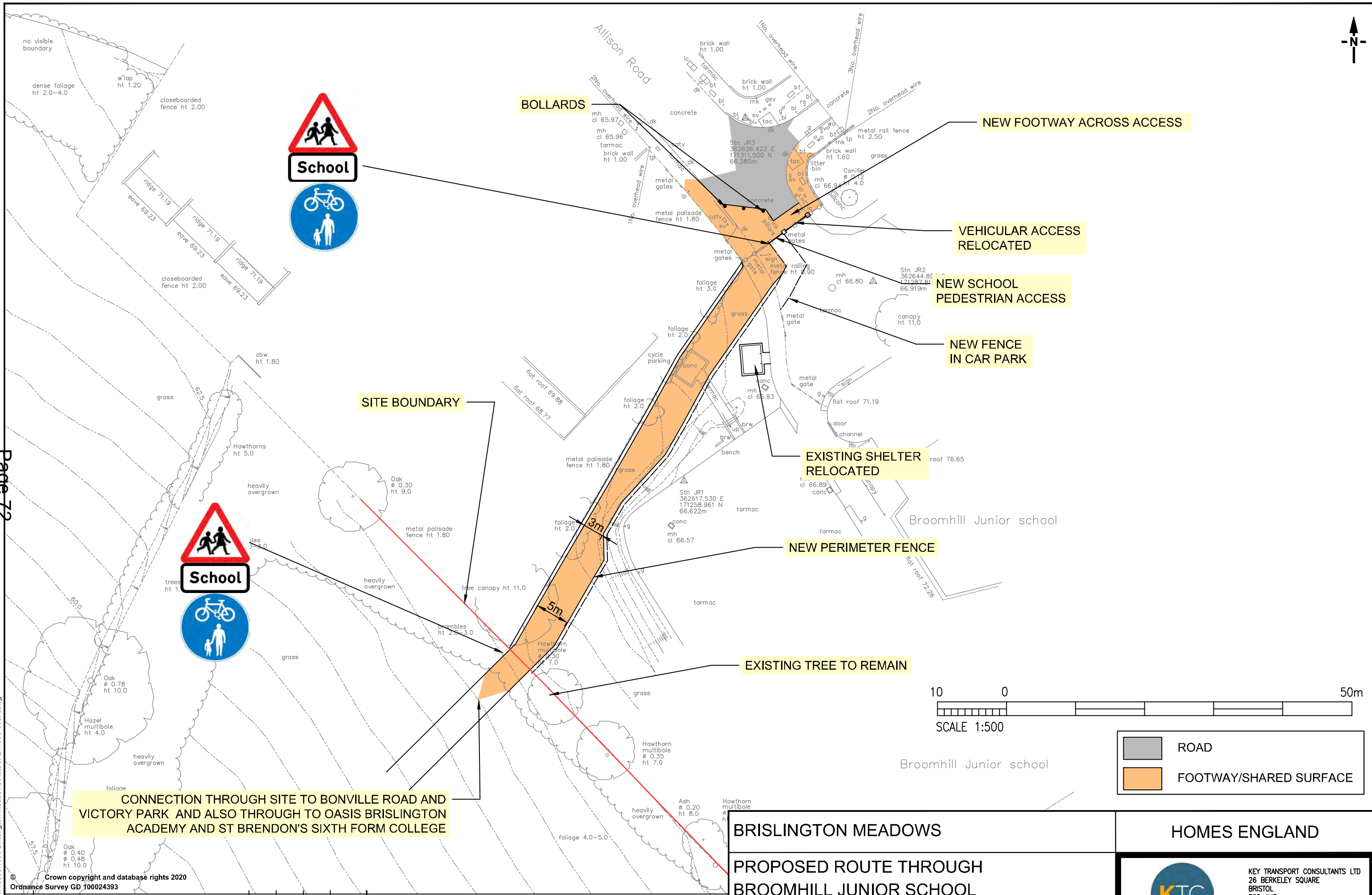
	ROAD
	CYCLEPATH
	FOOTWAY



<b>BRISLINGTON MEADOWS</b>					<b>HOMES ENGLAND</b>				
<b>PROPOSED SITE ACCESS</b>					 KEY TRANSPORT CONSULTANTS LTD 26 BERKELEY SQUARE BRISTOL BS8 1HP Tel : 0117 920 9430 E-mail : info@key-transport.com				
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	ROAD
	FOOTWAY/SHARED SURFACE

**CONNECTION THROUGH SITE TO BONVILLE ROAD AND VICTORY PARK AND ALSO THROUGH TO OASIS BRISLINGTON ACADEMY AND ST BRENDON'S SIXTH FORM COLLEGE**

**BRISLINGTON MEADOWS  
PROPOSED ROUTE THROUGH  
BROOMHILL JUNIOR SCHOOL**

**HOMES ENGLAND**



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# Brislington Meadows Design Code



Homes  
England

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This document has been prepared  
and checked in accordance with ISO  
9001:2015

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## Homes England Vision

Bristol is a fantastic City and is widely regarded as a great place to live, but is facing the difficult challenge of balancing the urgent need for new homes against ecological and climate emergencies. We believe that balance can be achieved at Brislington Meadows.

Our vision is for a sympathetically designed sustainable neighbourhood, located within Broomhill and in close proximity to existing services and amenities available. The landscape-led masterplan seeks to retain a significant amount of open space on the site and public routes through the site, enhancing connection to Victory Park and Eastwood Farm, as well as access to the Local Centre itself to support existing services and encourage further investment.



An illustration from the Design and Access Statement showing how Brislington Meadows could be developed in response to the outline parameters and design principles set out in this Design Code.







# 1.0 Introduction



## 1.1 Purpose of the code

The Brislington Meadows Design Code is an important document for delivering on the long-term aspirations for beautiful and sustainable placemaking for the site.

The purpose of this Design Code is to set design requirements and principles against which the forthcoming Reserved Matters Application(s) can be assessed, ensuring they comply with the Code. It is a tool for designers, developers and planners to use at all stages of the design process, from the overall layout to on-plot details.

The overarching aim of the Design Code is to ensure that the development is of high quality and contributes to healthy and sustainable placemaking which ties the landscape and built form together. The Code focuses on key design requirements and principles to ensure that the important elements are fixed without stifling innovation and creativity during the detailed design stage.

The Design Code sets out design requirements and principles relating to the landscape, public realm, built form, boundary treatment and parking.

## 1.2 Structure of the code

Chapters 1-3 sets out the overarching vision and design principles that should define development proposals for the site from the outset. These emphasise the importance of creating a truly sustainable development that puts the landscape and biodiversity at the heart of the proposal.

Chapter 4-10 addresses the different themes that the code covers: spaces, streets, level changes, parking, public realm detail and on-plot detail. Each chapter includes a description of the general approach and overarching aspirations for the theme. This is followed by a list of design requirements (shown within a green box) which proposals should comply with. Additional design

guidance of good and bad examples are provided to show different ways the design requirements and overall aspirations can be achieved.

There might be instances where a proposal needs to divert from the mandatory requirements of the code. This might be acceptable if it can be demonstrated that the proposal still achieves the overall approach and intent of the vision and masterplan principles and creates a high-quality neighbourhood. In these instances, Building for a Healthy Life will be a useful guidance document for the Planning Authority to determine if the proposal is acceptable or not.

**9.2 Planting**

Nature recovery and sustainability are key factors for the development of Brislington Meadows, as emphasised in Chapter 3.0.

The design and selection of planting will play a vital role in achieving biodiversity net gain and maximise every opportunity to create a wildlife friendly neighbourhood which is also attractive for people living and visiting.



**Design Requirement**

- Planting should be predominantly for species that directly benefit wildlife e.g. through nectar, pollen, seed or berry production and shelter opportunities for insects.
- The planting scheme should incorporate species that provide nesting sites and habitats for birds.
- Planting in green verges should contribute to a high biodiversity and strong development character e.g. through ground cover planting and a variety of grassland types. Only grazing lawn/mown grass will not be allowed.
- Planting beds must be designed and sized to ensure an adequate growing medium for healthy and robust planting.
- Planting should be climate resilient.

General approach and overarching aspiration

Design requirement proposals should comply with

Design guidance: good example

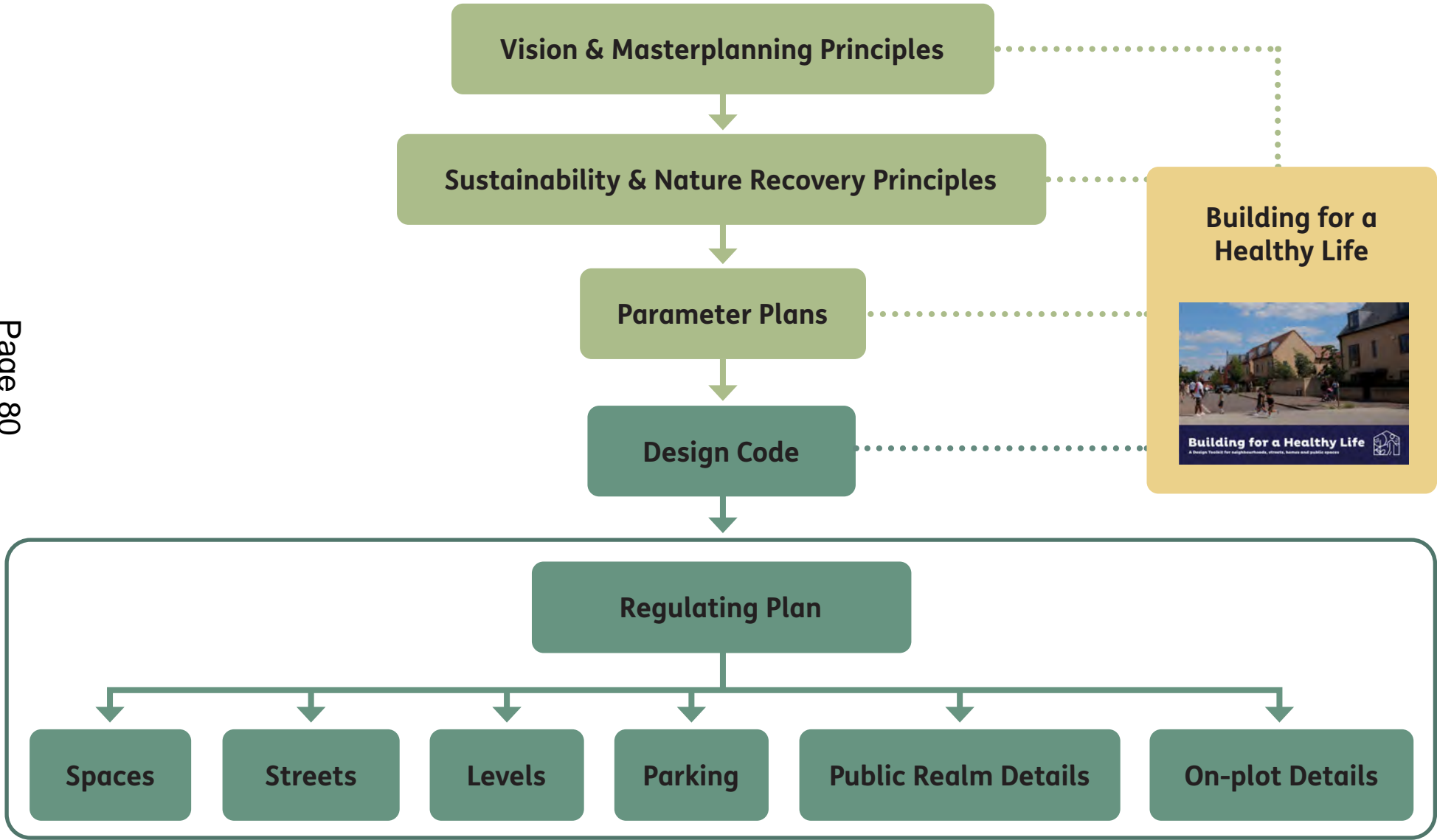


Design guidance: bad example



Example page from the Design Code

# Structure of the Design Code





## 1.3 Building for a Healthy Life

Building for a Healthy Life (BHL) is a Design Guide to help people improve the design of new and growing neighbourhoods. Twelve considerations are presented relating to qualities of successful places from the macro to the micro scale.

Homes England endorse BHL and will use the twelve considerations as part of its evaluation process for selecting bidders for Brislington Meadows. Procurement panel partners whose designs ignore BHL considerations are marked down in the bidding process.

BHL will sit alongside this Design Code as an important design guidance. It will function as a design tool for designers and developers as well as being a useful reference for Bristol City Council when determining applications at Reserved Matters Stage. This Design Code focusses on codes and principles that are particularly important for Brislington Meadows without repeating general principles of good design that are well covered in BHL.

This Design Code will cross-reference key aspects of BHL and the twelve considerations throughout the document.

14 INTEGRATED NEIGHBOURHOODS
Natural connections
Walking, cycling and public transport
Facilities and services
Homes for everyone

38 DISTINCTIVE PLACES
Making the most of what's there
A memorable character
Well defined streets and spaces
Easy to find your way around

62 STREETS FOR ALL
Healthy streets
Cycle and car parking
Green and blue infrastructure
Back of pavement, front of home

The twelve Building for a Healthy Life considerations



## 2.0 Masterplan Principles

The masterplan principles are guidelines that set out the key components that should structure the overall development layout.

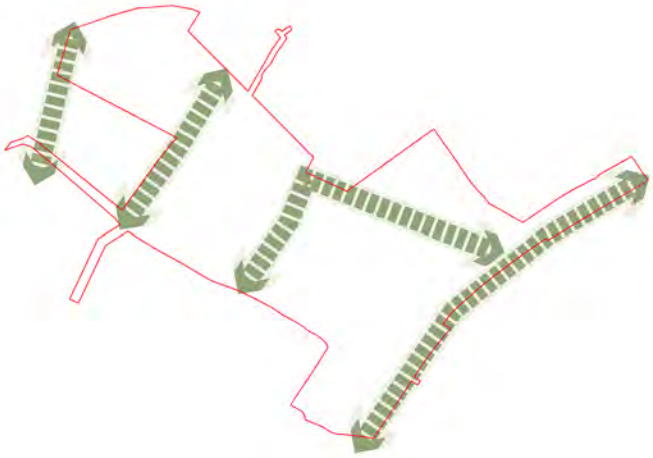
The aim with these guiding principles is to create a place where visitors and residents alike can experience a characterful and leafy development and get in touch with nature - a development which is nestled in a meadow landscape and with parks and woodland on the doorstep.

It should be a place of its own whilst also be well-connected to neighbouring areas supporting a walkable neighbourhood.

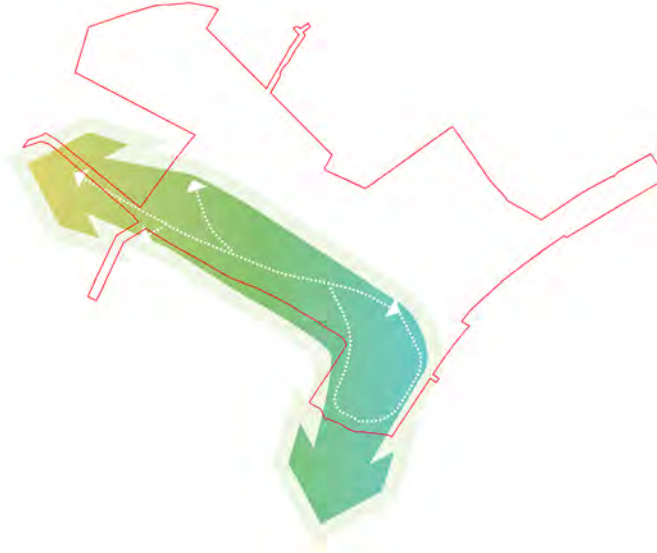


Concept Masterplan from the Design & Access Statement

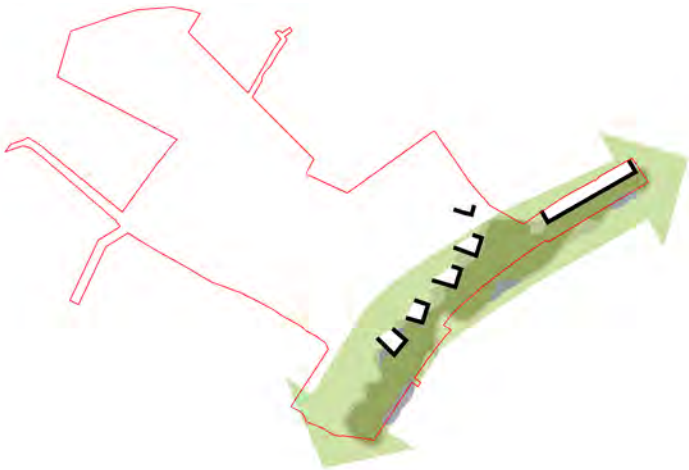
**1. Retain and enhance existing green corridors**



**2. Create a biodiverse wetland meadow**



**3. Set homes within the landscape**



**4. Create a street that moves through a series of spaces**



# 3.0 Sustainability & Nature Recovery

Built form, open space, movement and parking strategies all need to be balanced to create sustainable, liveable, healthy environments.

Homes England is committed to delivering a high quality, sustainable new neighbourhood and will include this as a requirement when selecting a development partner. This chapter sets out the key principles of creating a healthy and sustainable neighbourhood. These are incorporated into the following codes and guidance chapters and are also echoed within Building for a Healthy Life.

## **Location**

The site is in a highly sustainable location near existing facilities at Broomhill local centre and the development will further support the services offered through increased population and encouraging investment. The site is also well located for public transport or active travel modes to the wider Brislington and Bristol area.

## **Active travel and access to open space and social infrastructure**

The Regulating Plan defines spaces, access

points and routes that will create good connectivity between the new dwellings, existing adjacent neighbourhood, open spaces and nature within and near the site, access to the existing local centre and schools and connections with wider strategic active travel networks. This provides a great starting point for proposals to create high-quality, attractive spaces and routes where people can spend time outside, connect with nature and access their everyday destinations by foot or by bike.

## **Biodiversity Net Gain**

Homes England are committed to delivering 10% Biodiversity Net Gain. The mitigation strategy of firstly avoiding removal of habitats, secondly mitigate removal and lastly compensate has been a key driver for the design proposal throughout the Outline Application stage and should continue to drive design responses at Reserved Matters stage.

## **Density**

Brislington Meadows is in a suitable location for a medium density neighbourhood that make efficient use



of land with a significant proportion of semi-detached, terraced homes and apartments. A higher density of homes help to create walkable neighbourhoods whilst compact housing typologies also has got a lower space heating demand compared to detached homes.

### **Layout**

The networks of streets, paths and spaces as defined by the Regulating Plan offer great opportunity to design neighbourhood where people choose to walk and cycle because routes are pleasant, safe and convenient. The routes should create seamless connectivity with the adjacent neighbourhoods and open spaces to support positive integration with the existing areas.

The steep topography on the site will likely require significant earthworks but this can be reduced with a layout that works with the topography and minimises need for level development platforms and large retaining walls.

The south-west sloping orientation and location of the site lends itself well to orientate dwellings to reduce cooling and heating demand, include passive design

features and maximise opportunities for Solar PV's. It is best to avoid east-facing windows wherever possible to avoid low angle sunlight during the summer which is harder to control with shading. Proposals should also look to orientate streets and buildings to create shelter from prevailing winds, whilst enabling natural cross-ventilation inside the dwellings.

### **Massing**

It is important to consider the massing of the buildings to avoid over-shading of roof areas that can accommodate solar PV's as well as avoiding wind acceleration to reduce heat loss in buildings and create a more pleasant environment for people to walk and cycle in.

### **Low carbon energy**

It is expected that Reserved Matters proposals explore and maximise opportunities for low carbon energy on site. The two main and readily available options are solar PV's and air source heat pumps for individual buildings but there might be other options to consider such as site-wide renewable community heating.

### **Housing quality and design**

Proposals are expected to include a range of housing types and sizes, including private, rented and affordable housing responding to local housing needs. The Nationally Described Space Standards provide a good benchmark for the minimum sizes of good homes. Homes should also be designed with a 'fabric first' approach and be highly energy efficient.

### **Crime reduction and community safety**

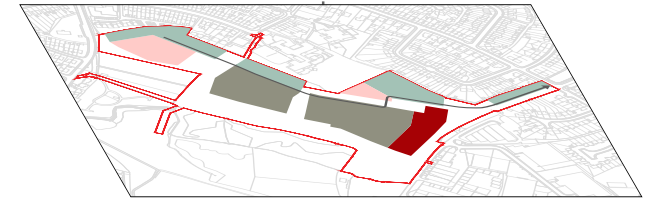
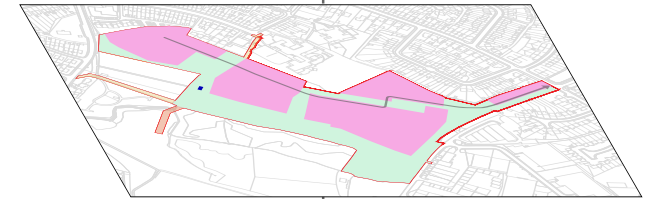
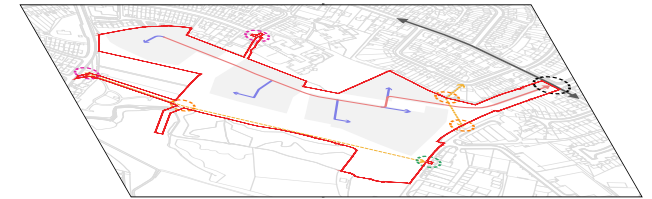
This design code puts great emphasis on providing natural surveillance onto streets and public spaces through active frontages. This, alongside creating a high-quality development with streets, spaces and buildings that are well designed and will age well, all contribute to creating a safe and attractive neighbourhood. The reserved matters proposals will need to carefully consider lighting across the site to ensure it is well distributed and create safe and pleasant routes, whilst enabling dark corridors for wildlife where this is appropriate and needed.

# 4.0 Regulating Plan

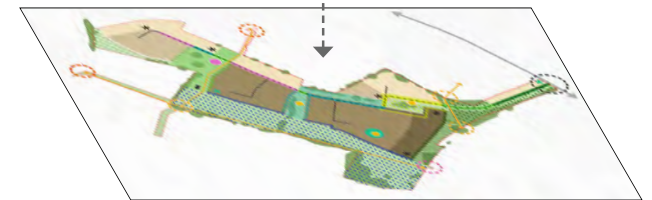
## 4.1 Introduction

The Regulating Plan is a composite plan containing all requirements from the Parameter Plans and the location specific requirements of this Design Code. Further details of what is required under each heading is set out in the following chapters.

The Parameter Plans



The Regulating Plan



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# 4.3 Regulating Plan

**Space Codes**

	Brislington Green	p. 22
	Bonville Glade	p.26
	The Gate	p.30
	Brislington Heights	p.33
	Wetland Meadow	p.37
	The Greenway	p.41
	The Wild Edge	p.45
	Incidental space - location indicative only	p.46
	Key buildings	p.48
	Focal point	p.49

**Street Codes**

	Primary street - General requirements	p.52
	Primary - Double-sided frontage	p.56
	Primary - Single-sided frontage	p.58
	Primary - Through green space	p.59
	Secondary & tertiary streets	p.60

All street alignments shown are indicative

**Landscape parameters**

	Open Space
	Existing trees & hedgerows to be retained
	T6 Veteran Tree
	Local Equipped Area for Play (LEAP) - location indicative only
	Local Area for Play (LAP) - location indicative only

**Access parameters**

	All users access
	Pedestrian/cycle access
	Pedestrian access
	Pedestrian/cycle/emergency vehicle access
	Pedestrian & cycle path - alignment indicative only

**Height & land use parameters**

	2 storey
	2.5 storey
	3 storey
	Up to 4 storey
	Pumping station - location indicative only

Application boundary

Broomhill Road





The Wild Edge

The Gate

Brislington Green

The Greenway

T6

Bonville Glade

Brislington Heights

The Meadow

# 5.0 Spaces Codes

Page 90



## 5.1 General approach

This section sets out the codes and guidance for the public green spaces and the built form around them that will be fundamental to setting the quality and sense of place. The design of Brislington Meadows has been landscape-led from the very beginning of the outline application process with a network of green spaces and corridors that define the overall structure of the development and provide a rich variety of spaces for people to meet, play, relax and move through as well as spaces for wildlife. It's particularly important that these new spaces create attractive connections for both new and existing residents within the local area.

The Design and Access Statement sets out a number of key landscape elements that provide an important guide for Reserved Matters design proposals to consider. These include:

- Delivering a green infrastructure that will create habitats, provide climate resilience, enhance people's enjoyment, learning and interaction with nature, providing play, recreation and sustainable drainage.

- Providing a mixture of green spaces for play, recreation, relaxation and socialising.
- Prioritising retention and enhancement of high quality habitats and trees.
- Creating a network of pedestrian and cycle routes.
- New hedgerow and tree planting.
- Creating a liveable place for the local community where residents and nature co-exist.
- Delivering green links with local natural green spaces such as Victory Park and Eastwood Farm and amenity.
- Creating new habitats such as the wet meadows, increasing flora and fauna diversity and managing existing habitats.

The location and amount of green space is defined by the Parameter Plans and included on the Regulating Plan.

### Ecological corridors

The network of green spaces and corridors are important ecological corridors for wildlife and the design of these will be crucial to achieving biodiversity net gain and creating a sustainable development.

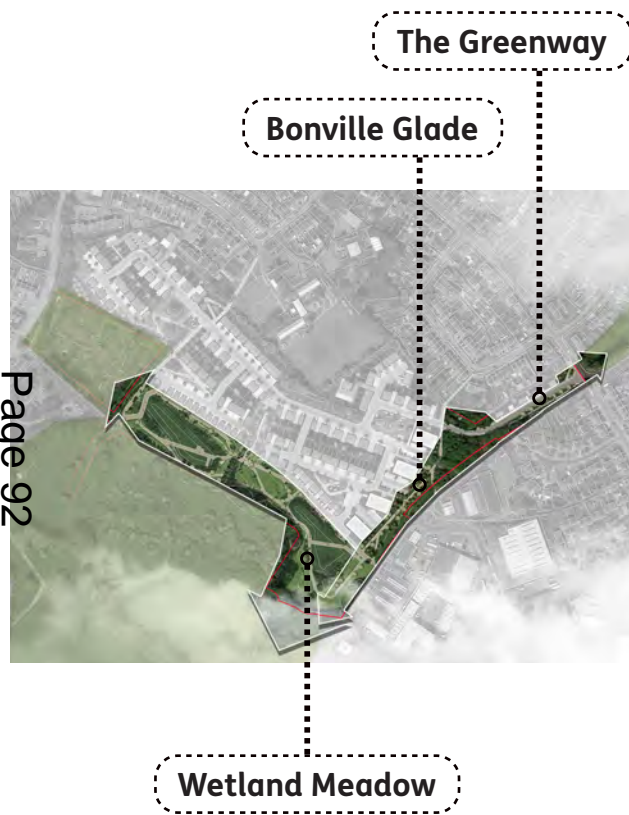
Each green corridor has got its own identity and role within the overall network. There are two primary corridors connecting north-south and east-west along the edges of the site. This is complemented by secondary corridors within the site that links with the primary corridors. Tertiary corridors can be achieved through the design of the development by aligning back gardens and retaining and enhancing vegetation along site boundary edges.

The diagrams on the following page are overlays of the Illustrative Masterplan from the Design and Access Statement showing one way that these ecological corridors can be achieved.

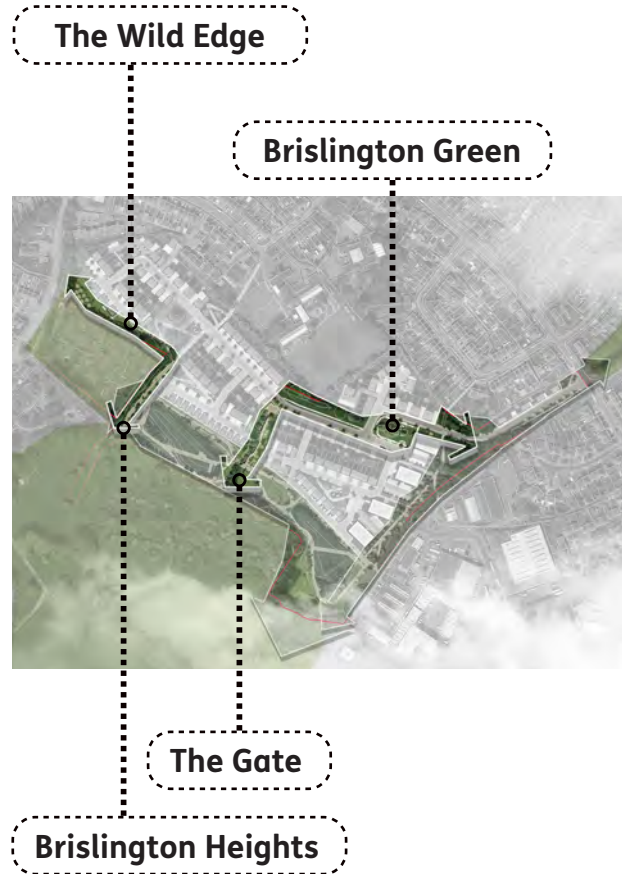


# Ecological corridors

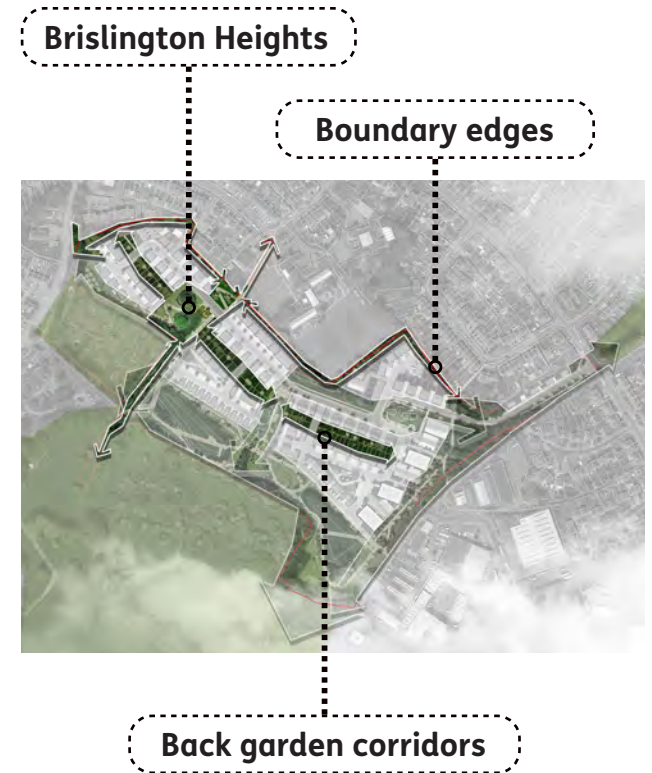
Page 92



Primary ecological corridors



Secondary ecological Corridors



Tertiary ecological corridors



## 5.1 General approach

### Design requirements

- Buildings should have active frontages, with windows and front doors facing onto the space;
- Dwellings should have a defensible space to the front that clearly defines the threshold between public and private;
- Prominent corner buildings should actively respond to the streets and spaces on both sides;
- Apartments should generally be positioned at the edges of the parcel, fronting onto key streets or spaces, with their parking provided to the side or rear in landscaped parking courts;
- Timber fencing onto any of the spaces will not be allowed.



Prominent corner building on junction between the space and the street.



Active frontages onto the space.

Note: The Spaces Codes chapter sets out requirements and guidance for all spaces and also covers the sections of the Primary Street that sits within Brislington Green & the Greenway.

The other sections of the Primary Street are covered in the Streets Codes chapter.

## 5.2 Brislington Green

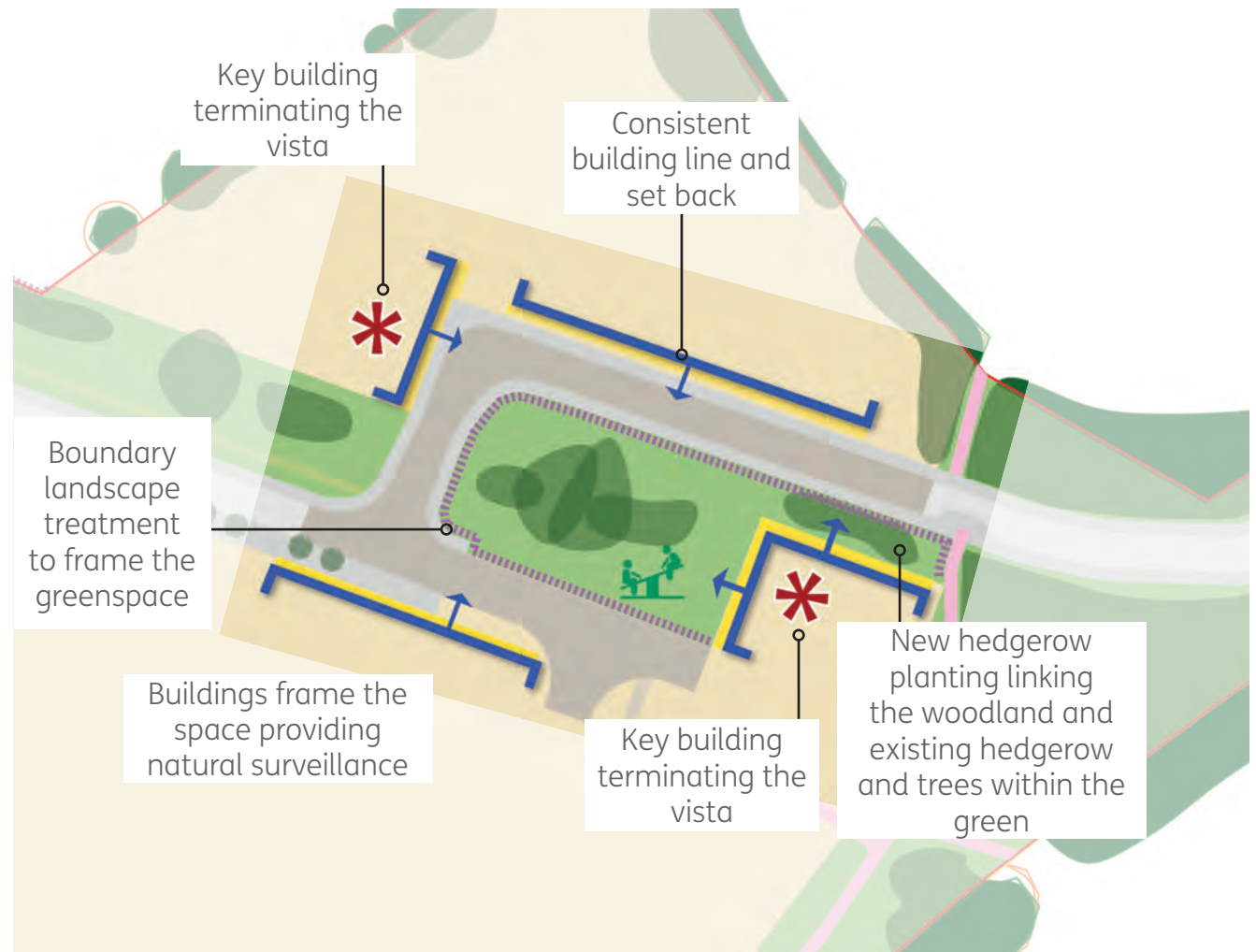
### Character

Brislington Green is an interpretation of a village green for the new and existing community to connect and interact. It's a significant nodal point where both movement routes for people and wildlife come together. The space is an important part of the east-west green wildlife corridor that connect the Woodland to the Gate with significant existing trees and hedgerows to be retained and positively integrated within the design of the space.

The space will provide places to sit and relax and informal play features integrated within the design. Natural surveillance and homes fronting directly onto the space is important to make the space safe and pleasant to use.



Location Plan



Brislington Green Illustrative Diagram

- Active frontage
- Boundary treatment to greenspace
- Boundary treatment to dwellings
- Key building
- Play area

## 5.2 Brislington Green

### Design requirements

#### Landscape and public realm

- The space should be defined by the retained hedgerow and trees centrally located;
- The space should be predominantly green with planting to support a biodiverse site and create a green connection between the Bonville Glade and the Gate;
- The space should incorporate natural play within the overall design which should not be zoned or fenced off;
- The topography and level changes should be positively incorporated within the design of the space (see 6.0 Levels Code for detail);
- The primary street going past this space should be designed with a raised table and/or different surface material to reduce it's dominance and create a people friendly street.



Development incorporating existing mature tree as central feature within the space



Level change positively incorporated within the design providing seating area



Natural play incorporated into space



## 5.2 Brislington Green

### Design requirements

#### Built form

- Buildings should have active frontages with windows and front doors onto the street and the space. Large areas of blank façades will not be allowed;
- Occasional side elevation with prominent windows can be allowed. A small WC window is not sufficient;
- Buildings need to terminate vistas;
- The buildings along the street should have a uniform rhythm with consistent building height, roof lines and massing;
- There should be a marker building on the corner of the space;
- Buildings should have a consistent building line and set back;
- Buildings should provide good enclosure. Gaps between buildings, should be maximum 7m.



Marker buildings can introduce alternative materials or accent colours to create visual interest.



Consistent approach to material application and building set back around a space. Planted boundary to public space. Coloured render is used to add interest along the street.



Dwellings with no planting in boundary treatment, fronting onto a space of lawn with limited biodiversity and interest.

## 5.2 Brislington Green

### Design requirements

#### Boundary treatment

##### Greenspace:

- A well defined edge, but would not need to be fenced. It may be defined by planting, a level change or low walls which can provide informal seating.

##### Dwellings:

- A hard boundary such as a low masonry wall or railing complemented with prominent planting. Only lawn will not be allowed.
- If a wall is provided, it should not be more than 600mm tall to enable a visual connection to the space. The material should match the adjoining dwelling;
- The boundary treatment should be consistent around the space;
- Where side boundaries face the street, they should be a hedgerow and/or wall. Timber fencing is not allowed onto the space and street.

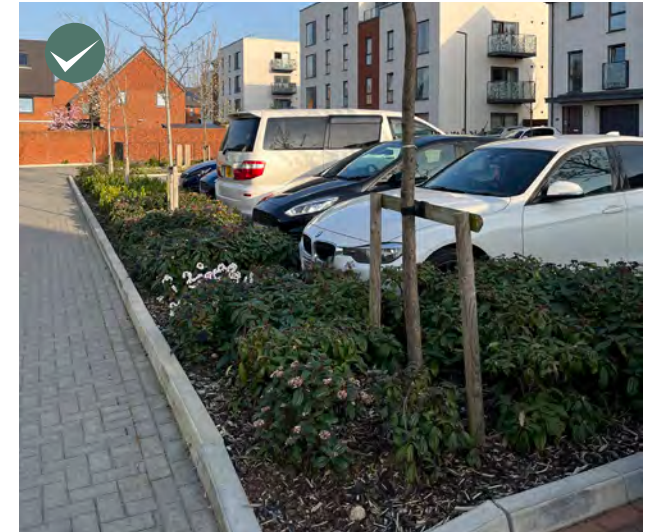
#### Parking

##### Within/adjacent to the space:

- Should only be provided if for visitors, and should be kept to a minimum;
- Any parking should be well screened using planting to reduce the visual impact on the space.

##### For dwellings:

- Situated behind the building line to not dominate the streetscene;
- On plot between buildings or to the rear of properties.



Parking is screened by a substantial planting boundary.



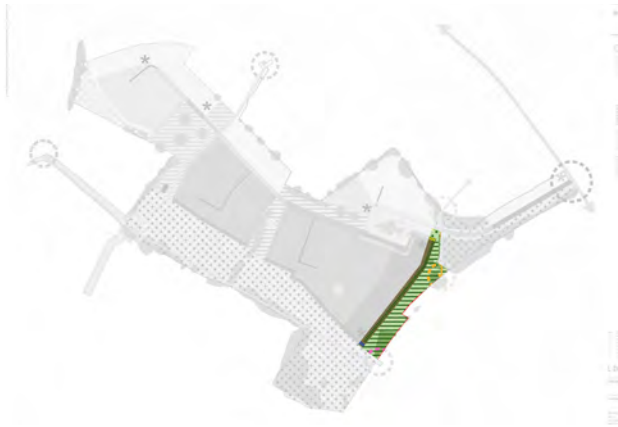
Planted boundary to public open space



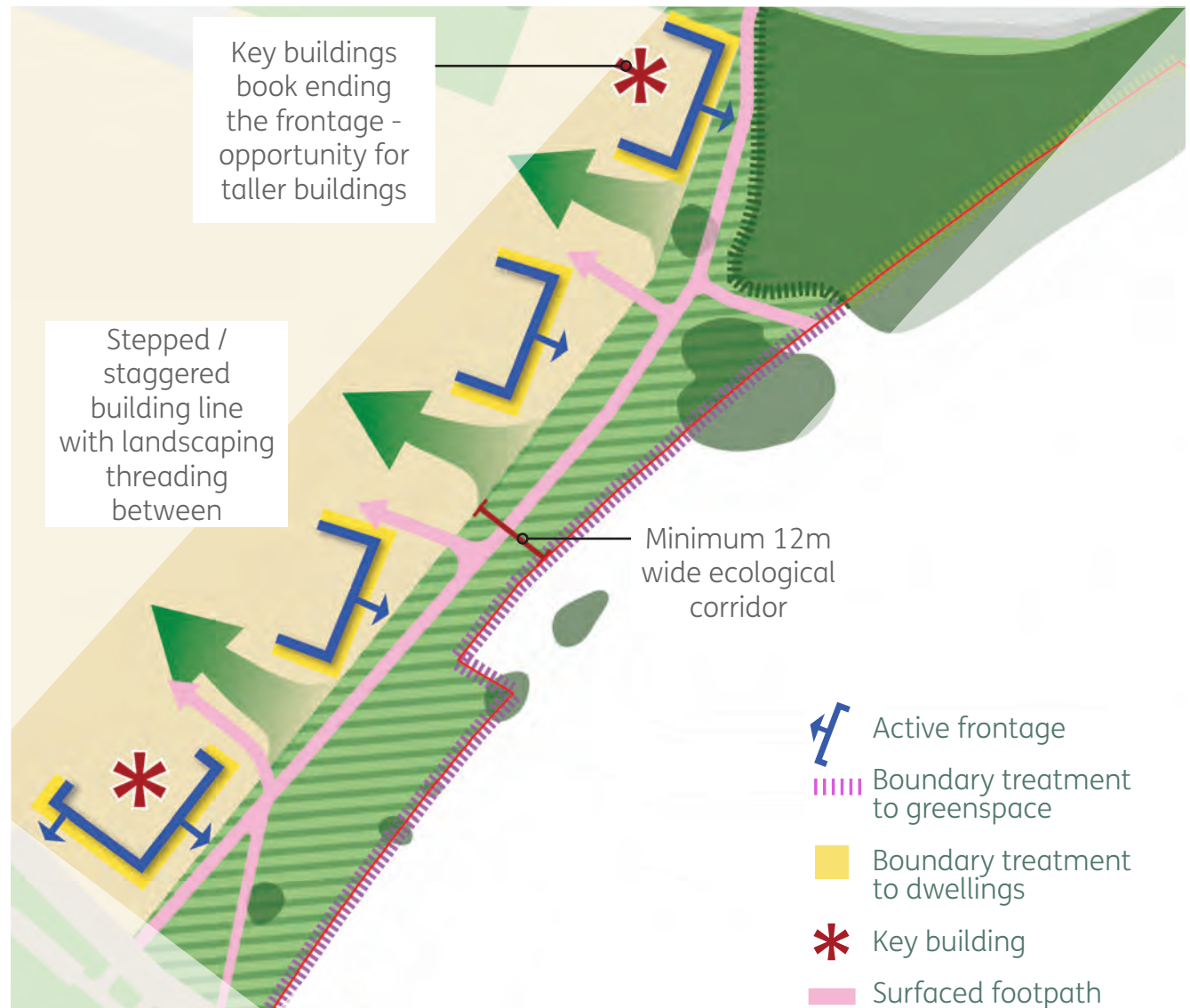
## 5.3 Bonville Glade

### Character

An enhanced woodland and new parkland that threads through the residential area. Characterised by the existing woodland to the north, with seasonal planting and informal glades, with new formal planting to the south connecting to the Wetland Meadow. Enhancing the public open spaces around the woodland will assist with wayfinding, improve the setting of residential properties fronting onto them and will maintain key habitats and foraging routes for existing wildlife. The southern area is characterised as a formal landscape with new tree copse planting, shrubs and a diverse grassland mix.



Location Plan



Bonville Glade Illustrative Diagram

## 5.3 Bonville Glade

### Design requirements

#### Landscape and public realm

- A surfaced path (including the existing public right of way) to encourage pedestrians to use the designated routes through the landscape.
- A mosaic of grazed/mown areas and taller, tussocky areas of high diversity grassland should be provided to support a diverse invertebrate assemblage as well as provide high quality foraging areas for birds, bats, badgers, reptiles and hedgehogs.
- Small patches of scrub should be planted to enhance the biodiversity of the area and provide a diverse mixture of habitat.
- Standard native trees should be planted to provide further habitat diversity and high-quality habitat for the future.
- Create informal glades within woodland and informal unsurfaced paths (except for footway associated with primary road corridor).
- Lighting within Bonville Glade should be carefully designed and kept to a minimum with directional lighting at frontages to direct light away from the habitat.



Surfaced path through the public open space, directing pedestrian movement.



The buildings provide great opportunity for wildflower green roofs.



## 5.3 Bonville Glade

### Design requirement

#### Built form

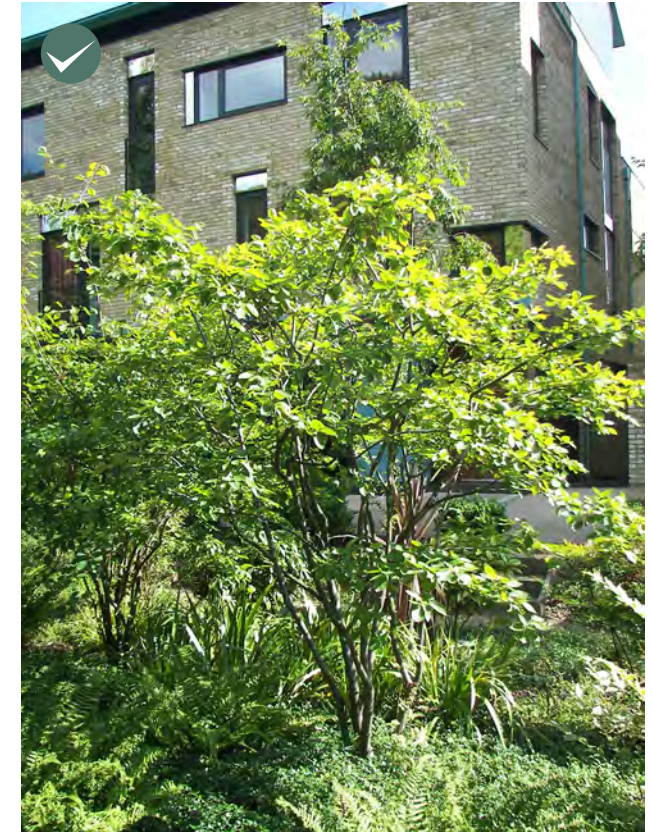
- A staggered / stepped building alignment allowing the landscape to thread between housing blocks;
- All buildings located at junctions / at the edges of development zones will be designed to “turn the corner” appropriately;
- If apartments are proposed along this edge, the stair / lift core should be located away from the Bonville Glade, enabling habitable rooms benefit from an outlook onto the greenspace and provide natural surveillance;
- There should be a marker building on the southern corner onto the space with active frontage onto Bonville Glade and the Wetland Meadow.



Apartment block with planted level change



Marker building with architectural features and building ‘turning the corner’ with windows and doors onto both sides.



Apartment nestled within a leafy landscape.

## 5.3 Bonville Glade

### Design requirement

#### Boundary treatment

##### Greenspace:

- A well defined edge, it may be planting, a level change or low walls which can provide informal seating.
- Additional species rich, native structure planting to strengthen the hedgerow around the site boundary should be provided;

##### Dwellings:

- A high-quality boundary treatment which include prominent planting, e.g hedge. Only lawn will not be allowed.
- The boundary treatment should be consistent throughout Bonville Glade.
- Apartments should have amenity and defensible space, separate from the Bonville Glade greenspace. This could be a courtyard space for ground floor apartments and balconies for upper floors.

#### Parking

- Parking should be screened from view from the public open space, either through locating to the rear of dwellings, or with landscape treatment.
- If access is provided to the front of properties, it should be a tertiary street / private drive that is sinuous in character, creating a more organic edge to the development.



Naturalistic boundary to a parkland.



Planted boundary treatment.

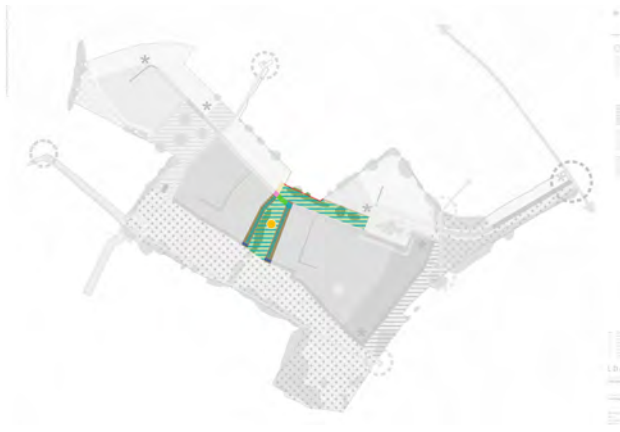


## 5.4 The Gate

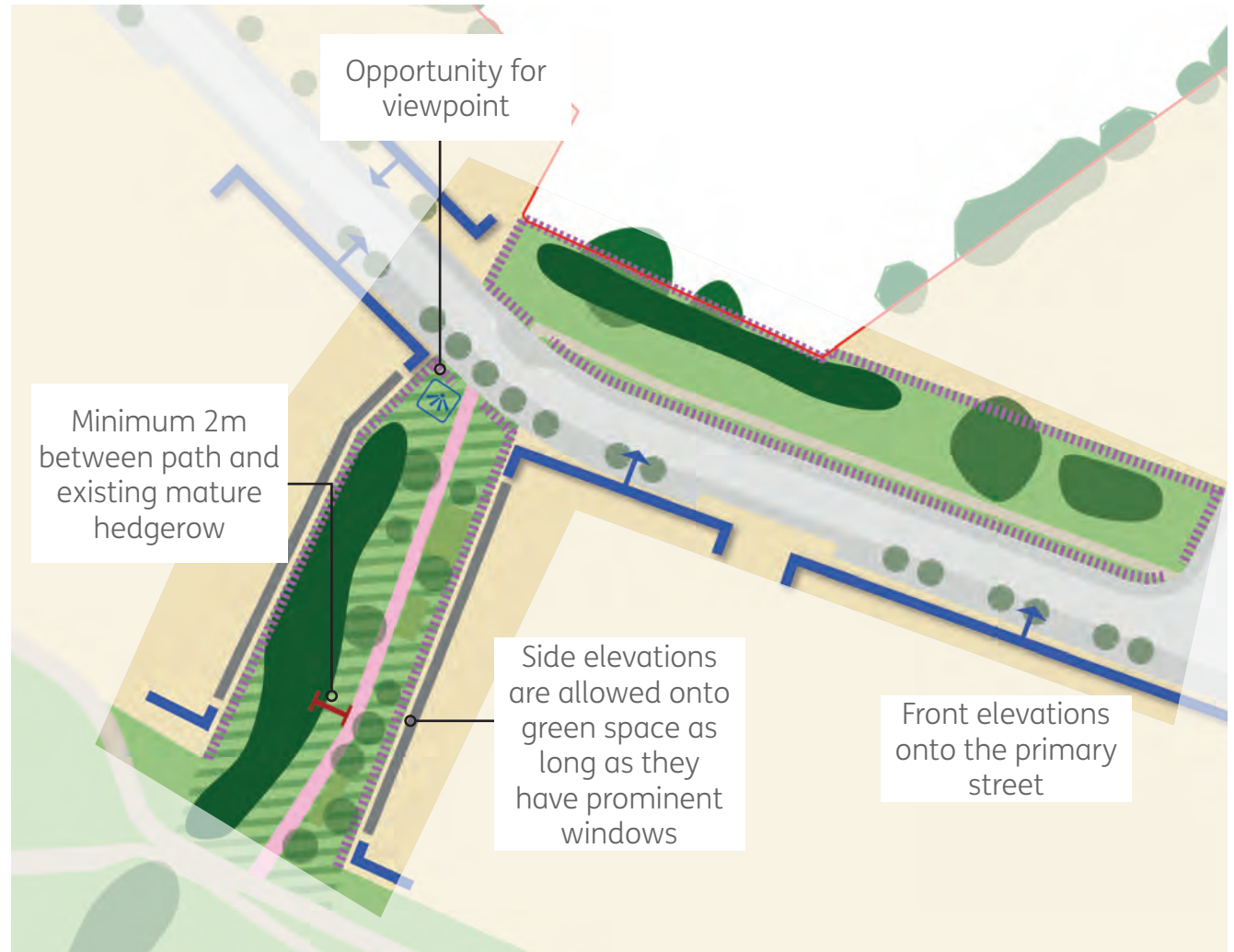
### Character

An ecologically rich space, connecting the Brislington Green to the Wetland Meadow. The existing hedgerow is an intrinsic part of the space; the landscape and built form should be designed to enhance this ecological link. There's a great opportunity to provide a resting space at the top of the green space to enjoy views across the south of Bristol.

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Location Plan



The Gate Illustrative Diagram



## 5.4 The Gate

### Design requirements

#### Landscape and public realm

- Retain existing hedgerow and trees as shown on the Regulating Plan with minimal breaks to the hedgerow, maintaining the north-south connection;
- Surfaced path to the east of the existing hedgerow with a minimum 2m buffer to the hedge base;
- Natural play / trim trail along the path, natural materials are encouraged;
- Diverse grassland with tree planting on both sides of existing hedgerow to ensure this wildlife corridor is maintained;
- Roads will only be permitted alongside one side of the greenspace to reduce the amount of light spill and interference with wildlife.



Hedgerow with 2m buffer and mown path



Positive use of topography to create a play feature



Use of gabion walling as a feature in the public realm - could be used to create elements of protection and enclosure as well as seating.

## 5.4 The Gate

### Design requirements

#### Built form

- Buildings and roads should be arranged to work with the topography as much as possible;
- Buildings should have active frontages with windows and front doors onto the street. Large areas of blank façades will not be allowed;
- Side elevations onto the public space are allowed as long as they have active frontages with prominent windows from habitable rooms. A small window is not sufficient.

#### Boundary treatment

Note: See Street Code for treatment of the primary street.

#### Greenspace:

- A formal boundary is not expected for this greenspace. However if required to delineate between public and private space or the greenspace and a road a naturalistic response is expected. For example a hedgerow or shrub planting, or a level change.

#### Dwellings:

- Front boundary: A high-quality boundary treatment which include prominent planting, e.g hedge. Only lawn will not be allowed.
- Side boundary: Natural boundary such as hedgerow. If a brick wall is proposed, it should be accompanied by planting and have gaps to allow wildlife, such as hedgehogs, to move through the boundary;



Example of a side elevation with suitable glazing and activation.



Side boundary brick wall accompanied with planting to soften the visual impact.



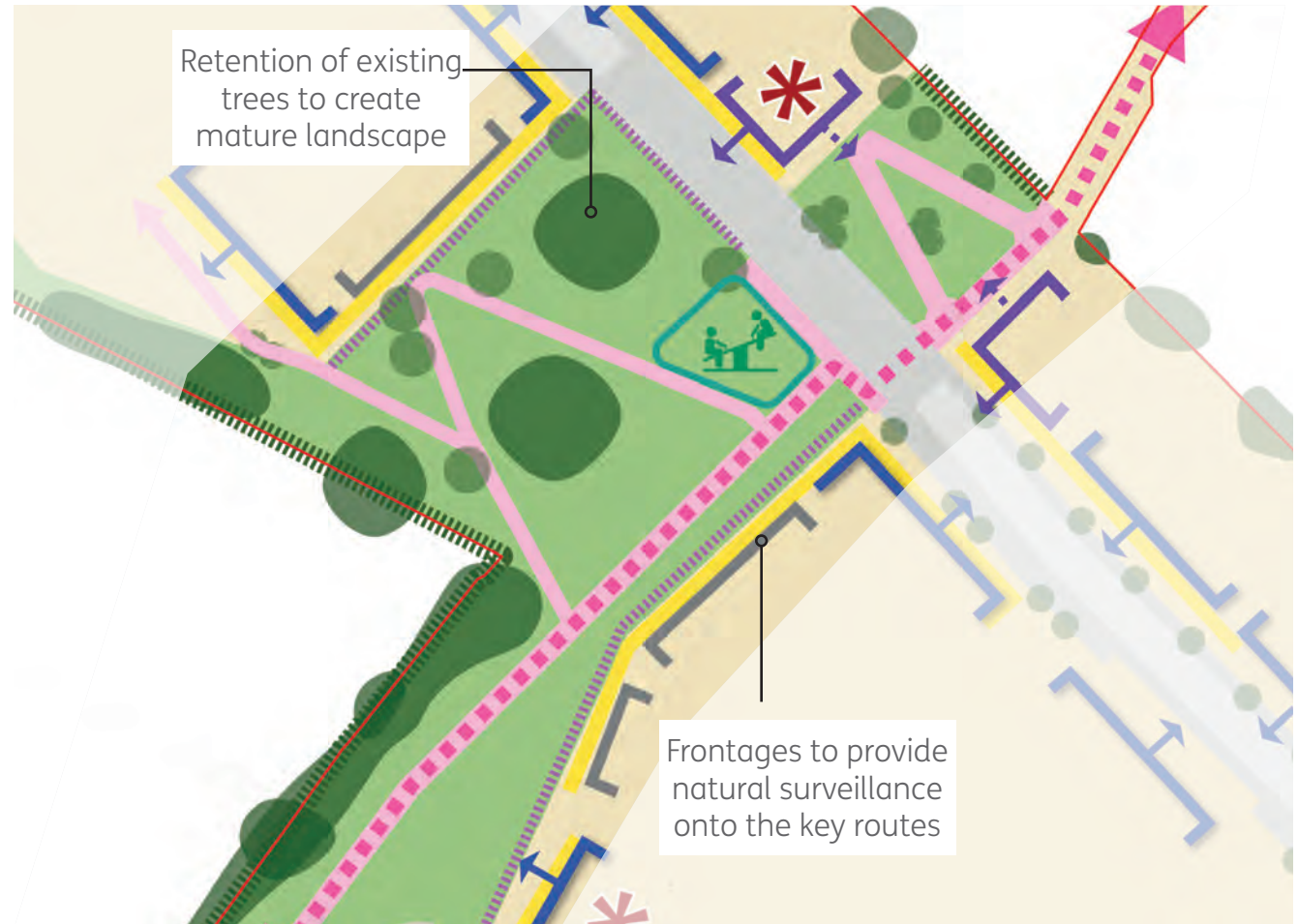
## 5.5 Brislington Heights

### Character

A space for people of all ages to learn, play and connect with nature. A key community space, providing a new connection from Broomhill Centre to Victory Park. Homes will enclose the space and provide natural surveillance, and existing trees will provide a sense of maturity to the landscape from the outset. New routes will be created, and existing natural paths will be retained to maintain the character of the existing routes. An innovative response to the topography is encouraged through landscape and built form design. There's an opportunity to provide seating and view points that capitalise on the spectacular views over the South of Bristol.



Location Plan



Brislington Heights Illustrative Diagram

-  Active frontage
-  Consider unique housetype that can provide active frontage onto the primary street and new pedestrian and cycle route
-  Boundary treatment to woodland
-  Surfaced footpath
-  Key building
-  Play area
-  Side elevation

## 5.5 Brislington Heights

### Design requirements

#### Landscape and public realm

- The space should have a playful landscape design, embracing the topographical changes;
- The space should have a formal play area, within close proximity of the new pedestrian / cycle link to the primary schools and nursery. Naturalistic play equipment is encouraged;
- The existing trees should remain connected to the vegetated boundaries with the allotment;
- The setting of the trees should be enhanced through landscaping;
- A network of routes that follow desire lines should be provided;
- A north-south pedestrian and cycle connection should be provided through the space.



Use of landscape features to deal with level changes - opportunity to be innovative.



Natural play features are encouraged.



Consider the creation of a space for the gathering of the community.



An opportunity for learning about and engaging with nature.



## 5.5 Brislington Heights

### Design requirements

#### Built form

- Buildings and roads should be arranged to work with the topography as much as possible;
- Buildings should have active frontages with windows and front doors onto the street. Large areas of blank façades will not be allowed;
- Side elevations onto the public space are allowed as long as they have active frontages with prominent windows from habitable rooms. A small window is not sufficient;
- Active frontage onto the ramp access should be considered to provide natural surveillance;
- A focal point should be provided at the southern edge as shown on the Regulating Plan. This can either be a marker building or an incidental space.



Building with side elevation with prominent windows



A focal point with marker building and play features defining the threshold between the space and the development

## 5.5 Brislington Heights

### Design requirements

#### Boundary treatment

##### Greenspace:

- A low 'racing' wall or knee rail, or posts to be used along northern boundary to create a distinction between the street and the play area / greenspace.

##### Dwellings:

- Front boundary: A high-quality boundary treatment which include prominent planting, e.g hedge. Only lawn will not be allowed.
- Side boundary: Natural boundary such as hedgerow. If a brick wall is proposed, it should be accompanied by planting and should have gaps to allow wildlife, such as hedgehogs, to move through the boundary;
- Timber fencing onto the space will not be allowed.



Planted boundary onto space.



Brick wall accompanied by planting.

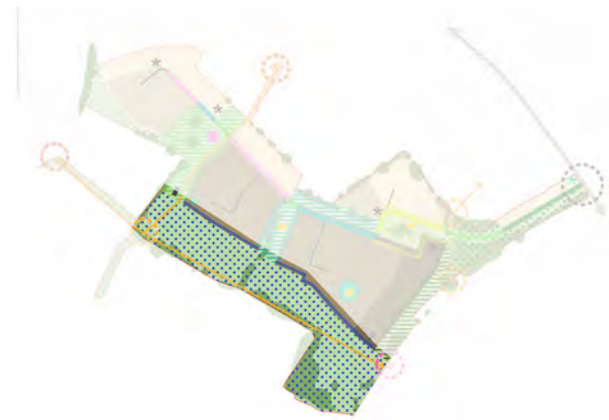


Low knee rail to public open space.

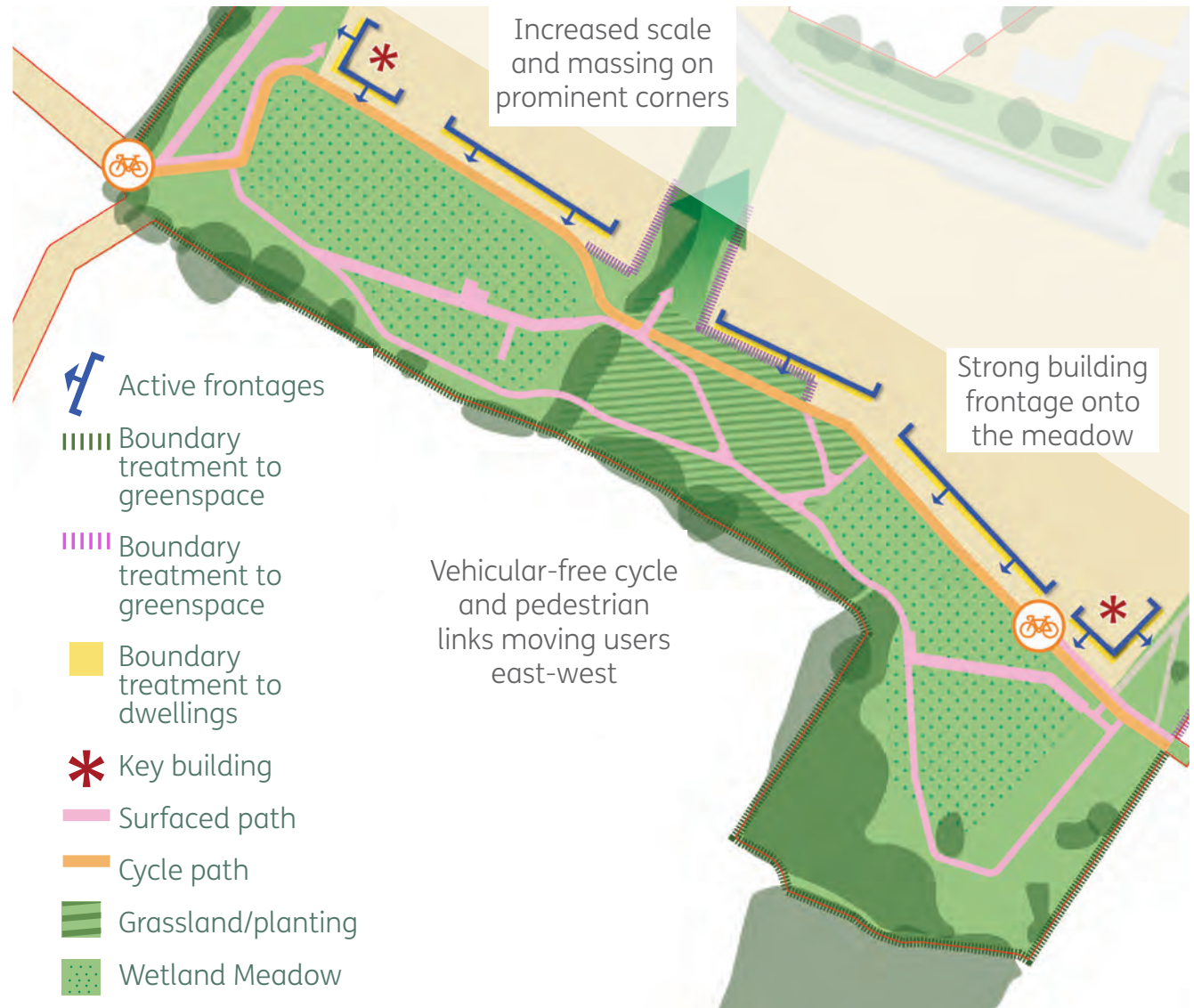
## 5.6 Wetland Meadow

### Character

The Wetland Meadows will serve as a public amenity space and as an extension to Victory Park to the south. Housing will enjoy an aspect onto the greenspace, with an opportunity for a strong building frontage creating a sense of enclosure and framing the space. Along with pedestrian and cycle paths, meadow flowering grassland, and elements of sustainable drainage, the meadows will provide the single largest area of on-site outdoor amenity space for the existing and future residents. The space provides a great opportunity to incorporate learning opportunities throughout the space, creating a strong link with Brislington Heights and the schools.



Location Plan



Wetland Meadows Illustrative Diagram



## 5.6 Wetland Meadow

### Design requirements

#### Landscape and public realm

- The SuDS basin should be designed with 'wet meadow' planting such as 'Holcus-Juncus' neutral grassland complemented with some small scrub patches. Plants should be tolerant to occasional inundation;
- The other parts of the meadow should be a 'dry meadow' planting such as 'Lolium-Cynosurus' neutral grassland;
- The space should be a diverse wild flower meadow to provide habitat for a range of invertebrates such as butterflies, bees and other pollinators;
- Hummocks and small pools should be designed into the floor of the attenuation areas to create varied micro habitats for invertebrates;
- Retained thickets of scrub and individual trees along the southern edge retain a vegetated frame around the open, central space and provides additional habitat for nesting birds.
- Boardwalks should be created across the attenuation areas to provide clear routes for pedestrians and cyclists.
- A dedicated pedestrian and cycle route should be provided within the wetland meadow connecting east-west.
- Additional footpaths and cycle paths should link from the parcel to the wider pedestrian network across the Wetland Meadow, ensuring good permeability.
- There should be no artificial lighting within the meadow other than along the cycle path.



Boardwalks through long mixed grassland



Consider the seasonality of planting and flowering grassland.

## 5.6 Wetland Meadow

### Design requirements

#### Built form

- Consistent, well defined building line with minimal set-back from the public realm;
- Repetition of dwellings of a similar typology and size to generate a strong rhythm along the southern edge of the development;
- Opportunity for a higher density approach with compact / urban house types, taller buildings and/or apartment blocks;
- Large areas of blank elevation facing the Wetland Meadow will not be allowed;
- Lighting from buildings, driveways and streets should be minimised.



Urban typology, consistent building line and building form.



Repeated building typology



Examples of a strong building frontage onto a green space.



A wetland meadow with rich planting, a boardwalk providing access through the landscape and well designed drainage outlet in brick



## 5.6 Wetland Meadow

### Design requirements

#### Boundary treatment

##### Greenspace:

- Existing features such as the brook, hedgerows and trees and neighbouring uses will determine the edges of the majority of the south western edge;
- Changes in level could be used to delineate between public and private space along the northern boundary, but this should not impede access.
- A high-quality boundary treatment which include prominent planting. Only lawn will not be allowed;
- If retaining walls are required, proposals should explore the opportunity for living walls to create a more attractive back-drop to the greenspace.

##### Dwellings:

- Due to the topography of the site, it is likely that some homes will be at a different level to the Wetland Meadow. Therefore, any boundary treatment should be open in nature e.g. low level planting or metal railing, to enable a visual connection between the homes and the greenspace;
- Vehicular access from low-key streets and private drives adjacent to the frontage.
- Parking provided on-plot, between dwellings and to the rear, behind the building line.

#### Parking



Raised courtyard terraces can provide amenity for dwellings and reduce the visual impact of driveways.

## 5.7 The Greenway

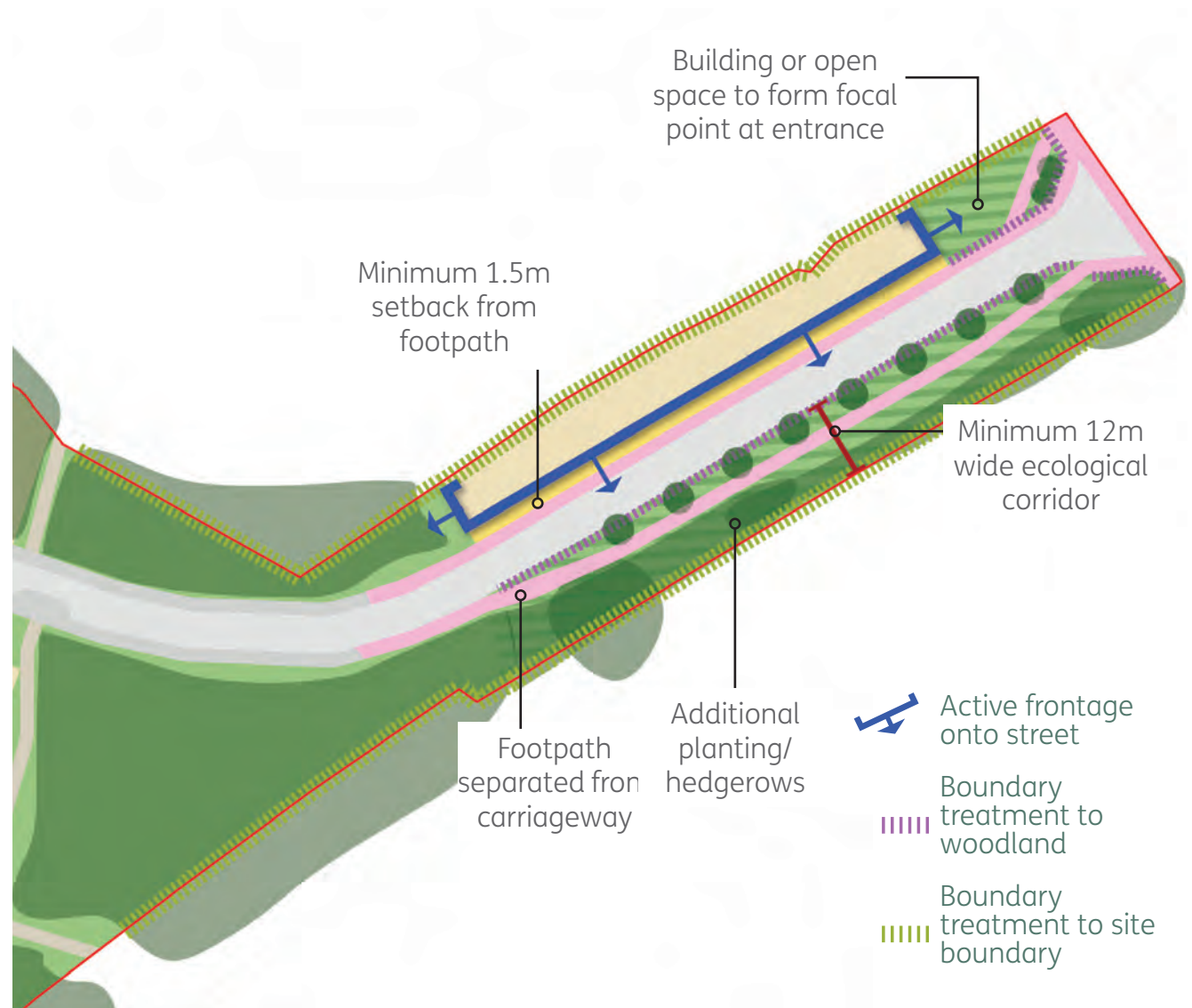
### Character

Buildings set within a tree-lined greenway, creating a welcoming entrance into Brislington Meadows. An important movement corridor for people and wildlife, connecting key destinations and landscape, incorporating habitat creation while also providing homes within a landscape setting.

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Location Plan



The Greenway Illustrative Diagram



## 5.7 The Greenway

### Design requirements

#### Landscape and public realm

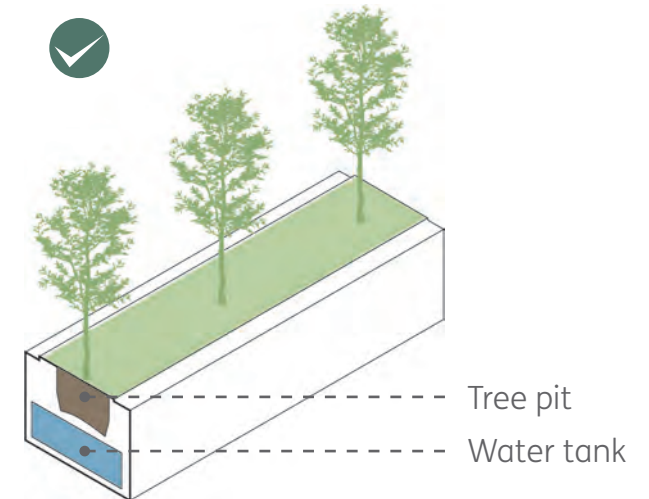
- Corridor of semi-natural habitats along the street should be minimum 12m wide (can include 2m footpath).
- A 2m footpath separated from the carriageway, set within landscape, meandering through new and existing tree planting.
- Street trees should be provided along the street and green corridor. These should be planted semi-mature with a minimum girth of 25-30cm and 2.5m clear stem;
- Additional planting and hedgerows should be provided to enhance the wildlife corridor;
- Drainage features can be incorporated above or below ground. Where below ground, planting must be provided on top to maintain green corridor (see adjacent section for more details).



Standing dead wood are great for wildlife and can be incorporated within the overall landscape



Retained hedgerow incorporated into space.



Illustrative section of how trees could be accommodated above an underground storage tank.

## 5.7 The Greenway

### Design requirements

#### Built form

- Buildings should have active frontages, with windows and front doors facing onto the street;
- There should be no direct overlooking to existing properties to the north-west of the site boundary;
- Buildings should have a consistent building line and set back from back of footpath. The set-back should be a minimum of 1.5m allowing for front garden planting;
- Proposals should consider both ends of the built form and the streetscene as a whole;
- A focal point should be provided at the entrance to the site. This could either be an incidental space or a marker building complemented with prominent planting (see the Regulating Plan for extents of development zone).

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Mews house type with no rear windows allows for an alternative design solution to traditional back to back.



Dwellings with side gardens, active frontage onto the street and no rear windows with a planted boundary complementing the built form.



## 5.7 The Greenway

### Design requirements

#### Boundary treatment

##### Site boundary:

- Additional species rich, native structure planting to strengthen the hedgerow around the site boundary should be provided;
- A boundary to the properties on Broomhill Rd/Condoover Rd that side or back onto the site should be provided that ensure privacy and security to these properties. This should include a thick and thorny hedge which will also support this important ecological corridor.

##### Woodland:

- No formal boundary between the woodland the surrounding greenspace to enable connectivity for people and wildlife.

##### Dwellings:

- A hard boundary such as a low masonry wall or railing complemented with prominent planting to give this area a leafy character. Only lawn will not be allowed.
- If buildings have a side garden and higher walls onto the street, these should have planting in front.

#### Parking

- Driveways and parking bays should be grouped where possible to reduce impact on landscaping of the street and enable more substantial areas of planting to the boundaries;
- Parking spaces should not be visible from the entrance into Brislington Meadows (from Broomhill Road).



Planting in front of high boundary wall

## 5.8 The Wild Edge

### Character

A naturalistic area of open space with limited / no access to enable a wildlife focus. New tree planting will reduce the visual impact of the houses in this part of the site, and shrub and hedgerow planting will reinforce existing ecological corridors.

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Location Plan

### Design Requirements

#### Landscape and Public Realm

- Scrub and native hedgerows will be planted to create a naturalistic environment.
- New tree planting will be planted to reinforce the existing tree belt.
- Due to topography, an underground water storage tank or pumping station area may be required within the public space. The design of this service requirement should be done in combination with the landscape design.

#### Built Form

- Buildings can front, side or back onto the space. The design should take opportunities for views into account.

### Boundary Treatment

#### Greenspace:

- Additional species rich, native structure planting to strengthen the hedgerow around the site boundary is encouraged;

#### Dwellings:

- A hedgerow boundary or wall to provide a clear delineation between public and private space.



Biodiverse space with limited access whilst still providing positive interaction between buildings and the space.



## 5.9 Incidental spaces

### Character

Important local community provision of amenity space. The location will be determined by the layout of the residential areas, but they should form a focal point for the immediate residential area with good natural surveillance from surrounding homes. Incidental spaces can vary in size but are most successful if they have got a clear purpose, are well designed and well overlooked. They also provide great opportunities for planting, seating and informal play.

### Design requirements

#### Built form

- Buildings should have active frontages, with windows and front doors facing onto the space;

#### Landscape and public realm

- Include a play area – LAP / doorstep play where appropriate as part of the site-wide play strategy;
- Each incidental greenspace should be a minimum of 100sqm area;
- Each should have its own identity and clear purpose to reinforce local distinctiveness and assist with wayfinding;
- Spaces should be predominantly green.

#### Boundary treatment

The space

- A well defined edge, but would not need to be fenced. It may be defined

by planting, a level change or low walls / seating edges.

- No boundaries around play areas where located next to footpaths.

#### Dwellings

- Front boundary: A high-quality boundary treatment which include prominent planting, e.g hedge or low level planting. Only lawn will not be allowed.
- Timber fencing is not allowed onto the incidental spaces.

#### Parking

- Car parking can be integrated into the space if these are well screened and broken up by prominent planting;
- No more than 6 perpendicular parking spaces before a break to allow for tree planting, pedestrian and cycle access. Less frequent breaks for planting can be allowed where larger trees or areas of planting are proposed.



A leafy incidental space with rich planting and active frontages onto the space.



A small incidental space with a clear purpose.



A large incidental space with only hard surfacing and small tree in compromised tree pit.



## 5.10 Key buildings

These are buildings in visually prominent locations or on corners, addressing key routes and spaces. The positioning and architectural expression of these buildings should therefore be given particular consideration at the design stage of reserved matters applications to ensure appropriate treatment is achieved. Proposals should demonstrate how marker buildings have been designed to reflect their prominence and status: they will demonstrate qualities over and above neighbouring buildings such as distinct architectural form, increased height, increased expanses of glazing, and additional external structure or features.

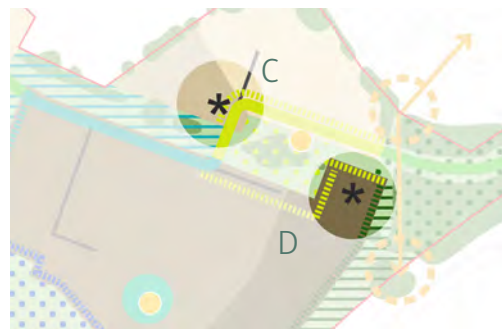


Example of a key building



### Residential area

- A - A building should be positioned to terminate the vista at the end of the primary street.
- B - A building in this location will be visually prominent from Brislington Heights and the new ramped access to Fermaine Road. An opportunity for a unique housetype that responds to multiple frontages.



### Brislington Green

- C - terminating a view along the primary street, important for wayfinding.
- D - a key building with multiple active frontages, marks the transition from the woodland into the main residential area.

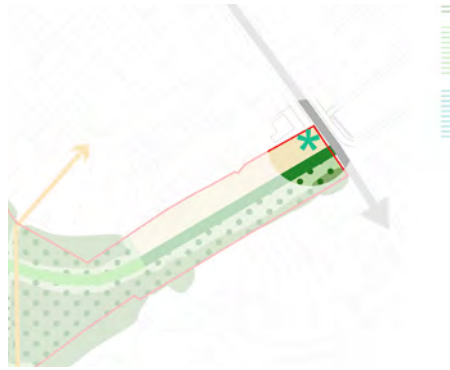


### Bonville Glade

- A visible frontage onto both Bonville Glade and the Wetland Meadow.
- Opportunity for a taller building due to location on lower contours.
- Differentiation in material selection / accent colours encouraged to aid legibility.

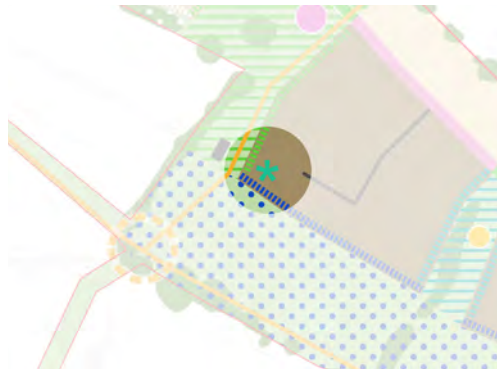
## 5.11 Focal points

These are locations within Brislington Meadows that require special design guidance and consideration. There are a number of ways in which these spaces could be delivered – either through built form or landscaping. The key consideration is ensuring the design of this space responds to the specific requirements of its location and play an important role in the placemaking at Brislington Meadows.



### Greenway Focal Point

- The entrance gateway into Brislington Meadows for all forms of traffic.
- Design should have a landscape focus to link to Eastwood Farm opposite.
- Potential for either a built form or landscaped design response.
- Ensure use of high-quality materials including on the boundary treatments.



### Wetland Meadow

- Visually prominent location from PRow and pedestrian / cycle routes entering the site from Victory Park and School Road.



Building and landscape creating focal point.



# 6.0 Street Codes

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## 6.1 Introduction

### Encouraging sustainable forms of travel

The streets should be designed to prioritise walking, cycling and other active travel modes. All streets within Brislington Meadows are low-traffic streets suitable for on-carriageway cycling. The design of the streets should create a pleasant experience for on-carriageway cycling for example by designing for low traffic speeds and carefully considering adjacent parking to avoid conflict.

The development should provide frequent and pleasant paths for active travel modes to make these the preferred mode of travel. These paths should connect Broomhill Road, School Road, Allison Road and Victory Park.

Due to the nature of the site with green corridors connecting north and south, secondary and tertiary streets will largely be cul-de sacs for vehicle traffic. These streets should provide cycle and footpath connections wherever possible to maximise connectivity for these modes across the site and to adjacent areas.

### Streets for all

Streets should be designed for everyone and take into account different levels of ability and different ways of moving around. At the same time, Brislington Meadows is a site with steep topography that make it challenging to provide shallow gradients and step free paths across the whole site. It is expected that development proposals should strive to provide shallow gradients and accessibility for all wherever this is possible. For instance if a street needs to be steeper, an alternative shallower route can be provided elsewhere. The BCC standards set recommended gradients but allow for exceptions on sites with steep topography.

Tactile paving should be provided to mark crossing points and drop kerbs and raised tables at junctions will make it easy for people with buggies and wheelchairs to cross the streets.

### Clutter free streets

The streets should be designed to be intuitive and clutter free environments. Sensory cues for people, that will negate the need to use signage, should be provided along the street wherever possible. This includes clear delineation of parking bays and pedestrian crossing points through high quality materials and detailing.

The design will avoid the use of white and yellow lining to define parking restriction wherever possible. EV charging points should be accommodated on plot wherever possible.

### Traffic Speeds

All streets should be designed to suit a maximum speed limit of 20mph with suitable street widths, parking arrangements, planting and materials.

On longer straight sections of the street, slower speeds should be encouraged through changes in carriageway material, build outs to alter the carriageway alignment and narrowing the carriageway at key places such as pedestrian and cycle crossings.

## 6.2 Primary street

The primary street moves through a series of spaces with varying character along its length. It should be designed as a leafy urban environment with strong frontages and landscaping that complement the areas of green space. The street will have consistent general principles along the whole length but with subtle variations that reflect the different spaces and edge conditions.

Details of the section of street that go through the Greenway and Brislington Community Green are included within Chapter 4.0 Spaces.

### Design requirements

- The design of the primary street should take topography, spaces, paths and development areas into account. The alignment shown on the Regulating Plan is indicative only.
- The typical street section should be a 5.5m carriageway (with widening on bends to allow for a refuse lorry to pass a car) and 2m footway on each side. Cycling will be accommodated within the carriageway;
- Level changes between the footpath and the front door should be a max. 150mm step or a gentle sloping path;
- A consistent utilities corridor should be provided within the footway. Services must avoid tree pits and planted zones;
- The buildings along the street should have a uniform rhythm with consistent height, roof lines and massing. Marker buildings in key places are exempt;
- Buildings should have a consistent building line and set back from back of footway. The set-back should be min. 1.5m or 2m if the front garden accommodates bicycle or bin storage.
- Buildings should provide good enclosure. Gaps between buildings, e.g. for parking and access, should be maximum 7m when two driveways are paired.

### Built form

- Buildings should have active frontages with windows and front doors onto the street. Large areas of blank façades will not be allowed;

### Boundary treatment

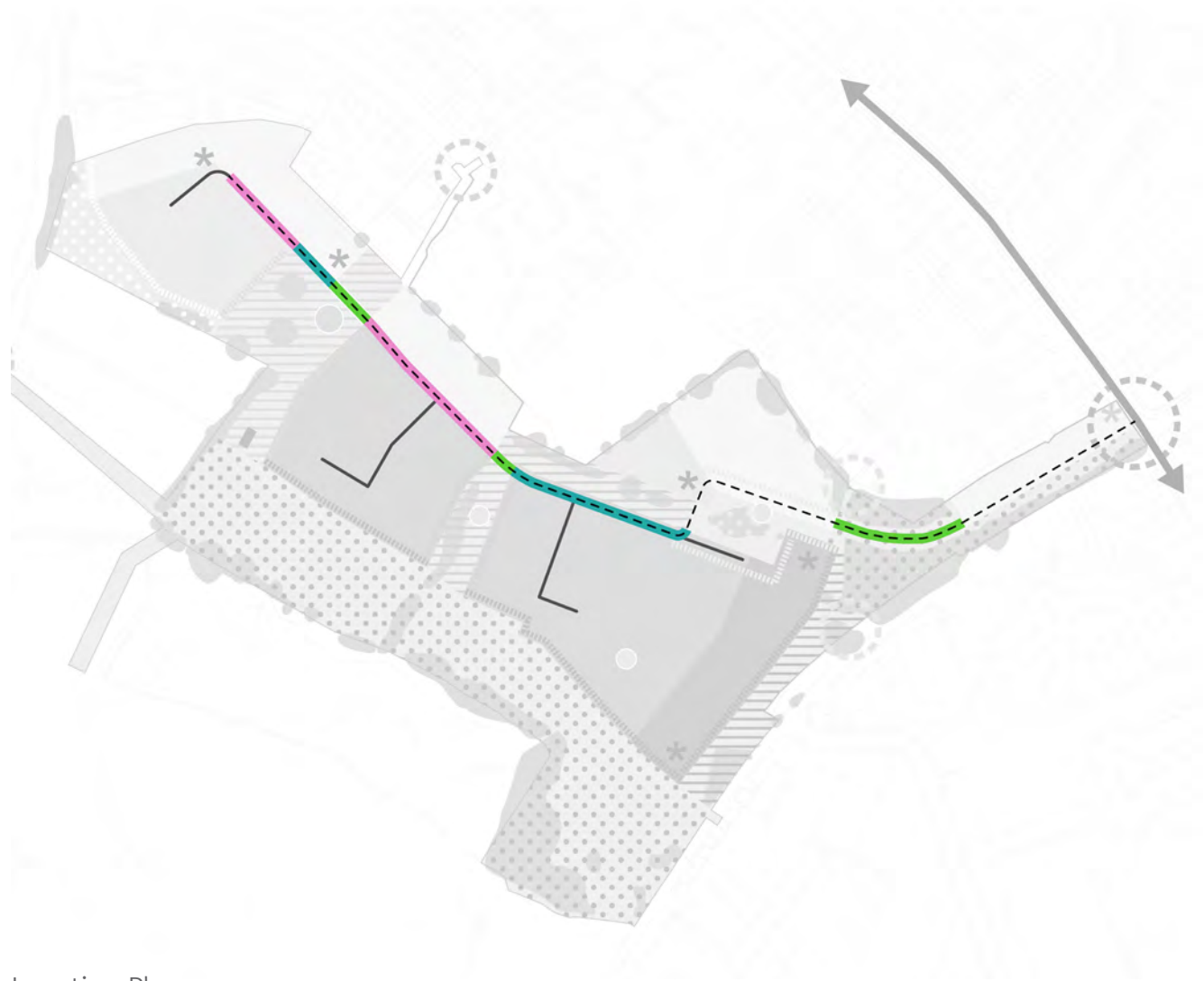
- A hard boundary such as a low masonry wall or railing complemented with prominent planting. Only lawn will not be allowed;
- The boundary treatment should be consistent along the Primary Street. Subtle variations are allowed;
- Standard timber fencing is not allowed.



**Street Codes**

-  Primary street - General requirements p.52
-  Primary - Double-sided frontage p.56
-  Primary - Single-sided frontage p.58
-  Primary - Through green space p.59
-  Secondary & tertiary streets p.60

All street alignments shown are indicative



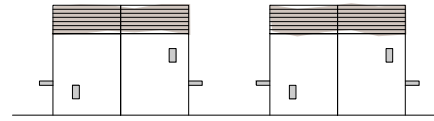
Location Plan



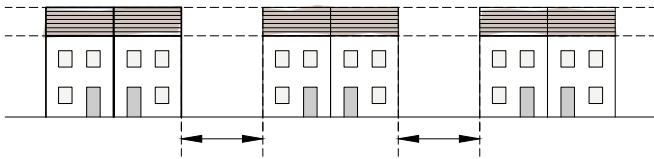
Active frontages onto the street



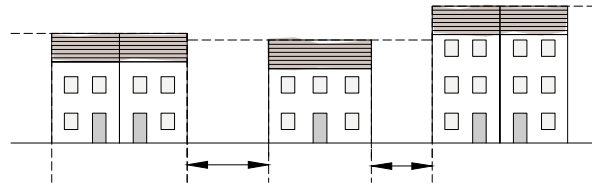
Large areas of blank facade onto the street



Uniform rhythm and composition of house types

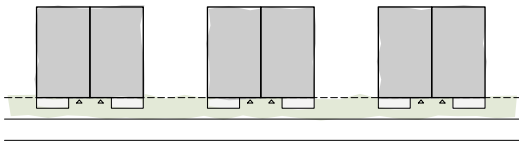


Random mix of housetypes with varied massing and uneven gaps

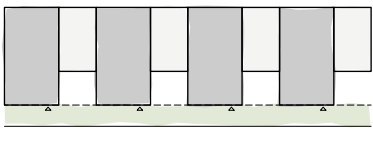
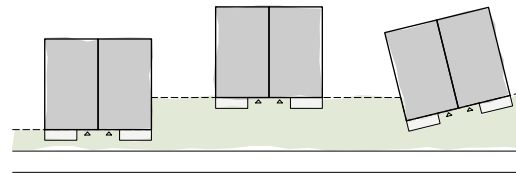


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Consistent set-back from the street



Inconsistent set-back and orientation



## Design guidance



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Consistent building line and strong frontage with railings and planted boundary.



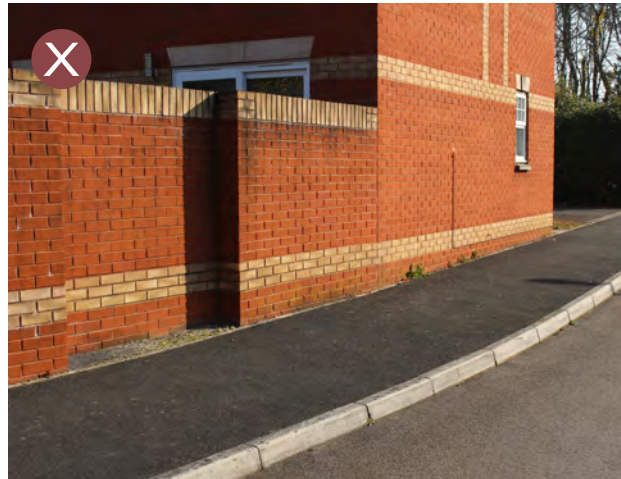
House on corner with active frontages with prominent windows onto both streets.



High-quality boundary treatment with prominent planting



Inconsistent roof line and massing



A small WC window is not sufficient to provide active frontage onto the street



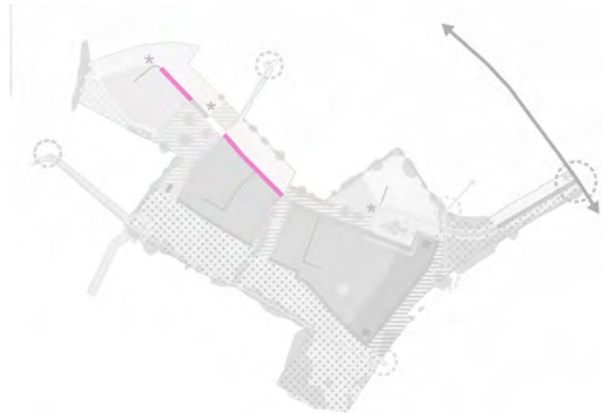
Poor boundary treatment with only lawn

# Primary street - Double-sided built frontage

## Design requirements

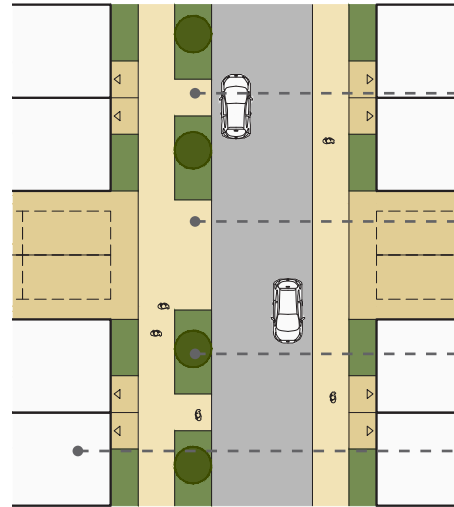
- This section should have a minimum 1.5m wide verge with planting and trees at least on one side of the street. Gaps in the planting for driveways and parking should be kept to a minimum. Frequent gaps for pedestrian and cycle access should be provided;
- Street trees should be semi-mature with a minimum girth of 25-30cm and 2.5m clear stem when planted.
- Boundary treatment should be consistent on both sides.

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Location Plan

Typical street section with parking between dwellings



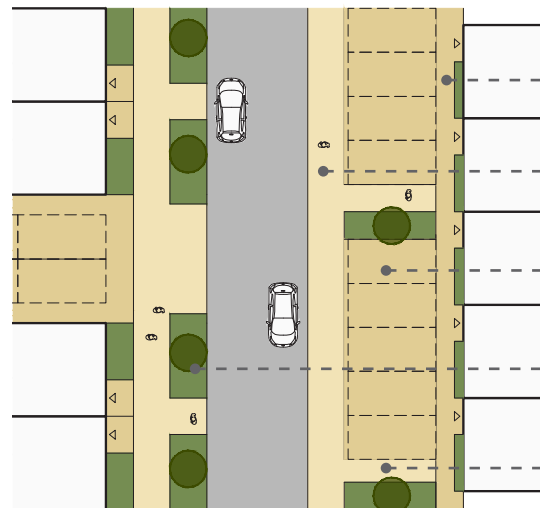
Gaps for pedestrian and cycle access

Gaps kept as tight as possible

Planted verge with rectangular shape to ensure sufficient space for trees

Consistent building line

Typical street section with parking between and in front of dwellings



Space for pedestrian and cycle access

Footpath adjacent to carriageway

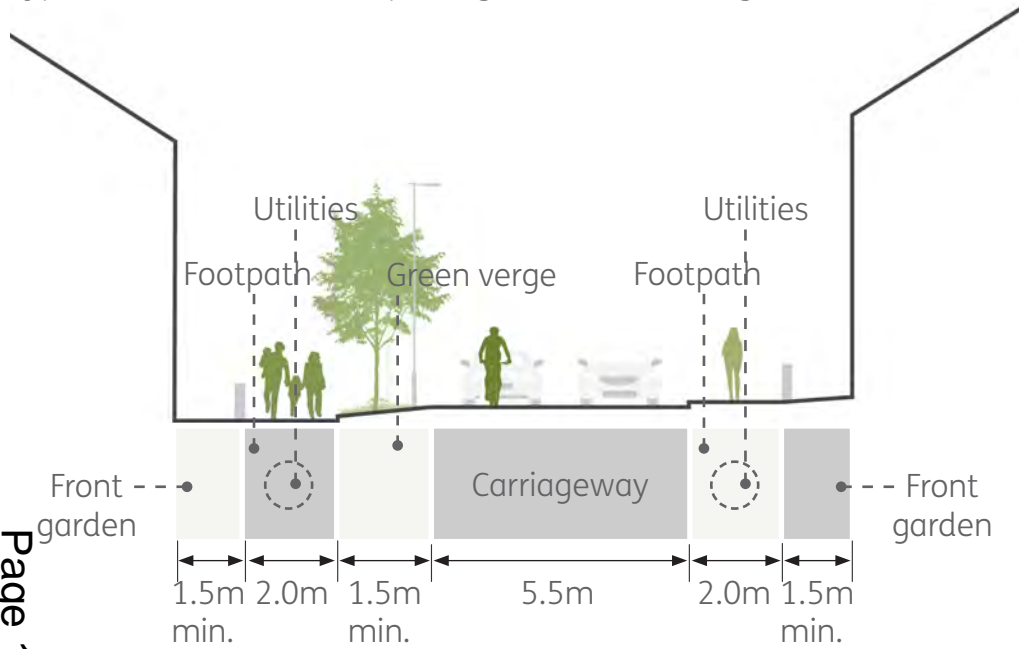
Parking on plot

Planted verge with rectangular shape to ensure sufficient space for trees

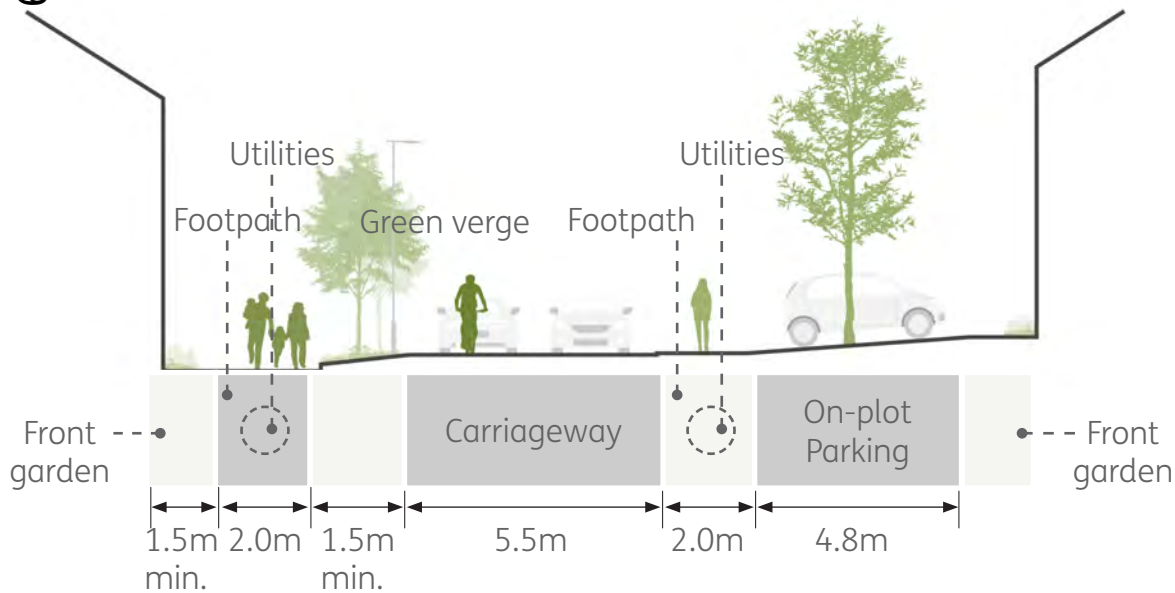
Gaps for pedestrian and cycle access



Typical street section with parking between dwellings



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Opportunity for rain gardens/swales with trees and high quality planting



1.5m wide verge with rectangular shaped planting area to allow sufficient space for trees

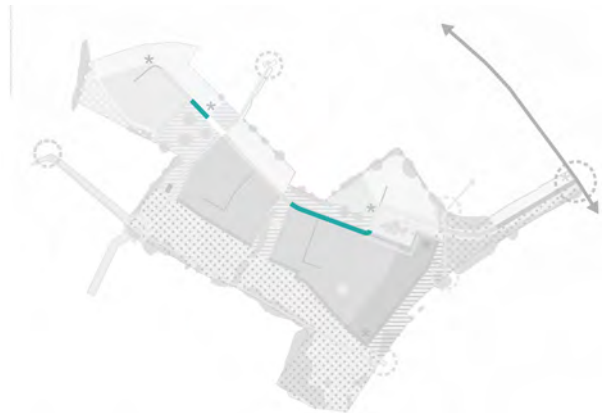


## Primary street - One-sided frontage onto green space

### Design requirements

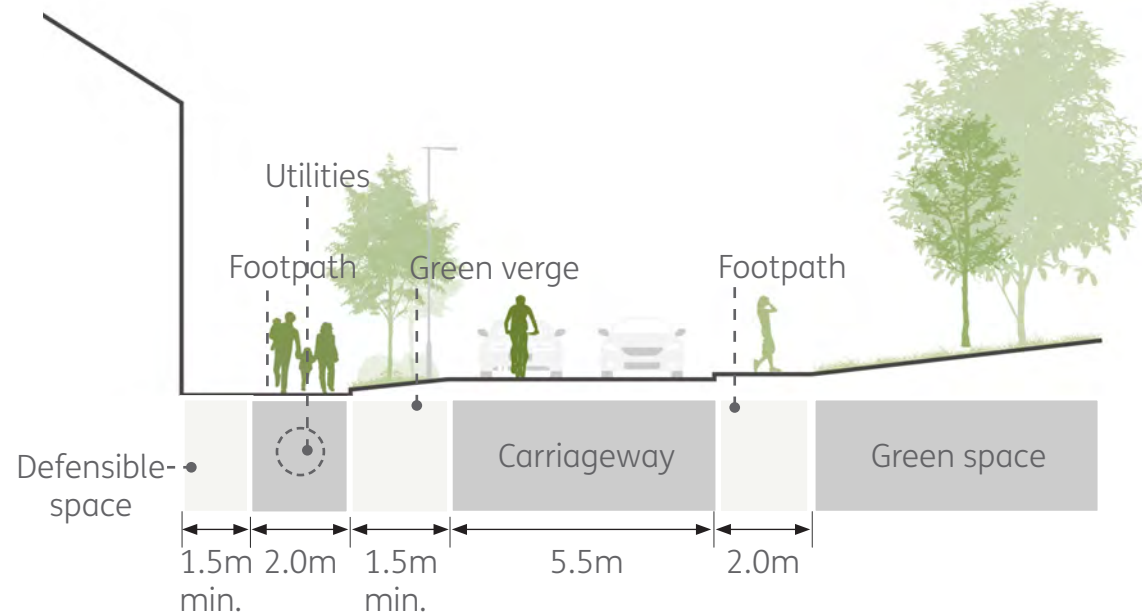
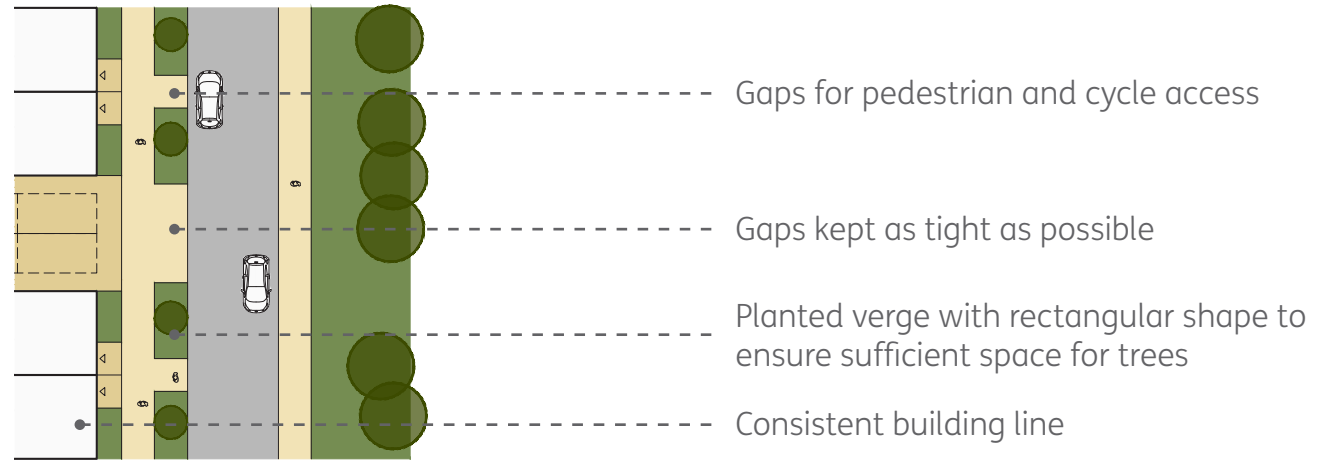
- This section should have a minimum 1.5m wide verge with planting and trees between the carriageway and footpath at least on one side. Gaps in the planting for driveways and parking should be kept to a minimum. Frequent gaps for pedestrian and cycle access should be provided;
- Street trees should be semi-mature with a minimum girth of 25-30cm and 2.5m clear stem when planted.

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Location Plan

Typical street section

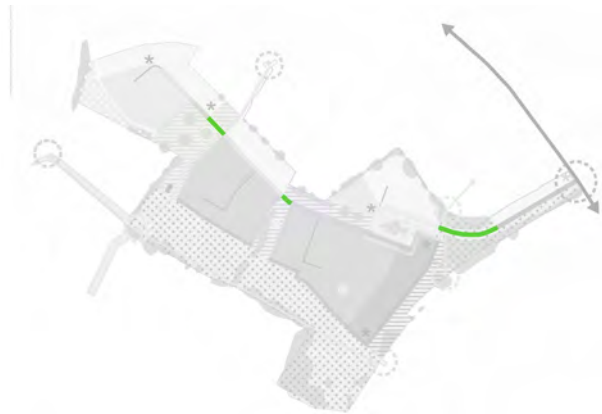


# Primary street - Through green space

## Design requirements

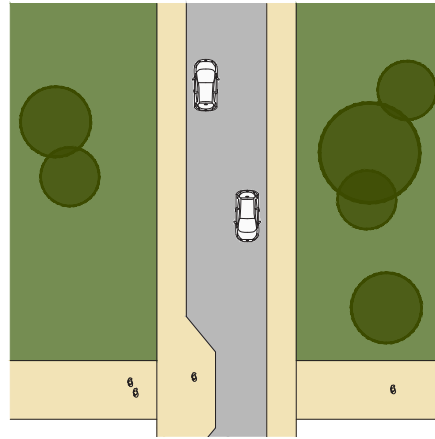
- The street section should be kept as tight as possible when it passes through open space
- The street should have localised narrowing of the street where the footpath crosses the street;
- These sections of street can accommodate on-street parking within localised narrowing of the street where there is sufficient forward visibility. This should be a maximum of 2 spaces enclosed by planting and footway build out.

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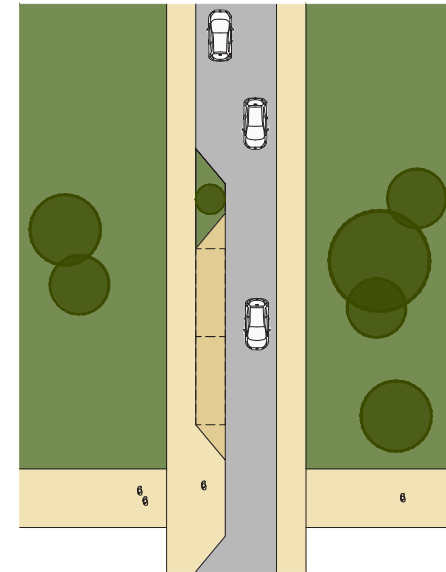


Location Plan

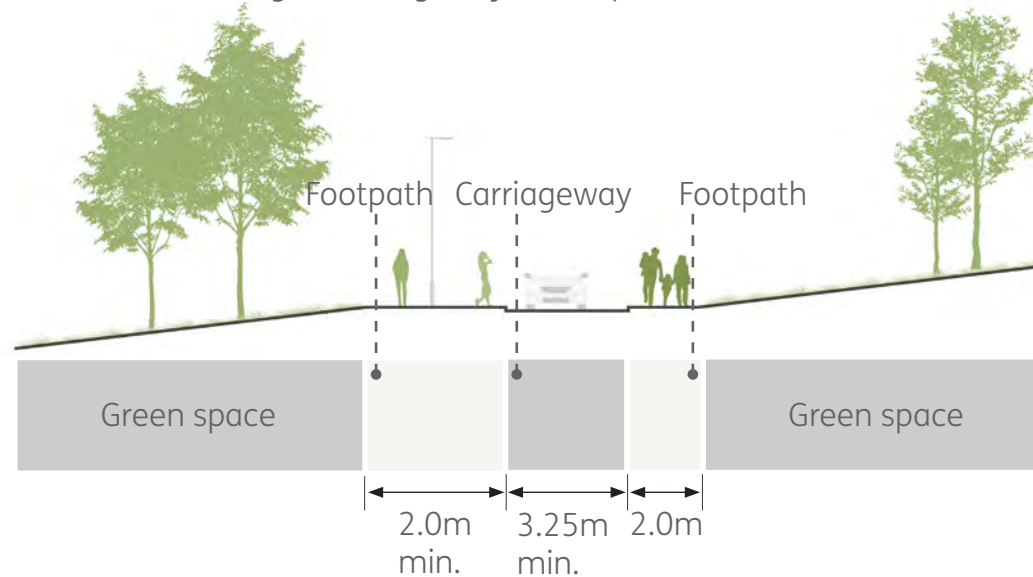
Localised narrowing of carriageway at footpath



Localised narrowing with parking



Localised narrowing of carriageway at footpath



## 6.3 Secondary/Tertiary streets

### Design requirements

#### Street section option 1:

- A 5.5m defined carriageway (with widening on bends to allow for a refuse lorry to pass a car) and 2m footway on each side.

#### Street section option 2:

- A pedestrian priority street with a level surface of minimum 7.5m.

#### Landscape

- Planting and street trees should be incorporated within the street design to give the streets a leafy character
- Street trees should be semi-mature with a minimum girth of 25-30cm and 2.5m clear stem when planted.

#### Built form

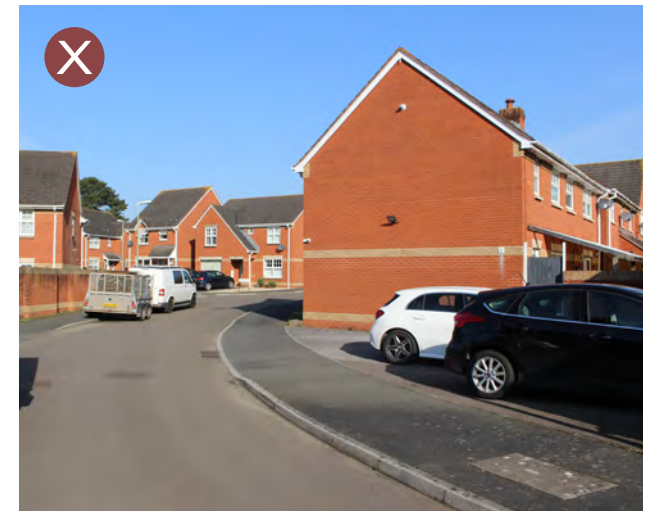
- These streets can have consistent or staggered building lines and set-back;
- Where the building line is staggered side elevations should have prominent windows to avoid blank façades onto the street;
- The set-back should be a minimum of 1.5m or 2m if the front garden accommodates bicycle or bin storage.
- Buildings should provide good enclosure with well considered gaps for parking and access.

#### Boundary treatment

- A high-quality boundary treatment e.g. a low wall. The boundary should have some prominent planting, e.g. hedge or low level planting. Only lawn will not be allowed;
- Timber fencing is not allowed onto.

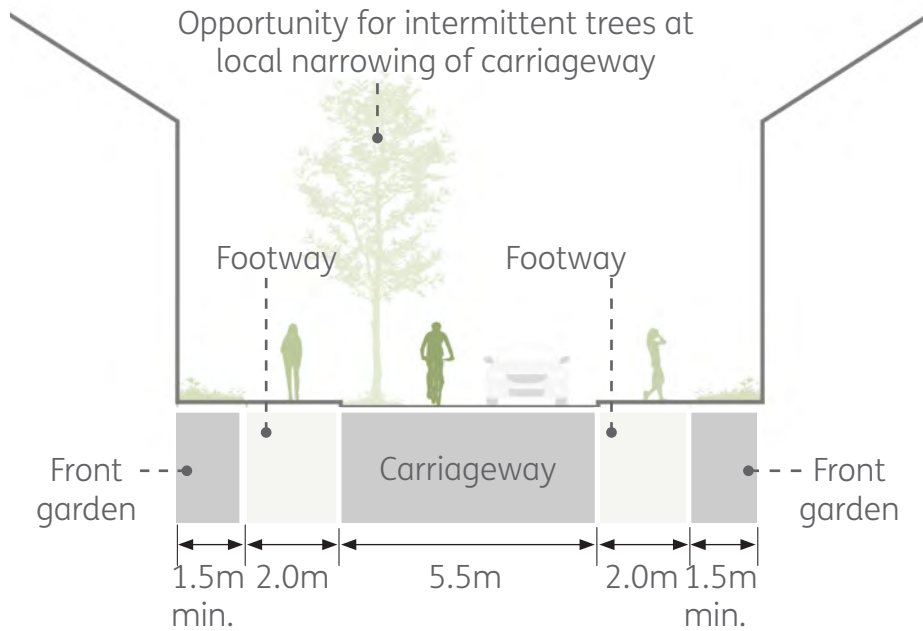


A staggered building line creating interest whilst avoiding blank facades onto the street



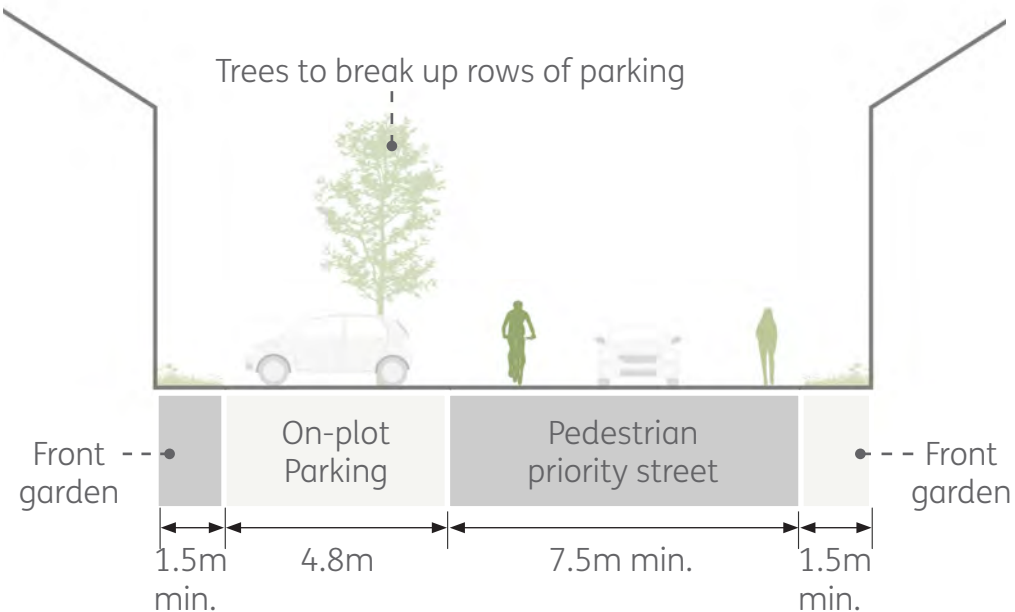
A poorly considered staggered building line with large blank facade onto the street

### Example of street section option 1



Precedent image for option 1: Local narrowing of carriageway with tree.

### Example of street section option 2



Precedent image for option 2: Pedestrian priority street with planted front gardens.



## 6.4 Junctions

Junctions are important multi-functional places within a neighbourhood and should have space for people to move as well as stop and play or socialise. They should be designed to be attractive nodes that are pleasant places for people and not be dominated by the physical requirements for vehicle movement.

Brislington Meadows will have a few key junctions or nodes that will help define the character and create a legible network of streets and spaces. The most prominent is the junction at the entrance to the site between Broomhill Road and the new entrance street (Greenway). There is a great opportunity to provide a junction with a strong landscape and an incidental space to welcome people into the development. An illustrative plan of what this junction could look like is included within chapter '4.0 Spaces Codes'.

### Design requirements

#### The street

- The design of all junctions should comply with the design principles set out in the Manual for Streets (2007) and Manual for Streets 2 (2010), including visibility splay standards;
- Pedestrians and cyclists should have priority over motor vehicles
- Raised tables should be designed to be comfortable for cyclists and disabled users;
- The junction size and corner radius should be kept as tight as possible. It is acceptable for larger vehicles to use the opposite carriageway where turning where good visibility can be demonstrated;
- The junction design should enable straight pedestrian and cycle desire lines;

- Signs, barriers and other clutter should be avoided.

#### Built form

- Junctions should be well-enclosed by built form with active frontages onto both streets;
- Marker buildings that for example are taller or have prominent architectural features can be used to provide interest and variation. Locations of these are shown on the Regulating Plan.



Pedestrian and cycle friendly junction



Tight junction radius and raised table



Junction between a street and a footpath where a raised table and textured paving gives clear priority to pedestrians



Marker buildings on junction with active frontages onto both streets



Oversized junction with lack of strong frontage



# 7.0 Level Changes Code

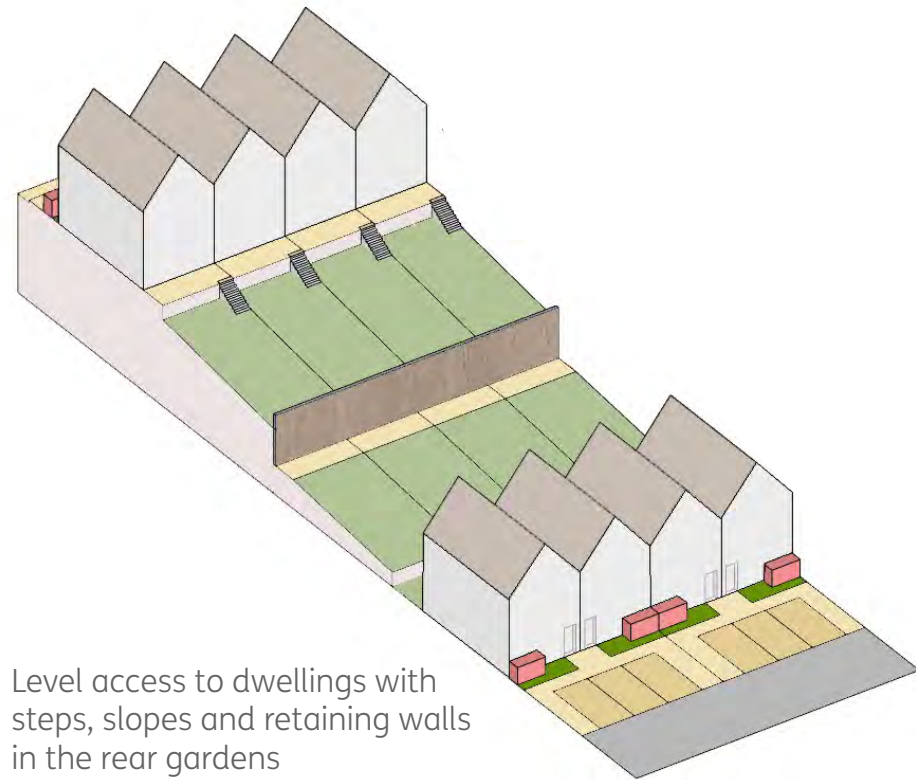
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## 7.1 General approach

Brislington Meadows is a site with a varied and steep topography that is an important part of the site's unique character. Proposals should work with the topography and maximise the positive benefits through creating spectacular views, characterful terraced landscapes and well-considered retaining features.

The topography needs to be carefully considered at all stages of the design from setting out the overall site layout to construction details to minimising negative impacts such as large retaining walls and disconnected streets and spaces. Proposals should seek to strike a balance between topographical constraints and ease of accessibility.



Level access to dwellings with steps, slopes and retaining walls in the rear gardens

Site boundary



Site boundary

Illustrative section through the site with level streets, terraced and sloping gardens and sloping spaces



## Design requirements

### Accessibility

- The streets should have minimal level change across the section;
- Planted verges can accommodate gentle slopes where necessary;
- Level changes between the footpath and the front door should be a maximum 150mm step or a gentle sloping path;
- The carriageway should have a gradient of 1:20 wherever possible so footways alongside the road provide suitable access for all. Where topography doesn't allow 1:20 without excessive earthworks or retaining walls an alternative pedestrian route should be accommodated at 1:20 gradient wherever possible;
- Driveways should have a maximum gradient of 1:12.

### Level changes

- The layout should work with the topography as much as possible to minimise the need for cut and fill and large retaining features;
- Where retaining features are needed these should use high-quality design and materials such as gabion walls and green walls;
- Level within the development areas should predominantly be accommodated within the rear garden (or within the dwelling if split-level housing is utilised).

### Built form

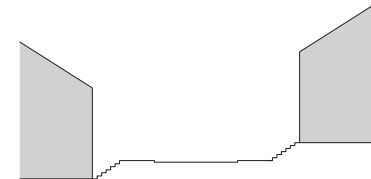
- Buildings on each side of the street should have a balanced massing with minimal level difference between the two sides;
- Buildings should avoid large and unsightly under builds onto streets and spaces wherever possible.

### Landscape

- Retained trees and hedgerows should be well incorporated into the new streets and spaces. Awkward level changes that disconnect these key features from adjacent streets and spaces should be avoided.



Level street with balanced built form



Steps to houses and unbalanced built form

## Design Guidance



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Terraced housing stepping down contours with even rhythm



Gentle slope up to front door



High-quality gabion retaining wall with additional planting



Level changes as positive feature within playground and open space



Large amount of steps up to front door



Unbalanced street with houses set far above or below street level

# 8.0 Parking Codes

## 8.1 General approach

The amount, type and location of car parking affects the character and appearance of the streets and the development overall. It is therefore important that parking is considered and designed as an integral part of the overall development.

The general approach is to provide a sufficient amount of parking for residents (allocated parking) and visitors (unallocated parking) within the curtilage of the residential plot, close to the plot, or on the street in a location that is close to the front door and is well overlooked. The parking arrangement should be coordinated with the design of streets, open space and front gardens in particular to ensure there is space for street trees, pedestrian & cycle access, Electric Vehicle (EV) charging points etc.

## 8.2 On-plot parking

### Design requirements

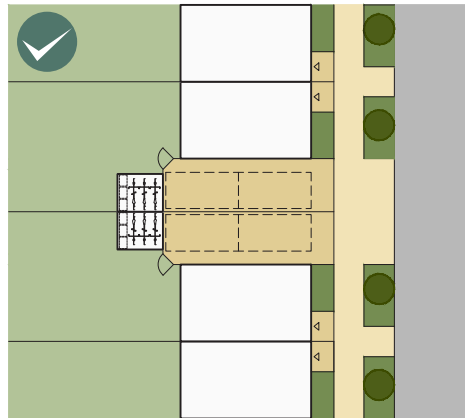
#### General principles

- Allocated spaces for houses should be accommodated on plot;
- Driveways can have a maximum gradient of 1:12;
- Parking spaces should be located behind the main building line wherever possible;
- The driveway and its access should be well designed to prevent cars partially parking in the footway;
- Location for EV charging points should be carefully considered. These should avoid the primary frontage of the dwelling wherever possible and not result in over ground charging cables within the footway.

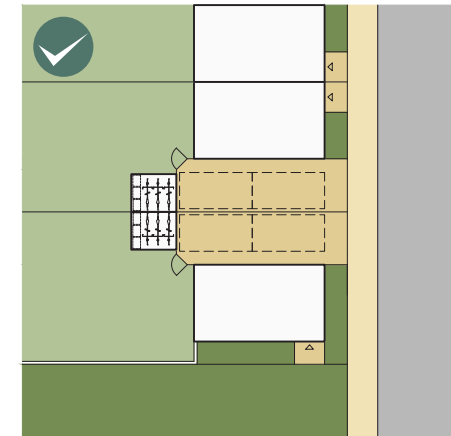
## Design requirements

### Parking between or rear of dwellings

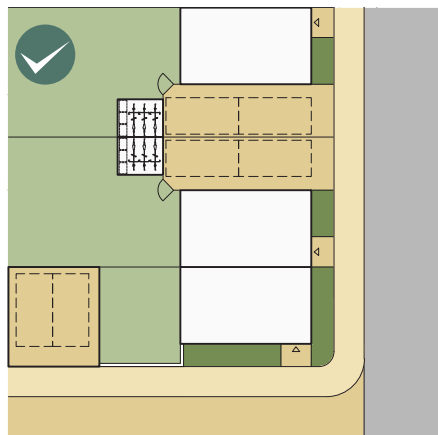
- Driveways should be grouped into two where this is suitable to make most efficient use of space;
- Gaps between buildings should be kept as tight as possible;
- Where bin and bike location are accessed via the driveway the width should be sufficient to access these when car is parked;
- Parking to the side of dwellings next to streets, paths and public open spaces should be avoided. Parking for these dwellings can either be provided between dwellings or at the rear.



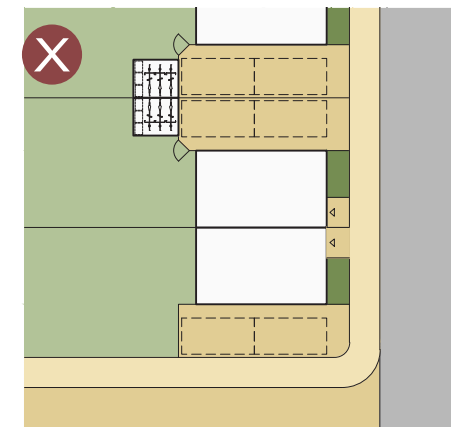
Parking between dwellings and behind the main building line



Parking between dwellings when located alongside a green space



Parking to the rear of dwelling on corner plot



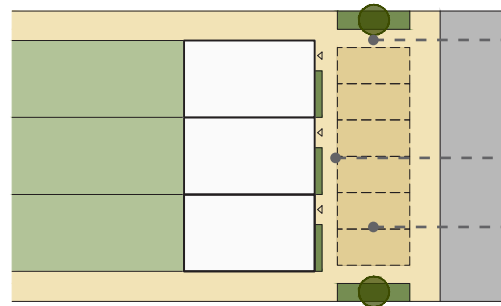
Parking to the side of a dwelling next to a street



## Design requirements

### Parking in front of dwellings:

- No more than 6 parking spaces before a break that is wide enough to allow for tree planting and pedestrian and cycle access;
- Parking spaces should be set behind the main building line wherever possible. If spaces project in front of the main building line, these should be complemented by strong active frontages and prominent planting

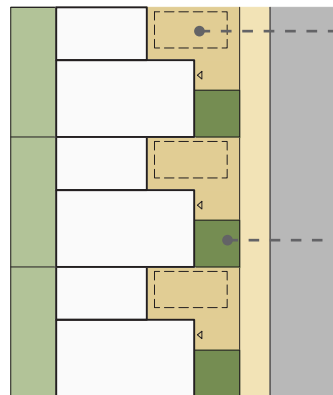


Gaps for pedestrian and cycle access

Space for pedestrian and cycle access

6 spaces with breaks of trees and planting

Parking in front of dwelling - terraced housing



Parking space might project slightly in front of main building line

Large area of prominent planting to reduce visual impact of parking space

Parking in front of dwelling - linked detached

## Design guidance



Planting and trees break up the visual impact of parking to the front of dwellings.



Prominent planting breaking up parking in front of dwellings.



Prominent planting and balcony creating strong frontage



Visual impact of parking space projecting past the main building line is reduced with prominent planting and strong frontage.



Parking in front of dwelling with no trees or planting to reduce the visual impact

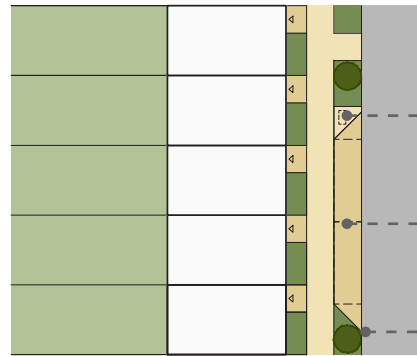


Large area of on-plot parking dominating the street with no active frontages

## 8.3 On street parking

### Design requirements

- On street parking is suitable for unallocated spaces for visitors;
- On street parking spaces should be well defined e.g through trees, planting, kerbs and changes in surface material;
- On street parking should only run down one side of the street. The side can change along the length of the street;
- No more than 3 parallel parking spaces in a row before a break with planting;
- No more than 6 parking spaces before a break that is wide enough to allow for tree planting and pedestrian and cycle access;
- Location of spaces should be coordinated with driveways to ensure trees and other planting can be accommodated;
- EV charging points should be located within the parking zone or build-outs and not within the footway. These should not result in over-ground charging cables within the footway.

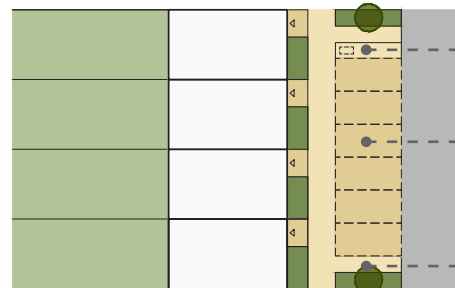


Parallel on-street parking

Suitable location of EV charging point

Maximum 3 spaces before break

Break with planting big enough for a tree



Perpendicular on-street parking

Suitable location of EV charging point

Maximum 6 spaces before break

Break with planting big enough for a tree and space for pedestrian and cycle access



Good on-street parking precedent



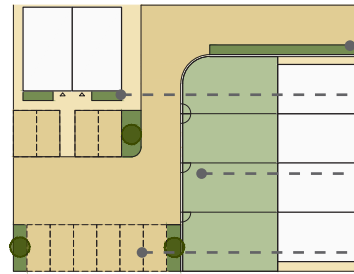
On-street parking without trees or planting



## 8.4 Courtyard parking

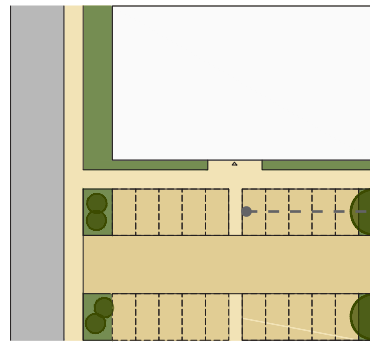
### Design requirements

- Predominantly suitable for apartments and terraced housing
- Courtyards should be well overlooked by active frontages wherever possible;
- Courtyards should be well defined with high quality materials, e.g. masonry wall or hedges. Timber fencing around the courtyard will not be allowed;
- No more than 6 perpendicular parking spaces before a break to allow for tree planting and pedestrian and cycle access. Less frequent breaks can be allowed where larger trees or areas of planting are proposed;
- Maximum 20 spaces within one court. Exceptions can be made for apartments if significant planting is proposed;
- Access to bin stores, bicycle stores and dwellings should not be blocked by parking spaces;
- Courtyards at the back of properties should be avoided wherever possible.



Courtyard parking for dwellings

- Planting along wall to soften appearance
- Frontages onto parking court
- Access to dwelling kept clear
- 6 spaces broken up by planting and trees



Courtyard parking for apartments

- Pedestrian and cycle access at entrance to block
- Larger tree and planting area provided where more than 6 spaces before a break



Parking court with trees and planting



Parking court with limited planting and enclosed by timber fencing



# 9.0 Public Realm Details

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## 9.1 Trees and hedgerows

Nature recover and sustainability are key factors for the development of Brislington Meadows, as emphasised in Chapter 3.0 and throughout the document.

The site has a large amount of mature trees and hedgerows which contribute to the sites unique character. These should be viewed as important features rather than constraints that will retain biodiversity on the site and help create a memorable development which is strongly rooted in its context.

### Design requirement

#### Existing vegetation

- Any impact on veteran tree T6 (see Regulating Plan) must be avoided.
- High quality (category A) and moderate quality (category B) trees should be retained wherever possible;
- Removal of hedgerows should be kept to a minimum;
- Scrubs provide shelter and forage for wildlife and should be preserved wherever possible;

#### Tree planting

- Tree species should be selected on the basis of resilience to urban environments and future climate change; height and canopy spread at maturity; visual interest; biodiversity value; and reduced propensity to drop fruit and branches;

- At least 50% of the selected tree varieties should provide opportunities for pollinators;
- Street trees should be planted in the next appropriate season after a development phase has reached practical completion to avoid damage during construction;
- Tree pits should be of a suitable size to ensure future healthy growth;
- Location of trees should be coordinated with other aspects to ensure trees can be accommodated, e.g. along streets;

#### Hedgerow planting

- The development should deliver new hedgerow in the proposed open spaces (see detail in chapter 4.0);
- New hedgerows should be species rich with at least 80% native species.

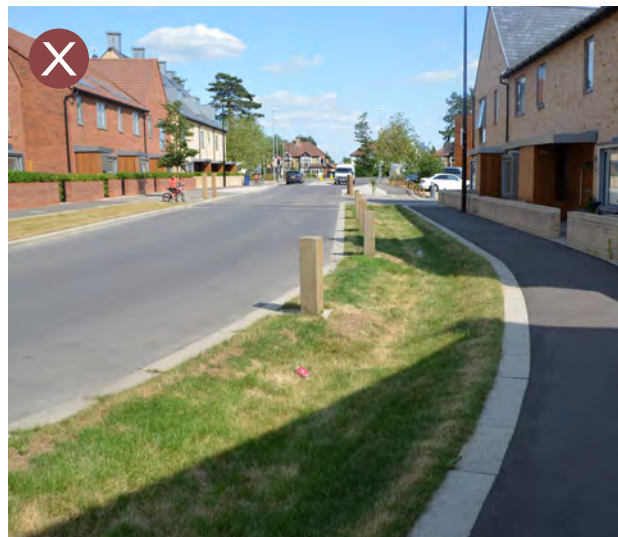


## 9.2 Planting

The design and selection of planting will play a vital role in achieving biodiversity net gain and maximise every opportunity to create a wildlife friendly neighbourhood which is also attractive for people living and visiting.



Planting bed with groundcover



Green verge with only lawn/mown grass.

### Design requirement

- Planting across the site should predominantly be species that directly benefit wildlife e.g. through nectar, pollen, seed or berry production and shelter opportunities for insects;
- The planting scheme should incorporate species that provide nesting sites and materials for birds;
- Planting in green verges should contribute to a high biodiversity and strong development character e.g. through ground cover planting and a variety of grassland types. Only providing lawn/mown grass will not be allowed.
- Planting beds must be designed and sized to ensure an adequate growing medium for healthy and robust planting;
- Planting should be climate resilient.



Wildlife friendly 'Holcus Meadow'.

## 9.3 Furniture

Design features such as benches and signage are an important part of creating a development with a strong and coherent character. They provide opportunities to add interest and improve legibility along streets, paths and within spaces.

Design proposals could for example include features that frame views, incorporate seating into level changes or provide interpretation boards to inform residents about the important role of scrub planting for wildlife.

The furniture are also a key opportunity to provide space for wildlife to thrive e.g. through bug and bat hotels or planting integrated within the furniture design.



Furniture can be used to frame views



An example of artwork incorporated into signage design.



EV charging point obstructing footway and with visually intrusive design and size

### Design requirement

- A design furniture design suite (posts, signage, seating, lighting, bins, EV charging points etc.) should be developed to ensure consistency across the site. This should fit with the overall character and material palette of the development.
- Furniture should be grouped or aligned wherever possible to ensure that clutter is minimised;
- Positioning of furniture should not create an obstruction to pedestrian, cycle or vehicle movement;
- All furniture should be robust, age and weather well and require minimal maintenance;
- The lighting design should be developed in close coordination with the ecological strategy, highways design and design of individual plots and buildings to ensure dark wildlife corridors can be created whilst providing safe and pleasant routes for people.



# 10 On-Plot Details

## 10.1 Introduction

Brislington Meadows should be designed with a coherent character and material palette that allows the landscape to take centre stage. This code does not specify exactly what that character looks like but instead encourages innovation and high-quality design that responds to the site context. Proposals using low carbon materials are particularly encouraged.

The landscape and topography is the most prominent feature of the site that design proposals for buildings and gardens should respond to. The development proposal should maximise opportunities to improve biodiversity including interventions on plot such as using hedges, species rich planting that can attract wildlife. Buildings should also sit comfortable within the landscape and the topography and there's an opportunity to explore different ways of incorporating level changes within the buildings and gardens.

Note that requirements and guidance for boundary treatment and parking is included within other chapters.

## 10.2 Character & material

### Design requirement

- The development should have a strong and coherent character across the whole site
- The material palette should be consistent across the whole site. This material palette should be used to create subtle variations and interest across the site;
- The material palette for buildings and boundary treatment should be coherent and complement each other;
- All materials should be of a high-quality that will age and weather well.
- The building material palette should be muted colour tones that blend well in with the landscape.
- All roofs should be made of a dark and muted material such as slate tiles, grey concrete tiles or zink roof to reduce the visual impact of the site from the surrounding areas.

## Example of a muted material palette

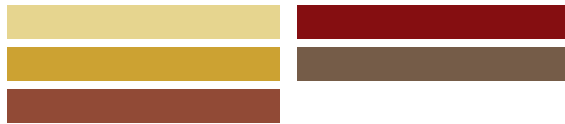
Window and door frames, rainwater goods and metal work



Primary development colours



Accent colours



An 'anywhere development' which lack a distinct character.



Development with a coherent character and muted material palette that blends in well with the landscape



Use of natural materials and front boundary gabion walls that matches retaining walls across the site



## 10.3 Biodiversity & wildlife

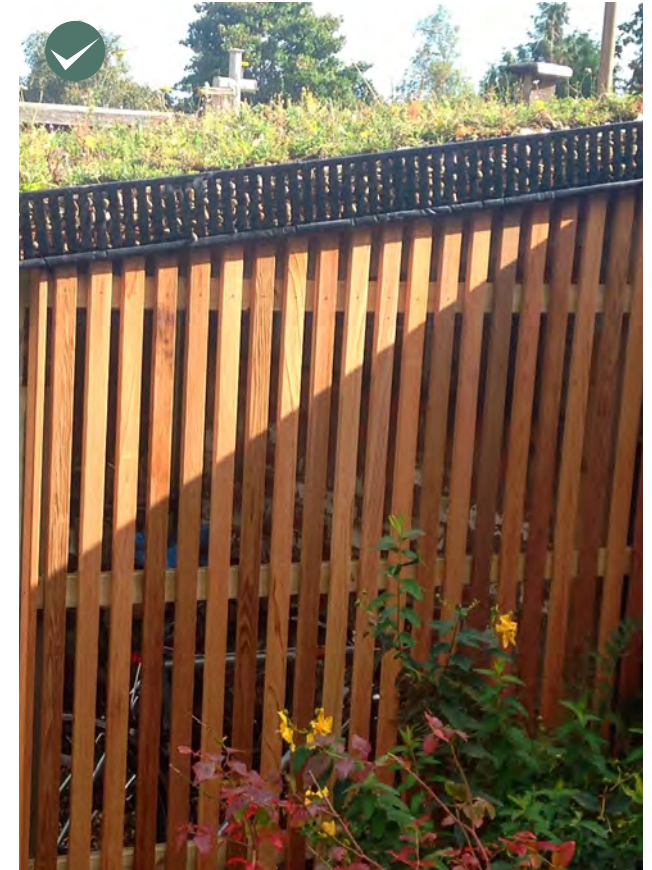
Chapter 5.0 highlights the opportunity for private back gardens to become tertiary ecological corridors that provide important space for wildlife. Development proposals should strive to align gardens and provide wildlife access between gardens where this is possible with the steep topography and other factors. Bird boxes, bug hotels and wildlife friendly planting can be successfully be incorporated into the design of gardens and buildings.



Gap in fencing between gardens provide space for hedgehogs to move.



Bird boxes can be incorporated on boundaries or on buildings.



Bin or bike store with a wildflower meadow green roof.

## 10.4 Waste & refuse

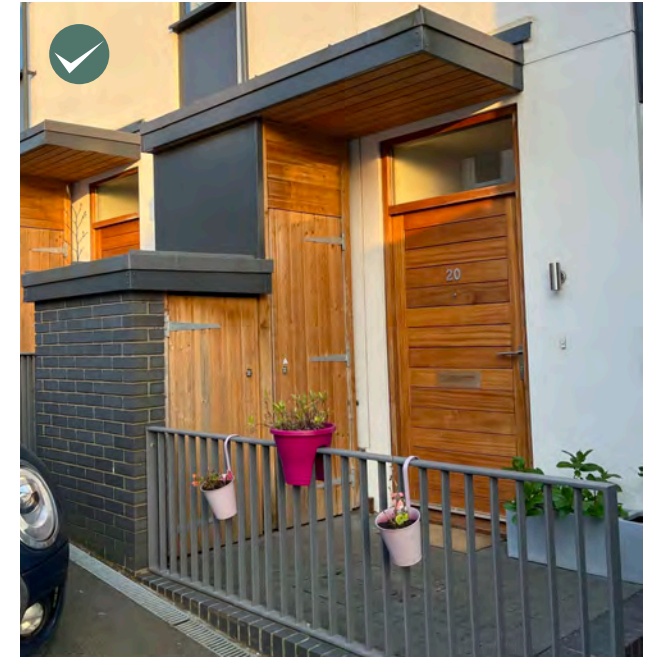
### Design requirements

- Bin storage location for all dwellings should be considered from the start of the design process and be well integrated within the overall design;
- The location and design should make the bins easy to access to avoid residents leaving their bins out on the street;
- Bin stores that are visible from streets and public spaces should be well integrated within the design of the building or the front garden.

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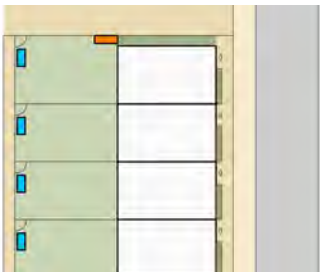


Bin store well integrated into the building

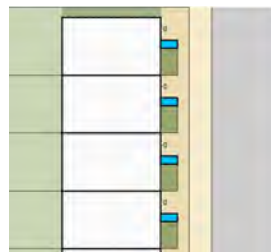


Bin store within porch/front garden

### Example of acceptable bin store locations



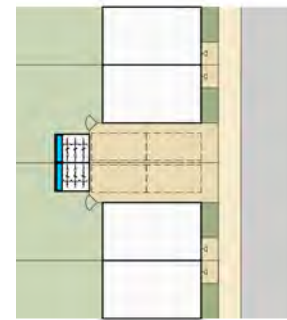
Rear garden



Front garden



Communal



Between dwellings



Bin store location

Collection point location



## 10.5 Other details

### Design requirements

- Meter boxes, vents, heat pumps, EV charging points etc. should wherever possible be located away from elevations onto streets and public spaces. These fixtures should blend in with the overall material palette;
- Garages should be set back behind the main building line. Exceptions can be made if a prominent frontage, e.g. through balcony and front garden planting, reduce the visual impact of the garage;
- The layout of solar PV's should be considered as part of the overall roof composition, e.g. in relation to dormers and the roof shape
- The location of downpipes should be well considered to minimise their visual impact;
- Size of windows should be well proportioned to ensure a good ratio between glazing, window frame and blank facade.



Subtle EV charging point on front elevation



Solar PV arrangement uniform and centred



Garage on main building line with balcony and planting to reduce visual impact



Visually intrusive metre boxes onto street

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# Brislington Meadows Design Checklist

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This checklist summarises all of the mandatory requirements a designer or developer need to follow when designing Brislington Meadows. Additional detail for what is required, alongside examples of good design, is included within each section of the code.

Innovation in the approach to housing typologies, materials and design is encouraged. It is recognised that this may mean that not all the requirements of this Code are met. In these instances design justification should be provided demonstrating that the proposal achieves a high-quality design in line with Building for a Healthy Life.

## The Regulating Plan

- Does the layout provide open spaces and streets in line with the Regulating Plan?
- Does the layout provide access points as shown on the Regulating Plan?
- Does the design provide focal points and key buildings in the locations shown on the Regulating Plan?
- Are the building heights in line with the Regulating Plan?

## Spaces

- Does the proposal provide a Community Green in line with section 4.2?
- Does the proposal provide an enhanced woodland in line with section 4.3?
- Does the proposal provide a green corridor and open space in line with section 4.4?
- Does the proposal provide a key public space in line with section 4.5?
- Does the proposal provide a biodiverse wetland meadow landscape in line with section 4.6?
- Does the proposal provide an attractive entrance to the site in line with section 4.7?
- Does the proposal provide incidental spaces in line with section 4.8?

### Streets

- Does the proposal provide an attractive and coherent primary street in line with sections 5.2-5.5?
- Does the proposal provide secondary and tertiary streets in line with section 5.7?
- Does the proposal provide high-quality and people-friendly junctions in line with section 5.8?

### Level Changes

- Has the proposal taken the topography into account at every stage of the design process?
- Does the proposal deal with the topography and level changes in line with section 6.2?

### Parking

- Has parking provision been considered from the start of the design process and been coordinated with level changes, landscaping, access etc?
- Has the allocated parking been provided in line with section 7.2?
- Has on-street parking been provided in line with section 7.3?
- If courtyard parking is proposed, is this in line with section 7.4?

### Public Realm Details

- Has existing and proposed trees and hedgerows been considered in line with section 8.1?
- Is the proposed planting scheme in line with section 8.2?
- Has a coherent suite of furniture been proposed in line with section 8.3?

### On-Plot Details

- Has the design proposal got a strong and coherent character and materials in line with section 10.2?
- Are on-plot details well incorporated within the design as described in section 10.3 & 10.4?



# Team



Homes  
England

Land Owner/Applicant

CampbellReith  
consulting engineers

Drainage, Utilities and Services

LDÄ DESIGN

Masterplanning, Planning and Landscape & LVIA



Transport



THE  
ENVIRONMENT  
PARTNERSHIP

Ecology

cadence <sup>PR</sup>

Communications / PR

KOVIA<sup>®</sup>

Sustainability

**WARD:** Hengrove & Whitchurch Park

**SITE ADDRESS:** Former School Site New Fosseway Road Bristol BS14 9LN

**APPLICATION NO:** 22/01199/PB Outline Planning (Regulation 3)

**DETERMINATION DEADLINE:** 7 December 2022

**Outline application (with all matters reserved except for means of access) for the provision of up to 200 residential dwellings (including as extra care facility)(Use class C3) and up to 250 sqm of flexible Class E, F1 and F2 uses (as part of the extra care facility) along with car parking, landscaping and associated infrastructure. Means of access from New Fosseway Road and Petherton Road (Major).**

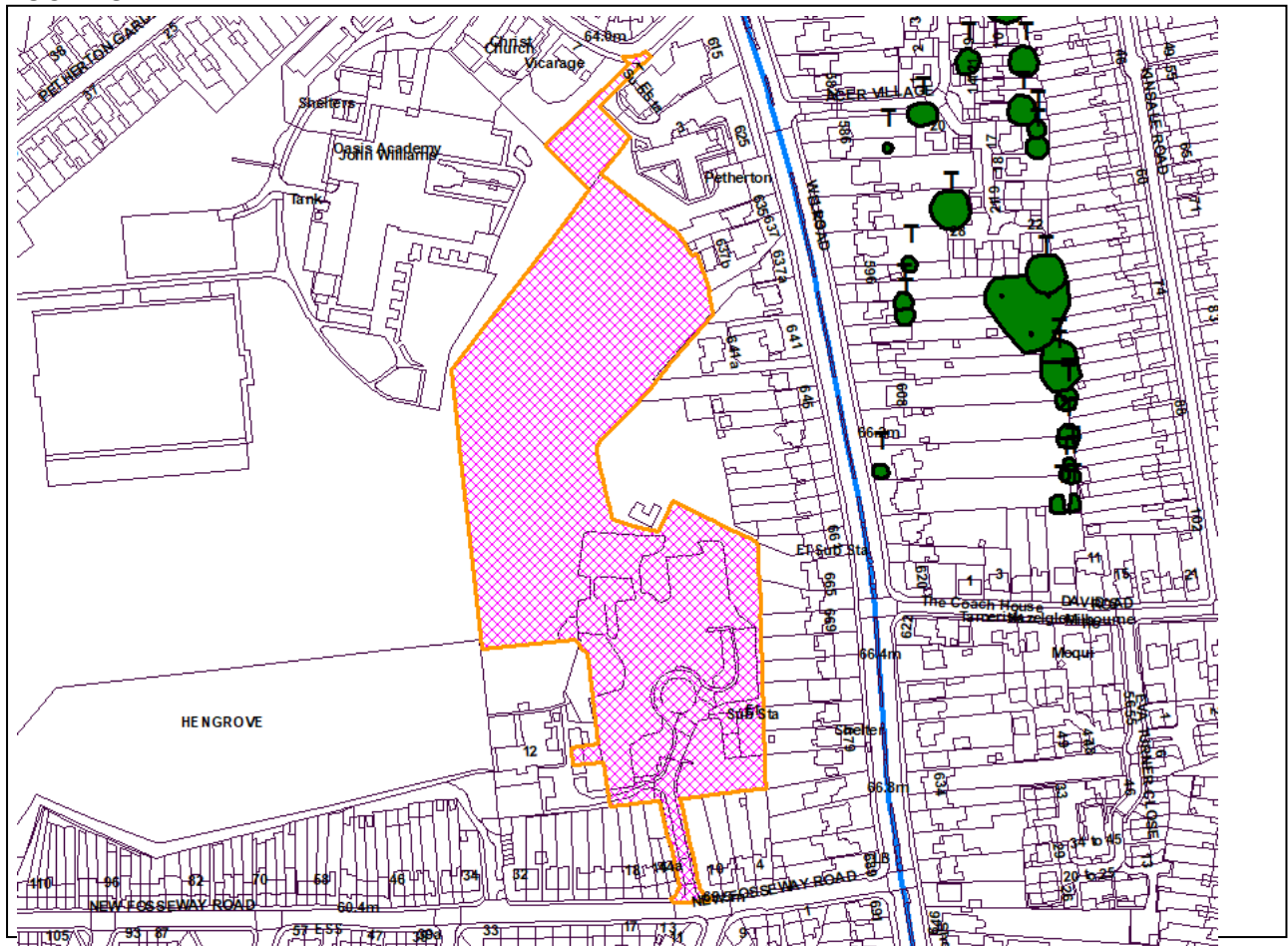
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Stride Treglown Limited  
Promenade House  
The Promenade  
Clifton Down  
Bristol  
BS8 3NE

**APPLICANT:** Bristol City Council (Housing Delivery)  
City Hall  
College Green  
Bristol  
BS1 5TR

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

**LOCATION PLAN:**



**Development Control Committee B – 7 December 2022**

**Application No. 22/01199/PB : Former School Site New Fosseway Road Bristol BS14 9LN**

**SITE DESCRIPTION**

1. This application relates to the land of the former New Fosseway School in Hengrove. The site is located to the north of New Fosseway Road and to the west of the rear gardens of 625 to 681 Wells Road. The site is 3.4 hectares in size.
2. The main access to the site is located between 12 and 14a New Fosseway Road. The northern end of the site is bounded by 1 to 7 Petherton Road, however there is no access from Petherton Road.
3. The site falls within the Hengrove and Whitchurch Neighbourhood Planning Area.
4. The surrounding area to the south and east of the site is largely residential, with the Oasis Academy John Williams located to the north and west of the site. The Bush Resource and Activity Centre, which provides residential care, is located to the south east of the application site. Shops and services are located 300 metres to the south east on Wells Road.
5. The former New Fosseway School was demolished over ten years ago. The land is no longer required for educational uses, having been replaced by the nearby Oasis Academy.
6. The site is allocated within the Bristol Core Strategy ref. BSA1402 for housing. The allocated number of homes for this site is 175.
7. There is some remaining hard landscaping from the previous uses of the site. The majority of the site is grassland, with forty-six established trees, eleven tree groups, and four established hedges. There are a further four trees which are not within the site area but are close to the site boundary. The boundaries of the site are bounded by vegetation and fencing from neighbouring properties back gardens.
8. The site is partially occupied by a travelling community as a meanwhile use.

**RELEVANT HISTORY**

9. There are no previous planning applications for the site.
10. 21/01668/SCR - Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for the residential development on land off New Fosseway Road. EIA not required.
11. 21/01754/PREAPP - Change of use to residential development. Two options considered: Both Option A and B propose 201 homes inc. a 68-home 'extra care' hub.
12. The site was previously the New Fosseway School, which was demolished over ten years ago and replaced by the Oasis Academy School, to the north and west of the site.

**APPLICATION**

13. The application seeks outline planning permission for residential development, with all matters reserved except for access, for up to 130 residential dwellings (Use Class C3), 70 extra care apartments (Use Class C3), and for up to 250sqm of flexible Class E, F1 and F2 uses along with car parking, landscaping, and associated infrastructure.

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14. In summary, the aspects of the proposed development that would be secured should this application receive consent are:
  - Provision of up to 130 dwellings, of which 30% would be affordable housing, secured via planning agreement (memorandum of understanding).
  - Up to 70 extra care apartments, of which 100% is intended to be affordable.
  - Retention and upgrade of the existing shared access with the Bush Resource and Activity Centre.
  - A new pedestrian, cycling and emergency access would be created off Petherton Road.
  - Parameters for a site masterplan (further details below).
15. The main pedestrian and vehicular access to the site would be via the existing two-way vehicular access to the Bush Resource and Activity Centre, off New Fosseway Road. A scheme of highway mitigation is proposed at the junction of the site access with New Fosseway Road, to include:
  - The extension of double yellow lines either side of this access point.
  - The addition of keep clear markings at this access point.
  - The addition of a raised table at the junction.
  - The removal of brick piers from the existing entrance to the site.
  - Replacement of “School Keep Clear” markings with double yellow lines on northern side of New Fosseway Road.
  - Dropped kerbs and tactile paving to accommodate pedestrians.
16. The application also proposes to make a new northern site access point from Petherton Road. This proposal includes adding signage, management of the access for pedestrian/cyclist and emergency access only and adding lighting.
17. Six parameter plans have been submitted for approval which set limits upon development locations, building types and access and movement within the site.
18. The parameters set out through the plans are:
  - Site structure: location of development blocks, open space, public realm, active development edges and focal buildings or features.
  - Building types and uses: the proposed location of housing typologies, the extra care hub, and active ground floor.
  - Building heights: the proposed maximum heights and locations of two-storey, three-storey and four-storey buildings.
  - Access and movement: the proposed location and typology of access routes within the site and to the site.
  - Landscape – green and blue infrastructure: the proposed location of new public open space, private gardens, species rich/wildflower areas, play provision, landscaped streets, and SuDS attenuation.
  - Landscape – tree protection and removal: the proposed location of existing trees within the site to be retained and removed, and existing trees outside the site area but with root protection areas within the site to be retained. The parameter plans also set out existing vegetation to be removed and retained.
19. Matters of layout, appearance, landscaping, scale and internal access do not form part of this application and would be secured through Reserved Matters application(s), however any future Reserved Matters application(s) would need to be in accordance with the parameter plans set out above.



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20. Although an indicative housing mix and tenure is set out in the masterplan and in the submitted Affordable Housing Statement, these will be confirmed at Reserved Matters stage.

**RESPONSE TO PUBLICITY AND CONSULTATION****PUBLIC COMMENTS**

21. Two rounds of public consultation were undertaken on this application.
22. In response to the first round of consultation, a total of 18 comments were received in response to the proposed development from 14 different addresses.
23. The following planning issues were raised:
- Concerns about overshadowing, overlooking and the heights of the proposed developments.
  - Concerns that the green buffer between the proposed development and existing dwellings is insufficient.
  - Concerns that the size of the development is inappropriate and about overcrowding within the local area.
  - Concerns about the impact of the proposed development upon local services, public transport and facilities.
  - Concerns regarding the cumulative impact of other developments in the area.
  - Concerns that the design is not in keeping with the local area.
  - Concerns about lack of provision for young people and the impact of this on anti-social behaviour.
  - Concerns about the loss of established trees and hedgerows, and the impact of this on local wildlife.
  - Concerns that the single motor vehicle access point on New Fosseway Road is insufficient.
  - Concerns about exacerbating congestion New Fosseway Road in relation to road safety, and that traffic monitoring was completed during school holidays.
  - Concerns that the Petherton Road access point is dangerous due to location on a bend.
  - Suggestion that the Petherton Road access point should be pedestrian only.
  - Suggestion that the Petherton Road access point should also be for motor vehicles.
  - Concerns that the parking provision is inadequate.
  - Concerns regarding construction impact and communication with residents.
  - Concerns that Bristol lacks school places, in particular special needs places, and the site could be used to address this.
24. The following non-material planning issues were raised:
- Negative impact on house prices.
  - Some local residents pay high council tax.
  - Concerns regarding the impact of the economic climate on the developer's financial position and house prices within the development.
  - Nearby Mowbray Park requires investment.
25. A second round of consultation was undertaken following changes to the proposed access points to mitigate road safety concerns raised during consultation. There were 16 responses to the second round of consultation, all in objection.

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26. The following planning issues were raised:
- Concerns about exacerbating congestion, road safety in proximity to the school, that traffic monitoring was completed during school holidays and that there is only one vehicle access point.
  - Support of the Petherton Road access as non-vehicular.
  - Concerns that the mitigation is insufficient and will not be enforced.
  - Concerns about the impact of the proposed development upon local services, public transport and facilities.
  - Concerns about overshadowing, overlooking and a lack of clarity on heights and boundaries of the proposed developments.
  - Concerns that building heights are not in keeping with the local area.
  - Concerns about the impact on wildlife and habitats.
27. The following non-material planning issues were raised:
- Negative impact on house prices.
  - Concerns that anti-social behaviour at other developments would also be present at this site.

## EXTERNAL CONSULTTEES

Avon Fire and Rescue – No objection

28. Avon Fire & Rescue Service require the provision of six additional fire hydrants, located within the development. The costs, £1,500 per fire hydrant, will need to be borne by developers through developer contributions.

## INTERNAL CONSULTTEES

Housing Enabling Team – No objection

29. The current tenure requirement is 75% Social Rent and 25% Affordable Home Ownership. Within the 25% Affordable Home Ownership, the Council will accept applications bringing forward First Homes and Shared Ownership and it will be for applicants to express which product they wish to develop. Based on current evidence the Council's preferred route to Affordable Home Ownership is Shared Ownership.
30. The exact tenure split will need to will be addressed at the Reserved Matters planning stage. For clarity if the extra care units can be provided as 100% affordable housing. The 30% 39 general needs units provided to meet policy BCS17/DM3 should be provided as 29 Social Rent and 10 units as Affordable Home Ownership.
31. However, if it is not viable to provide the extra care units as 100% affordable housing and the 30% affordable housing is provided across the whole scheme 45 units should be provided as Social Rent and 15 units as Affordable Home Ownership.
32. Further discussions will be needed between commissioners and the Housing Strategy & Enabling team prior to the Reserved Matters planning stage to confirm the recommended tenure split of the extra care units.
33. It is expected that the affordable housing contribution will address identified housing needs and reflect the proportions of property types and sizes in the overall scheme and contribute

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to balanced and sustainable communities in Bristol. The Council has applied the Nationally Described Space Standard (NDSS) as the appropriate space standard for particular forms of residential development.

34. Whilst it is understood that the exact mix/type of accommodation will be addressed at the reserved matters planning stage and will depend on the viability of the extra care housing being provided as 100% affordable housing; the Housing Strategy & Enabling team would welcome future plans that follow the below (see Table 1) recommended mix of Affordable Housing. The figures are drawn from analysing a range of housing needs data for Bristol and based on 30% of the general needs housing being provided as affordable housing. It is advised that the majority of the extra care units are provided as 1 bed 2 person apartments with a small number of 2 bed 3 person apartments.
35. As per previous advice we'd expect 20% of the older persons' units to be wheelchair accessible, M4 (3): Category three. In addition to this we would support future plans where the wheelchair properties are built to M4(3)b so that they are already adapted. We also recommend that the remaining 80% of the older person's units are built to be accessible and adaptable M4(2): Category two. Also, as previously advised we encourage the applicant to consider The Housing for an Ageing Population Panel for 4 Innovation (HAPPI) standards as design progresses to Reserved Matters stage.
36. Policy DM4: Wheelchair Accessible Housing set out in the Site Allocations and Development Management Policies Local Plan, requires 2% of new housing within residential developments of 50 dwellings or more to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. This should be provided at Reserved Matters stage.

Contaminated Land Officer – No objection

37. The following two reports have been considered as part of the application:
  - Structural Soils Ltd (October 2013). Interpretative report on site investigation at New Fosseway Road. 728195
  - WSP Ltd (January 2022). Phase 2 Geo-environmental and Geotechnical Assessment, New Fosseway (Former New Fosseway School) Site. 70079041-019.
38. Overall, the two reports provide relatively good coverage of the site. Ideally, we would have seen more sampling in the area of the infilled quarry and lime kilns to determine the extent of the deeper made ground, however the depths were proven in both 2013 and 2021.
39. Contaminant levels were generally acceptable with no requirement for further remedial actions at this time. A watching brief must be maintained throughout the development works, especially for the former quarry area and areas of historic buildings. Radon protection is likely to be required to comply with the Building Regulations.
40. We welcome reuse of materials on site through the CL:AIRE Definition of Waste Industry Cope of Practice scheme, we do ask that the applicants remember to consult us to discuss the reuse of material criteria for the site.
41. With respect to contamination, a condition is requested for the control of unexpected contamination and compliance with the approved UXO risk assessment.

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Transport Development Management – No objection

42. The following provides a summary of the Transport Development Management comments.
43. The principle of development is accepted, there is no objection to residential use on this site, subject to assessment and local improvements to accommodate the additional needs associated with the development.

New Fosseway Road Access

44. Concerns have been raised about the impact of the development on the access from New Fosseway Road and whether the access would be safe. As such, a Road Safety Audit has been undertaken by an independent third party. Full details of the considerations of this are included on the application file, however a number of measures are proposed to address the concerns of neighbours.
45. The proposed measures include the extension and alteration of double yellow lines and keep clear markings adjacent to the access, the addition of a raised table at the junction and the removal of brick piers from the existing entrance to the site. All the highway works would be secured via a Grampian condition and highway agreement.
46. Dropped kerbs and tactile paving are proposed to improve pedestrian connectivity to and from the site.

Petherton Road Access

47. Further details have been provided and these are found to be satisfactory. Measures to reduce speeds emerging from the neighbouring car park will be installed and relevant signing will be installed to reduce conflict. A condition will be required to ensure that the access is maintained for use by pedestrians and cyclists, but the Highway Authority would not seek to adopt this, as it does not meet adoptable standards for a shared cycle / footway.
48. Conditions are required for; appropriate maintenance of this access, a review of the street lighting arrangements and works to alter the crossover.

Trip generation

49. The methodology and predictions for trip generation are considered robust and in concurrence with similar sized developments.

Parking

50. The number of parking spaces proposed is considered acceptable. Further details of a proposed waiting restriction scheme are required to ensure unsafe and obstructive parking on Petherton Road and New Fosseway are deterred. Overspill parking is not considered to be a significant issue as the parking survey has indicated capacity on the highways near the site. 20% of parking provision would need to have EV charging facilities.
51. An electric car club car and space would be expected to be provided for the development, with free membership available to residents for the first three years of the development. This would be secured by a condition.
52. Cycle parking will be secured at Reserved Matters.



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Traffic Regulation Orders

53. Traffic Regulation Orders will be necessary for any waiting restrictions on-site and off-site. A contribution to TROs will also be required for a speed table. Each TRO currently costs £6310. Funding for this would be secured by a Memorandum of Understanding (MoU), payable prior to commencement of the development.

Road safety

54. To ensure that safe access is demonstrated, a Stage 1 RSA will be required for the access / New Fosseway Road junction / table arrangement, and the Petherton Road access.

Internal layout

55. The layout of the site will be determined at Reserved Matters stage. The applicants have had clear advice on how the internal layout may be set out through the pre-app process.

Travel plan

56. A Full Travel Plan would be expected to be submitted for each use prior to occupation of each use, and the payment of the Audit and Management Fees will need to be secured on the back of this application. A Travel Plan Management and Audit Fee in the sum of £5,335 is required for each of the uses (residential and extra care apartments). The fees are to be secured through a MoU and would be payable prior to occupation of the development.

Construction management

57. Any planning application would be expected to provide a Highway Network Management Construction Management Plan (secured by a pre-commencement condition) to ensure that the impact on the highway is minimised during construction phase. This would include a requirement to preventing large deliveries being programmed for peak times associated with the local traffic network and school peak hours.

Sustainable location

58. The site is located near to the A37 Wells Road. Bus services pass along A37, and New Fosseway Road to the west of the site, but not at a high volume. The site is reasonably located within walking distance to some local facilities, but there is a relatively high car ownership rate in the area, and a high proportion driving to work in comparison to other areas of Bristol.

Highway contributions

59. The associated contributions will be secured through a MoU and consist of:
- Bus Stop Contributions: Stops known as “Fortfield Road (outbound)” = £66,922 and
  - “Gladstone Road (westbound)” = £10,709
  - Traffic Regulation Orders for 20mph speed limit in accesses and within site; speed table in
  - New Fosseway Road; and Waiting restrictions at access and within the site = £6310 x 3.

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- Travel Plan audit and management fees for residential = £5335
- Travel Plan audit and management fees for sheltered accommodation = £5335

Flood Risk Manager – No objection

60. The flood risk posed to the site is deemed as low from all sources. In respect of drainage the following comments apply:

- Infiltration testing should be conducted to assess if infiltrating SuDS techniques are feasible at this location. British Geological Survey data suggests this area is probably compatible for infiltration SuDS which is the first preference in the SuDS hierarchy. The groundwater level is also expected to be more than 5m below the ground surface throughout the year according to this dataset.
- If infiltrating methods were discounted then the plans submitted, incorporating multiple SuDS features and providing many sustainability benefits, are acceptable in general from the LLFA perspective. This is subject to confirmation of the finalised detailed design and (as specified in the plans) the precise form, location and position of the various SuDS features are confirmed.
- Although the Microdrainage files suggest no flooding occurring up to a 1:100 rainfall event plus 40% climate change uplift (which is very good) many of the overland flow routes indicated seem to head towards buildings during the exceedance event. The highway kerb will provide a localised threshold in places but it would need confirming how property flooding would be avoided in the design layout under an extreme rainfall event.
- In the current submission flow restricting orifice diameters of 25mm and 50mm are proposed in certain manholes which could lead more readily to blockages. How this problem will be avoided should be explained. Filtration systems and leaf guards are possible mitigation options.
- Since the end outlet point is to a sewer this would need Wessex Water approval.

61. A condition is requested for the provision of a Sustainable Drainage Strategy, which provides confirmation of the end outlets (either via sewer discharge or infiltration methods).

Sustainable Cities officer – No objection

62. Good practice energy efficient measures are proposed including standalone and communal air source heat pumps and passive measures to tackle overheating. Air source heat pumps are anticipated to exceed the requirement for 20% saving on residual CO2 emissions though renewable energy (saving of 36.9% estimated for illustrative dwellings).

63. Blue and green infrastructure will be designed to provide multi-functional benefits including a focus on biodiversity, and I am pleased to see the use of Building with Nature principles. The development seeks to achieve at least 10% net gain in biodiversity.

64. The site is well served by public transport. Cycle parking and EV charging will be provided in line with recommended policy. Proposed car parking provision is below the maximum allowance for the site.

65. Though limited detail is available at this stage, the outline proposals are in line with requirements of BCS15 related to sustainable design and construction.

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66. A site waste management plan is recommended to ensure effective waste management. Off-site construction will be used where possible reducing construction waste and pollution. Operational Waste and Recycling Management Strategy is to be developed through the detailed design stage. This is to be secured via Construction Management Plan condition.
67. Conditions are also required for the submission of an updated Energy and Sustainability statement and an overheating risk assessment (based on a recognised methodology and criteria such as C.I.B.S.E TM52/ TM59, or equivalent, against weather files to 2080, based on a medium emissions, 50th percentile scenario),

Air Quality officer – No objection

68. The AQ assessment concludes that the operational phase of the development will result in negligible impacts. The construction phase impacts should be mitigated with a suitable CEMP, which should be conditioned. I have no objections to the development.

Historic Environment officer – No objection

69. The likely potential for early archaeology is insufficient to propose a full evaluation on this site. Archaeological conditions to secure some form of watching brief would be prudent. A pre-commencement condition to secure the production of a written scheme of works and a pre-occupation condition to secure the completion of an archaeological watching brief should be attached to any decision.

Pollution Control officer – No objection

70. The Noise Impact Assessment (NIA) provides target plant noise limits as no plant selected/known at present. These limits should be conditioned to ensure compliance at reserved matters stage and to ensure there are no unacceptable impacts from noise.

Nature Conservation officer – No objection

71. I have reviewed the Ecological Impact Assessment (EcIA) (WSP, February 2022) and the interim Biodiversity Net gain Assessment (BNGA) (WSP, January 2022) and I can recommend approval of the application subject to conditions for the provision of an updated Ecological Impact Assessment, a Construction Environmental Management Plan (CEMP), an updated Biodiversity Net Gain Assessment, the submission an Ecological Mitigation & Enhancement Strategy (EMES) with the details of the provision of bird, bat, insect and hedgehog\* boxes and a method statement for the provision of living roofs and walls. ]

**RELEVANT POLICIES**

72. National Planning Policy Framework – July 2021  
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 Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.
73. In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

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74. Section 5 of the NPPF sets out the approach for 'Delivering a sufficient supply of homes'. It states that: "Housing applications should be considered in the context of the presumption in favour of sustainable development."
75. Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.
76. Policy BCS7 states that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. The provision of new small scale retail facilities will be encouraged where they would provide for local needs and would not be harmful to the viability and diversity of any nearby centres.
77. Policy BCS20 states that development should maximise opportunities to re-use previously developed land.
78. Policy DM2 states that a range of housing and care options that promote and maintain housing independence for older people will be encouraged.
79. The Bristol City Council Urban Living Supplementary Planning Document highlights Hengrove as an area with significant potential for intensification.
80. The proposed development consists of up to 200 dwellings, including 70 extra care apartments, and with an active ground floor for use classes E, F1 and F2.
81. The site is currently allocated for up to 175 dwellings within the Site Allocations and Development Management Policies Document, site reference BSA1406.
82. The proposed development is in accordance with the existing site allocation and with Policies BCS5 and BCS20 as it would contribute towards the delivery of new homes, on previously developed land.
83. The proposed extra care apartments dwellings would accord with Policy DM2 as they would provide housing options for older people located close to shops, open space and public transport options. This would be a purpose-built extra care facility that would in turn reduce demand for care within traditional dwellinghouses, freeing them up for the provision of family homes.
84. The proposed development would provide a higher number of dwellings than are currently allocated for the site. This is considered acceptable as BCS20 states that development opportunities should be maximised on previously developed land, and the Urban Living Supplementary Planning Document encourages intensification in this area. Key Issues C and D provide more detail on why it is considered that the application site can accommodate the quantum of development proposed.
85. The proposed flexible active ground floor uses would be consistent with Policy BCS7 by providing small scale retail and community uses to compliment the proposed residential uses. The uses would be located in excess of 600 metres from the nearest Local Centre at



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Gilda Parade and would not be of a scale to detract from the vitality and viability of the shops and services at this location.

86. It is considered that the proposed development is acceptable in principle.

**B. DOES THE PROPOSED DEVELOPMENT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?**

87. Policy BCS17 of the Core Strategy sets out the requirement for affordable housing in the city. For the area in which the application site is located – Bristol North - the policy requires that any development of 15 dwellings or more should provide 30% of residential units as affordable housing.
88. It has been agreed between the applicant and the local planning authority, that affordable housing is secured in two parts. This would be reflected in a two-part (or two separate) memoranda of understanding (MoU), as the council cannot enter into a s106 agreement with itself. The following approach to affordable housing is proposed:
- 1) In accordance with Policy BCS17, the MoU would secure the 30% affordable housing against the 130 proposed dwellinghouses. This would be subsidy-free affordable housing. There is a potential that further affordable housing may be delivered on the site via public subsidy however this is not confirmed and cannot be considered in the determination of the planning application.
  - 2) For the Extra Care Housing provision, a separate AH schedule is proposed with its own suite of s106 clauses. This would secure the minimum compliant 30% affordable housing required by Policy BCS17 but also enables 100% affordable housing if full subsidy can be secured.
89. The BCC Housing Enabling Team has provided guidance on the expectations regarding further details of affordable housing to be submitted at Reserved Matters stage, including in relation to tenure split.
90. This approach would secure at least 30% affordable housing on site in accordance with Policy BCS17 and is considered to be acceptable.

**C. IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?**

91. Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.
92. Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

Access

93. The outline planning application provides full details of the access to the site for approval. The proposed development would retain the existing access from New Fosseway Road to the south of the site and provide a new pedestrian/cycle access to the site from Petherton Road to the north.

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94. The proposed development comprises retaining and upgrading the existing vehicular access point to the south of the site, including the removal of the gateway. The existing footways would be extended into the site. Double yellow lines would be used on the New Fosseway Road access point, adding a raised table to the junction, removing the existing brick pillars, and adding dropped curbs and tactile paving to accommodate pedestrians.
95. There would also be a pedestrian and cycle access point at the north of the site, leading onto Petherton Road. This access would also be for emergency vehicles.
96. The proposed scheme of mitigation, to be secured via planning condition, addresses the points raised in the Road Safety Audit and would ensure that the proposed access onto New Fosseway Road meets the design guidance in the Manual For Streets in terms of visibility splays and highway widths. Pedestrian connectivity would be enhanced through the provision of additional crossing points on New Fosseway Road. It is considered that the proposed access would be safe and secure for all road users.

Traffic and highway impact

97. The site is located within a sustainable location, with close proximity to bus stops on New Fosseway Road, Wells Road and Hengrove Lane. These provide connections with buses to Bristol city centre, Wells, Glastonbury and Street. Shops and services are available within walking distance at Gilda Parade, approximately 500 metres from the site.
98. The Whitchurch Railway Cycle Path lies to the east of the site, which links the site to Arnos Vale and Whitchurch via largely off-road routes.
99. Transport Development Management has reviewed the assessment of trip generation and considers the applicant's calculations to be robust. This estimates that, as a worst-case scenario, up to 77 two-way trips would occur during the AM peak hour.
100. Modelling indicates that this would not result in congestion at the New Fosseway Road junction, and this would be reduced with mitigation in place.
101. To minimise private vehicular trips and reduce car ownership, a number of contributions are proposed towards sustainable transport measures. These include a contribution towards a car club space, the provision of a site-wide travel plan and contributions towards improvements to bus stops. These would be secured via MoU and/or condition.

Internal layout

102. The internal layout of roads and routes for pedestrians and cyclists would be a reserved matter, should this outline planning application be approved. The principle of internal circulation and access, including the location of different street typologies is shown on Parameter Plan 4 – Access and Movement Strategy and has been reviewed by Transport Development Management and is acceptable in principle. A condition should be attached to any permission to ensure the principles set out in Parameter Plan 4 are adhered to at Reserved Matters stage.

Levels of car and cycle parking

103. A total of 212 car parking spaces are proposed within the outline planning application. The detail and location of these parking spaces would be a reserved matter. This would be more

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than one car parking space per dwelling. Based on the indicative housing mix provided by the applicant, the maximum number of car parking spaces that could be provided would be 330. The proposed development would provide less than this considered to be acceptable given the sustainable transport measures proposed as part of the application.

104. Cycle parking is a reserved matter. A condition should be attached to ensure adequate and appropriate provision for all dwellings and visitors on the site.

Refuse and recycling

105. Refuse and recycling provision would be confirmed at Reserved Matters stage.

**D. IS THE DESIGN AND LAYOUT OF THE PROPOSED DEVELOPMENT ACCEPTABLE?**

106. Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity.
107. Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.
108. The surrounding context of the site to the south and east is predominantly two-storey residential buildings. To the north and west, the Oasis Academy is three storeys in height, but due to its use is up to 13.5 metres in height (equivalent to between four and five residential storeys).
109. Whilst the illustrative masterplan does not form part of the outline consent if granted, the applicant has developed parameter plans to secure the building types and uses, the location of development blocks, principles of access and movement, building heights, and principles for blue and green infrastructure, including tree protection.
110. The urban design officer has raised no objection to the parameters set out within the plans and is satisfied that the quantum of development can be accommodated onsite. The proposed density of 58 dwellings per ha (dph) is slightly above the minimum indicative net density of 50 dph set out in the Local Plan and considered appropriate for an outer urban setting such as Hengrove.
111. The proposed building types and uses would provide mews houses typical of a backland site where to the rear of properties on Wells Road, stepping up to a mix of townhouses and then apartments located centrally. This would provide an appropriate mix of dwelling types and manage the change in type through the site.
112. The proposed scale and massing, at between two and four-storeys, is consistent with the wider area with those four storey buildings in the centre of the site representing a positive opportunity to intensify the land use in accordance with the Urban Living SPD. The approach of locating the lowest height buildings where nearest to adjoining properties on Wells Road would ensure that impacts upon the character of the surrounding area and on existing neighbours are minimised.
113. Any future Reserved Matters application seeking to approve a detailed masterplan would be developed in accordance with these parameters. A condition should be attached to any permission to ensure compliance with these parameters to ensure the creation of a high-quality environment in accordance with Policy BCS21.

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114. The illustrative masterplan demonstrates that the proposed density of development can be successfully achieved on the site within its constraints, whilst also incorporating sustainable urban drainage, open space, public realm, and protecting the amenity of existing residential properties.
115. In summary, the principle of the scale and layout of the proposed development as detailed in the parameter plans is found acceptable. The masterplan developed at Reserved Matters stage will be required via condition to accord with the parameter plans and further details of appearance, scale, layout and design will be required and assessed.

**E. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?**

116. Policy BCS21 states that new development should safeguard the amenity of existing development.
117. Policy DM29 states that new development should ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.
118. SPD2, whilst designed to provide guidance to those wanting to extend or improve one's home, provides a helpful 'rule of thumb' that there should be a gap of 21 metres between habitable rooms if the windows face each other. 12 metres should be provided
119. Parameter Plan 1 – Site Structure and Parameter Plan 3 – Building Heights set out the locations of the development blocks, where the dwellings would be situated and their maximum heights. The blocks to the south and east of the site would be adjacent to existing residences and would range from two to four storeys.
120. The majority of existing residential dwellings along the eastern edge of the site have large back gardens, and so are more than 21m from the boundary of the site, in accordance with SPD2, ranging approximately from 21.6m to 63.7m. The Illustrative Masterplan shows that amenity space would be provided to the rear of the dwellings and along the boundary with the properties on Wells Road. This would increase the distance the existing dwellings and the proposed development blocks, and so there is little risk of overbearing and overlooking.
121. There are two dwellings which are closer to the boundary of the site, both of which are approximately less than 2m from the site boundary. One of the buildings has no windows facing the proposed development, and the eastern boundary is heavily landscaped, which would be maintained. Parameter Plan 1 – Site Structure indicates that neither of these buildings would directly face the proposed development blocks. The proposed blocks are also not directly alongside the boundary line. As such, it is unlikely there would be a risk of overbearing and overlooking, however this should be confirmed at Reserved Matters stage.
122. Due to the distances between the pre-existing dwellings and proposed development, overshadowing is unlikely, however a daylight and sunlight assessment would need to be provided at the reserved matters stage.
123. It is considered that, at this outline stage, there would be no unacceptable impacts upon residential amenity. Further information will be required at reserved matters stage once the layout and form of development is known to confirm this.



**Development Control Committee B – 7 December 2022****Application No. 22/01199/PB : Former School Site New Fosseway Road Bristol BS14 9LN****F. WOULD THE PROPOSED DEVELOPMENT RESULT IN ANY UNACCEPTABLE IMPACTS UPON BIODIVERSITY OR GREEN INFRASTRUCTURE?**

124. Paragraph 174 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
125. Policy BCS9 states that individual green assets should be retained wherever possible and integrated into new development.
126. Policy DM15 sets out that new green infrastructure assets will be expected to be designed and located to maximise the range of green infrastructure functions and benefits achieved, wherever practicable and viable. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.
127. Policy DM17 sets out that where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard.
128. A Biodiversity Net Gain Assessment has been undertaken which determines that at present, the site equates to approximately 7.27 habitat units when measured within the Biodiversity Metric 2.0 Calculation Tool. Whilst layout, form and landscape are reserved matters, the applicant has utilised the illustrative masterplan and the principles set out in the Biodiversity Net Gain Assessment (WSP, 2022) to test whether a net gain can be achieved onsite. The Assessment concludes that a net gain of approximately 12% can be secured based on the proposed development. This would be in accordance with the NPPF, which seeks to deliver net gains to biodiversity from new development and with the principles of the Environment Act 2021. An updated Biodiversity Net Gain Assessment should be submitted at reserved matters stage to confirm that a Net Gain can be achieved once the landscaping has been designed in full and development impacts are fully understood.
129. Conditions should also be attached to any permission for an updated Ecological Impact Assessment, a Construction Environmental Management Plan (CEMP) and the submission an Ecological Mitigation & Enhancement Strategy (EMES).
130. The Planning, Design and Access Statement also states the intention to target Building with Nature accreditation. The key principles of Building with Nature relate to green infrastructure which is multifunctional, connected, sympathetically placed, resilient, responsibly managed, and environmentally sensitive. The details of this would be confirmed at reserved matters stage.
131. The Arboricultural Report (WSP, 2022) sets out that there are 46 trees, 11 tree groups and 4 hedges onsite. The proposed development would result in 13 trees, three tree groups and one hedge being removed. These have all been categorised as low quality or unsuitable for retention.
132. The illustrative masterplan, whilst not for approval, demonstrates that in excess of 90 new trees can be provided onsite. This would more than meet the requirements of the Bristol Tree Replacement Standard of Policy DM17. Parameter Plan 6 – Landscape – Tree Protection and Removal also demonstrates the provision of new wildflower areas and new hedgerows, to the benefit of biodiversity and the appearance of the site.

**Development Control Committee B – 7 December 2022****Application No. 22/01199/PB : Former School Site New Fosseway Road Bristol BS14 9LN**

133. An updated Arboricultural Impact Assessment should be submitted as part of any future reserved matters application, confirming the number of tree replacements in accordance with the Bristol Tree Replacement Standard and for all of these trees to be provided onsite.
134. It is considered that the proposed development would enhance nature and green infrastructure onsite and would provide demonstrable net gains for biodiversity.

**G. DOES THE APPLICATION GIVE SUFFICIENT CONSIDERATION TO SUSTAINABLE DESIGN AND CONSTRUCTION?**

135. Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.
136. Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.
137. Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaptation, material consumption and biodiversity should be included as part of a sustainability or energy statement.
138. Given the outline nature of the proposals, the extent to which sustainability can be assessed is limited. The applicant has provided a sustainability statement which sets out key principles for sustainability and tests the illustrative masterplan against adopted policies.
139. The applicant has been able to demonstrate that there would be a reduction in carbon dioxide emissions in accordance with Policy BCS14. The Energy and Sustainability Statement (WSP, 2022) demonstrates that a 36.9% reduction in CO2 emissions would be achieved on the site via a heat hierarchy-compliant solution of individual and communal air source heat pumps.
140. At reserved matters stage an updated Energy and Sustainability Statement will be required, in accordance with the approved statement, to demonstrate that the proposed development provides accordance with Policies BCS13, BCS14 and BCS15.
141. Overheating would be considered in full at reserved matters stage, however, the outline planning application establishes good principles such as high levels of thermal efficiency and air tightness is proposed. Two options to manage overheating are considered; passive measures (non-technological responses such as solar shading and blinds) and mechanical ventilation with heat Reduction. Both solutions are acceptable in principle, with a preference for passive measures to be embedded in any reserved matters application.
142. The applicant has provided a BREEAM Communities Step 1 certification report (WSP, 2022) which indicates that the proposed development achieves a 'PASS' at this step. This accords with Policy BCS15.
143. A condition will be made for the provision of an updated Energy and Sustainability Statement, an Overheating Assessment and a BREEAM Communities Assessment.

**Development Control Committee B – 7 December 2022**

**Application No. 22/01199/PB : Former School Site New Fosseway Road Bristol BS14 9LN**

144. It is concluded that sufficient consideration has been given to sustainable design and construction, subject to conditions.

**EQUALITIES ASSESSMENT**

145. The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

"S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to: -

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

146. During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
147. The proposed development would provide extra care housing to meet the needs of an aging population as well as those with disabilities that require support at home. The proposed development will provide a minimum of 30% affordable housing to meet the needs of those on the social housing register and offer an opportunity for people to get onto the housing ladder through shared ownership.
148. The approach to transport and highways has ensured that all road users can access the development, and the provision of sustainable travel measures will improve movement for all sections of the community.
149. Whilst the housing mix will be determined at reserved matters stage, the illustrative masterplan and indicative housing mix shows that a range of dwelling types, sizes and tenures can be provided on the site to meet the needs of a well-balanced community.
150. It is considered that there will be a positive impact on equalities.

**CONCLUSION**

151. The proposed development would contribute to the delivery of new, affordable homes on an allocated site within the Bristol Local Plan and on previously developed land. Subject to conditions, the proposed development would be acceptable in terms of transport and highways.
152. The parameter plans submitted indicate that the site has sufficient capacity to comfortably accommodate up to 200 dwellings and the design principles established at this stage are considered to be acceptable.
153. The Reserved Matters application should demonstrate that the proposed development is of an appropriate type and mix for the area.

**Development Control Committee B – 7 December 2022**

**Application No. 22/01199/PB : Former School Site New Fosseway Road Bristol BS14 9LN**

154. Any further Reserved Matters application should demonstrate that the proposed development would sufficiently reduce CO2 emissions, considers sustainable design and construction, nature conservation and green infrastructure. At this stage, all the information provided to cover the above topics demonstrates that the future development of the site can accord with the adopted policies of the Bristol Local Plan.

**155. RECOMMENDED Resolution to GRANT outline planning permission, subject to delegation to officers to finalise planning agreement and agree conditions**

**PLANNING AGREEMENT**

156. A number of consultees have requested financial contributions towards mitigation and/or improvements associated with the proposed development. As BCC cannot enter into a s106 agreement with itself, these are to be secured via an internal memorandum of understanding (MOU). The MOU is to secure the following items:

- 39 affordable dwellings and 70 affordable extra care units
- 6 no. Fire Hydrants - £9,000.00 plus VAT.
- Travel plan audit and management fees for dwellings = £5,335.00
- Travel plan audit and management fees for extra care units = £5,335.00
- Traffic Regulation Orders (TROs) for alterations to waiting restrictions, speed limit extension into site, disabled parking and statutory notices for highway mitigation – £18,930.00
- Upgrading of bus stops - Fortfield Road (outbound) = £66,922.00
- Upgrading of bus stops - Gladstone Road (westbound) = £10,709.00

**CONDITIONS**

157. Conditions are to be agreed with the applicant and submitted by way of the amendment sheet.



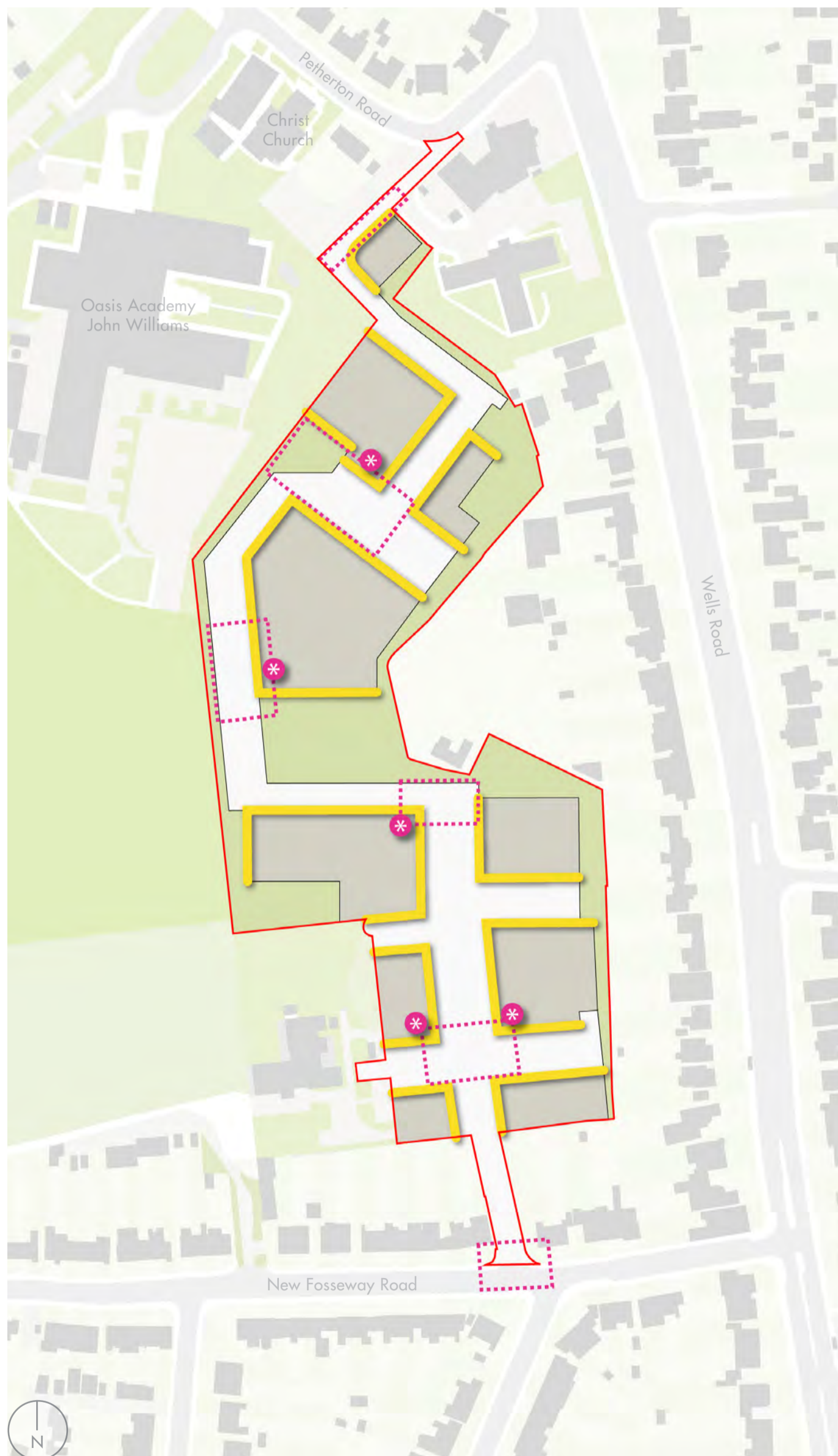
## **Supporting Documents**

2. Former School Site, New Fosseway Road
  1. Parameter Plans
  2. Illustrative Masterplan
  3. Illustrative Site Sections

# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

### SITE STRUCTURE



- Development area (buildings and private space)
- Strategic landscape and open space
- Public Realm (including streets, car parking and footpaths)
- Active development edge
- Focal feature (requiring visual and/or functional accentuation)
- Key gateway area (where surrounding buildings and public realm all work coherently)

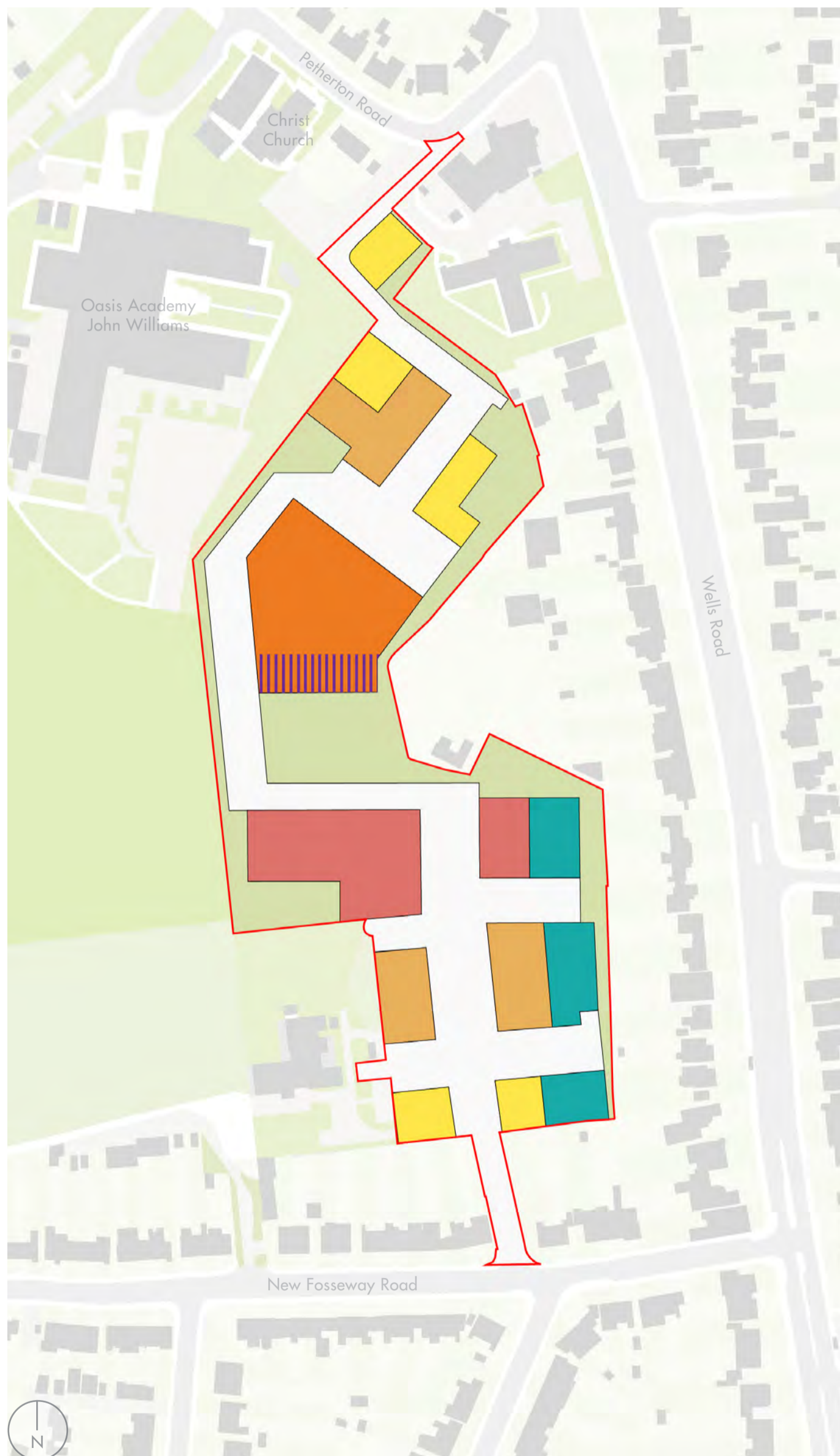











# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

### BUILDING TYPES AND USES

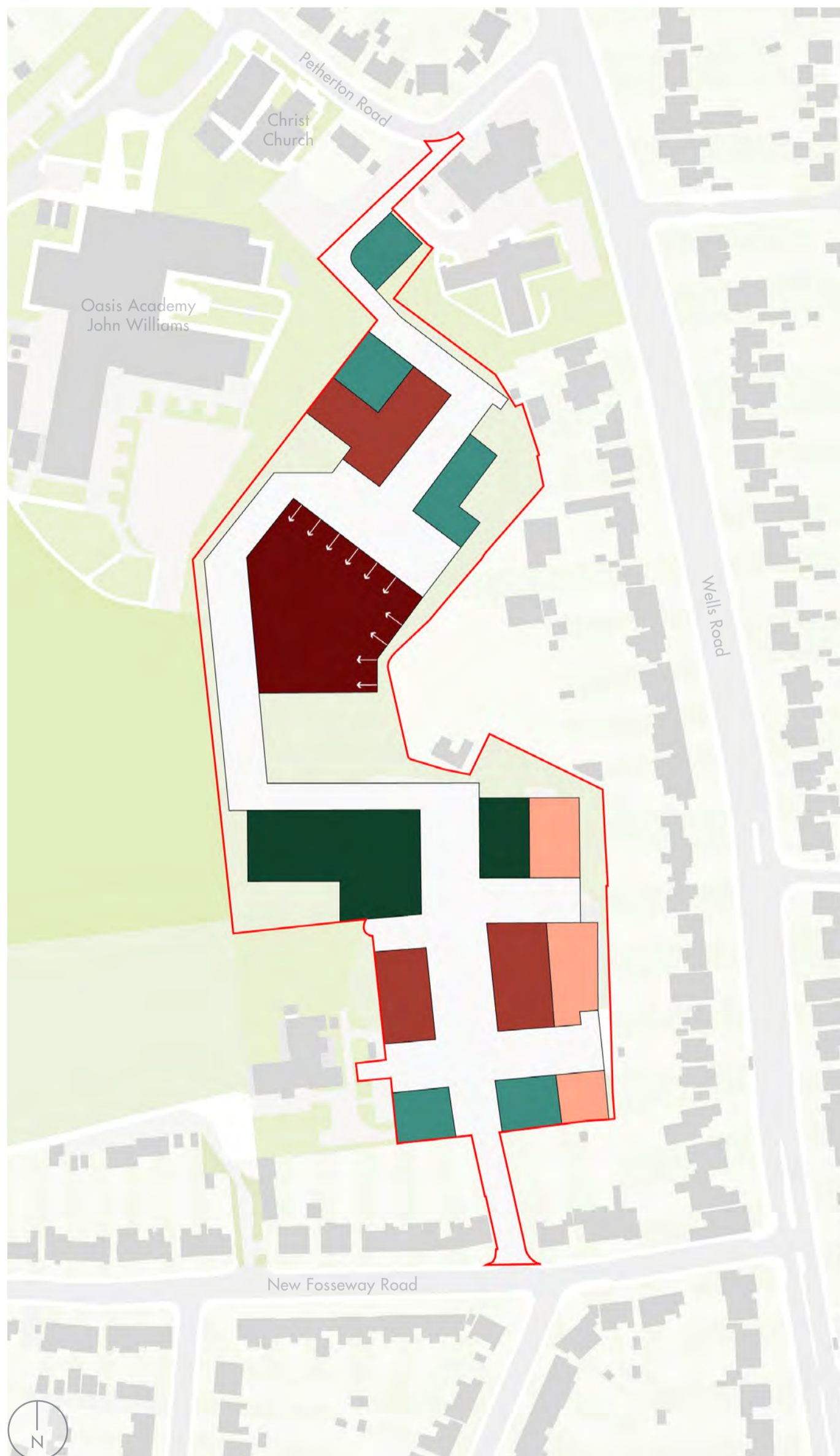


-  Extra care hub: use class C3
-  Active ground floor uses (non-residential activities, such as a café at ground floor that creates a more lively environment with the ability to 'spill out' into the external spaces)
  - Use class E: commercial, business and service
  - Use class F1: Learning and non-residential institutions
  - Use class F2: Local community uses
-  Apartment or Townhouse: use class C3
-  Townhouse: use class C3
-  Mews or Townhouse: use class C3
-  Mews: use class C3
-  Strategic landscape and open space

# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

### BUILDING HEIGHTS



Extra care (with set-back where identified). General parameters for this zone are as follows:

- North, west and south edges of development area: Up to four storeys with set-back upper storey (up to 16m from ground level);
- East edge of development area: Up to three storeys with set-back upper storey (up to 13m from ground level)



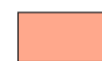
Minimum three storeys, up to four storeys (up to 16m from ground level)



Three storeys (up to 13m from ground level)



Minimum two storeys, up to three storeys (up to 13m from ground level)



Up to two storeys (Up to 10m from ground level)

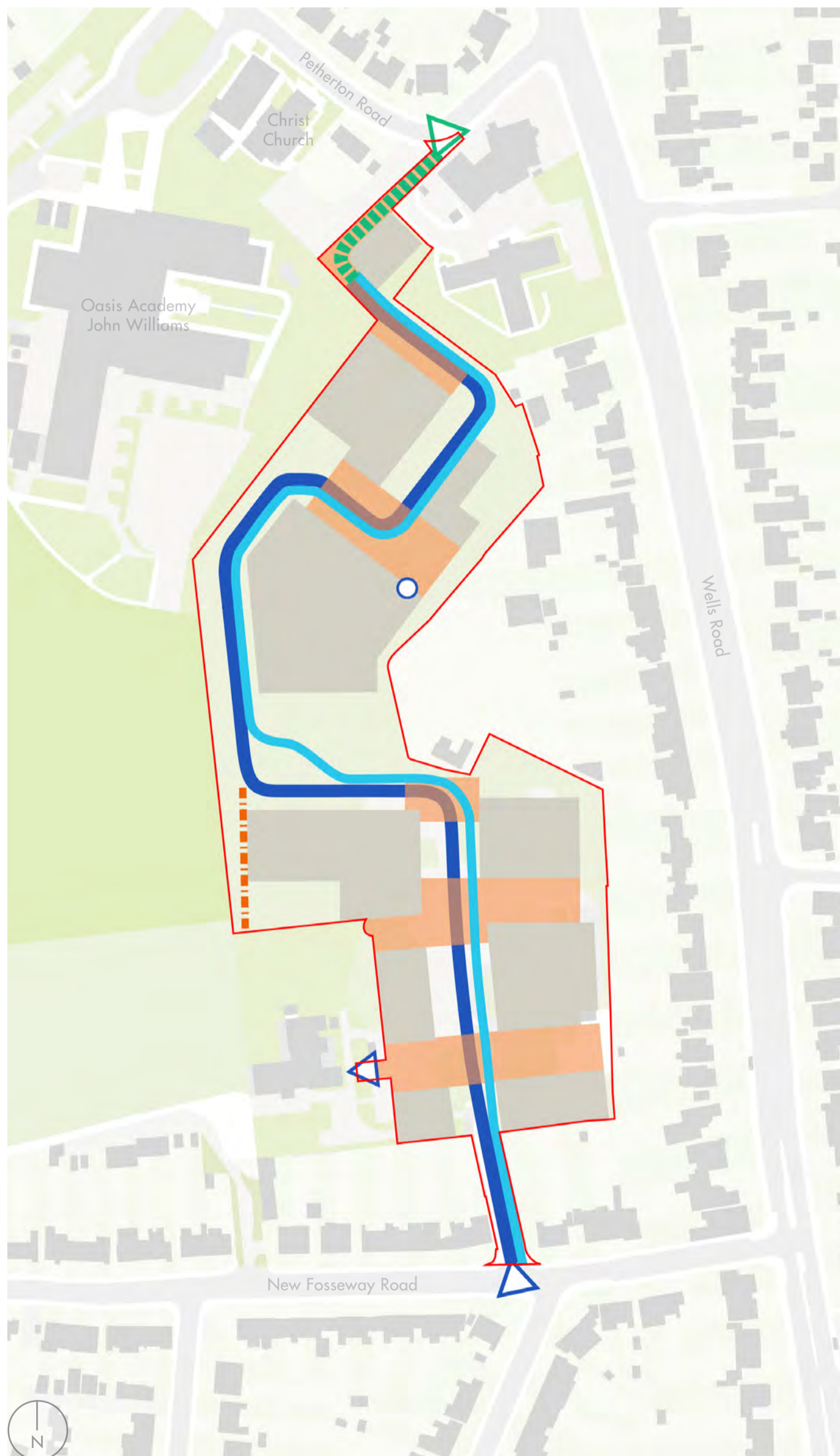




# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

### ACCESS AND MOVEMENT



- Block structure
- Vehicle, pedestrian and cycle access
- Two-way vehicle route with on-street cycle provision
- New pedestrian/cycle access from Petherton Road with allowance for emergency vehicle access only
- Potential service access for the extra care hub
- Primary pedestrian spine route
- Scope for future secondary pedestrian connection (if the Bush Centre is redeveloped in future)
- Pedestrian priority zone with calmed vehicle access



# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

LANDSCAPE - GREEN AND BLUE INFRASTRUCTURE



- Public open space, multi-purpose species rich amenity grassland with ornamental shrub planting - BwN Standard 5&7
- Private gardens, multi-purpose amenity grassland
- New species rich / wildflower area
- Play provision - BwN Standard 5&7
- Landscaped streets containing broad leaf native species planting
- Existing tree outside the site area but with root protection areas within the site to be retained
- Existing tree within the site to be retained - BwN Standard 3
- Tree root protection area (extent of roots spreading out from existing tree)
- Existing vegetation to be retained - BwN Standard 3
- Existing vegetation to be removed to facilitate new routes
- Existing hedgerow and native trees, reinforced with native broadleaved species - BwN Standard 1&3
- Existing vegetation outside of the site boundary to be reinforced with new planting - BwN Standard 1&3
- New native hedgerow planting along the boundary - BwN Standard 3
- Surface SuDS attenuation feature (eg. Pond) including marginal species planting to improve bio-diversity and wildlife - BwN Standard 9&10
- Below Ground SuDS attenuation feature (eg. tank)
- Direction of surface water run-off (managed through appropriate SuDS infrastructure such as swales) - BwN Standard 9&10



# LAND OFF NEW FOSSEWAY ROAD

## PARAMETER PLANS

### LANDSCAPE - TREE PROTECTION AND REMOVAL



- Existing tree outside the site area but with root protection areas within the site to be retained
- Existing tree within the site to be retained - BwN Standard 3
- Existing tree within the site to be removed
- Existing vegetation to be removed
- Existing vegetation to be retained
- Tree root protection area






# LAND OFF NEW FOSSEWAY ROAD

## ILLUSTRATIVE CONCEPT PLAN

### ILLUSTRATIVE MASTERPLAN



1. Main access from New Fosseway Road
2. Redevelopment of the existing Bush Centre access for new development
3. Mews street providing a new access to the Bush Centre
4. The Bush Centre
5. Potential for sub-station to be retained and retro-fitted for the new development
6. Three storey townhouses along the primary spine street
7. Primary vehicle spine street with on-street cycle provision
8. Existing dense scrubland and vegetation to be retained
9. Location for future pedestrian connection along the western boundary (should the Bush Centre site be considered in the future for redevelopment)
10. Four storey apartment block with green roof framing the central public open space
11. Four storey apartment block with green roof fronting onto the primary spine street
12. SUDS attenuation feature
13. Play provision within the central public open space
14. Extra care hub with active community uses at ground level with the opportunity for 'spill out' space onto the central public open space; as well as a private amenity terrace over the reception area
15. Service access for the extra care hub
16. Potential location for a new sub-station to service the northern development
17. Street configuration reflecting the retention of the existing pair of lime trees
18. Shared private green space to increase biodiversity and provide opportunities for wildflower meadows and planting
19. Reinforced vegetation boundary between the new development and existing Oasis Academy
20. New pedestrian/cycle route access onto Petherton Road with allowance for emergency vehicle access only.

-  Extent of green roofs
-  New development
-  Existing/retained buildings

SCALE: 1:1000 @ A1





# LAND OFF NEW FOSSEWAY ROAD

## ILLUSTRATIVE CONCEPT PLAN

### ILLUSTRATIVE SITE SUMMARY CONCEPT STRATEGY



- Residential development: use class C3
- Redevelopment of the existing Bush Centre access for new development with a new access to Bush Centre to be provided
- Public Realm (streets, parking and footpaths)
- Active ground floor uses: use classes E/F1/F2 (non-residential activities, such as a café at ground floor that creates a more lively environment with the ability to 'spill out' into the external spaces)
- Extra care hub: use class C3
- Two-way vehicle access
- New pedestrian/cycle access from Petherton Road with allowance for emergency vehicle access only
- Dedicated pedestrian footpath
- Potential location for a north-south connection
- Possible area for servicing (e.g. deliveries)
- Strategic landscape and open space
- Public open space, multi-purpose species rich amenity grassland with ornamental shrub planting - BwN Standard 5&7
- Private communal gardens, multi-purpose amenity grassland
- New species rich / wildflower area
- Play provision - BwN Standard 5&7
- Existing tree outside the site area but with root protection areas within the site to be retained
- Existing tree within the site to be retained
- Tree root protection area (extent of roots spreading out from existing tree)
- Important north-south tree lined street
- Existing vegetation to be retained - BwN Standard 3
- Existing vegetation to be removed to facilitate new routes
- Existing hedgerow and native trees, reinforced with native broadleaved species - BwN Standard 1&3
- Existing vegetation outside of the site boundary to be reinforced with new planting - BwN Standard 1&3
- New native hedgerow planting along the boundary - BwN Standard 3
- Surface SuDS attenuation feature (eg. Pond) including marginal species planting to improve bio-diversity and wildlife with native trees to include along swales - BwN Standard 9&10
- Below Ground SuDS attenuation feature (eg. tank)
- Direction of surface water run-off (managed through appropriate SuDS infrastructure such as swales) - BwN Standard 9&10
- Key building elevation
- Neighbouring elevation
- Focal feature (requiring visual and/or functional accentuation)
- Key gateway area (where surrounding buildings and public realm all work coherently)

SCALE: 1:1000 @ A1



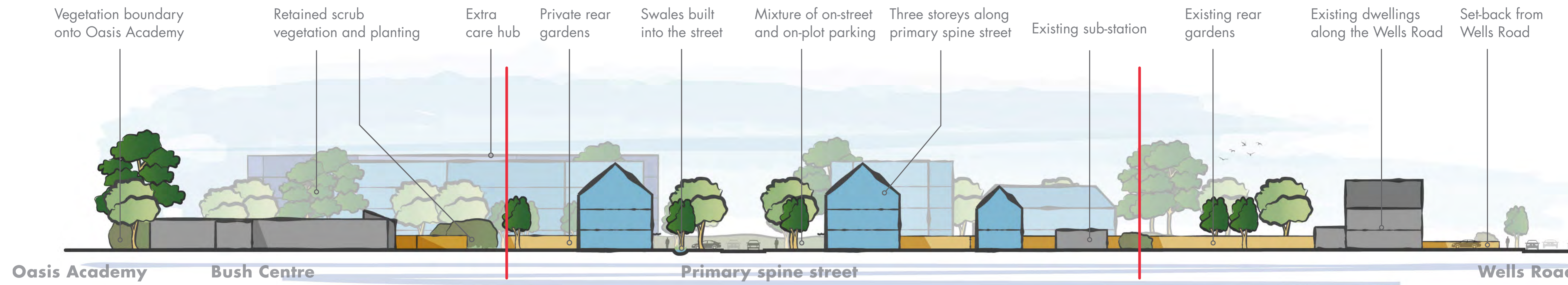


# LAND OFF NEW FOSSEWAY ROAD

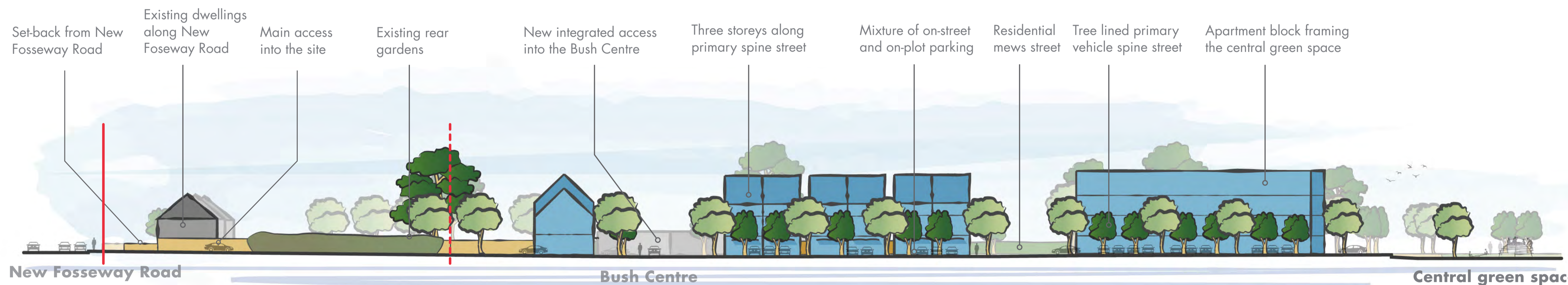
## ILLUSTRATIVE SITE SECTIONS

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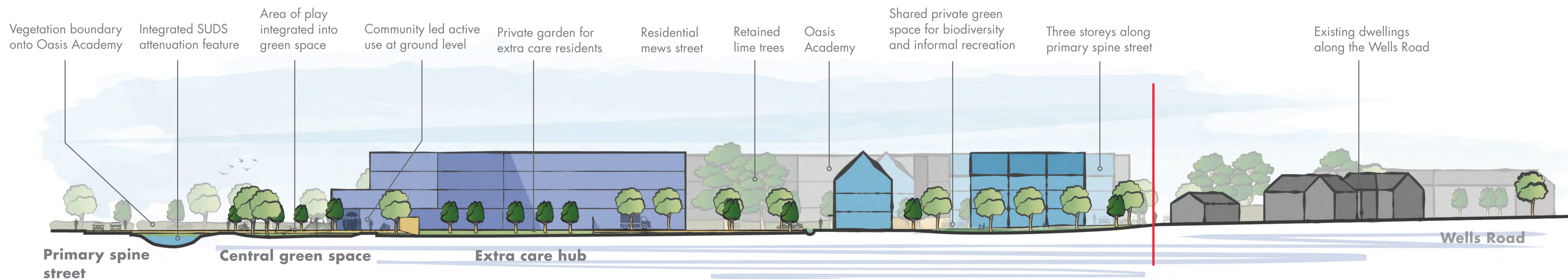
### SECTION LOCATION PLAN



**A-A: WEST TO EAST, PRIMARY SPINE STREET**



**B-B: SOUTH TO NORTH, PRIMARY SPINE STREET**



**C-C: SOUTH-WEST TO NORTH-EAST, EXTRA CARE TO WELLS ROAD**





**Development Control Committee B – 7 December 2022**

**Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH**

**SITE DESCRIPTION**

This application relates to the site known as Derby Street Car Park in St George West, east Bristol.

The site is currently a free, public car park with 45 parking bays and 3 disabled parking bays. There are 3 trees on the site as well as some peripheral soft landscaping.

The surrounding area is largely commercial, with shops, pubs and restaurants immediately to the north of the site. The Dark Horse pub has an informal access arrangement through the site. To the south is St George Preschool. To the southwest is Redfield Lodge, an assisted living home. To the north of the site, there is a three-storey block of flats with ground floor retail.

The site is nearby to St George's Park and Netham Park. The site is located within a Coal Authority High Risk area.

Three telegraph poles and one streetlight are located along the frontage with Derby Street.

**RELEVANT HISTORY**

There is no relevant planning history associated with this site.

**APPLICATION**

This application seeks full planning permission for residential development (Use Class C3), proposed for use as temporary move-on accommodation by the Salvation Army in partnership with Bristol City Council.

Move-on accommodation is transitional housing for former rough sleepers. The aim, as set out by the Applicant, is to provide secure accommodation for a period of up to two years for tenants to provide stability for them to develop independent living skills before moving on to longer term housing solutions. It is understood that the site will be managed by the Salvation Army on a 30-year lease.

The proposed development would consist of eight, one storey modular units. These modular units would be of a standard typology implemented in other local authorities by the applicant.

The proposed development would be split into two groups of four, each facing south. An area of open space would be located between the two groups of units.

Each unit would be 2.7 metres high, 7.9 metres deep and 3.8 metres wide, providing a total of 24 square metres of floorspace. The units would include a living and kitchen area to the front of the unit, a shower room located centrally, and a bedroom to the rear. The bedroom would only be wide enough for a single bed.

The units would be constructed in black metal cladding, with coloured panel detailing to the front. The precedent examples in the applicant's design and access statement include an outside light, letterbox, full-height window, glass sign panel and portico.

The proposed development would have semi-private spaces to the front of each unit, with low timber fencing. To the rear of the units would be gardens with concrete slabs and grass. There would be a grassed area with planting in between the two groupings of residential units.



**Development Control Committee B – 7 December 2022**

**Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH**

To the east of each grouping would be bin storage and cycle parking, as well as communal air source heat pumps.

Two of the existing trees would be retained, one would be felled.

The car parking at the eastern and western ends of the site would be retained. The proposed development would result in the loss of 22 of the 45 parking bays. The remaining 23 car parking bays would be reconfigured to reflect the reduction in the available parking.

**RESPONSE TO PUBLICITY AND CONSULTATION**

**PUBLIC COMMENTS**

40 public comments have been received on this application, of which 3 were in support and 37 in objection to the proposed development. The following planning issues were raised:

- Concerns that the proposed development could increase anti-social behaviour.
- Concerns that the proposed development would increase density of housing in the area.
- Concerns that the proposed development is not an adequate response to St George's housing needs.
- Objection to the loss of parking and the impact this would have on local businesses and residents.
- Concerns regarding the adequacy of the parking and traffic assessment.
- Concerns that the proposed development would result in traffic congestion on Derby Street.
- Objection to the proximity of the proposed development to St George Preschool and Redfield Lodge.
- Concerns that the proposed design is out of character with the surrounding area.
- Concerns about noise from the nearby uses and roads affecting future residents.
- Concerns about the consultation, or lack of, undertaken by the applicant.

**INTERNAL CONSULTEES**

Contaminated Land – No objection

Conditions are requested for the submission of a formal remediation strategy, implementation of the remediation strategy and reporting of unexpected contamination.

Flood Risk Manager – No objection

The approach to the drainage strategy overall is acceptable from the LLFA perspective. The increased green space and permeable paving will provide wider sustainability benefits. Confirmation of the detailed design will be required following the further investigatory survey works on site that are planned. Approval from Wessex Water for the proposed sewer connection is also essential.

Housing Strategy and Enabling – No objection

The application is below the threshold for affordable housing; however it is the intention for all homes to be 'affordable'.

It will provide 8 affordable homes to support the Project 1000 target.

**Development Control Committee B – 7 December 2022**

**Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH**

The proposed units would be specifically for people who have experienced homelessness, with dedicated support to achieve a successful reduction in rough sleeping.

The units donated by Hill Group and revenue provided by DLUHC, meaning that the scheme is excellent value for BCC/ taxpayers.

Strategy and Enabling support this proposal.

Pollution Control – No objection

Whilst I appreciate the need for this development I do have some concerns with the western block as this backs onto the Dark Horse PH, 172-172 Church Road. The pub is licensed to be open until 01.00 during the week and 02.30 on Friday & Saturday nights and has an outdoor terrace at first floor level which has the same opening hours as the pub.

I therefore have concerns regarding the potential of noise from the pub, including the terrace, affecting residents of the proposed development particularly as the bedrooms are located to the rear of the modular homes with windows facing the rear of the pub. I can't see that this has been mentioned in the application and it has implications not only for future residents of this development but also potentially the future viability of the pub.

I would therefore like to see inclusion of a condition for a noise sensitive premises assessment to be added to any permission.

Sustainable Cities – No objection

The proposals are compliant with BCS14 by providing good energy efficiency and air source heat pumps.

The air source heat pump prioritises hot water but also provides heat for the radiators as second priority – this is to be expected in such small units where hot water demand likely exceeds space heating demand.

Conditions are requested for compliance with the submitted sustainability statement and for provision of further details of the air source heat pumps.

Transport Development Management – No objection

In response to the application as originally submitted, Transport Development Management (TDM) requested that the boundary fence line fronting onto Derby Street was adjusted to ensure that sufficient space would be provided for pedestrians on the footway along Derby Street. Further information was also requested for details on the suspension of parking bays, the provision of swept path analysis, details of servicing for the development and the Dark Horse pub and details of cycle and refuse storage.

A revised package of information was submitted by the applicant, and the following comments were provided by TDM:

The proposal seeks to remove 22x spaces from Derby Street Car Park, which is governed by an Off-Street Parking Spaces Order. The applicant shows at p.7 of its parking survey that a minimum of 25% (33x spaces) of all parking spaces across the three existing public car parking areas, including at Chalks Road, was available at any given time of day during the surveys, and the median availability over the course of the busiest day – Saturday – was 44% (58x spaces). This

**Development Control Committee B – 7 December 2022****Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH**

demonstrates that, even with the proposed reduction in overall spaces, the Chalks Road Car Park would be able to accommodate existing demand and is only 3x minutes' walk from the town centre and primary shopping areas at St George (Church Road).

While TDM acknowledges that the new arrangement may be less convenient for some drivers, when considering the results of the parking survey and the proposed installation of new signage directing drivers to Chalks Road when Derby Street is full, the reduction is not considered to constitute a significant barrier to public parking in the area. The swept path analysis provided by the applicant confirms that the proposed spaces would be useable and the process for suspending bays is agreed.

The proposed solutions for bins and cycle storage are acceptable given the constraints to accessing the shops to the north and subject to the provision of a lighting scheme, secured via condition. Each dwelling must be provided with storage for 2x dry-recycling boxes (44L & 55L), 1x kitchen waste bin (23L) and 1x cardboard waste sack (90L). In addition, 4x general waste bins (240L) must be provided at the site.

The proposed adjustment to the fence line on the Derby Street frontage would be sufficient to allow pedestrians to use the footway unimpeded.

The narrow footway at Derby Street and traffic sensitive status of Church Road and Blackswarth Road require that the applicant submit a construction management plan before commencing development. The plan/statement must provide for the restriction of loading or receiving deliveries between the hours of 7-9:30am and 3:30-6pm on weekdays, and detail any required highway closures, hoardings, temporary parking restrictions.

**EXTERNAL CONSULTTEES****The Coal Authority**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be Protecting the public and the environment in mining areas 3 submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately

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to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority).

**RELEVANT POLICIES**

National Planning Policy Framework – February 2019

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 Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

**KEY ISSUES****A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

Policy BCS5 of the Bristol Core Strategy sets a target for the delivery of 30,600 new homes within Bristol between 2006 and 2026.

Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

Policy BCS17 sets a target for the provision of 6,650 affordable homes by 2026.

The proposed development would consist of the construction 8 residential units on a car park within east Bristol. The proposed development would result in the existing car parking being split into two, with 22 of the existing parking spaces proposed to be lost.

It is understood that the car park is, at least in part, considered to be surplus to the requirements of the Council's transport assets team.

To demonstrate this, the applicant undertook a parking survey of the Derby Street car park alongside the Derby Street on-road parking, and the nearby Chalks Road car park. This was undertaken on Tuesday 21 and Saturday 25 June 2022.

The results showed that, whilst both on-street and off-street parking on Derby Street was in demand, a minimum of 33 spaces was available within the study area at any time. The median availability over the course of the busiest day, Saturday, was 58 spaces. This demonstrates there would still be more than sufficient parking available in the area if the 22 car parking spaces were lost to the proposed development.

The proposed development would accord with Policy BCS5 by supporting the delivery of new homes and the development would be on previously developed land in accordance with Policy BCS20.

Whilst below the threshold with Policy BCS17 for requiring affordable housing on site, the units would accord with the policy more generally as the intention is for all homes to be affordable.



**Development Control Committee B – 7 December 2022****Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH****B. WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND HIGHWAYS ISSUES?**

Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 states that development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards, the parking management regime and the level of accessibility by walking, cycling and public transport.

Appendix 2 of the Site Allocations and Development Management Policies Document (SADMP) sets out both the minimum cycle parking requirements for new development in Bristol, and the maximum car parking provision.

Policy DM32 states that all new residential development must provide sufficient space for the storage of individual recycling and ref use containers to reflect the current collection regime.

Transport Development Management was consulted as part of the application process.

The proposed development would result in the loss of 22 car parking spaces. This is considered within Key Issue A as it relates to the principle of the development.

It is proposed that the development would be car-free. The proposed development would provide 8 cycle parking spaces located within two external stores.

The proposal for the development to be car-free is accepted given that the site is located within a sustainable location, with nearby bus stops at a walking distance of approximately 190m on Church Road, with buses to the City Centre and further east towards Hanham, and Kingswood. The site is also close to shops on Church Road, which runs parallel to Derby Street.

Given the type of development proposed, whereby the accommodation would be used by former homeless people, it is not expected there will be any car ownership. This further supports the principle of a car-free development. If a residents' parking scheme was implemented, the residents would not be eligible for permits. This is set out in an advice, attached to the proposed list of conditions.

The proposed solutions for cycle and bin storage are considered to be acceptable, subject to the provision of a lighting scheme via condition.

Concerns are understood to have been raised by the Dark Horse public house during consultation, however they have not made a representation to the application. The proposed development would formalise the existing arrangements (which have not been approved by the highway authority) for the servicing of the pub to the rear via Derby Street. A statement submitted as part of the application demonstrates how this works and it is considered that this solution benefits the pub whilst also ensuring that Church Road, which is a key transport route into and out of the City Centre, is kept free of obstructions.

Transport Development Management has advised that the new car park layout would require alterations to the vehicle crossovers to the car park. The existing crossover resurfaced, and any sections of the kerb no longer required for vehicle access reinstated to full height. Details of this would be secured via a highway agreement and a condition is suggested to be attached to any permission for a plan showing these details.

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It is considered that the proposed development would be acceptable in terms of its impact upon transport and highways.

**C. IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?**

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

Policies DM26 – 28 require development to contribute to the character of an area through its layout, scale, massing form, public realm and building design and materials.

The application site is not subject to any statutory designations such as a Conservation area and is situated away from Listed Buildings. The surround area is of a mixed character. Building heights range from one-storey (Padmore Court) to three-storeys on Church Road. The surrounding buildings have a varied material palette including; white render, pebbledash, red brick, buff brick and timber cladding.

The proposed development, at one-storey in height, would be lower than the prevailing building heights. This would be consistent with a typical backland site and this subservience would ensure the impact on the character of the area is limited. The one-storey scale and low-density massing of the proposed development would be consistent with the heights of the bungalows opposite at Padmore Court.

The proposed development would provide some urban repair; providing an additional frontage onto Derby Street and increasing the amount of green space on site. The creation of the frontage onto reflects the former street pattern; up until shortly after World War II, Derby Street was fronted with terraced homes of two storeys in height.

The units would have flat roofs, which would act as blue roofs (see Key Issue X). This would again ensure subservience to the surrounding buildings.

The material palette would be dark grey/black steel with coloured panel detailing. This reflects standard modular typology undertaken by the developer elsewhere. Whilst this does not immediately appear to respond to site's context, it does represent a contemporary design response consistent with the modular method of construction and is not considered to detract from the character of the area.

The character of the site would be enhanced with the inclusion of a landscaped area, which would be accessible by the public. This would represent an improvement to the small grass verges on the car park, creating a new, attractive green space for the local area and responding to the existing grassy area opposite the site, outside St George Preschool. The proposed development would be bounded by timber fencing to the front and side, with the existing rear wall retained.

The proposed development is considered acceptable in terms of design as it would have a limited impact on the character of the surrounding area.

**D. WOULD THE PROPOSAL HARM THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS?**

Policy BCS21 requires that development safeguards the amenity of existing development and create a high-quality environment for future occupiers.

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Policy DM29 states that new development should ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

*Amenity of existing occupiers*

The proposed development would be one-storey in height. This would limit any overshadowing and would ensure that the buildings would not be overbearing. The proposed development would be a similar height to the rear wall of the site, and this would further limit impact upon neighbours.

A diagram has been submitted by the applicant to show the relationship between the rear windows of the proposed development and the flats to the north on Church Road. This demonstrates that the majority of overlooking would be blocked by the wall to the rear. Any overlooking would require the residents to stand very close to the rear window and look directly up to the second floor of the flats. There would be no overlooking of lower levels due to the wall. Whilst the separation distances are less than the rule of thumb of 22 metres, it is considered that given the limited overlooking available and the typical separation distances within this part of Redfield, there would not be any unacceptable harm to residential amenity.

The proposed development is considered to be acceptable in terms of residential amenity to neighbouring occupiers.

Concerns have been raised within public comments about the potential impact of noise from neighbouring sites such as the Dark Horse public house, which has a roof terrace.

The Pollution Control officer has requested that a noise sensitive premises assessment is undertaken to understand what potential noise impacts there could be from these neighbours. This assessment should be undertaken in accordance with ProPg (Institute of Acoustics Guidance) and include a visit to the site when the pub is likely to be noisiest (Friday or Saturday night). A conversation should be held with the pub over hours of use, when it is most busy and any controls they have in place. If assessed to be a potential issue, mitigation would need to be proposed and implemented.

Concerns were also raised during consultation about existing anti-social behaviour on the car park. The provision of living accommodation on the site would increase the natural surveillance of the area and likely detract from anti-social behaviour. The provision of lighting would also deter

*Amenity of future occupiers*

Each of the proposed units would provide living, kitchen, bathroom and bedroom accommodation. The units would each provide 24sqm of floorspace.

The nationally described space standard for a typical dwellinghouse (use class C3) with one bedspace is 39sqm (37sqm with a shower room). The proposed development would be significantly below this standard. In order to limit the effect of the smallness of the accommodation, it is proposed to limit occupancy to no more than two years per tenant. This is included as a post-occupation management condition to ensure compliance. Given that the alternative option for these residents could be staying in hostels or transient accommodation such as 'sofa-surfing', and ultimately, sleeping on the street, the size of accommodation is considered acceptable. The development would not, however, be acceptable for longer-term full-time accommodation.

The proposed development would face south, with dual aspect windows on the south and north of the units providing light into the interior. The units would maintain airtightness but would be equipped with a Mechanical Ventilation & Heat Recovery system to allow fresh air supply, to

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minimise the risk of overheating from the south-facing windows. The windows would also be openable to allow for cooling.

The proposed development would provide all the necessary amenities to residents and they would also benefit from some private and shared outdoor amenity space. The development is also in close proximity to St. George's Park, which offers high quality outdoor amenity space.

It is considered that, subject to conditions, the proposed development would provide an acceptable future environment for its proposed occupiers.

**E. DOES THE PROPOSED DEVELOPMENT ADEQUATELY MEET OBJECTIVES OF SUSTAINABILITY AND CLIMATE CHANGE?**

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaptation, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The proposed development includes a number of sustainability measures to reduce energy demand, including high degree of airtightness and insulation and active design measures to reduce energy consumption.

The proposed development would utilise a sustainable source of energy with communal air source heat pumps (ASHP) providing heating and hot water. This would provide 39% reduction in carbon dioxide emissions from residual energy use required by Policy BCS14. Any condition should be attached to any permission for compliance with the submitted sustainability statement and for full details of the communal air source heat pumps.

A blue roof is proposed on each of the units as part of the sustainable drainage strategy. The final sustainable drainage strategy is yet to be fully defined, with both sewer discharge and infiltration considered. A condition should be attached to any permission for full details of the SuDS strategy and for this to be agreed in collaboration with Wessex Water.

The proposed development would provide landscape and biodiversity enhancements by replacing an area of tarmac car parking with a landscaped area, located centrally on the site. This would include species-rich native planting to support wildlife and create an attractive environment.

It is concluded that sufficient consideration is given to sustainable design and construction.

**F. WOULD THE PROPOSED DEVELOPMENT RESULT IN ANY UNACCEPTABLE IMPACTS UPON TREES?**

Policy BCS9 states that individual green assets should be retained wherever possible and integrated into new development.



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Policy DM15 sets out that new green infrastructure assets will be expected to be designed and located to maximise the range of green infrastructure functions and benefits achieved, wherever practicable and viable. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

Policy DM17 sets out that where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard.

The proposed development would result in the removal of one tree and the maintenance of the two remaining trees. It is considered that the loss of the tree would not result in any unacceptable harm to the character of the area. The Arboricultural Impact Assessment describes the tree as Category U and so is in poor condition with evident decline and die-back. This conclusion is concurred by the Council's Arboricultural officer.

The provision of street trees on the Derby Street frontage was explored, however this was not feasible due to the position of the streetlight and telegraph poles on site.

It is considered that the proposed development would be acceptable in terms of its impact upon trees.

**EQUALITIES ASSESSMENT**

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

"S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to: -

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The proposed development would provide temporary move-on accommodation to provide much-needed homes for some of the most vulnerable people in society. The management of the accommodation and support provided via the Salvation Army would ensure that residents get the help they require.

Potential impacts upon neighbouring properties including the St George Preschool and Redfield Lodge, which provide care to children and the elderly, have been considered and can be suitably mitigated.

The proposed development would not result in any unacceptable impacts contrary to the Equalities Act.

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**CONCLUSION**

The proposed development would contribute to the delivery of new, affordable homes on previously developed land, and is of an appropriate type and mix given the end users of the proposed development.

The Bristol Housing Delivery Test Action Plan (July 2022) demonstrates that in 2021, Bristol had delivered only 74% of its housing requirement and that it was unable to demonstrate a five year land supply of housing. In view of these facts, paragraph 11(d) of the NPPF is engaged, and the tilted balance applies to applications which result in the gain or loss of housing units.

It is considered that, whilst there would be a loss of parking from proposed development, this is justified through the applicant's parking survey, and outweighed by the benefits of supporting the delivery of affordable housing in accordance with Policies BCS5 and BCS17. The application of the tilted balance enhances this consideration, and it is concluded that the development is acceptable in principle.

The design of the proposed dwellings is considered acceptable.

There would be no unacceptable impacts upon adjoining residential amenity and whilst the units are small, they do offer a better alternative to the proposed residents and any harm to amenity would be reduced by the controls placed on the length of tenancies. This would be secured via condition.

The proposed development would sufficiently reduce CO2 emissions and considers sustainable design and construction.

It is recommended that planning permission is granted subject to planning agreement and conditions.

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

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

**Pre-commencement conditions****2. Construction Management plan**

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. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Measures to protect nesting birds
- Measures to protect nocturnal mammals

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.

**3. Protection of Retained Trees during the Construction Period**

No work of any kind shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown on the Tree Protection Plan (Treework Environmental Practice, October 2022). Once installed photos should be electronically sent to the Local Authority Case Officer, shall be submitted to and approved in writing by the LPA in order that the council may verify that the approved tree protection measures are in place when the work may commence. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

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Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

**4. Sustainable Drainage Strategy**

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. This should include confirmation that discharge rates required by Wessex Water have been met or that drainage via infiltration methods is acceptable.

The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

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

**5. Highway works – General Arrangement Plan**

No development shall take place (excluding any site clearance) 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:

- Details showing the works to the footway along Derby Street, including changes to any dropped kerbs and reinstatement of any sections of the footway.

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.



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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.

**6. Land affected by contamination - Submission of Remediation Scheme**

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

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

**7. Land affected by contamination - Implementation of Approved Remediation Scheme**

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

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

**8. Noise Sensitive Premises Assessment**

No commencement of use shall take place until a noise risk assessment, in accordance with ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development (May 2017), has been submitted to and approved in writing by the Council.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and if necessary shall include a scheme of noise insulation measures. Any approved scheme of insulation measures shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: To ensure the amenity of future occupiers is safeguarded and to apply the agent of change principle, set out in the National Planning Policy Framework.

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Detailed drawings at the scale of at least 1:20 of fully enclosed and secure refuse and recycling storage 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. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

Reason: To ensure there is sufficient solutions for refuse and recycling.

**10. Renewable energy – further details**

Prior to commencement of the relevant part of the works, details of the proposed air source heat pumps (including the exact location, dimensions, design/ technical specification) together with calculation of energy generation and associated CO2 emissions to achieve 20% reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The renewable energy technology shall be installed prior to occupation of the development, and thereafter retained.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

**Pre-occupation conditions****11. Implementation of Approved Remediation Scheme**

No occupation of the development shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (otherwise known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and be approved in writing by the Local Planning Authority, also prior to the occupation of the development.

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

**12. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is

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necessary, a remediation scheme must be prepared and submitted for the approval of the Local Planning Authority.

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

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

**13. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on approved plans**

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

**14. 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.

**15. 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.

**16. 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 disabled car 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

**17. Artificial Lighting (external)**

No building shall be occupied until a report detailing the lighting has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

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

**Post-occupation management conditions****18. Hard and Soft Landscape Works – Shown**

The landscaping proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory.

**19. Limit on tenancy**

Each of the dwellings hereby approved shall only be occupied by one tenant at any one time and for a period of no longer than two years.

Reason: To ensure that the quality of accommodation provided is acceptable for end users and to encourage availability of move-on accommodation.

**20. Management Plan**

The development hereby approved shall comply with the approved Management Plan (November 2022) throughout the lifetime of the development.

Reason: To ensure that the quality of accommodation provided is acceptable for end users, to encourage availability of move-on accommodation and to safeguard the amenities of adjoining residential occupiers and future occupants.

**21. List of Approved Plans and Drawings**

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

TM569	Landscape Report	received 17 Nov 2022
DSSH-BPTW-ZZ-ZZ-DR-01001-P01-S2	Ground Floor Plan	received 25 Aug 2022
DSSH-BPTW-ZZ-00-DR-A-20001-P01-S3	Proposed Elevations	received 13 Jul 2022
DSSH-BPTW-ZZ-00-DR-A-01001-P03-S3	Proposed Site Plan	received 15 Nov 2022
DSSH-BPTW-ZZ-XX-DR-A-10003	Cycle Storage	received 15 Nov 2022
3121-MHT-CV-XX-SK-003	Vehicle Tracking Diagrams	received 02 Nov 2022
3121-MHT-CV-XX-SK-002	Vehicle Tracking Diagrams	received 02 Nov 2022
220623	Existing Car Park	received 02 Nov 2022
109-05-PA-008	Revised Arboricultural Impact Assessment...	received 01 Nov 2022
Dark Horse	Right Of Way	received 01 Nov 2022
Housing Management Plan		received 01 Nov 2022
Landscape Details		received 01 Nov 2022
Arboricultural Impact Assessment		received 13 Jul 2022



**Development Control Committee B – 7 December 2022**

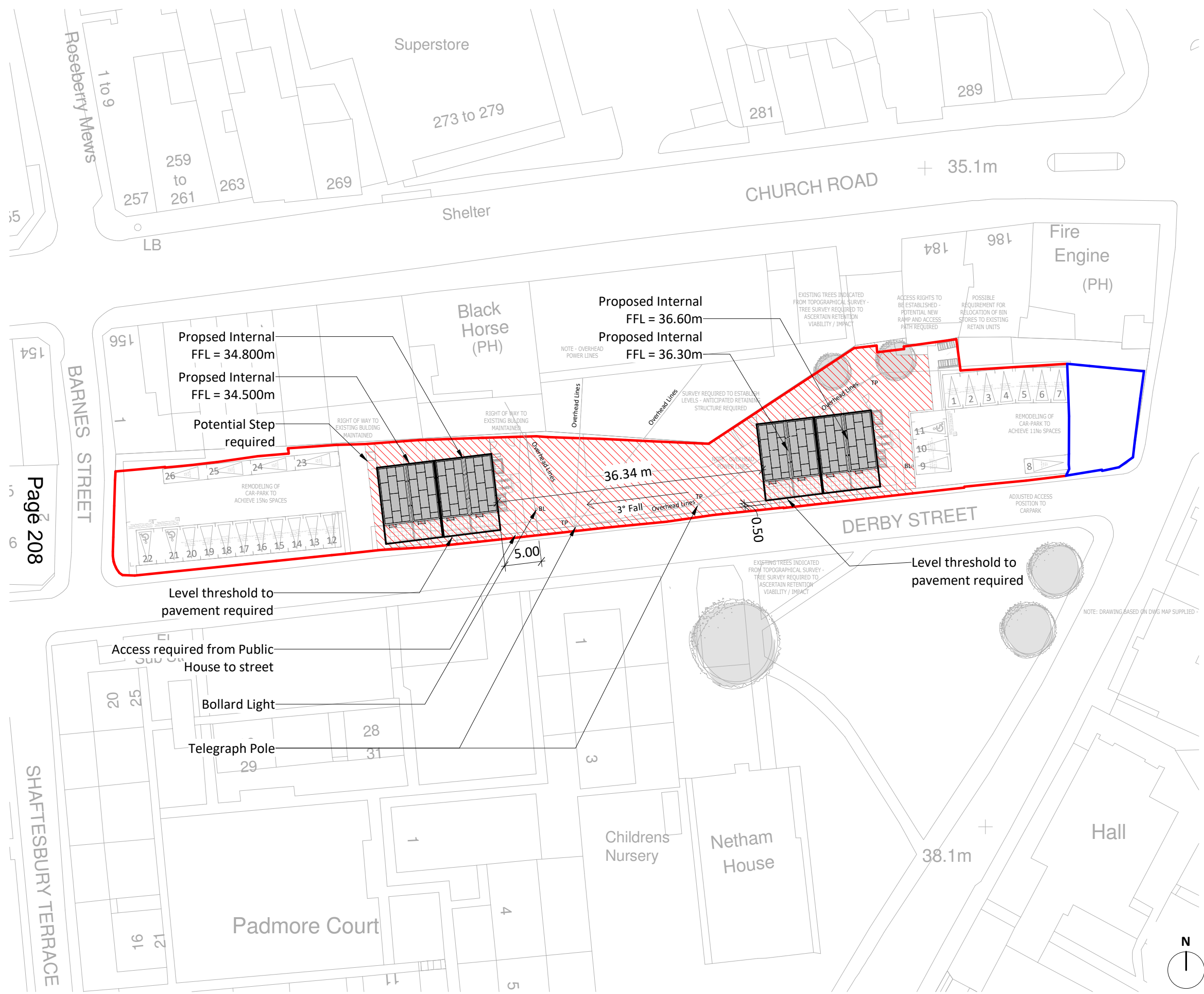
**Application No. 22/03490/F : Land At Derby Street Car Park Derby Street Bristol BS5 9PH**

Coal Mining Report received 13 Jul 2022  
Drainage Strategy received 13 Jul 2022  
Geo-Environmental Report received 13 Jul 2022  
Parking Survey Results received 13 Jul 2022  
Design & Access Statement received 13 Jul 2022  
Coal Mining Risk Assessment received 25 Jul 2022  
Energy Strategy Table received 25 Jul 2022  
Arboricultural Impact Assessment received 13 Jul 2022

Reason: For the avoidance of doubt.

## **Supporting Documents**

- 3.** Land at Derby Street Car Park
  1. Site plan
  2. Ground floor plan



- NOTES:**
- Site Boundary
  - Land Owned by Bristol City Council but not under development
  - /// Lease Area to Salvation Army from Bristol City Council
  - TP** Telegraph Pole
  - BL** Bollard Light
- Topographical Survey in drawing on preliminary Survey recieved from Hill -10-05-22
- Site Context as per Hill drawing 109-05-FE-003 pending information from Stage 4 Landscape Architect.
- Spot checks to be carried out on site before fully setting out the grids. Report any discrepancies to the Architect immediately.


**Notes:**

Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

**Revisions:**

Rev	Status	Date	Description	Drn	Chkd
P01	S3	07-07-22	PLANNING ISSUE	MC	
P02	S3	26-10-22	PLANNING ISSUE	MG	
P03	S3	14-11-22	PLANNING ISSUE	MG	

**Client:**



**Client Name:** Hill

**Project Name:** SOLOHAUS - HILL FOUNDATION 200 - DERBY STREET, BRISTOL

**Drawing Name:** SITE PLAN

<b>Drawing Number:</b> DSSH-BPTW-ZZ-00-DR-A-01001	<b>Rev:</b> P03	<b>Status:</b> S3
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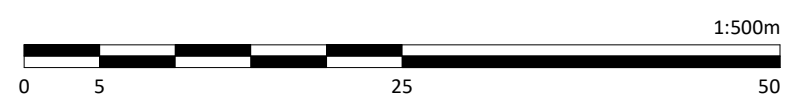
<b>Project No:</b> 22-106	<b>RIBA Stage:</b> 3	<b>Drawn By:</b> MC	<b>Scale:</b> 1:500 @ A3
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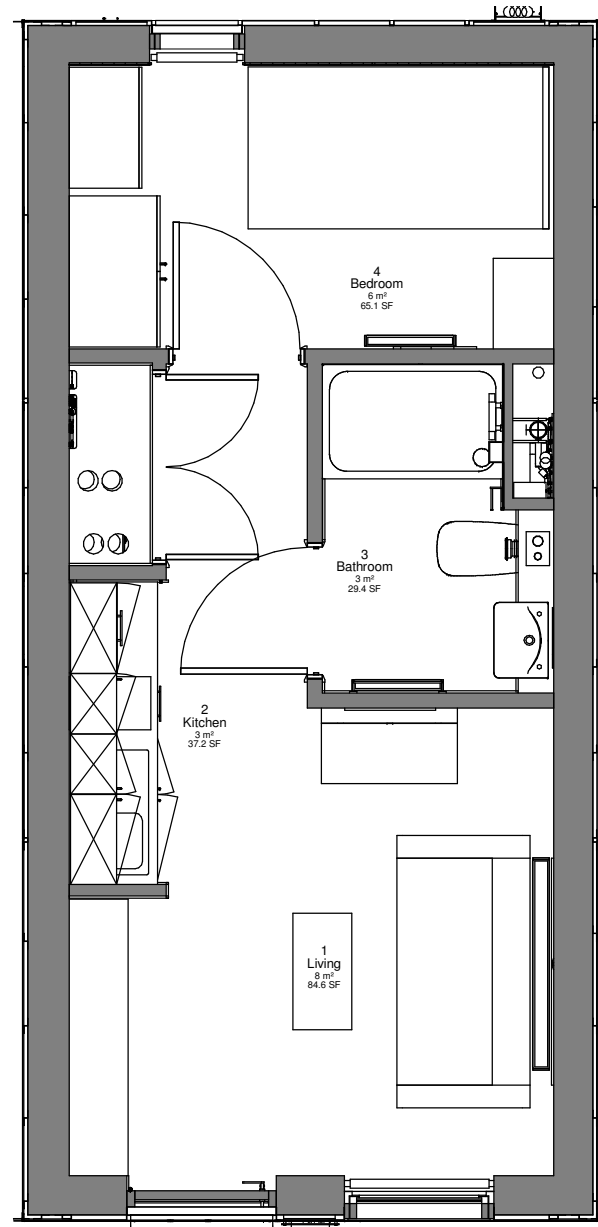
**PLANNING ISSUE**

40 Norman Road,  
Greenwich, London  
SE10 9QX

t. 020 8293 5175  
bptw.co.uk








NOTES:

Notes:  
Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

Revisions:

Rev	Status	Date	Description	Drn	Chkd
P01	S3	07-07-22	PLANNING ISSUE	MC	

Client:



Client Name: Hill

Project Name: SOLOHAUS - HILL FOUNDATION 200 - DERBY STREET, BRISTOL

Drawing Name: GROUND FLOOR PLAN

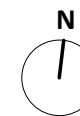
Drawing Number:	Rev:	Status:
DSSH-BPTW-ZZ-00-DR-A-10002	P01	S3

Project No:	RIBA Stage:	Drawn By:	Scale:
22-106	3	MC	1:50 @ A3

## PLANNING ISSUE

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1:50m





**Development Control Committee B – 7 December 2022**

**ITEM NO. 4**

**WARD:** Westbury-on-Trym & Henleaze

**SITE ADDRESS:** 29 Hobhouse Close Bristol BS9 4LZ

**APPLICATION NO:** 22/01550/F Full Planning

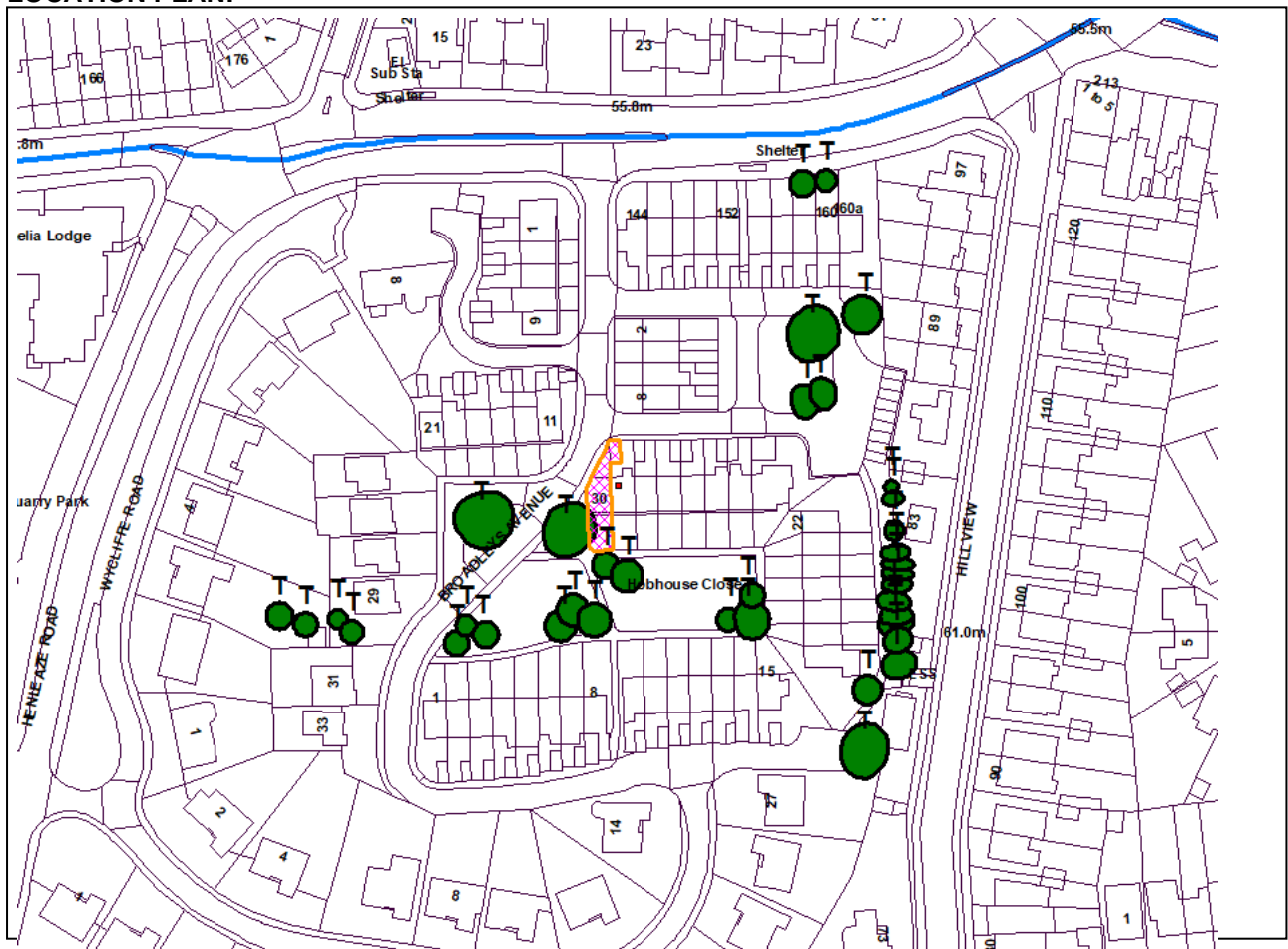
**DETERMINATION DEADLINE:** 11 July 2022  
*Retrospective application for retention of dwelling.*

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

**APPLICANT:** Mr Hassan Khaleghi  
 9 Pycroft Avenue  
 Bristol  
 BS9 4NL

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

**LOCATION PLAN:**



**Development Control Committee B – 7 December 2022**  
**Application No. 22/01550/F : 29 Hobhouse Close Bristol BS9 4LZ**

## SUMMARY AND BACKGROUND

This application has been brought to the Development Control Committee following a Member referral made on 9 June 2022.

The application the subject of this report is recommended for approval; i.e. that a new planning permission is issued to regularise the breach of planning control identified as part of a planning enforcement case registered on 15 February 2022 (22/30064/NAP refers).

The planning permission in question was issued on Appeal by Decision Letter dated 11/07/2019 (the appeal decision is included as a supporting document to this report). The appeal was following the City council refusal on 29/01/2019 of application 18/06126/F (and the Notice of Decision is also included as supporting document this report).

The planning permission granted on appeal was for a two storey dwelling. It was granted subject to 7 planning conditions.

The planning enforcement case established that the building was not built in accordance with the approved plans and that conditions had not been satisfied or adhered to. The investigation also considered how the building was being used.

On 28 March 2022 the planning application the subject of the report was submitted to seek to regularise the breach of planning control. Revised plans have been submitted during the period of assessment and re-consultation exercise undertaken. The results of these consultation exercises are recorded below.

Whilst it is always regrettable when approved plans are not followed after a planning permission is granted (particularly when it is an Appeal decision), it is unfortunately too often the case that breaches of planning control do occur, i.e. that things are built differently to what is approved. This happens nationally and is not limited to development in Bristol. The Government is clear on how planning authorities should deal with such scenarios. In paragraph 59 of the National Planning Policy Framework it states that "Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate". This approach (acting proportionately) to planning enforcement is echoed in our own published procedures.

National guidance for Local Planning Authorities (Planning Enforcement Handbook 2020) states that planning enforcement action is intended to be remedial rather than punitive and should always be commensurate with the breach of planning control. This is further reflected within the Council's own Local Enforcement Plan (April 2017).

The report below assesses the differences between the consented scheme and the scheme as built and having regard to the planning enforcement provisions referenced above, the Local Plan referenced below and the commentary on this matter from the public and ward councillors it concludes that it is entirely acceptable in planning terms for a new planning permission to be granted.

The dwelling in question has been completed and a number of recommended planning conditions below secure some adaptations and the delivery of facilities like cycle and refuse storage and parking. The report below also assesses the use of the building and explains what planning controls are in place by virtue of primary legislation to control the occupation in the future. The site address for planning purposes remains as previously - but it is understood that the new property has a postal address which

**Development Control Committee B – 7 December 2022**  
**Application No. 22/01550/F : 29 Hobhouse Close Bristol BS9 4LZ**

it is now known by.

Overall, and whilst not condoning deviating from approved plans the recommendation being made to Committee is very clear; that a new planning permission should be granted.

**RELEVANT PLANNING HISTORY**

18/06126/F - Erection of new 2 storey dwelling attached to side of 29 Hobhouse Close and associated structures.

Refused - 29 January 2019

Appeal allowed - 11 July 2019

22/30064/NAP (registered 15 February 2022) - Development not completed in accordance with details approved at Appeal ref W/19/3222132 (which consented a new dwelling) and use of building as small hmo (Use Class C4) and or for short term letting.

Case being held In abeyance pending the outcome of this application.

22/30232/TPO (registered 22/06/22) - Development of site impacted on adjacent tree the subject of TPO - 1167/R

Case being held In abeyance pending the outcome of this application.

**RESPONSE TO PUBLICITY AND CONSULTATION**

38 neighbouring properties were consulted on the original proposal, and a further re-consultation was carried out on the revised proposal with the same properties and any properties that had commented on the application being consulted.

In total, 91 number of comments have been received on this application. All received comments have been objecting to the proposal and set out the following concerns:-

- o The property is being used an Airbnb which is having a detrimental impact on the amenity of surrounding properties.
- o The property was previously approved as 2 bed and is now 5 bed.
- o The property is being used as a small HMO.
- o The front elevation of the property, as built, is incongruous with the character of the area.
- o The black downpipe on the front elevation has a detrimental impact on the character of the area.
- o The previous permission was only granted on appeal.
- o The property is resulting in a detrimental impact to the parking situation due to the use and occupancy.
- o The exterior alterations are not sufficient to address the harm.
- o The internal arrangements do not match the approved scheme and is not adequate for the intended purposes.
- o The development has resulted in unauthorised works to the nearby TPO tree. [This matter is being considered by the planning enforcement team separately]
- o There is a restrictive covenant on the wider development which stops the dwellings being used for commercial purposes. [Restrictive covenants on deeds are not a material planning consideration]

**RELEVANT POLICIES**

National Planning Policy Framework – July 2021

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

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**Application No. 22/01550/F : 29 Hobhouse Close Bristol BS9 4LZ**

March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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

**A) IS THE USE OF THE LAND AND BUILDING ACCEPTABLE?**

**PRINCIPLE OF CREATING A NEW DWELLING**

The principle of erecting a new dwelling in this location has previously been considered acceptable by the allowed appeal. No material changes to adopted policies has occurred since the previous decision, and therefore the principle of creating a new dwelling in this location remains acceptable.

**ARE THE INCREASED NUMBER OF BEDROOMS ACCEPTABLE?**

Significant public contention to the application revolves around the increased number of bedrooms within the building. The previously approved dwelling showed 2 bedrooms with a study. The dwelling, as built, has 5 bedrooms, through the living room and study becoming bedrooms, and the creation of a bedroom in the loft space. Whilst it is acknowledged that this results in an intensification of the expected number of occupants, internal alterations to dwellings which are not Listed Buildings do not require planning permission. As such, this application cannot be refused for this reason and doing so would not be reasonable.

For the above reasoning, the increased number of bedrooms within the dwelling does not form part of this application and cannot have any weight on the decision making.

**USE AS A SMALL HMO (USE CLASS C4)**

There are allegations that the property is being used in manner that constitutes a small HMO (Use Class C4), and the property was granted a Mandatory HMO License for 5 occupants in June 2022, which corroborates these allegations, and also restricts the property to an occupancy level that constitutes a C4 use.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) grants land and properties permitted development rights which enables development to be carried out without planning permission being granted from the Local Authority.

Schedule 2, Part 3 (changes of use), Class L permits the change of use of a single dwelling or flat from Use Class C3 (dwellinghouses) to Use Class C4 (small HMO) and vice versa. Local Planning Authorities can impose Article 4 Directions to revoke any Permitted Development Right for an area where it is considered expedient to remove these Rights for a specified reason, such as preserving the character of an area, and therefore making this change of use require planning permission in the area specified by the Direction. Bristol City Council has imposed several Article 4 Directions revoking the previously discussed Permitted Development Right, however, none of these Article 4 Directions cover the property which is the subject of this application.

Therefore, under Schedule 2, Part 3 (changes of use), Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the change of use of this property between Use Class C3 (dwellinghouse) and C4 (small HMO) does not require planning permission. As such, this application cannot be refused for this reason and doing so would not be reasonable.

For the above reasoning, the use of the property as a small HMO under Use Class C4 does not form



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part of this application and cannot have any weight on the decision making.

#### USE FOR SHORT-TERM LETTING

There have been allegations that the property is being used for short term lets (Airbnb or similar) and the Local Authority has evidence that corroborates these allegations.

The applicant has confirmed that the use of the property in this manner will be ceased. Therefore, it is considered that this issue has fallen away. In any event the use of a property for short-term letting does not require planning permission.

#### B) IS THE DESIGN AND SCALE/CONTEXT ACCEPTABLE?

Policy DM26 Local Character & Distinctiveness of the Site Allocations and Development Management Policies of the Local Plan outlines that development proposals should contribute to local character and distinctiveness by means of design. This will be achieved by responding to local patterns and the grain of historic development within the area. Policy DM27 'Layout and Form' provides consideration to factors such as layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes and how they contribute toward achieving high quality urban design. Policy DM29 'Design of New Buildings' states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm. As detailed in Policy DM30: Alterations to Existing Buildings of the Site Allocations and Development Management Policies of the Local Plan, the proposed side extension should respect siting, scale, form, proportions, materials, design and character of the host building.

The Henleaze Character Appraisal (2016) identifies Broadleys Avenue as a character area and makes specific reference to the enclosed area of Hobhouse Close as a contributor to the positive context of the area, in addition to the strong residential character, open plan gardens and fluid, curved layouts of streets.

There have been several public comments expressing that the black downpipe on the front elevation is out of keeping with the character of the area and should be removed. Under Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the installation of chimneys, flues and soil and vent pipes on the front elevation of dwellings outside of Conservation Areas does not require planning permission. Therefore, the installation of the downpipe on the front elevation of this property is not considered to require planning permission. However for completeness the down pipes have been included in the submitted plans.

It is acknowledged that the dwelling, as built, has deviated from the previously approved plans, and the resultant building displays some differences to the other properties forming the terrace and character of the surrounding area. During the lifetime of this application, officers have agreed alterations to the dwelling with the property owner and received an undertaking that they will be implemented within an agreed and reasonable timescale. The alterations are as follows:

- o Pillars
- o Bay window

These alterations bring the appearance of the front elevation more in-line with the previously approved scheme, however, it is acknowledged that this would not resolve all of the deviations. The alterations secured to the elevation are considered sufficient to minimise the impacts on the character of the area without being overly punitive. To bring the front elevation of the building back entirely in-line with the previously approved scheme would result in substantial works to the building and require the building to be supported. Whilst it is unfortunate that further deviations would remain, the currently proposed alterations are considered to sufficiently overcome the harm such that, on balance, the resulting development would have an acceptable impact on the character of the locality.

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On the above basis, it is considered that the proposed alterations to the front elevation of the dwelling are sufficient to overcome the majority of the harm presented by the deviations to the previously approved scheme. Therefore, on balance, it is considered that the proposed alterations are sufficient to preserve the character and visual amenity of the locality, and to ensure the detailed design of the dwelling sufficiently reflects the prevailing design characteristics of the surrounding properties

It should be noted that the Appeal Inspector considered that a roof redesign should be agreed pursuant to a planning condition but this was never followed by the developer. The roof form as now built does follow the form envisaged by the Appeal Inspector. The roof form would be approved as part of this planning permission and is an acceptable form and design so as to suitably form the end to the terrace at roof level.

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

The proposed development has no material differences to the development previously in terms of the impact on the amenity of neighbouring properties through overbearing, overshadowing or overlooking.

On this basis, it is considered that the proposed development would not result in a detrimental impact to the amenity of surrounding properties, and therefore the proposal conforms to the objectives of Policies BCS21 and DM30.

**D. DAMAGE TO TREE COVERED BY TREE PRESEVATION ORDER (TPO)**

It has been noted above that the development of the dwelling has resulted in several branches to be lopped off a nearby tree which is covered by a TPO, which was unauthorised.

The planning enforcement team have investigated this matter separately to this application, and it appears that the works were carried out at the instruction of the management company of the wider development. The unauthorised works to the tree are not considered to have resulted in fatal damage to the tree, and therefore the longevity and public amenity of the tree will not be impacted.

On this basis, the damage is not considered to be a barrier to issuing a new planning permission, the tree is not positioned within the application site but is adjacent to it on communal amenity land; the planning enforcement team will follow this matter up with warnings to the involved parties following the determination of this application.

**E) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES**

- Refuse and Recycling Storage and Collection

The Waste and Recycling guidance for developers, owners and occupiers (2010) sets out guidance on how new development could provide accommodation for refuse and recycling storage following the principle that bins should be housed within a storage solution which avoids harm to the visual amenity of the area as well as a location which avoids prejudice to neighbouring amenity and that the storage location should have easy access to the highway for collection.

The refuse storage is located to the rear of the dwelling and is of an adequate scale. It would be separated from cycle storage and would not impede access to the house via the rear driveway. Although it is commonly recommended that refuse storage be situated to the front of dwellings, in this instance

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refuse collection occurs to the rear of houses along the terrace, and so there is no concern in this regard.

- Cycle Parking

Policy DM23 sets standards for the level of cycle parking within new houses. Cycle parking should be secure, weather tight and have easy and direct access to the public highway. Generally Sheffield stands are preferred as bikes can be individually secured and easily accessed.

The location and scale of the cycle storage is found to be acceptable. Likewise and as described above cycle storage is easily accessible from the rear of the dwelling and bikes would not need to be wheeled through the house.

- Off-street parking

There is no minimum provision within adopted policy for off-street parking, however previously a single off- street space had been proposed in the existing garage at number 29.

That no longer forms part of the proposal although the applicant has advised that he has obtained ownership and use of a sperate garage in the vicinity.

Whilst it is acknowledged that there is substantial concern and opposition to the scheme amongst local residents in relation to a general increase in parking congestion in the area the non-provision of a dedicated parking space should not form the basis for resisting the development. The nearby garage mentioned by the applicant cannot realistically be controlled by this planning permission but its use in association with the application property would be a positive feature.

It is noted that the area is not protected by a resident's parking zone, so controlling where road users choose to park is not possible and does not form a relevant consideration in assessment of this scheme.

#### F) SUSTAINABILITY, CLIMATE CHANGE AND FLOOD RISK

Since the adoption of the Bristol Development Framework Core Strategy (2011) and with it Policies BCS13-16 applications are required to demonstrate how the proposed development would secure a saving in CO2 emissions from energy use through efficiency measures and incorporate of renewable forms of energy as well as protecting and ensuring against flooding.

The energy strategy submitted in support of the application (the same as previously submitted) states that it proposed a minimum of 0.24 kWp of roof mounted photo-voltaic cells located on the south facing roof slope and 0.48 kWp of roof mounted photo-voltaic cells located on the west facing roof slope to give a reduction in carbon dioxide emissions of 20.83 % as compared to the "residual" emissions.

This is found to be acceptable and any forthcoming approval would be accompanied by a condition requiring confirmation that the terms of the energy statement have been met. Officers note that pv panels are in situ. A condition that confirms that sustainable urban drainage principles have been followed is required.

#### G) RECOMMENDED PLANNING CONDITIONS

It is noted that the Planning Appeal Inspector attached 7 conditions as detailed below.

1. commencement condition.

*Not required as this is now retrospective.*

2. listed approved plans

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*An approved plans condition is required.*

3. Required future approval of certain design features including; i) detailing of roof construction as an extension of the existing roof of the host dwelling, including eaves/parapets, (ii) external facing materials, architectural features and windows/doors, (iii) photo-voltaic panel installation in accordance with the submitted energy strategy.

*The roof and materials would be approved as part of this planning permission as would the pv panels as installed.*

4. Required the development to accord with the Energy Strategy prepared by A&H Energy Rating Ltd. Dated 10 August 2018 (ref. 020718 V3)

*A condition requiring confirmation of adherence needs to be imposed.*

5. Dealt with cycle parking provision.

*Such a condition needs to be reimposed.*

6. Dealt with refuse storage.

*Such a condition needs to be reimposed.*

7. Required a Sustainable Drainage Strategy.

*A condition requiring confirmation of adherence needs to be imposed.*

Having commented above on which conditions are and are not required the recommended conditions are set out below.

## CONCLUSION

On the basis of this report, it is considered that the proposed development is of an appropriate design, scale and material palette as to respect the overall design of the application property and the character of the locality. Additionally, the proposed development would not result in a detrimental impact to the residential amenity of future or adjacent occupiers by means of overlooking, overshadowing or overbearing impacts. As set out above it is always regrettable that a developer does not follow the provisions of planning permissions. In this case if a new planning permission is granted and following verification of new condition detail compliance the planning enforcement case can be closed.

The application is therefore recommended for approval, subject to the conditions listed.

## COMMUNITY INFRASTRUCTURE LEVY

It is understood that CIL provisions were met previously.

## EQUALITY ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development.



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**Application No. 22/01550/F : 29 Hobhouse Close Bristol BS9 4LZ**

Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

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

**Pre occupation condition(s)**

1. Within 60 days of the date of this permission the revisions to the front ground floor bay window and pillars as shown on the approved plans shall have been completed in strict accordance with the approved plans.

Reason: To improve the appearance of the building.

2. Within 60 days of the date of this permission confirmation that the development has been completed in accordance with the Energy Strategy prepared by A&H Energy Rating Ltd. dated 10 August 2018 (ref. 020718 V3) shall have been submitted to and agreed in writing by the LPA.

Reason: To support sustainability initiatives.

3. Within 60 days of the date of this permission the cycle parking provision shown on the approved plans shall have been completed, and thereafter, shall be kept free of obstruction and available for the parking of cycles only.

Reason: To encourage cycling.

4. Within 60 days of the date of this permission the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans, shall have been completed. The refuse store and area/facilities allocated for storing of recyclable materials shall be retained thereafter in perpetuity and kept free from of obstruction.

Reason: in the interests of amenity.

5. Within 60 days of the date of this permission confirmation that the development has been completed with a Sustainable Drainage Strategy shall have been submitted to and agreed in writing by the LPA.

Reason: To support sustainability initiatives.

**List of approved plans**

6. List of approved plans and drawings

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

001A Ground floor plan, received 16 May 2022  
 002A First floor plan, received 16 May 2022  
 003A Second floor plan, received 16 May 2022  
 004A Roof plan, received 16 May 2022  
 005D Front elevation, received 31 August 2022  
 006B Rear elevation, received 31 August 2022  
 007A Side elevation, received 16 May 2022  
 008B Location plan, received 16 September 2022  
 009B Block plan, received 16 September 2022

**Development Control Committee B – 7 December 2022**  
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010A Block plan, received 13 September 2022  
Sustainability Statement, received 16 May 2022

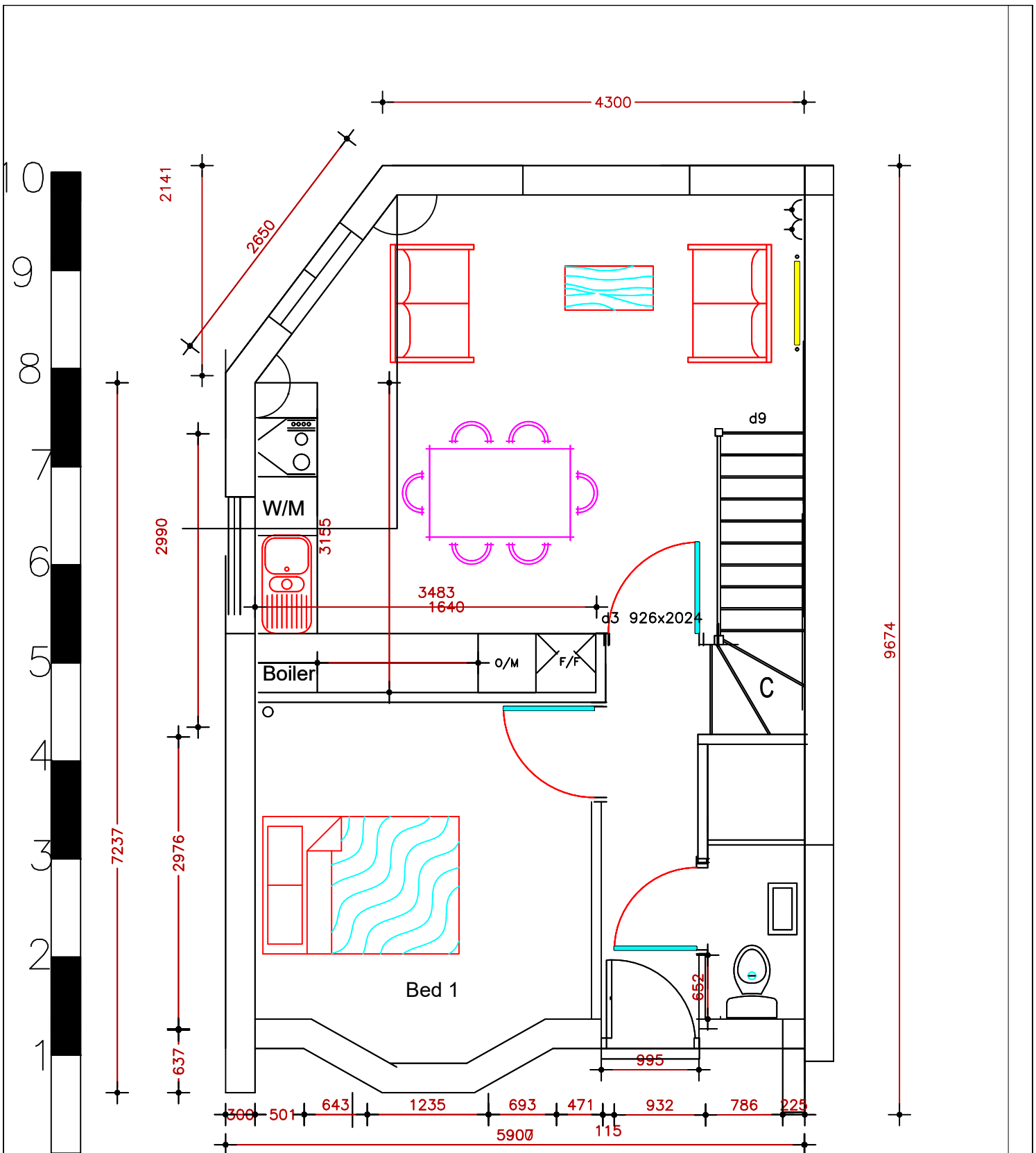
Reason: For the avoidance of doubt.

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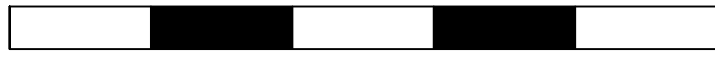
## Supporting Documents

### 4. 29 Hobhouse Close

1. Existing ground floor plan (001A)
2. Existing first floor plan (002A)
3. Existing second floor plans (003A)
4. Existing roof plan (004A)
5. Existing side elevation (007A)
6. Proposed front elevation (005D)
7. Proposed rear elevation (006B)
8. Proposed block plan (008B)
9. Proposed site location plan (009B)
10. Proposed garage/parking arrangement (010A)
11. Refusal of previous scheme - 18/06126/F
12. Appeal decision for previous scheme - 18/06126/F
13. Plans approved on appeal for - 18/06126/F



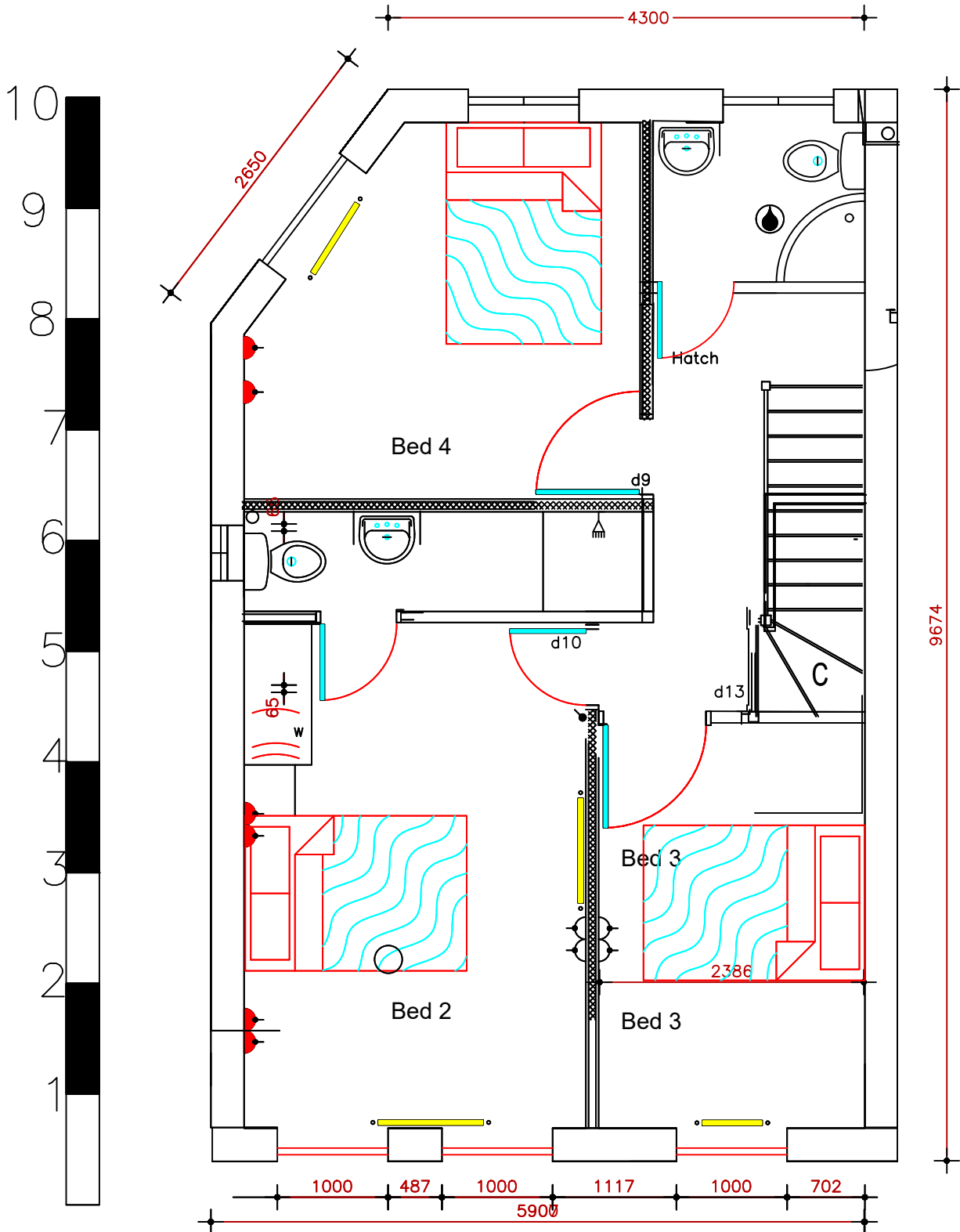
# GROUND FLOOR PLAN



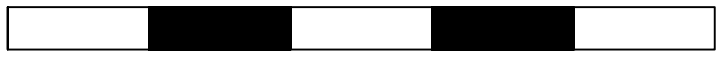
1      2      3      4      5

Title: Ground Floor Plan	SIZE A4	FSCM NO.	DWG NO. 001	REV A
Project: 30 HOBHOUSE CLOSE BS9 4LZ	SCALE 1/50		Drawn: HASSAN KHALEGHI	



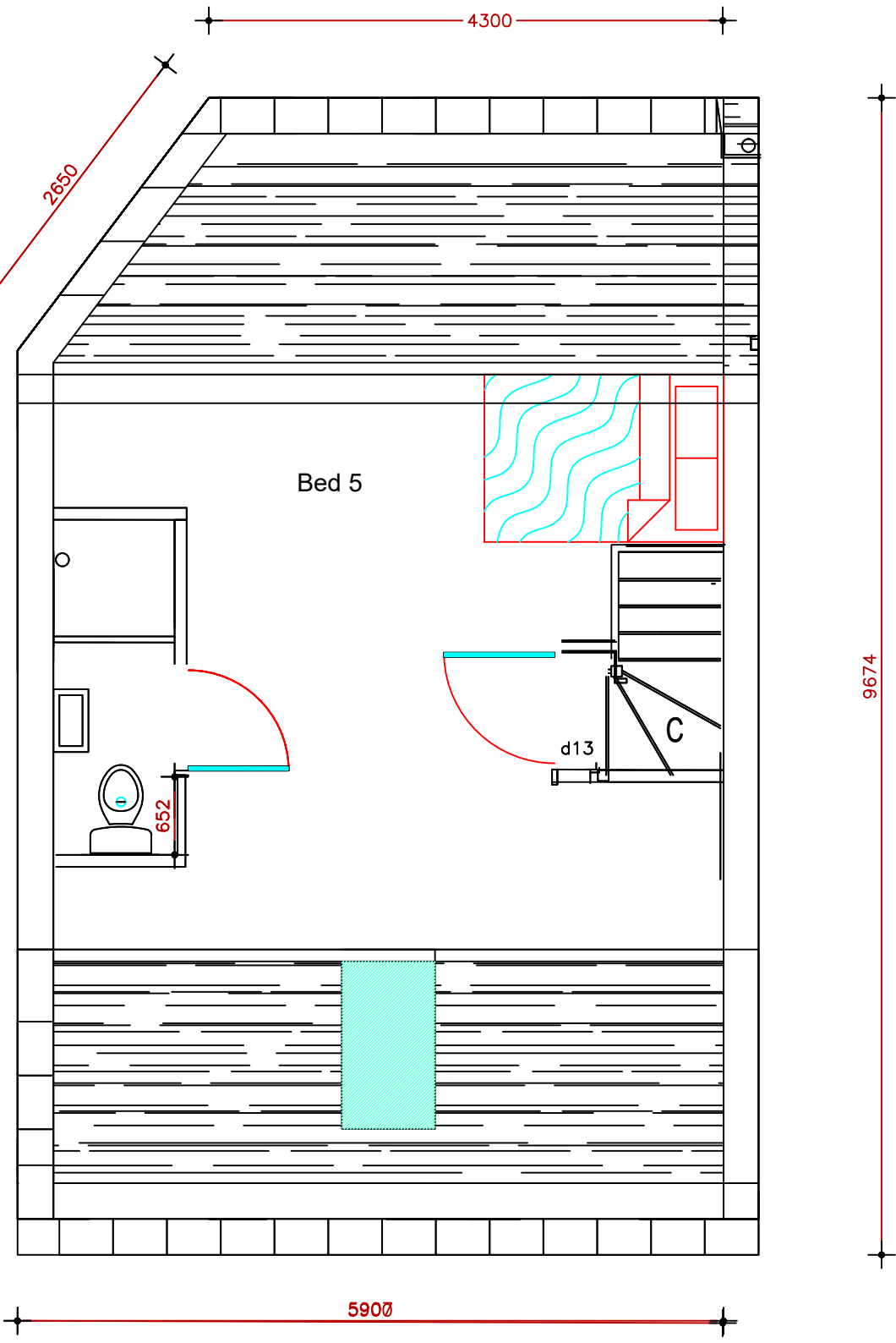
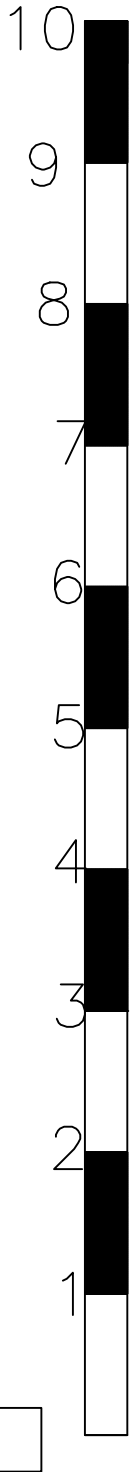


# FIRST FLOOR PLAN

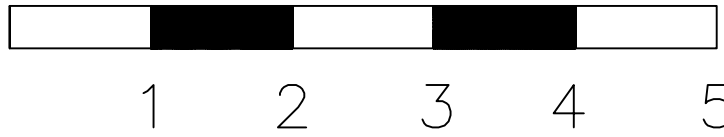


1 2 3 4 5

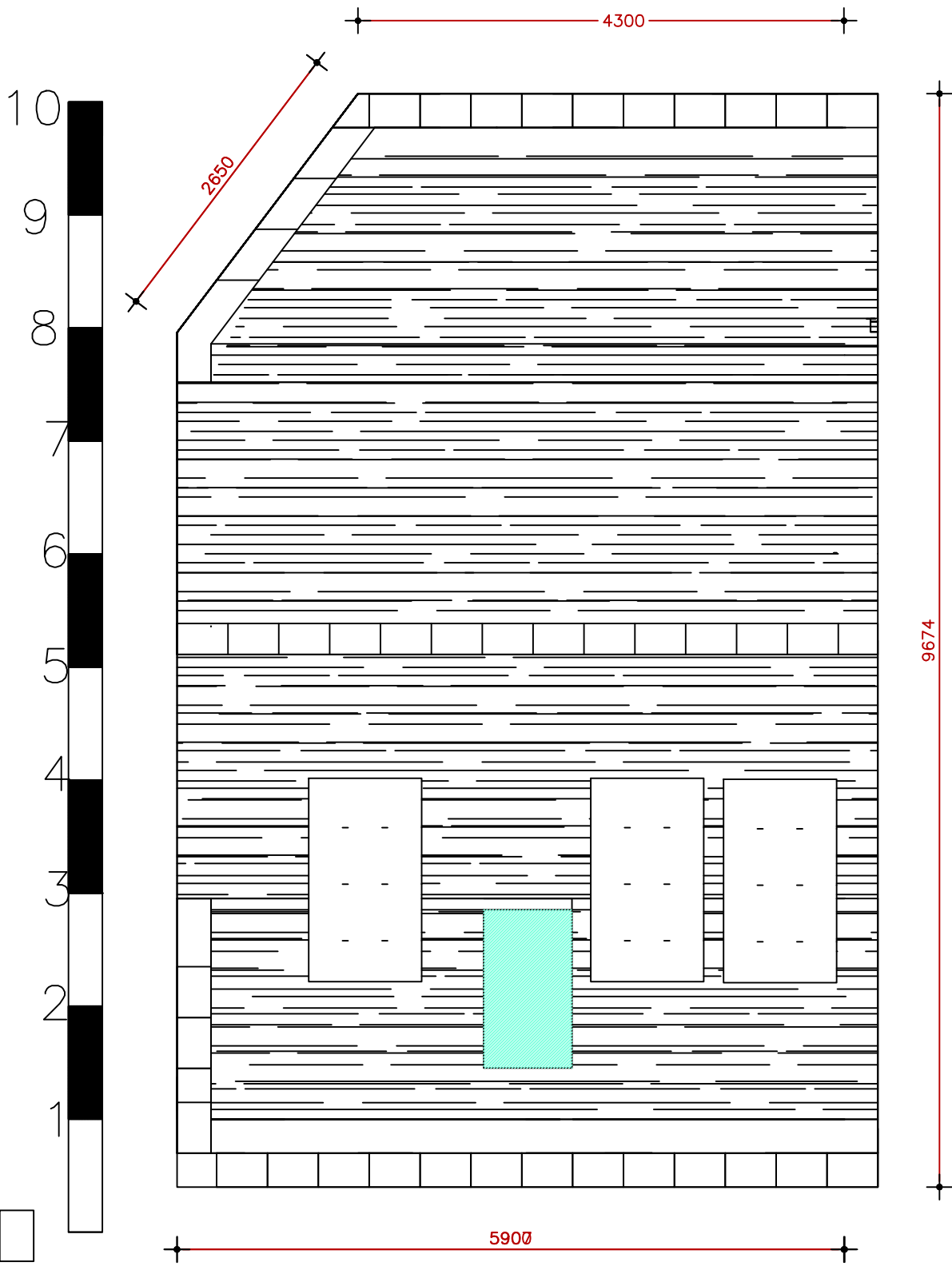
Title: First Floor Plan	SIZE A4	FSCM NO.	DWG NO. 002	REV A
Project: 30 HOBHOUSE CLOSE BS9 4LZ		SCALE 1/50	Drawn: HASSAN KHALEGHI	



# SECOND FLOOR PLAN

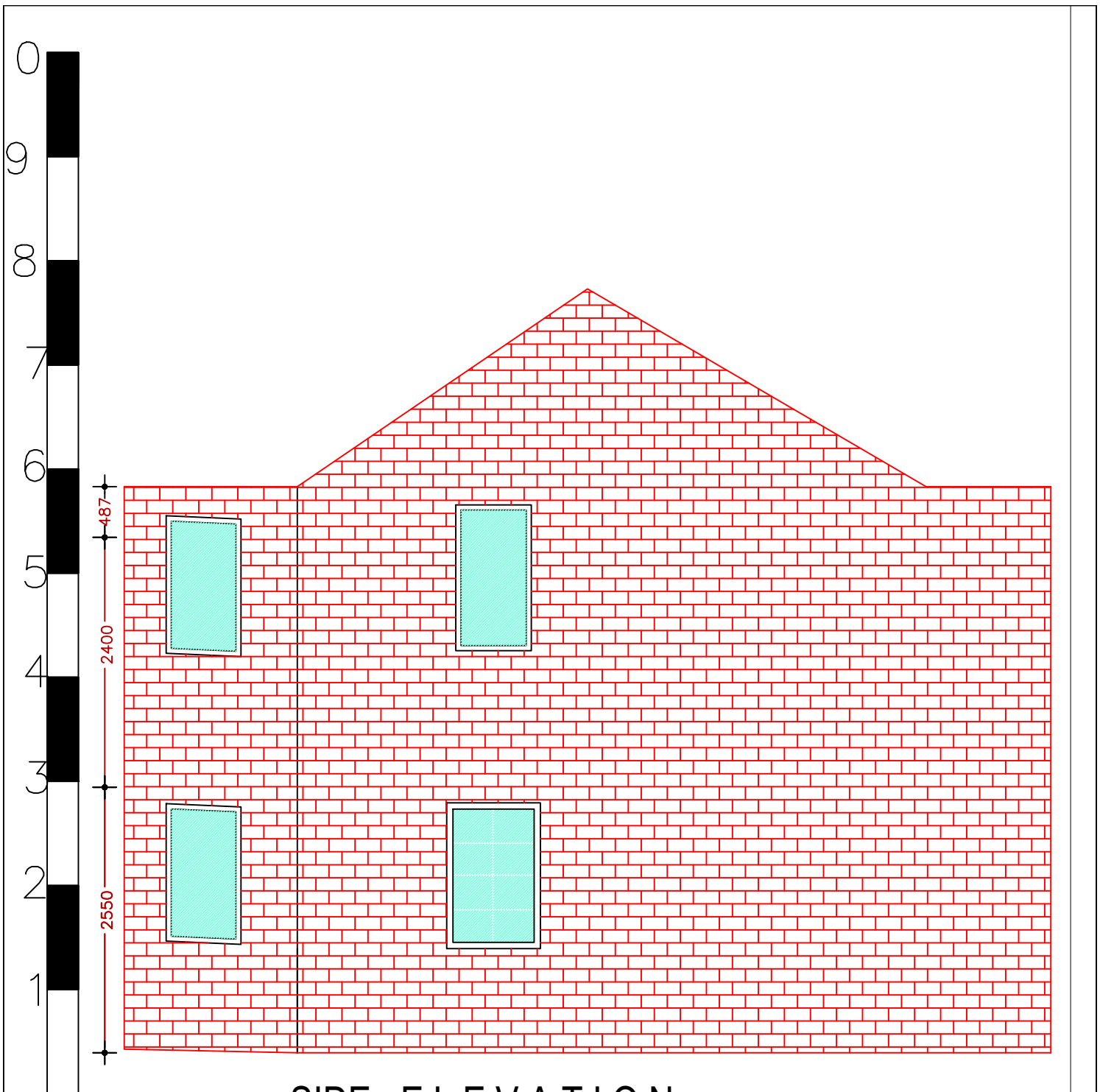


Title: Second Floor Plan	SIZE A4	FSCM NO.	DWG NO. 003	REV A
Project: 30 HOBHOUSE CLOSE BS9 4LZ		SCALE 1/50	Drawn: HASSAN KHALEGHI	

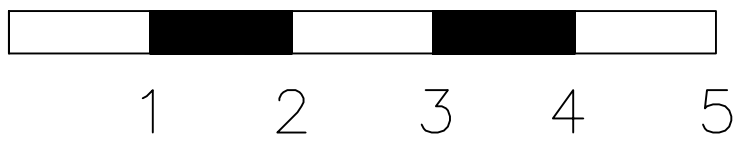


# ROOF PLAN

Title:Roof Floor	SIZE A4	FSCM NO.	DWG NO. 004	REV A
Project: 30 HOBHOUSE CLOSE BS9 4LZ		SCALE 1/50	Drawn: HASSAN KHALEGHI	

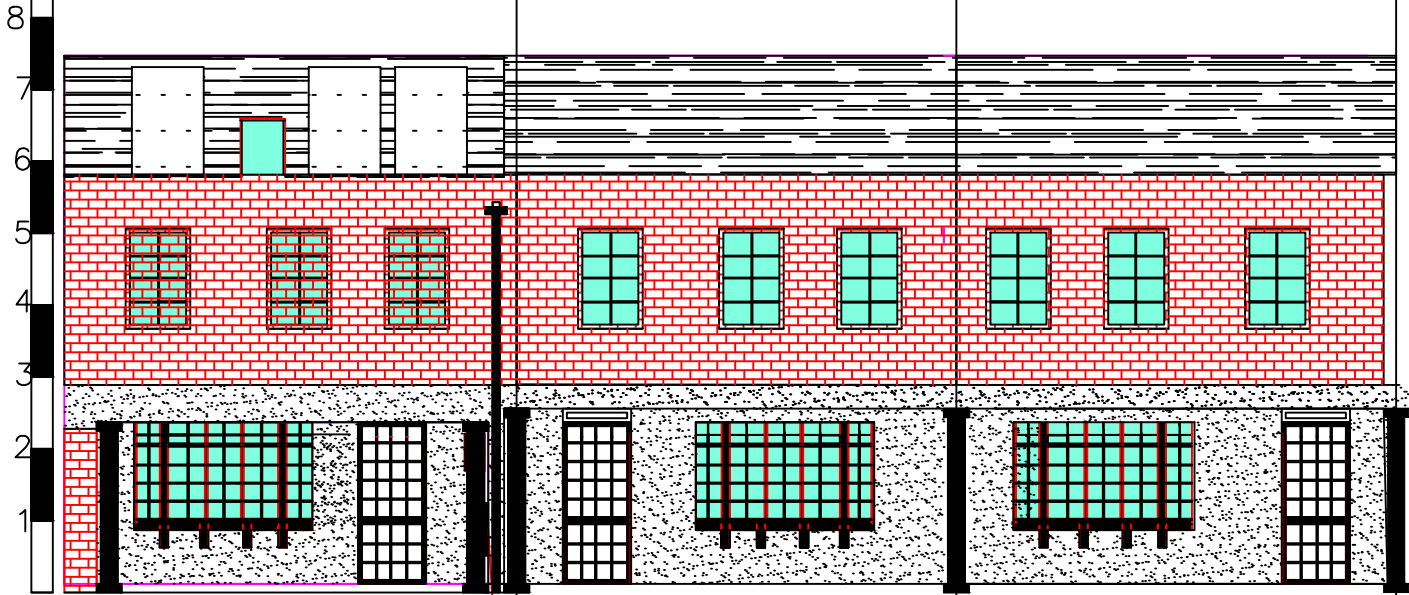


SIDE ELEVATION.



Title:Side Elevation	SIZE A4	FSCM NO.	DWG NO. 007	REV A
Project: 30 HOBHOUSE CLOSE BS9 4LZ		SCALE 1/50 Drawn: HASSAN KHALEGHI		

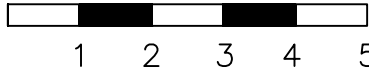




NO 30 Surface Mounted Electric Meter Box

NO 29

NO 28



FRONT ELEVATION.



Title: Front Elevation

SIZE  
A4

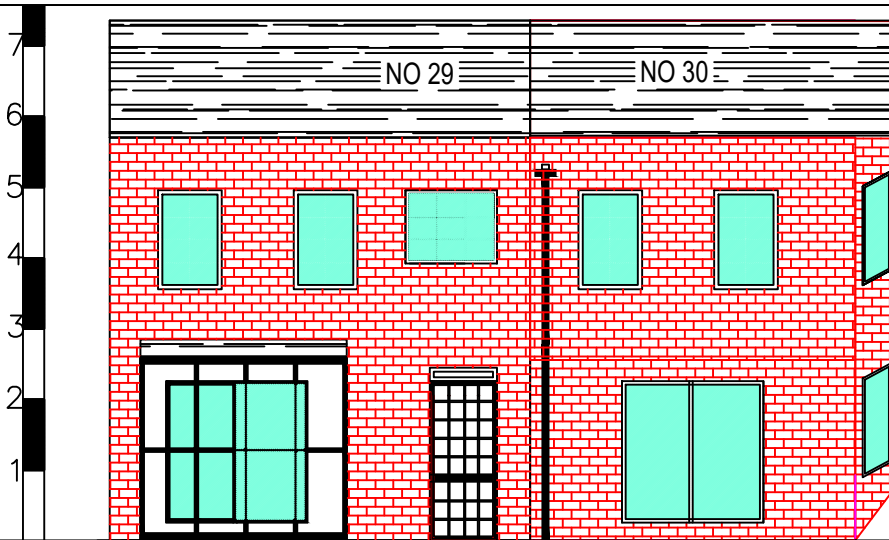
FSCM NO.

DWG NO. 005

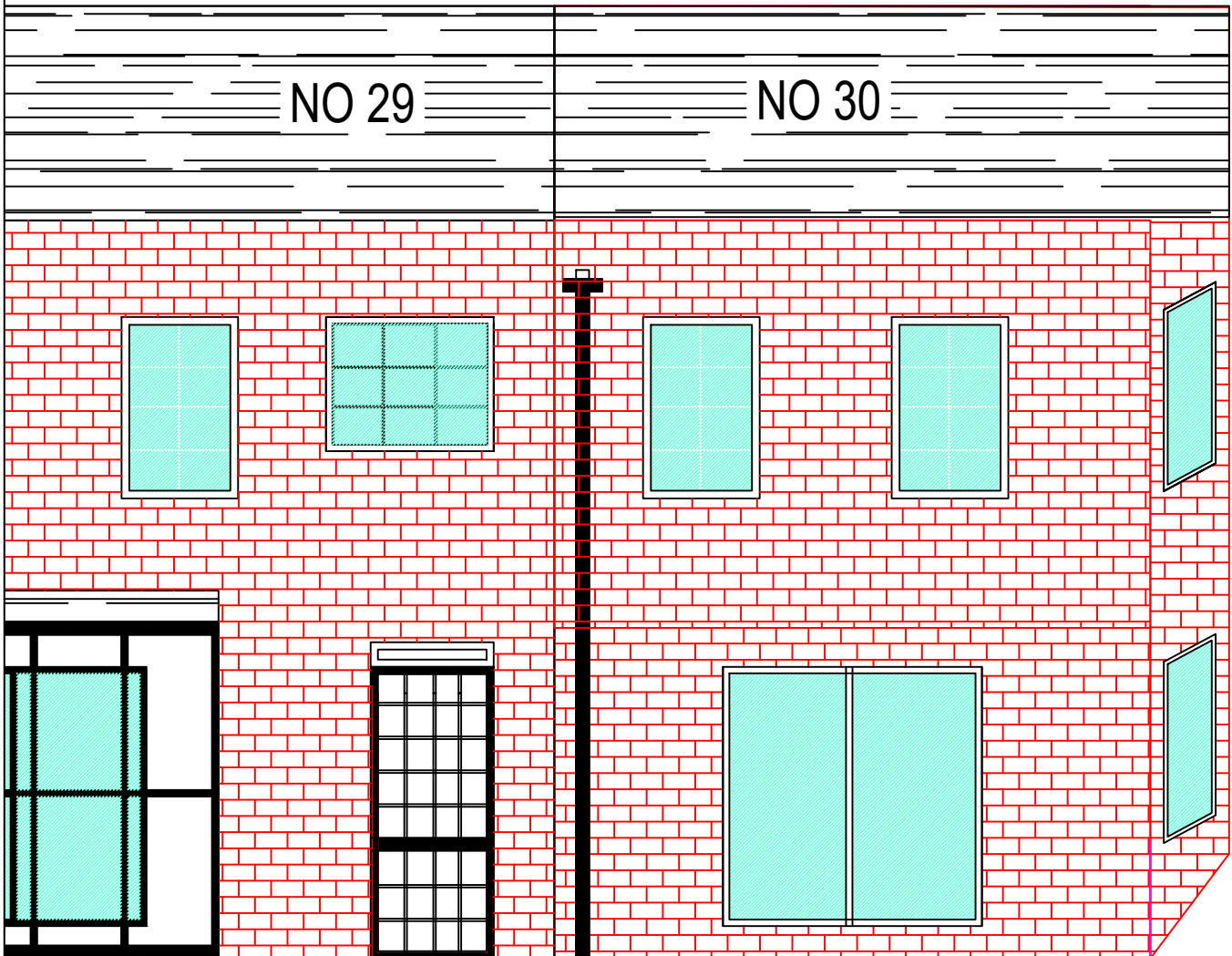
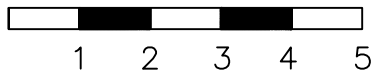
REV  
D

Project: 30 HOBHOUSE CLOSE BS9 4LZ

SCALE 1:100 1:50 Drawn: HASSAN KHALEGHI

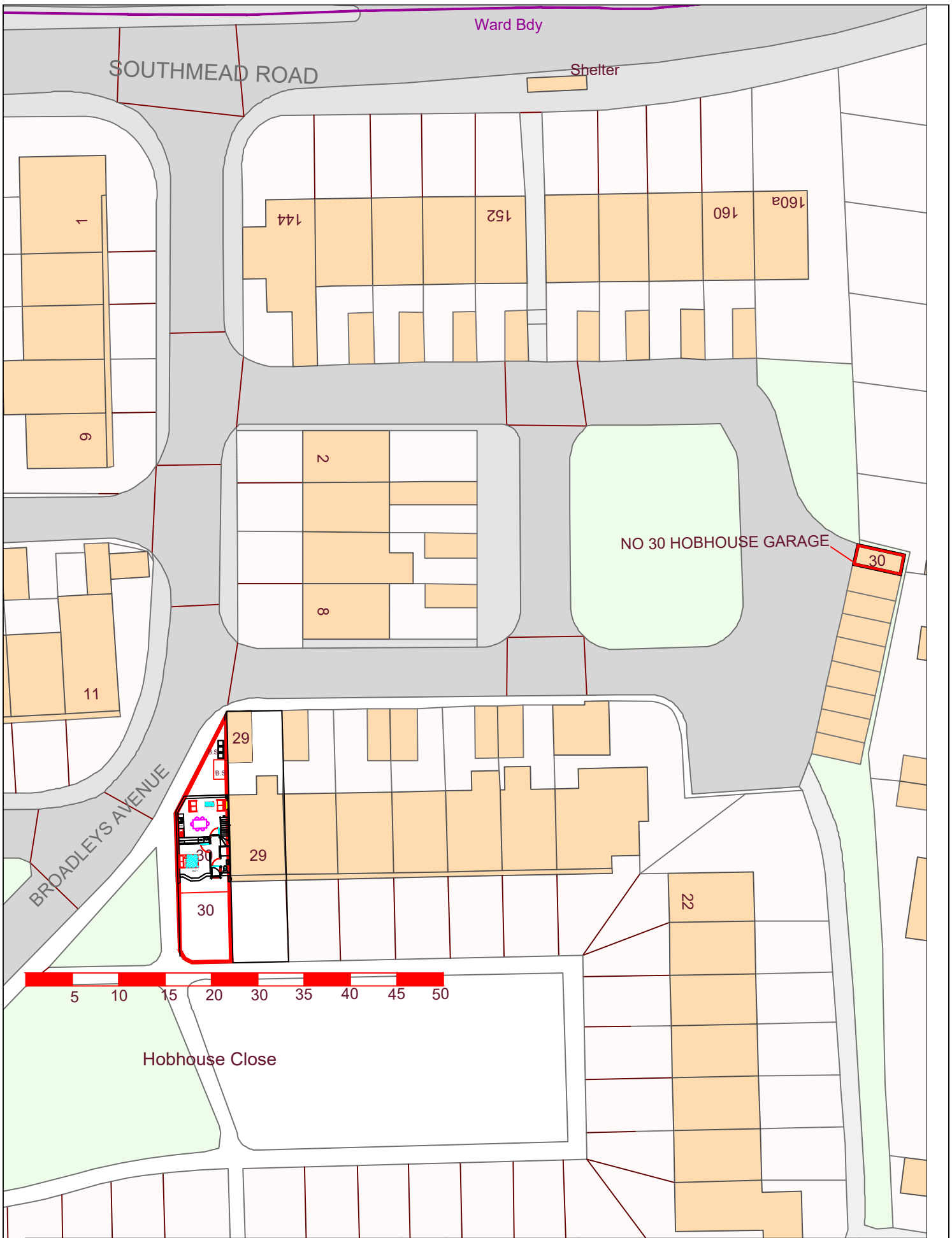


REAR ELEVATION.

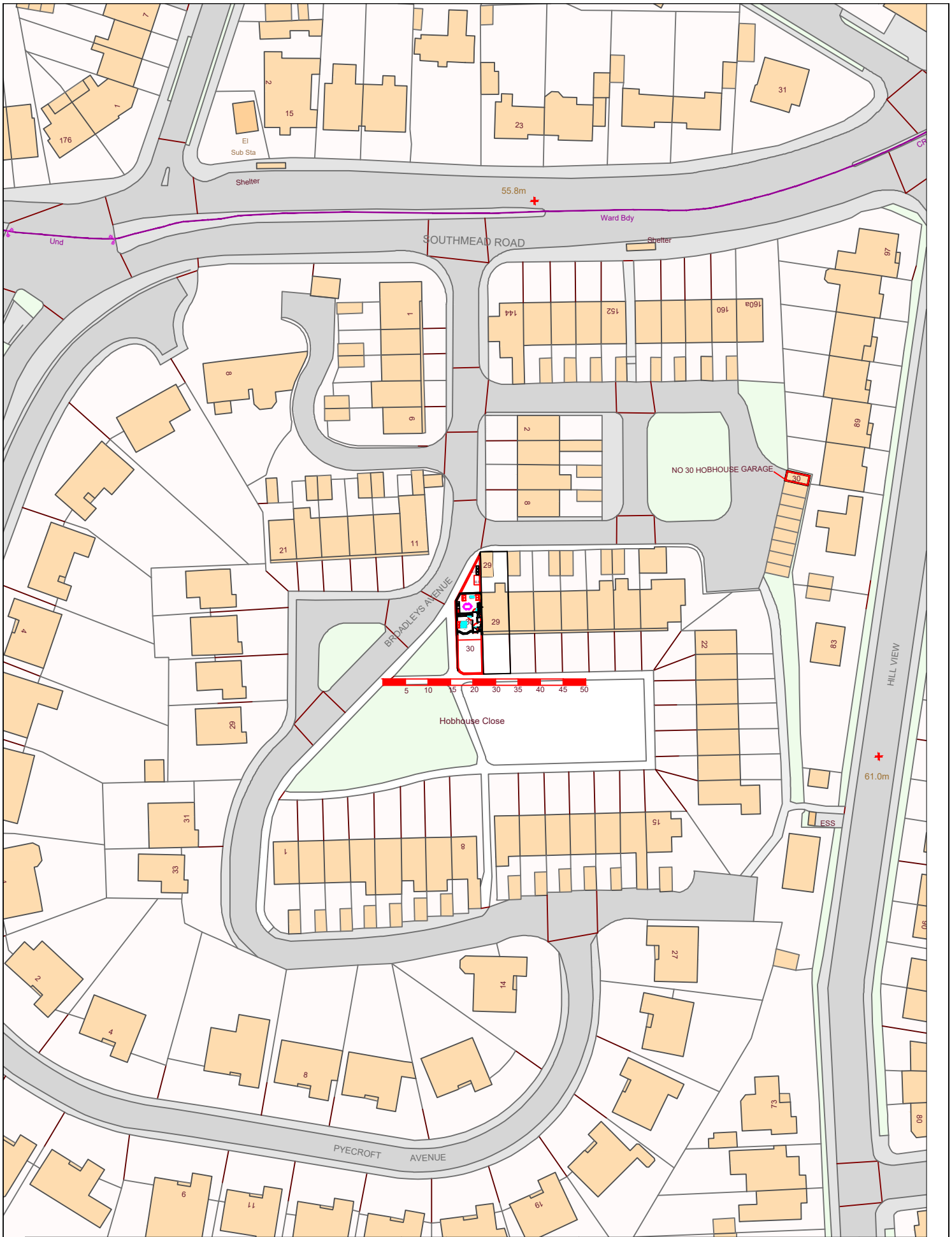


REAR ELEVATION.

Title:Rear Elevation	SIZE	FSCM NO.	DWG NO. 006	REV
	A4			B
Project: 30 HOBHOUSE CLOSE BS9 4LZ	SCALE	Drawn: HASSAN KHALEGHI		
	1:50	1:100		

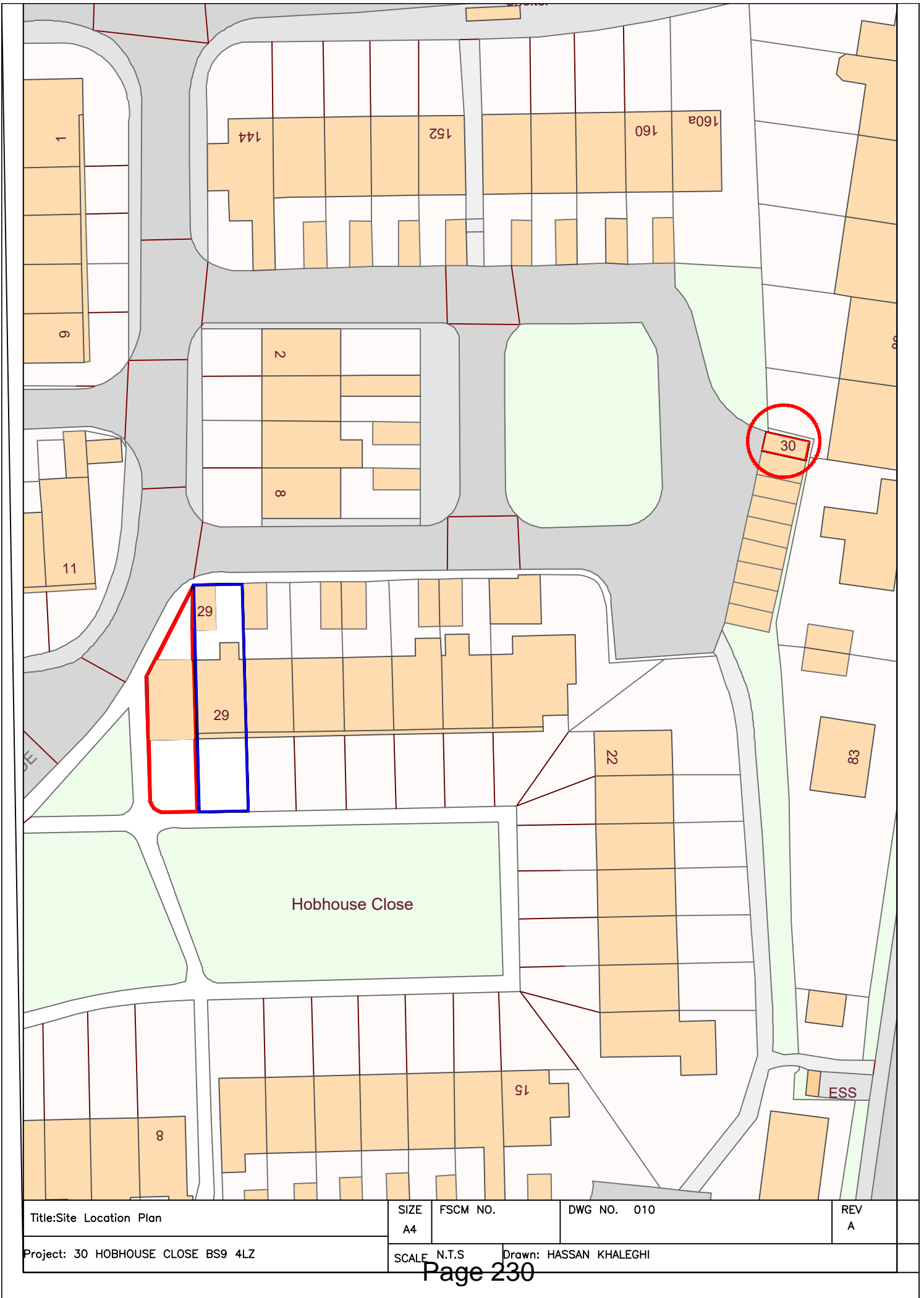


Title: Site Location Plan	SIZE A4	FSCM NO.	DWG NO. 008	REV B
Project: 30 HOBHOUSE CLOSE BS9 4LZ	SCALE 1/500		Drawn: HASSAN KHALEGHI	



Title: Site Location Plan	SIZE A4	FSCM NO.	DWG NO. 009	REV B
Project: 30 HOBHOUSE CLOSE BS9 4LZ	SCALE 1/1000		Drawn: HASSAN KHALEGHI	





Title: Site Location Plan

SIZE  
A4

FSCM NO.

DWG NO. 010

REV  
A

Project: 30 HOBHOUSE CLOSE BS9 4LZ

SCALE N.T.S

Drawn: HASSAN KHALEGHI



# NOTICE OF DECISION

**Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure)  
(England) Order 2015**

**Decision :** REFUSED

**Application no:** 18/06126/F

**Type of application:** Full Planning

**Site address:** 29 Hobhouse Close, Bristol, BS9 4LZ.

**Description of development:** Erection of new 2 storey dwelling attached to side of 29 Hobhouse Close and associated structures.

**Applicant:** Mr G Eskell

**Agent:** M B Grieve Chartered Architect

**Committee/Delegation Date:** 29.01.19

**Date of notice:** 29.01.19

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

**DECISION:** REFUSED

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

**Reason(s)**

1. As a result of the physical constraints of the site and the overall design approach the proposal would appear as an unsympathetic and incongruous addition to the host terrace owing to its siting scale, form, proportions and detailed design (including roof form). The proposal fails to sympathetically reflect the locally characteristic uniform architectural styles, rhythms, patterns, features and themes of the buildings and the surrounding character including open plan gardens and fluid, curved layouts of streets to the detriment of the street scene and local distinctiveness of this part of the Broadleys Avenue character area. The proposal fails to comply with guidance contained within the National Planning Policy Framework 2012 (as amended), Policy BCS21 of the Core Strategy and policies DM26, DM27, DM29 and DM30 of the Site Allocations and Development Management Policies as well as guidance within the adopted Henleaze Character Appraisal (2016).

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

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

Residential supplementary information template, received 4 December 2018

Design statement, received 4 December 2018

Energy strategy for a proposed new dwelling, received 4 December 2018

157P/01 - Existing north and south elevation, location and block plan, received 4 December 2018

157P/02 - Proposed ground, first floor plans and rear elevations and street view, received 4 December 2018

Cover letter, received 4 December 2018

Tree Survey, received 4 December 2018

**Article 35 Statement**

The council always wants to work with the applicant in a positive and proactive manner. Unfortunately the proposed development is contrary to the policies of the Development Plan as set out in the officer report. Clear reasons have been given to help the applicant understand why planning permission has not been granted.

**The right to appeal**

You have the right to appeal against this decision. Any such appeal should be made on a form obtainable from The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by contacting them on 0303 444 5000. Further information can also be obtained from the Planning Inspectorate's web-site, and it is possible to download copies of appeal forms and questionnaires and booklets giving guidance about the appeal process. The address is [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate)

You are allowed six months from the date of this notice of decision in which to lodge an appeal.

## **Negotiations**

Before making an appeal, you may wish to contact the case officer who dealt with your application, who may be able to advise you, how the council's objections to your proposal might be overcome if you amend your scheme. Please note that if negotiations are successful, you will need to submit a new planning application, which may, of course, be refused by committee.

Lodging an appeal will not prejudice your negotiations but you may need to agree with the council to postpone the appeal, to allow negotiations to take place.

## **Complaints**

Only planning matters can be considered at an appeal. If you think that the council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website [www.bristol.gov.uk/complaints-and-feedback](http://www.bristol.gov.uk/complaints-and-feedback) or by calling 0117 9223000.





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## Appeal Decision

Site visit made on 5 May 2019

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI  
an Inspector appointed by the Secretary of State

Decision date: 11 July 2019

---

Appeal Ref: APP/Z0116/W/19/3222132  
29 Hobhouse Close Henleaze Bristol BS9 4LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr G. Eskell against the decision of Bristol City Council.
  - The application Ref 18/06126/F, dated 21 November 2018, was refused by notice dated 29 January 2019.
  - The development proposed is the erection of one 2-storey dwelling and associated works.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of one 2-storey dwelling and associated works at 29 Hobhouse Close Henleaze Bristol BS9 4LZ in accordance with the terms of the application, Ref: 18/06126/F, dated 21 November 2018, subject to the 7 conditions appearing on the schedule appended.

### Preliminary Matters

2. The appellant did not enter a description on the application form. I have used that appearing on the decision notice, with appropriate adjustments.
3. The appellant has indicated that the roof of No.29 could be extended as a hipped roof over the proposed dwelling as shown on a drawing included at section 3 of the statement of case. This change would address objections to the submitted roof design and given the limited extent of the change my acceptance of this amendment would not affect the rights of any party.

### Main Issue

4. The main issue is the effect of the development on the character and appearance of the Broadleys Avenue character area.

### Reasons

#### *Character and Appearance*

5. The proposal extends an existing terrace block forming part of a neo-georgian housing development identified as the Broadleys Avenue estate. This is identified as a character area within the Council's **supplementary planning** document (SPD) the Henleaze Character Assessment. Hobhouse Close is an open-ended quadrangle of 4 terrace blocks overlooking a large semi-formal open space in the middle of this estate. The appeal site is a side-garden to the end of the terrace block adjacent to Broadleys Avenue.

6. The character of the area largely derives from the spacious estate layout and **homogeneous architectural treatment ('neo-georgian')**, characterised by a very limited range of house types in terrace blocks and larger detached properties.
7. Although each terrace block incorporates a repetitive-design of dwelling, the architectural form and appearance of the development is discerned at the scale of the terrace blocks rather than the individual dwellings therein. So although the width of the dwelling proposed would differ from the other properties, to my mind this would not be obtrusive where the architectural approach and detailing is wholly consistent, as the development intends.
8. The proposed roof form is, however, discordant, and although it would be seen only in certain viewpoints, as proposed it would unacceptably disrupt the visual integrity of the terrace block. The appellant has suggested an amendment to the roof design which does not materially change the nature or scale of the development, the detailing of which could be required by condition.
9. The character of the area rests not only in the fluid layout, but also in the semi-formality of the open space formed by the dwellings of Hobhouse Close. The proposal would be located on a side garden at the end of a terrace block and would not intrude or disrupt the sense of enclosure of the central space created by the terrace blocks of housing. Although the flank wall of the dwelling would directly abut the pavement, the positioning and proximity of other **terrace blocks similarly 'squeeze' views and vistas along Broadleys Avenue**. To my mind the proposal would not diminish the distinctive sense of place or the contribution to high quality urban design found in the form and layout of the existing development.
10. I conclude that the proposal would accord with the principles set out in Policy BCS21 of the Bristol Core Strategy (2011) (BCS) for positive contributions to urban design, and with Policies DM26, DM27, DM29 and DM30 of the Site Allocations and Development Management Policies Local Plan (2014) (SADM) which, taken together (amongst other things) require development to respect the local pattern and grain of development, reflect local characteristics and architectural styles, and also safeguard the amenity of the host property. The proposal would, therefore, accord with the development plan taken as a whole.

#### *Other Matters*

11. A number of interested parties raise concerns about parking. The proposal includes one off-road space and the area is not subject to a controlled parking **scheme. Although my observations are necessarily a 'snapshot'**, and noting the information provided by the appellant, I am not persuaded from what I saw that the addition of one two-bedroom dwelling **would cause 'parking stress'** from a shortage of on-street parking in this relatively low-density suburban environment.

#### Conditions

12. The Council have suggested a number of conditions which I have considered and adjusted to meet the tests required by Planning Practice Guidance and the Framework. Conditions are necessary to ensure the development proceeds only on the basis approved which includes details of a variation to the roof design and other related architectural matters together with materials approval. To ensure the necessary visual integration I consider these materials

and details should be expressly approved **rather than 'to match' as the Council** suggest. Details of energy-saving measures/emission reduction are necessary as set out in BCS13 of the BCS; also of arrangements for bins and recycling to ensure proper management thereof and of sustainable drainage in order to deal with flood risk from climate change. Cycle storage is necessary to contribute to sustainable transport objectives. As the site is garden land, noting what has stated in section 6 of the planning application form, in the absence of evidence to the contrary a condition relating to ground contamination would not be necessary or appropriate.

#### Conclusion

13. The appeal is allowed.

*Andrew Boughton*

INSPECTOR

#### Schedule of Conditions:

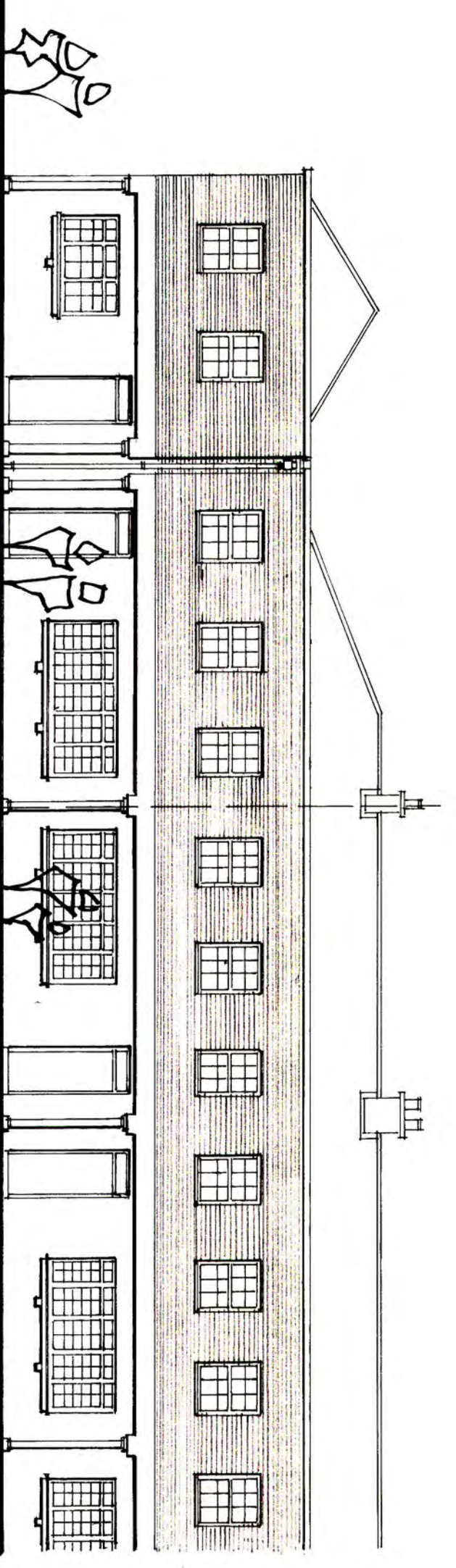
- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 157P/02 except in respect of the roof design there appearing.
- 3) Notwithstanding condition 2, no construction above ground level shall take place until details of all matters listed below have been submitted to and approved in writing by the local planning authority:
  - (i) design and detailing of roof construction as an extension of the existing roof of the host dwelling, including eaves/parapets,
  - (ii) external facing materials, architectural features and windows/doors,
  - (iii) photo-voltaic panel installation in accordance with the submitted energy strategy.

Development shall be carried out in accordance with the approved details.

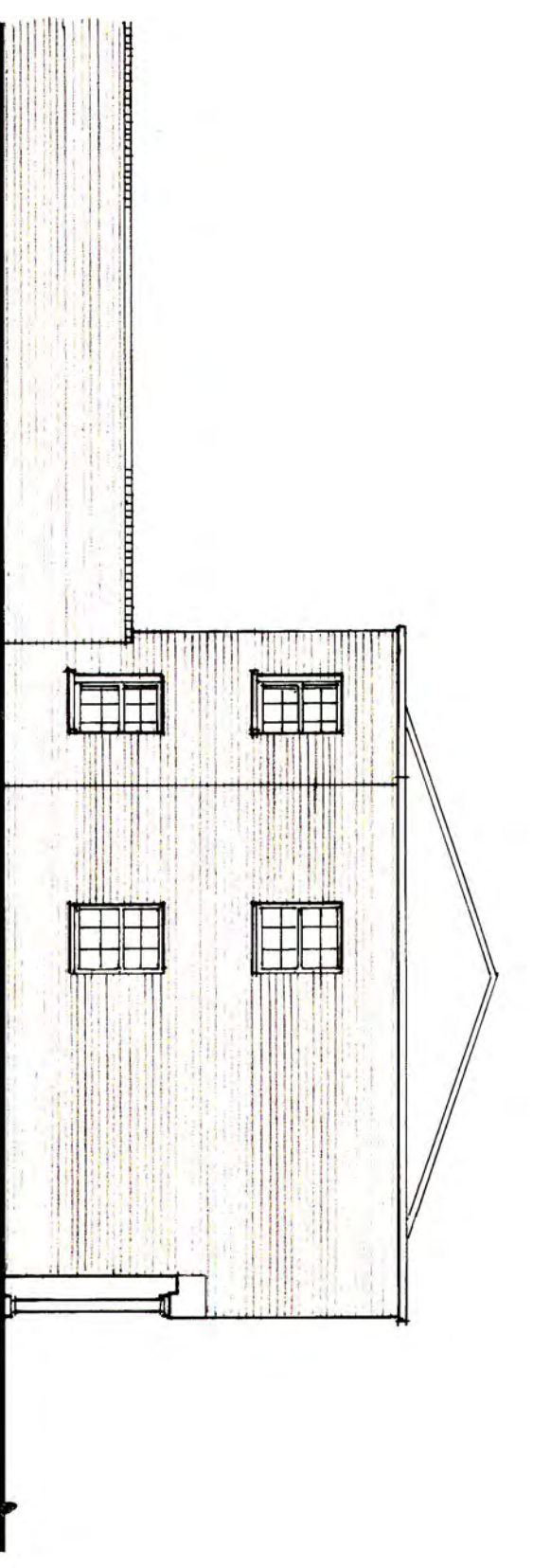
- 4) The development shall be carried out in complete accordance with the Energy Strategy prepared by A&H Energy Rating Ltd. dated 10 August 2018 (ref. 020718 V3) and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
- 5) The development hereby approved shall not be occupied until the cycle parking provision shown on the approved plans has been completed, and thereafter, shall be kept free of obstruction and available for the parking of cycles only.
- 6) The development hereby approved shall not be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

7) No construction above ground level shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

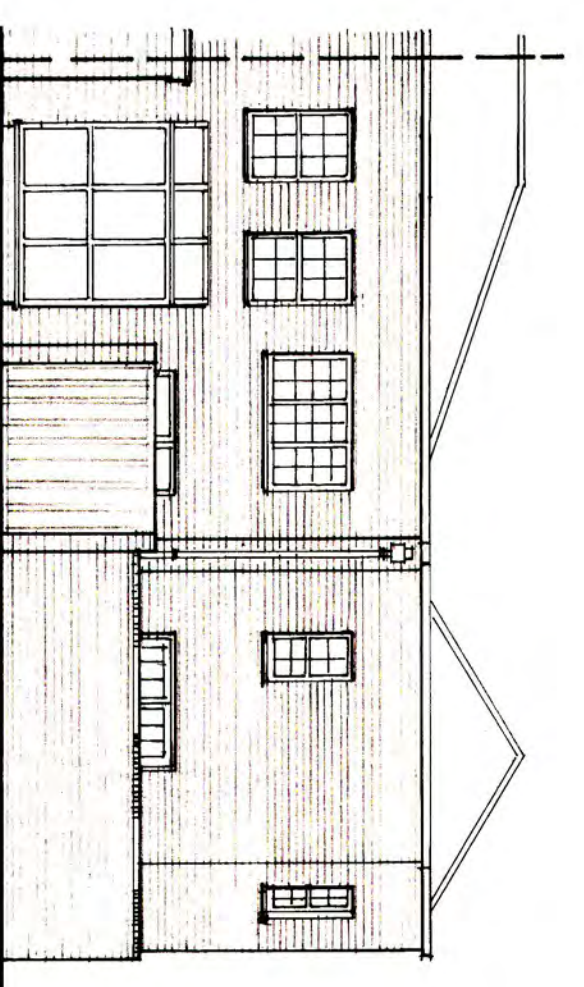




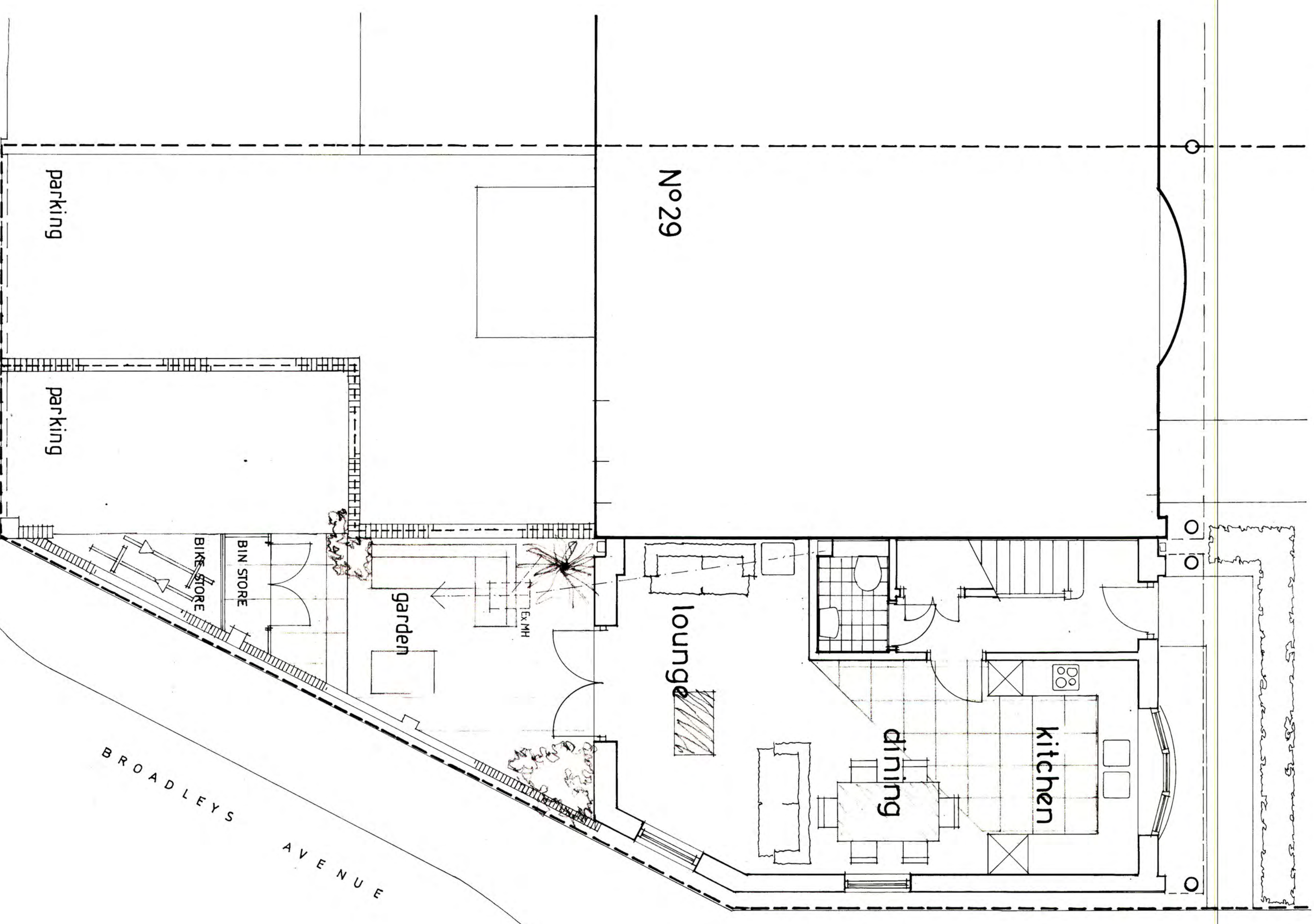
STREET VIEW SOUTH



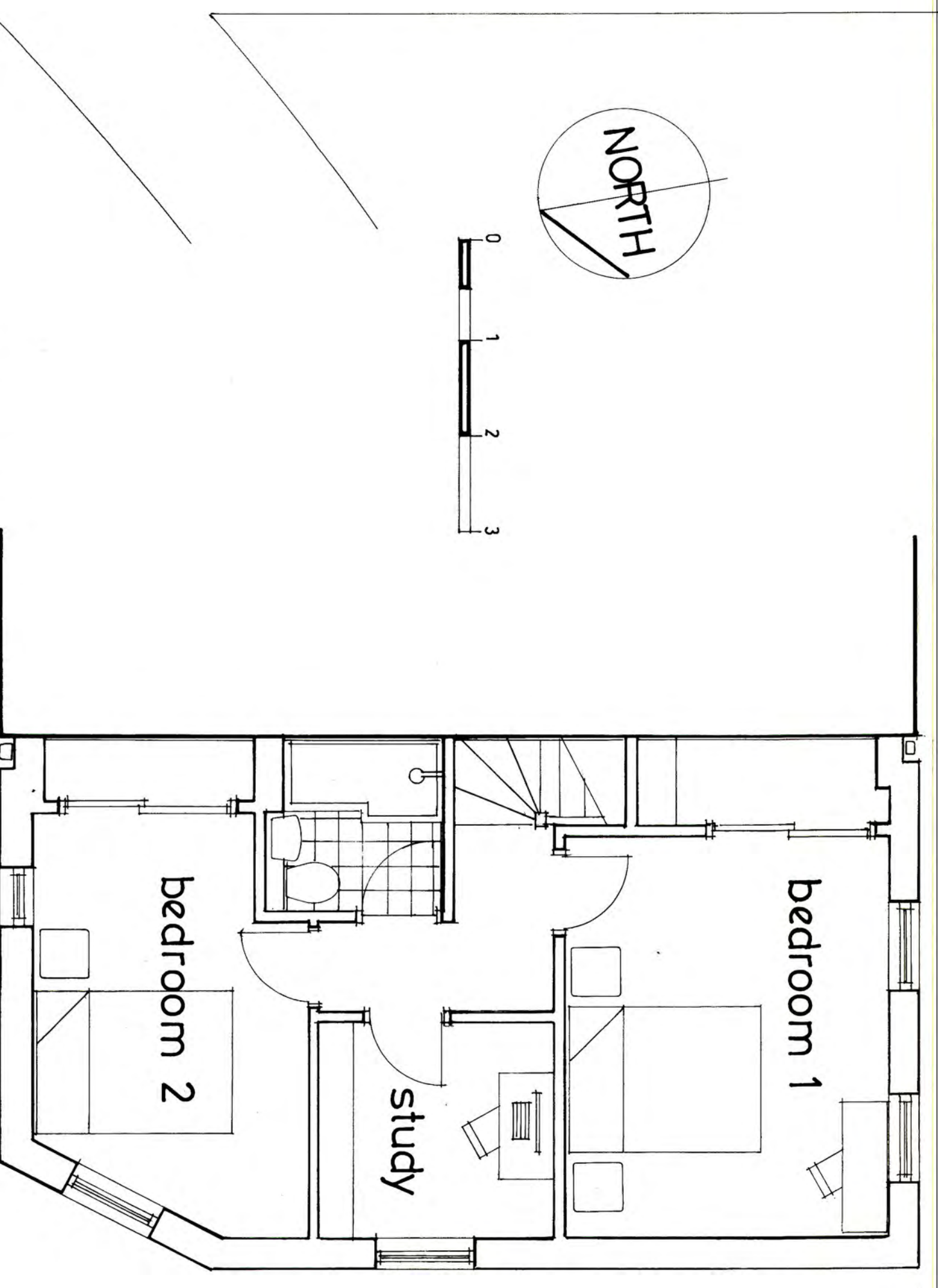
END ELEVATION WEST



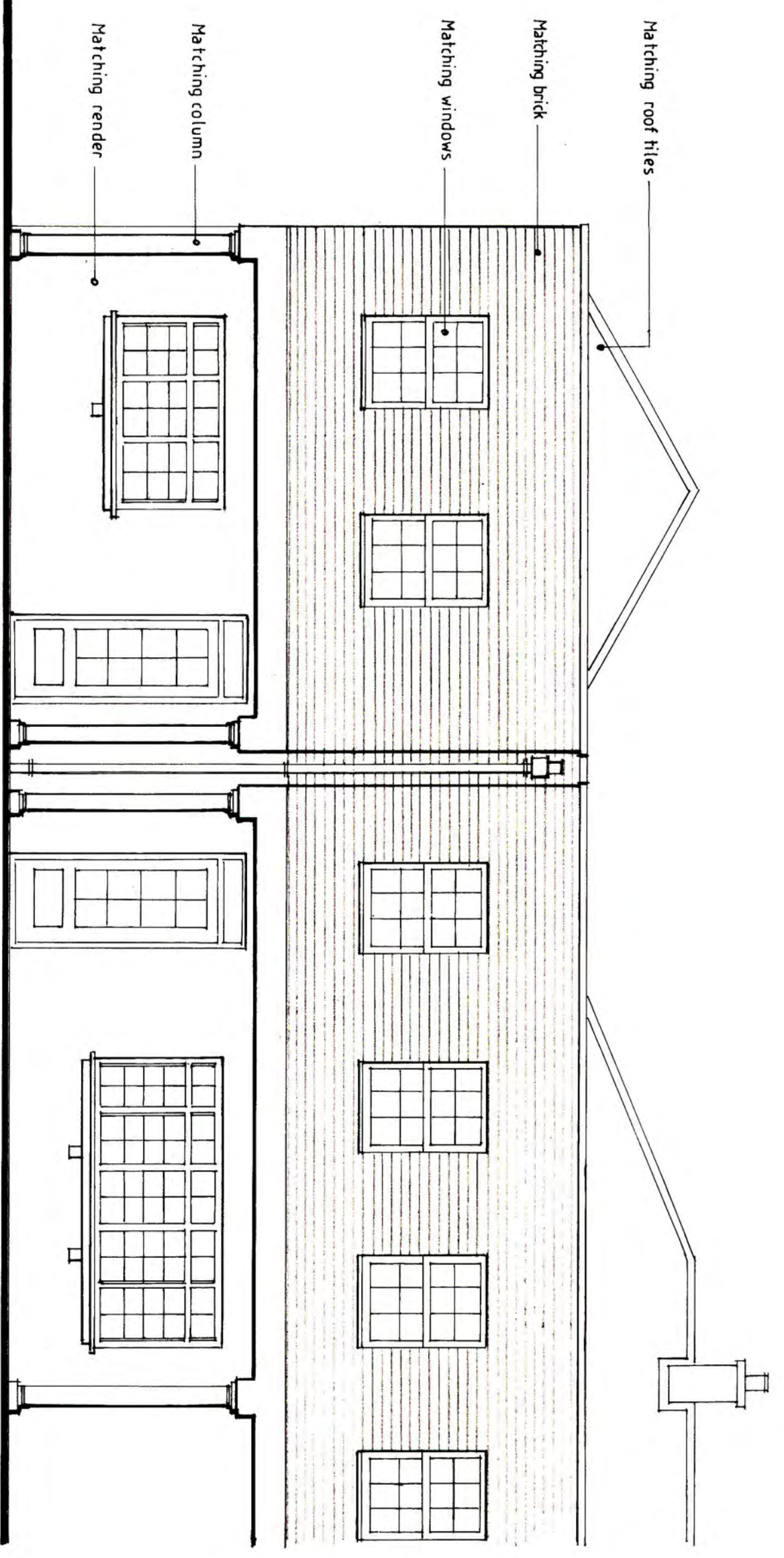
REAR ELEVATION NORTH



GROUND FLOOR



FIRST FLOOR



SOUTH ELEVATION

Revisions	
Project	29 HOBHOUSE CLOSE
	HENLEAZE
Description	
PROPOSED PLANS and ELEVATIONS	
Date	30/1/2008
Scale	1:50 & 1:100
Drawn	157P/02
<b>Max Grievie RIBA</b> Chartered Architect The Old Yard, 1a Downs Park East Westbury Park, Bristol BS50 7GF Tel: No 0117 9230881   Email: maxgrievie@maxgrievie.co.uk	



**Development Control Committee B – 7 December 2022**

**ITEM NO. 5**

**WARD:** Brislington East

**SITE ADDRESS:** 2 Birchwood Road Bristol BS4 4QH

**APPLICATION NO:** 21/01808/F Full Planning

**DETERMINATION DEADLINE:** 2 March 2022

**Change of use of part of shop area from Retail (Class Ea) to Take Away (Sui Generis).**

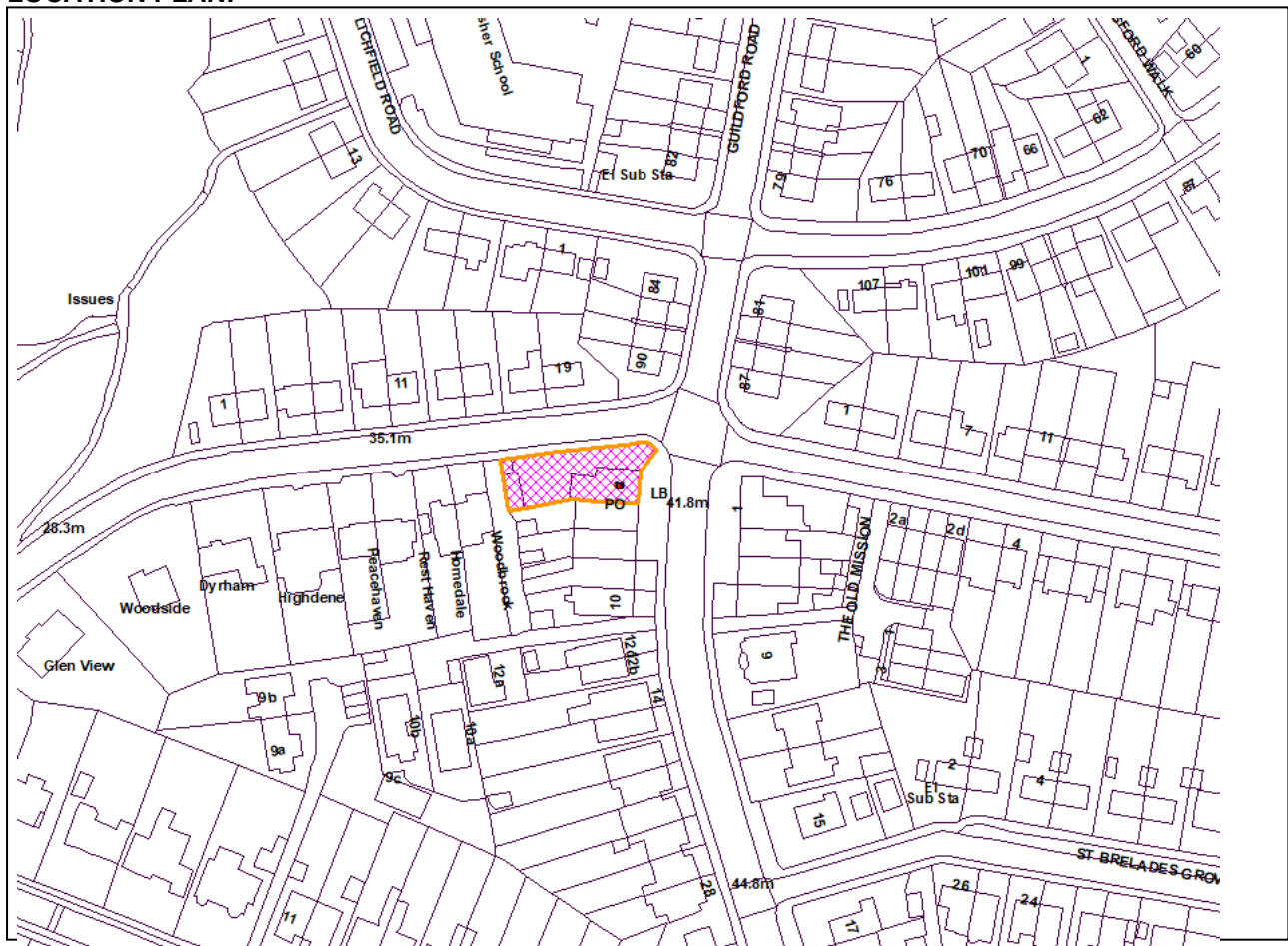
**RECOMMENDATION:** Refuse

**AGENT:** Mr Derek Robbins  
7 Water Lane  
Brislington  
Bristol  
BS4 5AW

**APPLICANT:** Mr Mohammed Mahmood  
2 Birchwood Road  
Bristol  
BS4 4QH

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

**LOCATION PLAN:**



**Development Control Committee B – 7 December 2022**  
**Application No. 21/01808/F : 2 Birchwood Road Bristol BS4 4QH**

### **SUMMARY**

The application relates to a change of use of a newly built premises to a hot food takeaway. The site is not within a designated centre. However, as the proposal is considered small scale and aimed at providing for local needs it fulfils the first part of local plan requirements for an out-of-centre hot food takeaway.

There are 3 areas of objection: health (the site is within 400 metres of a school), highway safety (insufficient information to evidence that the use can operate safely given the constraints), and pollution control (insufficient information to evidence odour and noise impacts would be acceptable). Consequently, officers are recommending refusal of the application.

The application has been referred to Development Control Committee by Councillor Rippington.

### **SITE DESCRIPTION**

The application relates to a newly built premises that forms part of a small un-allocated cluster of commercial uses spanning both sides of Birchwood Road. The premises has been built following grant of planning permission ref. 19/01874/F for an extension that was to be for retail shop use only (was A1 now Class E(a)). The proposed hot food takeaway (Sui Generis) use has not yet commenced.

Existing commercial uses include retail shops, café, and a hot food takeaway. The site and immediate surrounds are not subject to any local plan designations or heritage designations. The entrance to The Kingfisher School (primary school) is approximately 150 metres from the site via Guildford and Lichfield Roads.

The layout comprises storage, food preparation, and kitchen areas spanning the basement and ground floor, and a small customer area at the ground floor front with shopfront separate to the adjoining retail shop. The parking area, also granted permission under 19/01874/F, has not yet been implemented.

### **RELEVANT PLANNING HISTORY**

19/01874/F – Side extension to provide additional shop floor area (Use Class A1), side/rear extension to provide additional living space at ground floor, removal of garage and creation of parking area – granted

17/01725/F – Proposed excavation of rear garden area and creation of restaurant to rear, fronting onto St Anne's Park Road. Proposed creation of vehicular access onto St Anne's Park Road – refused

16/02807/F – Proposed construction of two storey structure to accommodate a restaurant to rear of 2 Birchwood Road – withdrawn

### **APPLICATION DETAILS**

The application is for full planning permission to change the use of the premises from the consented retail shop use to a hot food takeaway (sui generis). It is proposed that the hot food takeaway would be open to customers between midday and 10:30pm 7 days a week. It is also proposed to install 2no. telescopic bollards to the front of the premises.

**Development Control Committee B – 7 December 2022**  
**Application No. 21/01808/F : 2 Birchwood Road Bristol BS4 4QH**

**PRE APPLICATION COMMUNITY INVOLVEMENT**

Given the scale and nature of the proposal this is not a validation requirement.

**RESPONSE TO PUBLICITY AND CONSULTATION**

The application was advertised by way of neighbour letter sent to 69 properties. As result 3 representations were received, comprising 2 objections, and 1 letter of support (from the applicant).

Objections:

- A takeaway will increase parking difficulties in this area
- Noise, odour, and litter issues
- Visual appearance
- Amenity and parking issues associated with delivery services
- Already a takeaway opposite in Birchwood Road, and at Riverside St Anne's

Support:

- There is a demand for the takeaway
- Job creation

In addition, comments from the Ward Councillor in support of the application have been received on grounds of improved service provision, and on grounds that primary age children will not be visiting this facility so the proximity of the nearby school should not be an issue and that parking and deliveries will not cause undue inconvenience.

**OTHER COMMENTS**

Transport Development Management has commented as follows:-

Further information required – Transport Development Management (TDM) has several concerns which must be addressed before the proposals can be considered acceptable on highway safety grounds -

Pre-determination requirements:

- Trip Generation

Information required as to the potential number of two-way trips that could be generated by the site, particularly during the evening peak on a Friday and at the weekends, when the takeaway is likely to be at its busiest. A multi-modal analysis of TRICS data (TRICS is an industry standard database of trip rates used to quantify the numbers of trips associated with new developments) for takeaways must therefore be undertaken to be able to determine the likely impact on the surrounding highway network.

- Parking Survey

Parking survey to establish whether the amount of unrestricted kerbside space in the locality can accommodate the level of parking demand identified in the above analysis.

Other requirements that could be fulfilled by way of conditions/Unilateral Undertaking:

- Delivery and servicing plan
- Minor improvements to adopted footway, and to forecourt areas (including bollards and cycle parking provision)



**Development Control Committee B – 7 December 2022**  
**Application No. 21/01808/F : 2 Birchwood Road Bristol BS4 4QH**

- Financial contribution for amending the existing Traffic Regulation Order to improve safety (for example upgrading the existing waiting restrictions to include loading/unloading restrictions)

Pollution Control has commented as follows:-

Pre-determination requirements:

- Indicative details regarding the siting, design, and specification of kitchen extraction system
- Acoustic report detailing kitchen extraction system

Other requirements that could be fulfilled by way of conditions:

- Odour Management Plan
- Noise from plant and equipment to be maintained at 5dB below background noise levels
- Deliveries and refuse collection to take place between 0800 and 2000
- Opening times as per the application

Crime Reduction Unit has commented as follows:-

No objection.

## **RELEVANT POLICIES**

National Planning Policy Framework – July 2021

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation 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 Plan 2015 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

## **KEY ISSUES**

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

As stated above, the site is not within a designated centre. However, as the proposal is considered small scale and aimed at providing for local needs it fulfils the first part of local plan requirements for an out-of-centre hot food takeaway (Policies BCS7 and DM7).

For clarity, the Use Class Order has been amended since the adoption of the Local Plan, and as such the Local Plan polices refer to the old use class order. Specifically, this application relates to a takeaway, which was previously considered to be an A5 use, but is now considered a sui generis use, which means that planning permission is required for change of use from or to a takeaway, no matter what the development is changing from or to.

As such, the more relevant policy in this case is Policy DM10.

DM10 relates specifically to food and drink uses, and states the following:

*Development of food and drink uses will be acceptable provided that they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively. Proposals which would result in a harmful concentration of food and drink uses will not be permitted.*

**Development Control Committee B – 7 December 2022**  
**Application No. 21/01808/F : 2 Birchwood Road Bristol BS4 4QH**

*In order to assess the impact of food and drink proposals on an area the following matters will be taken into account:*

- i. The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and*
- ii. The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and*
- iii. The availability of public transport, parking and servicing;*
- iv. Highway safety; and*
- v. The availability of refuse storage and disposal facilities; and*
- vi. The appearance of any associated extensions, flues and installations.*

*Takeaways in close proximity to schools and youth facilities will not be permitted where they would be likely to influence behaviour harmful to health or the promotion of healthy lifestyles.*

It is noted that Policy DM10, as well as addressing the issue of concentration, also covers impact on amenity and healthy eating. Amenity issues are dealt with in key issue B below, but in respect of healthy eating the following issues are considered to be material:

The supporting text of Policy DM10 identifies that young people gathering, in locations up to 400 metres from a hot food takeaway, is the rationale for prohibiting hot food takeaways 'where they would be likely to influence behaviour harmful to health or the promotion of health lifestyles'.

There is only one school or youth facility within a 400 metre radius of the site – The Kingfisher School. It is acknowledged that the school is a primary school. However, it is considered likely that a hot food takeaway in this location would influence food choices given the sites' prominent visual presence on a key route to school. It is considered that a hot food takeaway in this location is likely to have a direct or indirect impact on healthy food choices and healthy lifestyle. It is considered unlikely that the hot food takeaway would contribute to a healthy food environment. Furthermore, this small neighbourhood shopping area is likely to be a location in which young people gather.

Therefore, whilst officers are satisfied that there would be no overconcentration of hot food takeaways, it is considered that the proposal is contrary to the health objectives of Policy DM10.

**(B) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?**

As stated above, Policy DM10 requires consideration of the impacts of food and drink uses on local amenities, including any impacts that result from the concentration of uses. In addition, Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing development.

- Noise and cooking odours

The application is not supported by any details with regards to noise from extraction equipment and odour control. As such, the Council's Pollution Control Officers have not been able to determine whether the site in its current form can mitigate its amenity impact.

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Therefore, whilst officers are satisfied that there would be no overconcentration of hot food takeaways and there are no specific concerns with regards litter or late night activity, it is considered that there is insufficient information to conclude that the proposal accords with the other parts of criteria ii. (noise from extraction equipment and odour control) and criteria vi. (appearance of flues and installations) of Policy DM10.

**(C) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?**

The operational development has been dealt with by way of planning permission ref. 19/01874/F. With the exception of extract and flue siting and design it is considered that conditions would be sufficient to ensure that the unfinished elements of the development are completed to an acceptable standard.

**(D) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?**

Local plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (Policy BCS10). In addition, Policy DM23 requires development to provide safe and adequate access to new developments.

The LPA are mindful that hot food takeaways are often associated with private car use and delivery vehicles.

It is proposed to install 2no. telescopic bollards to the front of the premises and the intention is for deliveries of goods to the hot food takeaway to be via a parking area at the rear of the site.

However, Transport Development Management, do not have sufficient information before them as evidence to justify this site as suitable for a hot food takeaway.

In the absence of information required pre-determination (trip generation information and parking survey) it is considered that there is insufficient information to conclude that the use can be accommodated at this site without unacceptable highway safety impacts. The LPA is therefore unable to establish compliance with policies BCS10, DM23, and DM10 criteria iv. (highway safety).

**(E) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTAINABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?**

The Climate Change and Sustainability Practice Note (July 2020) states that many of the policy requirements of BCS13-16 cannot readily be applied to some planning application types, including extensions (up to 10% additional gross internal floor space to a maximum of 250m<sup>2</sup>) to existing non-residential buildings, and changes of use (where there is no increase in floor space or subdivision of units).

Given that the previous proposal (19/01874/F) was exempt and given that there is a degree of uncertainty as to whether there would be a subdivision of units, it is considered that applying the requirements of BCS13-16 is not warranted in this instance.

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**COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The following development types will be liable for CIL:

- i. Development comprising 100m<sup>2</sup> or more of new build floorspace
- ii. Development of less than 100m<sup>2</sup> of new build floorspace that results in the creation of one or more dwellings
- iii. The conversion of a building that is no longer in lawful use

The development is not CIL liable.

**CONCLUSION**

It is recommended that the application is refused.

**EQUALITIES IMPACT ASSESSMENT**

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

"S149 of the Equality Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**RECOMMENDED    REFUSAL**

Health impacts

By reason of introducing a hot food takeaway on a key route to and from a school (approximately 150 metres from the takeaway premises), and in an area where young people are likely to congregate, the proposal is likely to influence the food choices of young people to the detriment of health and healthy lifestyles. This is contrary to Development Management Policy DM10 (2014).

Highway safety (insufficient information)

No information has been submitted to evidence the potential number of two-way vehicular trips that could be generated by the site, or to evidence that the locality would be able to provide sufficient safe and lawful on-street parking provision to meet the potential number of two-way trips. Therefore, there is a lack of information to justify this site as acceptable for hot food takeaway use in highway safety terms. This is contrary to Core Strategy Policy BCS10 (2011) and Development Management Policies DM10 and DM23 (2014).



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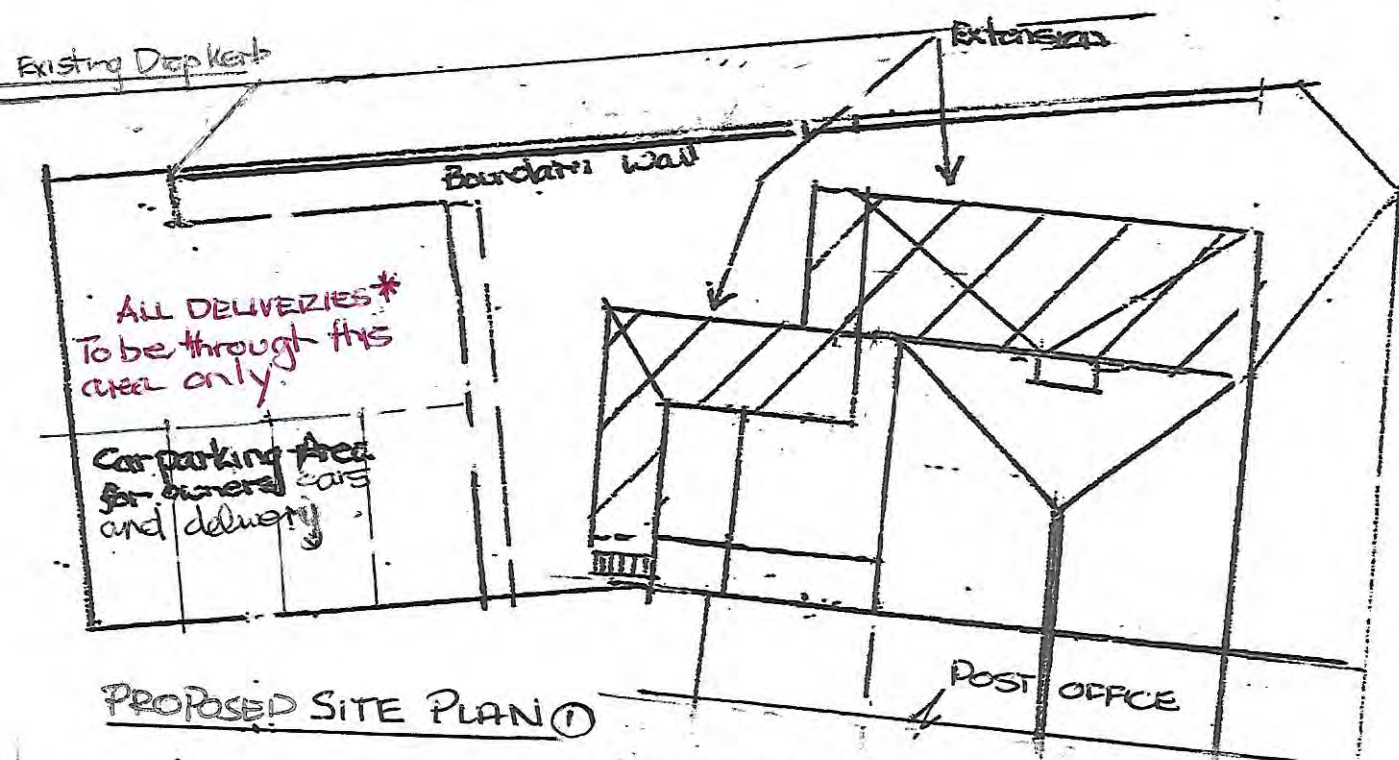
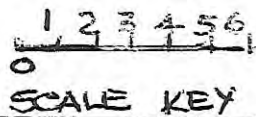
Amenity impacts (insufficient information)

No information as to the siting and design of a kitchen extraction system and flue (including an acoustic report) has been submitted to evidence that the noise, odour, and visual impacts of the development could be mitigated satisfactorily. Therefore, there is a lack of information to justify this site as acceptable for hot food takeaway use in residential and visual amenity terms. This is contrary to Core Strategy Policy BCS21 (2011) and Development Management Policy DM10 (2014).

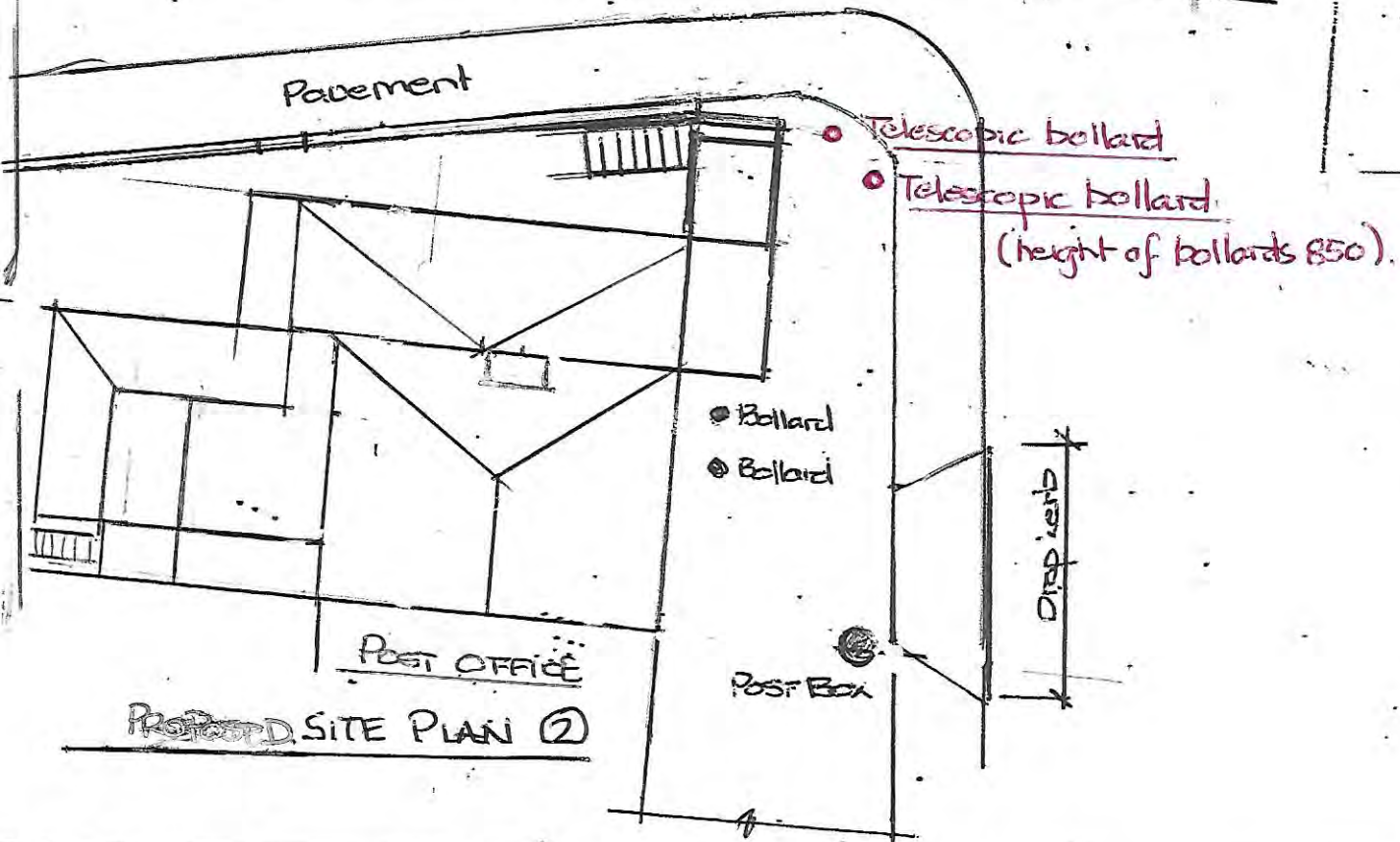
## Supporting Documents

5. 2 Birchwood Road
  1. Proposed site plan
  2. Proposed basement
  3. Proposed ground floor
  4. Proposed front and rear elevations
  5. Proposed side elevation

\* Deliveries carried out by owners min once per week using owners van from local cash and carry



PROPOSED SITE PLAN ①

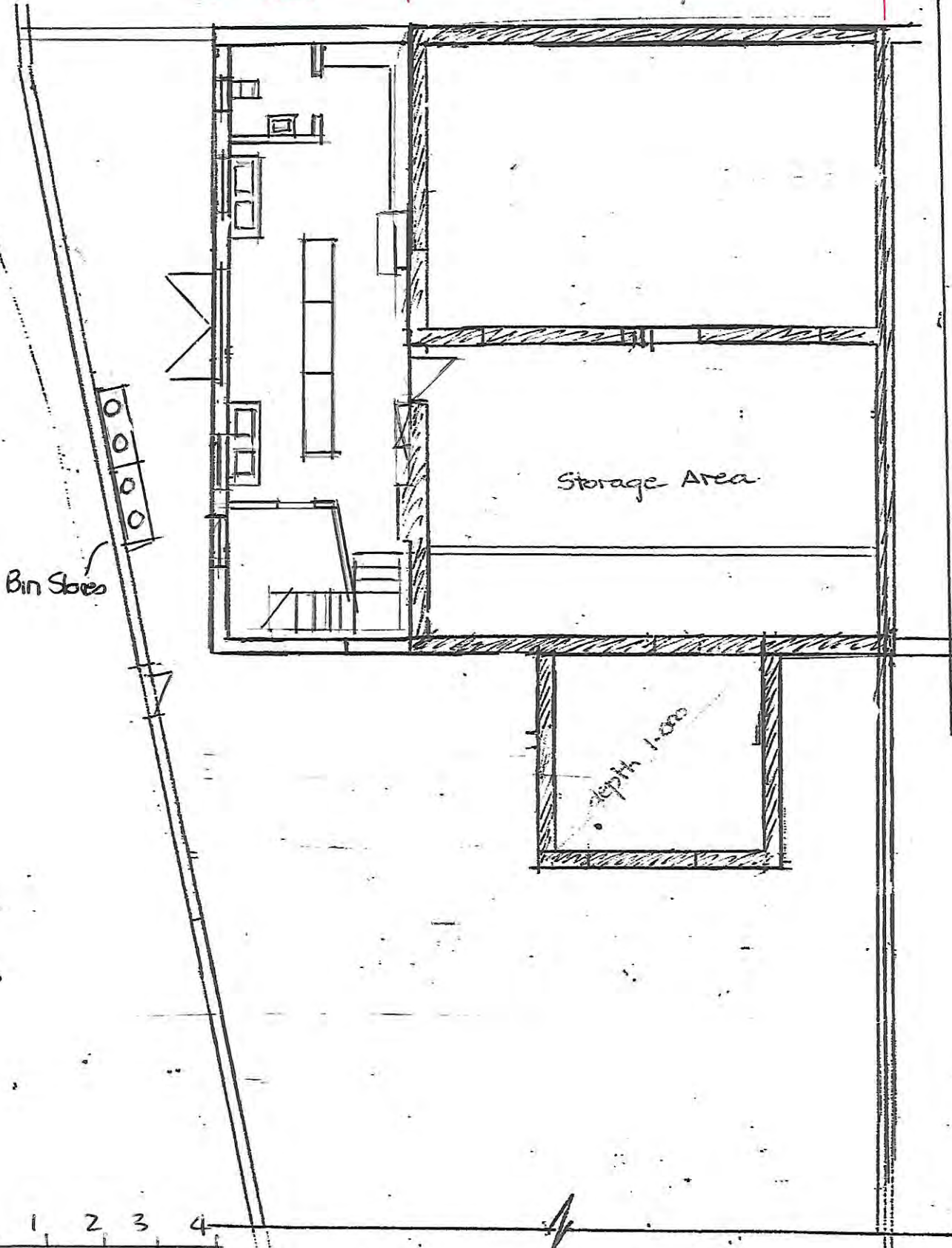


PROPOSED SITE PLAN ②

Issue Date	Date	Project	Title
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	Tracing Checked	Scheme	Scale
	Drawing Checked	Page 248	1:200
	Design Checked		Drawing No.
			DR/MB/701
			Rev



TAKE AWAY AREA STORAGE AREA



Bin Stacks

Storage Area

Depth 1-000

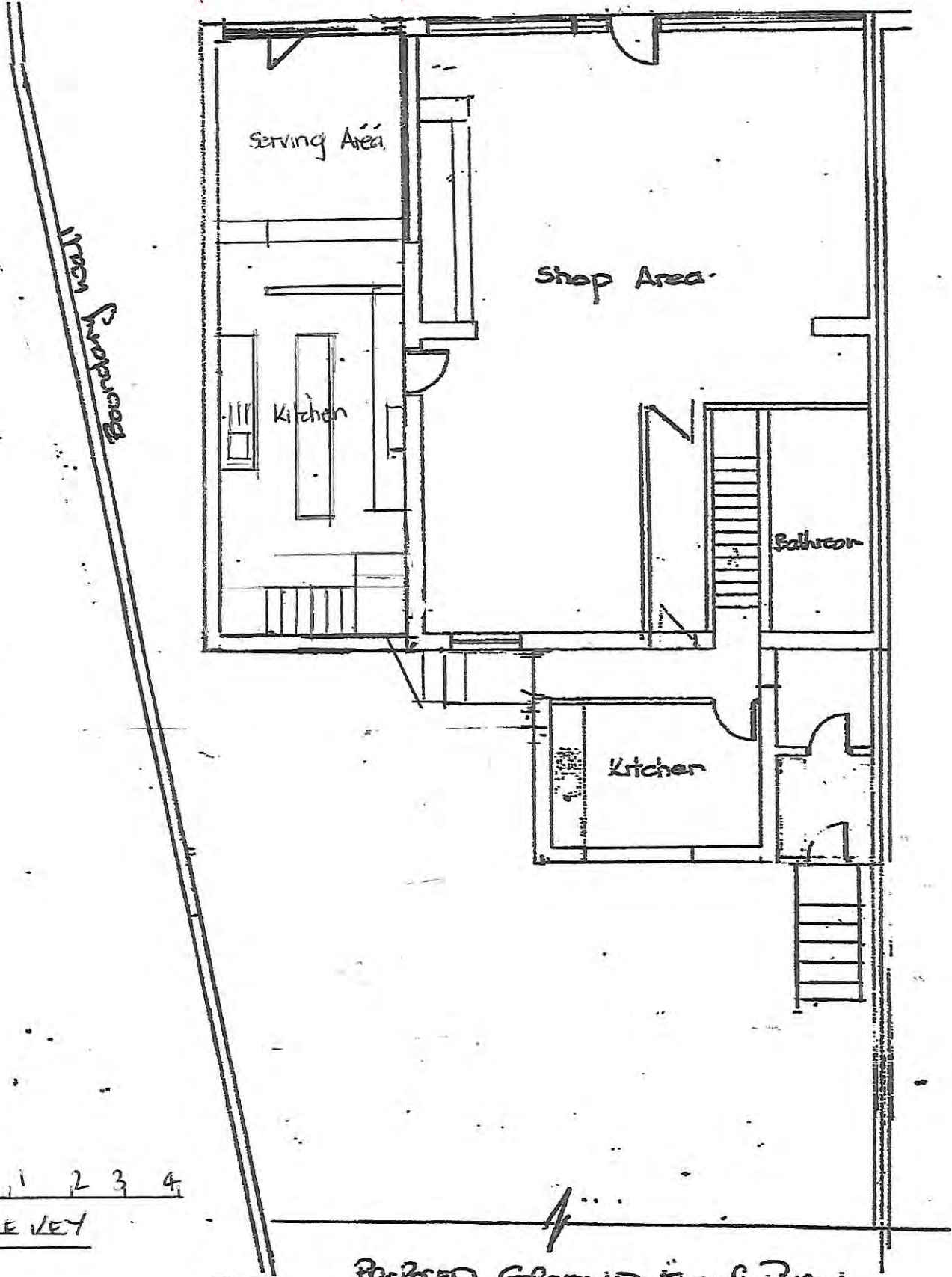
0 1 2 3 4  
SCALE KEY

PROPOSED BASEMENT FLOOR PLAN

Issue Date		Project		Title	
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	Date	Page 249		Scale	
	Tracing Checked	Scheme No.		1:100	DJR/MES/509
	Drawing Checked				
	Design Checked				
					Rev



TAKE AWAY AREA SHOP AREA



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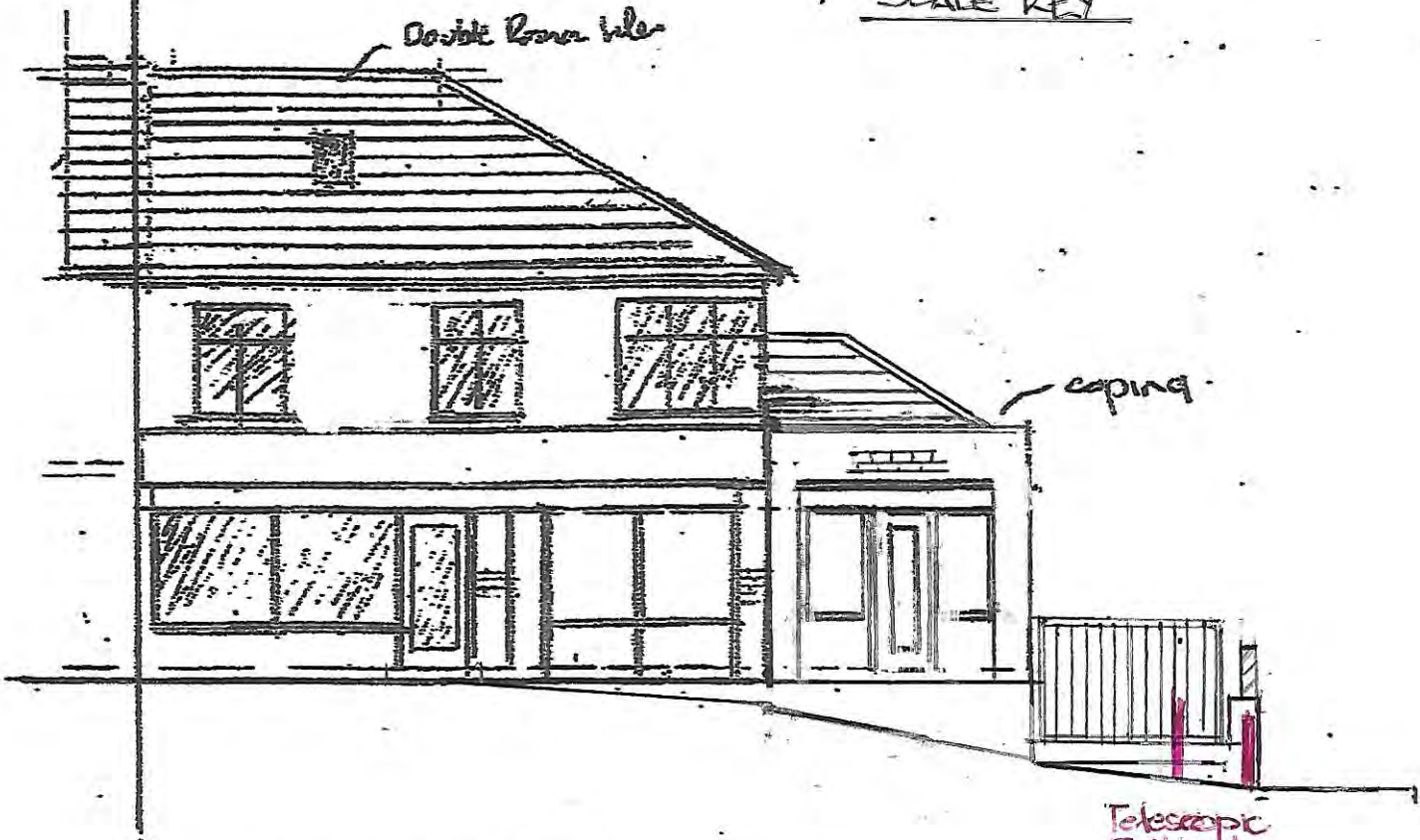
PROPOSED GROUND FLOOR PLAN

Issue Date		Project		Title	
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1		Page 250		Scale	Drawing No.
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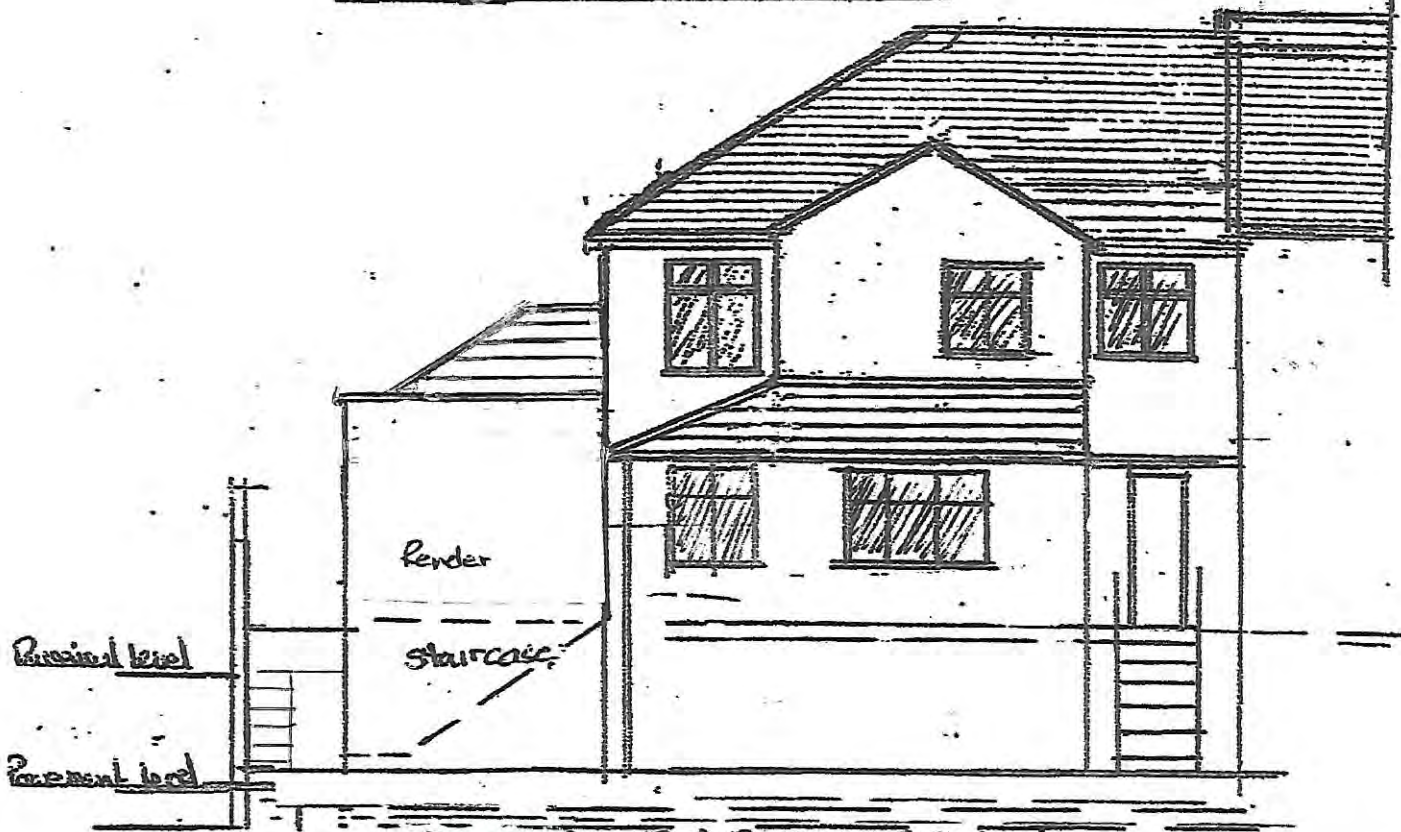


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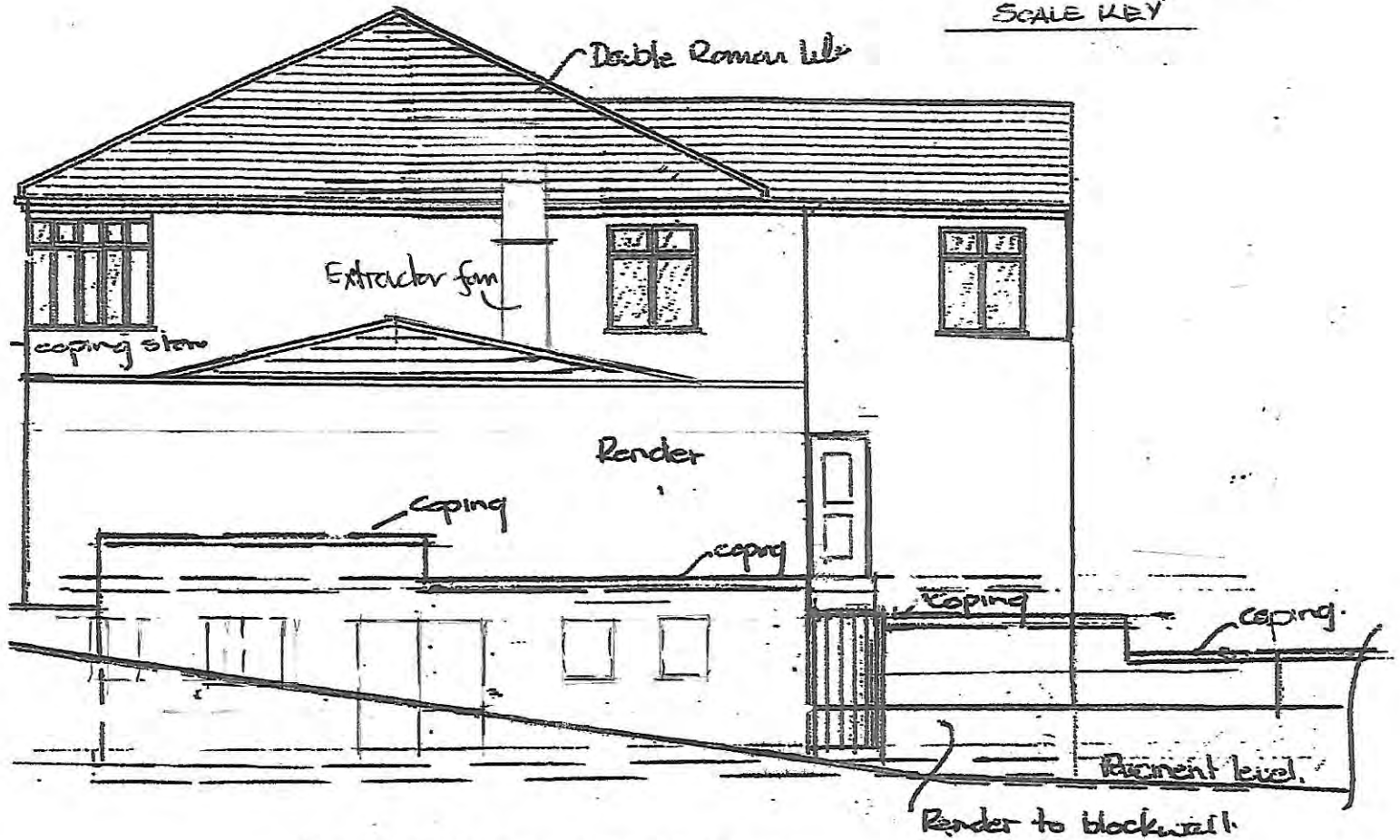
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

	2 BIRCHWOOD ROAD BROOMHILL BRISTOL BS44 9JH	PROPOSED ELEVATIONS
Tel : 0117 9 Fax 0117 9	Page 251	SCALE: 1:100 DJR/MB/703

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SCALE KEY



PROPOSED SIDE ELEVATION

Issue Date		Project		Title	
id		2 BIRCHWOOD ROAD		PROPOSED	
nr)	Date	BROOMHILL		SIDE ELEVATION	
	Tracing Checked	BRISTOL BS44QH			
	Drawing Checked	Page 252			
	Design Checked	Scheme No.		Scale	Drawing No.
				1-100	DJR/MB/511
					Rev