

Development Control B Committee Agenda



Date: Wednesday, 15 August 2018

Time: 6.00 pm

Venue: Council Chamber, City Hall, College Green,
BRISTOL, BS1 5TR

Distribution:

Councillors: Sultan Khan (Chair), Richard Eddy (Vice-Chair), Clive Stevens (substitute for Carla Denyer), Harriet Clough, Lesley Alexander, Tom Brook, Harriet Bradley, Mike Davies, Fi Hance, Olly Mead and Jo Sergeant

Copies to: Zoe Willcox (Director - Planning), Gary Collins, Laurence Fallon, Jon Fellingham, Alex Hawtin, David MacFadyen, Tamsin Sealy, Susannah Pettit, Rachael Dando, David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Zarah Jama, Paul Shanks and Allison Taylor (Democratic Services Officer)

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Date: Monday 6th August 2018



Agenda

1. Welcome, Introduction and Safety Information

(Pages 4 - 5)

2. Apologies for Absence

Apologies for Absence have been received from Councillor Carla Denyer (Clive Stevens substituting)

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 held on Wednesday 11th July 2018 as a correct record. (Pages 6 - 14)

5. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision. (Pages 15 - 27)

6. Enforcement

To note enforcement notices. (Page 28)

7. Public forum

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



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 9th August 2018.**

Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Tuesday 14th August 2018.**

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

8. Planning and Development

- To consider the following applications for Development Control Committee B - **(Pages 29 - 30)**
- a) **Planning Applications Number 18/01374/F and 18/01375/LA - Mortimer House Nursing Home, Clifton Down Road, Bristol BS8 4AE** **(Pages 31 - 58)**
 - b) **Planning Application Number 17/06582/F - 22A Islington Road, Bristol BS3 1QB** **(Pages 59 - 111)**
 - c) **Planning Application Number 18/00447/F - 6 Cotham Lawn Road, Cotham, Bristol BS6 6DU** **(Pages 112 - 177)**
 - d) **Planning Application Numbers 17/06957/X and 17/06959/X - 39-40 Berkeley Square, Bristol BS8 1HP** **(Pages 178 - 208)**

9. Date of Next Meeting

It was noted that the next meeting of Development Control B Committee was scheduled for 2pm on Wednesday 26th September 2018 in the Council Chamber, City Hall, College Green, Bristol



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.

You can also inspect papers at the City Hall Reception, College Green, Bristol, BS1 5TR.

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 and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. 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 **three clear working days before the meeting**.

Statements will not be accepted after **12.00 noon on the working day before the meeting** unless they have been submitted in advance to Bristol City Council but were not received by the Democratic Services Section. Anyone submitting multiple statements for an application should note that they will only be allowed to speak once at 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, 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. This information will



also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. 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. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process 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.

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now 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.

Bristol City Council Minutes of the Development Control B AGM Committee



11 July 2018 at 2.00 pm

Members Present:-Sultan Khan (Chair), Richard Eddy (Vice Chair), Lesley Alexander, Mike Davies, Harriet Bradley, Mark Bradshaw (Substitute), Carla Denyer, Jude English (Substitute), Margaret Hickman (Substitute), Olly Mead.

Officers in Attendance:- Gary Collins - Head of Development Management, John Fellingham – Transport Development Management, Peter Westbury, Alex Hawtin, Ben Royston – Development Management Officers, Allison Taylor – Democratic Services.

1. Election of Chair for 2018/19 Municipal Year.

Councillor Sultan Khan was nominated and seconded. There were no further nominations and it was therefore:-

Resolved – That Councillor Sultan Khan be elected as Chair of Development Control Committee B for 2018/19.

2. Election of Vice Chair

Councillor Richard Eddy was nominated and seconded. There were no further nominations and it was therefore:-

Resolved – that Councillor Richard Eddy be elected as Vice Chair of Development Control Committee B for 2018/19.

3. Terms of Reference.

The Terms of reference as determined by Annual Council on 22 May 2018 was noted.



4. Dates of future meetings.

Resolved – that the meetings for DC B Committee for 2018/19 were agreed as follows:-

6pm 15 August 2018;
2pm 26 September 2018;
6pm 7 November 2018;
2pm 19 December 2018;
6pm 30 January 2019;
2pm 13 March 2019;
6pm 24 April 2019.

5. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Brook with Councillor Bradshaw as substitute, Councillor Hance with Councillor English as substitute, Councillor Sergeant with Councillor Hickman as substitute and Councillor Clough.

6. Declarations of interest.

Councillor Hickman declared that she would stand down from application 18/01892/A - Public Footpath West Side Of Bond Street South as she had submitted a Public Forum Statement on this.

7. Minutes of the previous meeting.

Councillor Denyer referred to Minute 9 i), St Mary's Hospital – Councillors' Comments – last bullet point and suggested that the first sentence be deleted and replaced with:-

'It was noted that, whilst most of the bins were planned to be located at the gatehouse lodge, some were proposed to be outside the Pavilion, near the wall.'

This was agreed and it was therefore:-

Resolved – that the minutes of the above meeting be approved, subject to the amendment above, as a correct record and signed by the Chair.



Appeals

The Head of Development Management referred to Items 9 & 10 – 131 Bridgwater Road and reported the appeal hearing was taking place today at City Hall and the outcome would be reported to the Committee once it was known.

1. Enforcement.

These were noted.

2. 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.

3. Planning and Development

The Committee considered the following Planning Applications.

1. 17/06459/P - Land Of Former Post Office Depot Cattle Market Road.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The Committee's attention was brought to the further representations received since the report was published as set out in the Amendment Sheet and to an email sent to the Committee members last night regarding transport and mitigation;
2. The application sought outline planning permission for a new mixed use University Campus including 1500 students beds with all matters reserved except access;
3. The application was currently indicative and further detail would be brought back to Committee at a later stage in the form of Reserved Matters applications;



4. Officers were engaging with the applicants to establish how the application might emerge. It had been established that it would have an active frontage with the campus building being accessible to students and the public;
5. A key consideration was the view of Historic England regarding the development's height and its impact on Temple Meads Station. Ongoing work was taking place in this regard and a height plan had now been received;
6. The indicative proposals were amended to reduce the height and bulk and these had satisfied officers;
7. Information on the routes through the site which was within the Enterprise Zone was currently fluid;
8. The development would be car free save for disabled users;
9. The Head of Development Management, in summary, stated that the development was a work in progress and lots of improvements had been made so it was considered appropriate to bring to Committee. Officers would use their delegated powers to finalise the transport mitigation package and members would be updated regularly at agenda meetings.

The following points arose from debate:-

1. Councillor Denyer observed that there were many outstanding objections and asked whether it was better to wait for greater detail and mitigations to objections before outline planning permission was granted. The Head of Development Management acknowledged that there were a number of outstanding objections but officers would be in continued dialogue with the applicant to work through the transport issues. The City Design team had enough confidence in the scheme to allow issues to be dealt with through Reserved Matters and those matters would also be reported back to members at agenda meetings;
2. The Council was obliged to provide the University with a clear site and this work was underway. A decision today was crucial to that timetable but as the Local Planning Authority the Committee had to be satisfied with what was presented to it;
3. Quantums of the development were set out. The floor space and 1500 student beds were committed to and officers were working with the University to agree parameters and place-making principles;
4. It was confirmed that Reserved Matters could be refused should the design be unsatisfactory;
5. Conditions could be imposed regarding archaeologists excavating the burial ground;
6. Councillor Bradshaw appreciated that the application was outline but felt that there was insufficient transport detail and was informed that these would be worked through with the applicants and proposed conditions and Heads of Terms would be reported to members;
7. Councillor Hickman understood a development might come forward nearby providing more student accommodation and this could result in low-skilled work being taken away from the area. The Head of Development Management replied that the Council had set out its response to emerging speculative housing schemes through the Local Plan Review. On-going dialogue was taking place with the University regarding mixed use housing but there would be no positive policy to rely upon until the completion of the Local Plan Review. The Committee could not, therefore, give any weight to the matter;
8. Councillor Hickman referred to the condition imposed on the arena consent regarding training opportunities for local people and asked if it could be imposed for this development. She was informed



that local employment opportunities condition would be imposed and would bring in the involvement of economic development colleagues;

9. Councillor English asked whether any work had been done regarding the numbers of student accommodation proposed in the circular area of the campus and whether there were any controls the LPA could impose on mixed dwelling. She stated that students did not benefit from being with just their own kind but benefited from a mix of residents. Finally, she asked whether 1500 students beds was a set number and was informed that this number would form part of the agreement though the nature of the units would be part of the Reserved Matters;

10. It was noted that Transport Development Management made no substantial objection on the basis of no car trips and air quality officers were content on that basis. It was confirmed that should it become clear that the development was not car free air quality would be re-consulted;

11. It was confirmed that the Environment Agency's objection was only partially alleviated, should it not be fully overcome outline permission would not be granted;

12. Councillor Denyer highlighted the subjects within the Masterplan but asked why other issues had not been addressed such as the impact on noisy venues on the development and vice versa. She was informed that the Masterplan could be refined. A noise condition would be imposed;

13. In response to a concern regarding the under-provision of 2000 bed spaces (when compared to the University's stated growth plan) with this development, The Head of Development Management stated the University would not be able to accommodate every student at this campus and there would be other providers. He referred to Article 4 Directives which exerted control over the uncontrolled change of use of small HMO's. It was noted that Article 4 Directives would be brought to the Committee in the near future as it was one of this Committee's Terms of Reference;

14. Councillor Bradley was in favour of the proposal as it was an important development for the City and would bring jobs at all levels to the city. She urged the University to consult stakeholders and engage the public;

15. Councillor Mead was content with the proposals and moved the officer recommendation to grant, with an additional condition regarding local employment opportunities and this was seconded by Councillor Eddy;

16. Councillor Bradshaw moved an amendment requiring the transport recommendation to be enhanced to include public transport, access and ease of movement. This was seconded by Councillor Eddy and on being put to the vote the amendment was unanimously carried. The substantive vote then took place and it was:-

Resolved (Unanimous) – That outline planning permission be granted subject to:

1. Resolution of the Environment Agency's objection;

2. The completion of a Section 106 Agreement securing:

i) Appropriate transport mitigation, including a framework for public transport, ease of movement, and integration with the surrounding area;

ii) Details of Allowable Solutions.

3. Appropriate conditions, including those set out in the report and also to include a condition securing local training opportunities.



2. 18/01374/F & 18/01375/LA - Mortimer House Nursing Home Clifton Down Road.

1. The Chair expressed concern regarding this application given the level of Public Forum and suggested that it might be prudent to undertake a Site Visit;
2. This was supported by Councillors Bradley and Eddy.
3. Councillors Mead and English felt able to determine the application as set out in the report;
4. Councillor Denyer was conflicted due to the high number of public who had taken the time to attend the meeting;
5. Councillor Bradley moved that a site visit take place and this was seconded by Councillor Eddy and on being put to the vote it was:-

Resolved (6 for, 4 against) – that the application be deferred pending a site visit.

3. 18/01892/A - Public Footpath West Side Of Bond Street South.

Councillor Hickman stood down. This left 9 Committee members to vote on this item.

The Head of Development Management introduced the report stating that the Council was a party to the application in its property role in partnership with the advertiser and would benefit from some revenue. He emphasised that officers gave no weight at all to this fact when considering this application and the officer recommendation was based on amenity and public safety. The Committee was asked to determine the application on its merits.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application was referred to the Committee by ward member, Councillor Hickman;
2. The application sought consent for the erection and display of a single sided advertising structure to be used to show illuminated advertisements capable of automatic change image;
3. The display would be 11m high and 5m wide;
4. The consent would be for a 5-year period;
5. Following consultation, 37 responses were received with an additional 2 since publication of the report;
6. The key issues for consideration were public safety and amenity. The proposed display was away from residential properties and the nearest heritage asset was a public house 80m away;
7. The location of the display was an appropriate scale for the surrounding buildings and Transport Development Management officers had no concerns after a public safety audit was carried out;



The following points arose from debate:-

1. Councillor Mead questioned the Transport Officers' assertion that the panel was visible far enough away so as not to cause a last minute distraction and allow drivers the opportunity to assimilate the road layout;
2. Councillor English felt the proposal raised serious road safety issues and was too dangerous to consider granting. The display would be a huge distraction and there was insufficient research on their use near roads. The Committee was informed that officers had been involved in pre-application proposals and a great deal of work was undertaken to get the proposal to this stage which they considered acceptable. It was noted that lessons had been learned from appeal outcomes for similar applications that had been refused at Committee and where the Inspector had sometimes disagreed that they were a road safety hazard or an impact on amenity;
3. Councillor Davies expressed concern that drivers would be distracted by the display and fail to notice a pedestrian running across the crossing and was informed that Transport Development Management officers had considered the crossing to be far enough away to allow sufficient time for drivers to view the road ahead before driving;
4. Councillor Bradley wondered why this site was chosen when drivers often changed lanes and it was badly signalled. She believed this was one of the worst locations to position a display. She was informed that the applicants had originally proposed Newfoundland Circus where there was much greater movement which officers had recommended against so was withdrawn;
5. Councillor Denyer disagreed with the officer view that there was no impact on amenity as it provided a negative contribution to residents' amenity. It might not be outside of residents' windows but was in their nearby neighbourhood. She too was concerned on the road safety issues. Finally, she disagreed with the officers' view that there was no detrimental impact and thought a more accurate view was that it was insufficiently detrimental to refuse. She was minded to vote against the officer recommendation;
6. Councillor Mead expressed concern at the loss of part of the existing bus lay-by and the proximity of the pedestrian crossing to the display and moved that the application be refused for the risk to pedestrian safety, the proximity of the display to the pedestrian crossing and the loss of part of the bus lay-by and this was seconded by Councillor Denyer;
7. Councillor Denyer then moved an amendment to add to the motion the impact on visual amenity and this was seconded by Councillor English. On being put to the vote, the amended motion was carried (4 for, 2 against, 3 abstentions). The substantive vote then took place and it was:-

Resolved (8 for, 1 against) – that the application be refused for the following reasons:-

- 1. The impact on visual amenity;**
- 2. The impact on highway and pedestrian safety, including the proximity of the proposed signage to a pedestrian crossing and also the loss of part of the existing bus lay-by.**



4. 18/01897/A - Central Reservation Temple Way.

Councillor Hickman returned to the Committee. 10 Committee members to vote on this item.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application had been referred to Committee by Councillor Paul Smith, and not Councillor Hickman as set out in the report;
2. The application sought the erection and display of a single sided advertising panel to show illuminated advertisements capable automatic sequential change for a 5-year consent;
3. The site was located within the central reservation on Temple Way;
4. The display was 11m in height and 5m in width;
5. The application had received 50 objections including two from Councillors, and another objection was received since publication of this report. The objections included distraction to drivers, street clutter, impact on the character of the area and risk to pedestrian safety;
6. Officers assessed there was no impact on the character of the Conservation Area and recommended approval.

The following points arose from debate:-

1. Councillor Denyer felt the same arguments applied as in the previous application and moved that the application be refused for the same reasons as set out in the previous decision and this was seconded by Councillor Mead, noting that the bus lay-by element was not relevant to this application;
2. Councillor Bradshaw noted that the site was largely commercial so believed that the same issues did not apply as the previous application. The road safety issues previously raised did not apply in this case;
3. Councillor Hickman agreed stating that the site was more spacious, less busy and believed a refusal in this instance would be more open to challenge;
4. The Chair was minded to support this application;
5. Councillor Mead maintained his concerns for highway safety but was less concerned on amenity grounds;
6. On being put to the vote it was:-

Resolved (5 for, 4 against, 1 abstention) – that the application be refused for the following reasons:-

- 1. The impact on visual amenity;**
- 2. The impact on highway and pedestrian safety, including the proximity of the proposed signage to a pedestrian crossing and also the loss of part of the existing bus lay-by.**



5. 18/01906/H- 97 Downend Road Horfield.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application was before the Committee as the applicant was a ward member;
2. The application sought the demolition of an existing kitchen extension and erection of side and rear extension;
3. Following officer advice, the applicant had reduced the elevation so as not to cause harm to the amenity of the property by virtue of overbearing and overshadowing;
4. Officers were therefore satisfied that the application was acceptable with regards to design and amenity.

The following points arose from debate:-

1. It was noted that the 1 objection received was not a 'neutral' objection as set out in the report officers confirmed that the revised proposals satisfied that objection;
2. Councillor Eddy acknowledged that the application was before the Committee for transparency purposes and therefore moved the officer recommendation which was seconded by Councillor Davies and being put to the vote it was:-

Resolved (Unanimously) – that the application be granted subject to conditions.

4. Date of Next Meeting

6pm 15 August 2018.

Meeting ended at 4.50.pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

15th August 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Westbury-on-Trym & Henleaze	8 Halsbury Road Bristol BS6 7SR Proposed front roof extension with front dormer. Appeal against refusal Delegated decision	12/06/2018
2	Southmead	7 Lorton Road Bristol BS10 6DG Notification of prior approval for the erection of a single storey, rear extension that would extend beyond the rear wall of the original house by 6.0 metres, have a maximum height of 3.0 metres and have eaves that are a maximum height of 3.0 metres. Appeal against refusal Delegated decision	02/08/2018

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
3	Hillfields	24 Mayfield Avenue Bristol BS16 3NL Lombardy Poplars (T4 and T5) - fell to ground level (Protected by Tree Preservation Order 917). Appeal against refusal Delegated decision	24/07/2018
4	Bishopsworth	Land Adjacent 131 Bridgwater Road Bristol BS13 8AE Retrospective application for erection of 14 dwellinghouses (13 x 3/4 bed and 1 x 2/3 bed) with associated vehicular and pedestrian access and cycle and bin storage, with access from Kings Walk (revision to planning permission 13/04789/F) (Major Application). Appeal against refusal Committee	11/07/2018

5	Bishopsworth	Land Next To 131 Bridgwater Road Bristol Outline application for the erection of up to 9no. dwellinghouses with associated garages, parking areas and landscaping with 'Access' to be considered. Appeal against non-determination Delegated decision	11/07/2018
6	Hartcliffe & Witherwood	Merchants Academy Gatehouse Avenue Bristol BS13 9AJ Erection of a 2 form-entry Primary School with Nursery and Autistic Condition Spectrum (ASC) School to be co-located on the site, associated play areas, car parking and drop off area. Demolition of former St Johns Ambulance building to create new access and parking area from Hareclive Road. Appeal against refusal Committee	03/10/2018
7	Ashley	Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for prior approval for a proposed change of use of Blocks B & C from office use (Class B1(a)) to dwellinghouses (Class C3) to provide 45no. self-contained dwellings (comprising 25no. one bed units and 20no. two bed units). Appeal against refusal Delegated decision	02/10/2018

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
8	Central	Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU Demolition of the existing buildings and redevelopment of the site to provide a part 7, 8 and 9 storey building fronting Marlborough Street, comprising 715 student bedspaces; communal areas and central courtyard; and erection of part 4, 5 and 6 storey building to the rear to accommodate a mix of uses, including office floorspace (Use Class B1) and/or medical school (Use Class D1) equating to 6,860sqm and a small commercial unit; associated access road, landscaping, public realm improvements, undercroft car parking and cycle parking. (MAJOR). Appeal against non-determination Committee	TBA
9	Avonmouth & Lawrence Weston	8 - 10 Station Road Shirehampton Bristol BS11 9TT Demolition of glasshouses and redevelopment to form 33 No. apartments for the elderly, guest apartment, communal facilities, access, car parking and landscaping. Appeal against refusal Delegated decision	20/11/2018

Written representation

Item	Ward	Address, description and appeal type	Date lodged
10	Central	Unit 1 Maggs House 70 Queens Road Clifton Bristol BS8 1QU Proposed change of use from mixed A1/A3 to mixed A3/A4 use, facade alterations to ground floor. Appeal against refusal Committee	15/02/2018
11	Filwood	69 Hartcliffe Road Bristol BS4 1HD Proposed two storey detached single dwelling house, with associated parking. Appeal against refusal Delegated decision	15/02/2018
12	Knowle	75 Tavistock Road Bristol BS4 1DL Proposed two bedroom detached single dwelling house, with provision of car parking. Appeal against refusal Delegated decision	15/02/2018
13	Hengrove & Whitchurch Park	Land Adjoining 130 Hengrove Lane Bristol BS14 9DQ Erection of 3 storey building comprising 6 x 1-bed flats. Appeal against refusal Delegated decision	15/02/2018
14	Ashley	Phone Box Near Newfoundland Circus Bristol BS2 9AP Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
15	Central	Phone Box At Hollister Street Bristol BS1 3BH Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
16	Central	Phone Box Rear Of House Of Fraser Bond Street South Bristol BS1 3BD Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018

17	Central	Outside The House Of Fraser The Circus Bristol BS1 3BD Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
18	Ashley	Phone Box Outside 12 To 20 Pritchard Street Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
19	Lawrence Hill	Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB Application for prior notification of proposed development by telecommunications code system operators: Call Box. Appeal against refusal Delegated decision	23/04/2018
20	Central	Phone Box Near 25 King Street City Centre Bristol BS1 4PB Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
21	Clifton	Phone Box Near Richmond Heights Queens Road Clifton Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
22	Central	Phone Box Near Costwold Outdoor Union Street Bristol BS1 2LA Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
23	Central	Phone Box Near Brewers Fayre Broad Weir Bristol BS1 2NT Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
24	Central	Phone Box Near Horizon Broad Weir Bristol BS1 3DJ Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018

25	Central	Phone Box Near 40-44 Bond Street Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
26	Frome Vale	St Mary's Church Manor Road Fishponds Bristol BS16 2JB Yew - Fell TPO 472. Appeal against refusal Delegated decision	27/04/2018
27	St George Central	97 Two Mile Hill Road Bristol BS15 1BL Erection of detached building containing two maisonettes, with landscaping, bin and cycle storage. Appeal against refusal Delegated decision	09/05/2018
28	Knowle	35 Kingshill Road Bristol BS4 2SJ Demolition of outbuildings and erection of a 2 storey, one bed dwelling house. Erection of single storey rear extension to existing property along with other external alterations. Appeal against refusal Delegated decision	14/05/2018
29	Central	1 Wine Street Bristol BS1 2BB Temporary scaffold shroud screen advertisement measuring 11M x 7M for a period of 6 months during works to the facade of the building. Appeal against refusal Delegated decision	25/05/2018
30	Knowle	Land At Junction With Redcatch Road St Agnes Avenue Bristol Erection of two storey, 4-bedroomed detached house together with associated parking and amenity space. 3 additional parking spaces retained for use connected with St Elizabeth's. Appeal against non-determination	29/05/2018
31	Knowle	Land At Junction With Redcatch Road St Agnes Avenue Bristol Erection of two storey, 4-bedroomed detached house together with associated parking and amenity space. 4 additional parking spaces retained for use connected with St Elizabeth's. Appeal against non-determination	29/05/2018

32	Eastville	Rockfold Bell Hill Bristol BS16 1BE Widen the vehicular access onto Bell Hill (Classified 'B' road) by removal of the front boundary wall and partial demolition of front garden walls, and creation of an additional, off-street parking space in the garden. Appeal against refusal Delegated decision	29/05/2018
33	Eastville	Rockfold Bell Hill Bristol BS16 1BE Demolition of front boundary wall and parts of front garden walls in order to widen the vehicular access onto Bell Hill and create an additional, off-street parking space in the garden. Build new wall to rear of proposed parking area. Appeal against refusal Delegated decision	29/05/2018
34	Brislington East	97 & 99 Capgrave Crescent Bristol BS4 4TN Erection of a pair of semi detached houses to the rear of nos 97 & 99 Capgrave Crescent. Appeal against refusal Delegated decision	12/06/2018
35	Horfield	20 Northwick Road Bristol BS7 0UG Proposed bungalow C3 dwelling. Appeal against refusal Delegated decision	18/06/2018
36	Clifton Down	23A Elgin Park Bristol BS6 6RX Proposed single storey, rear extension and excavation of rear lightwell to facilitate conversion of basement to additional accommodation. Appeal against refusal Delegated decision	22/06/2018
37	Horfield	38 Luckington Road Bristol BS7 0US Proposed rear extension, part two storey and part single storey new build. Appeal against refusal Delegated decision	02/07/2018
38	Windmill Hill	10 Upper Street Bristol BS4 3BU Erection of single storey rear extension with balcony above. Appeal against refusal Delegated decision	02/07/2018
39	Ashley	111 York Road Montpelier Bristol BS6 5QG Removal of existing conservatory at rear and new extension to create larger conservatory with steps into the garden. Appeal against refusal Delegated decision	03/07/2018

40	Clifton	14 Canynge Square Bristol BS8 3LA Replacement attic stair, removal of partition, new roof lights, new en suite bathroom. Appeal against refusal Delegated decision	03/07/2018
41	Ashley	Unit 7 Montpelier Central Station Road Montpelier Bristol BS6 5EE 3no. internally illuminated box signs and 1no. fascia sign running above entrance doors. Appeal against refusal Delegated decision	04/07/2018
42	Cotham	Basement Flat 32 Cotham Road Bristol BS6 6DP Rearrangement of space uses and inclusion of 2 existing (but unused) rooms in the under-croft in the front garden. Appeal against refusal Delegated decision	04/07/2018
43	Cotham	Basement Flat 32 Cotham Road Bristol BS6 6DP Rearrangement of space uses and inclusion of 2no.existing (but unused) vaulted rooms in the under-croft in the front garden. Appeal against refusal Delegated decision	04/07/2018
44	Ashley	114 Chesterfield Road Bristol BS6 5DU Demolition of existing garage at the rear of the site and erection of a new, two storey, single dwelling. Appeal against refusal Delegated decision	12/07/2018
45	Lawrence Hill	Hoarding At Corner Of Lawfords Gate Wade Street Bristol BS2 0DY The advertising display currently exists as a 48 sheet illuminated sequential display. This application relates to the upgrade in the technology used to display the advertising images. Appeal against refusal Delegated decision	19/07/2018
46	Windmill Hill	15 Hill Avenue Bristol BS3 4SH Proposed 3 storey rear extension & loft conversion. Appeal against refusal Delegated decision	19/07/2018

47	Clifton	Flat B 9-10 Waterloo Street Clifton Bristol BS8 4BT Proposed change of first floor use from flat (Use Class C3) to Financial and Professional Services (Use Class A2), (to be used as part of the ground floor office use). Appeal against refusal Delegated decision	23/07/2018
48	Windmill Hill	3 Haverstock Road Bristol BS4 2DA Retention of rear roof extension. Appeal against refusal Delegated decision	30/07/2018
49	Windmill Hill	3 Haverstock Road Bristol BS4 2DA Enforcement appeal Appeal against an enforcement notice	30/07/2018
50	Bishopston & Ashley Down	16 Alton Road Bristol BS7 9PS Enforcement notice appeal against the erection of an extension to the rear of the property. Appeal against an enforcement notice	30/07/2018
51	Southville	37 Stackpool Road Bristol BS3 1NG Application for a Lawful Development Certificate for Existing use of property as 7no. self-contained flats. Appeal against refusal Delegated decision	30/07/2018
52	Central	6 Tyndalls Park Road Bristol BS8 1PY Demolition of boundary wall and construction of a two storey building containing 2no. studio apartments (sui generis use) with associated provision of amenity space, refuse and cycle storage. Appeal against refusal Delegated decision	31/07/2018
53	Central	Raj Mahal City Clarence Road Redcliff Bristol BS1 6RP Demolition of existing building and erection of a building containing 73no. student bedspaces, communal space and cycle parking (major application). Appeal against refusal Delegated decision	01/08/2018
54	Cotham	140B Redland Road Bristol BS6 6YA Conversion of existing flat roof to external terrace with external cladding to rear elevation. Appeal against refusal Delegated decision	01/08/2018

55	Stockwood	1 Atkins Close Bristol BS14 8JS Proposed two storey, self-contained, single dwellinghouse. Appeal against refusal Delegated decision	01/08/2018
56	Clifton	Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE Proposed landscaping / external work alterations to return the front garden to the original layout and provision of car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate. Appeal against refusal Committee	02/08/2018
57	Westbury-on-Trym & Henleaze	46 Henleaze Avenue Bristol BS9 4ET Proposed single storey building to provide a retail sales/repair shop for mobile phones. Appeal against refusal Delegated decision	02/08/2018
58	Clifton	Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE Proposed landscaping / external work alterations to return the front garden to the original layout of the listed building and providing car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate. Appeal against refusal Committee	02/08/2018
59	Westbury-on-Trym & Henleaze	Badminton School Westbury Road Bristol BS9 3BA Resurfacing of existing school loose gravel paths with patterned concrete. Appeal against conditions imposed Delegated decision	02/08/2018
60	Westbury-on-Trym & Henleaze	Badminton School Westbury Road Bristol BS9 3BA Resurfacing of existing school loose gravel paths with patterned concrete. Appeal against conditions imposed Delegated decision	02/08/2018
61	Westbury-on-Trym & Henleaze	7-9 High Street Westbury Bristol BS9 3BY Integration of 5no roof lights above the principle elevation and 5 above the rear elevation of the existing property. Subdivision of existing Flat 2 to create two dwelling units on the second floor and in converted loft space. Appeal against refusal Delegated decision	02/08/2018

62	Cotham	12E Alfred Place Kingsdown Bristol BS2 8HD Retrospective permission for a rear dormer window. Appeal against refusal Delegated decision	02/08/2018
63	Clifton	The Clarendon Gorse Lane Bristol BS8 1DH Application to vary condition 2 (which lists approved Plans) attached to app.no. 00/03847/F for the erection of a single dwelling house - (Alterations to the as built scheme) Appeal against refusal Delegated decision	03/08/2018

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
64	Frome Vale	1 Eaton Close Fishponds Bristol BS16 3XL Enforcement notice appeal for the change of use of the property and its occupation as an 8 bedroom House in Multiple Occupation. Appeal against an enforcement notice	Appeal dismissed 09/07/2018
65	Avonmouth & Lawrence Weston	75 Sylvan Way Bristol BS9 2NA Proposed drop kerb and creation of vehicle parking in front garden. Appeal against refusal Delegated decision	Appeal dismissed 02/07/2018
66	Filwood	18 Parson Street Bristol BS3 5PT Erection of two storey dwelling. Appeal against refusal Delegated decision	Appeal dismissed 09/07/2018
67	Central	Bristol International Student Centre 45 Woodland Road Bristol BS8 1UT Erection of a two storey extension to provide 2 additional, student study bedrooms and a new reception area. Appeal against refusal Delegated decision	Appeal allowed 13/07/2018
68	Lawrence Hill	Outside Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AP Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal allowed 25/07/2018

69	Lawrence Hill	Pavement Outside Chophouse Bond Street South Bristol BS1 3EN Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal dismissed 25/07/2018
70	Central	Pavement Outside 82-84 Queens Road Clifton Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal allowed 25/07/2018
71	Central	Pavement Outside 33-47 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal dismissed 25/07/2018
72	Central	Pavement Outside 78 Broadmead Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal dismissed 25/07/2018
73	Central	Pavement Outside 34 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal dismissed 25/07/2018
74	Central	Pavement Outside 1 - 27 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	Appeal dismissed 25/07/2018
75	Hartcliffe & Withywood	1 Hartgill Close Bristol BS13 0BU Proposed new 2 bed dwelling on land next to 1 Hartgill Close Appeal against refusal Delegated decision	Appeal dismissed 03/07/2018
76	Lawrence Hill	Princess House 1 Princess Street St Philips Bristol BS2 0RR Notification for prior approval for the proposed change of use of the first and second floors of Princess House from office use (Class B1(a)) to 2 residential apartments (Use Class C3). Appeal against refusal Delegated decision	Appeal dismissed 12/07/2018

77	Central	15 Small Street City Centre Bristol BS1 1DE Change of use from Bar, Offices and Residential, to 4 units of student accommodation and retained A4 unit. Appeal against refusal Committee	Appeal allowed 20/07/2018 Costs awarded
78	Hartcliffe & Witherwood	2 Fair Furlong Bristol BS13 9HW Proposed new dwelling on land adjacent to 2 Fair Furlong. Appeal against refusal Delegated decision	Appeal dismissed 04/07/2018
79	Cotham	1 - 3 Cotham Road South Bristol BS6 5TZ Change of use from a Laundrette and Office (Use Class B1) to two dwellings units (Use Class C3). Appeal against refusal Delegated decision	Appeal dismissed 18/07/2018
80	St George Central	271 Two Mile Hill Road Bristol BS15 1AX Double storey side extension to provide new 1 bedroom flat. Appeal against refusal Delegated decision	Appeal dismissed 19/07/2018
81	St George Central	208 Hillside Road Bristol BS5 7PS Erection of a two storey, side extension with a conservatory to the rear. Appeal against refusal Delegated decision	Appeal dismissed 03/07/2018
82	Hillfields	6 Woodcote Road Bristol BS16 4DE Second storey side extension to form family annexe. Appeal against refusal Committee	Appeal allowed 19/07/2018
83	Ashley	79 Effingham Road Bristol BS6 5AY Retention of balcony railings on single-storey flat roof and installation of two timber screens. Appeal against refusal Delegated decision	Appeal dismissed 19/07/2018
84	Southville	71 Stackpool Road Bristol BS3 1NL Loft extension with side dormer and rooflights to front. Appeal against refusal Delegated decision	Appeal dismissed 19/07/2018

85	Westbury-on-Trym & Henleaze	22 South Croft Bristol BS9 4PR Single storey, rear and side extension with extended front porch. Appeal against refusal Delegated decision	Appeal allowed 26/07/2018
86	Hengrove & Whitchurch Park	241 Fortfield Road Bristol BS14 9QT First floor side extension with carport. Appeal against refusal Delegated decision	Appeal allowed 26/07/2018
87	Bishopsworth	122 St Peters Rise Bristol BS13 7NE Erection of porch, two storey side extension and rear single storey extension. Appeal against refusal Delegated decision	Appeal allowed 26/07/2018

DEVELOPMENT CONTROL COMMITTEE B

15th August 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Brislington East	2 Newbridge Road Bristol BS4 4DH To take discontinuance action in respect of advertisement hoarding. Discontinuance notice	26/07/2018
2	Brislington West	6 Braikenridge Road Bristol BS4 3SW Without the grant of planning permission the unauthorised alteration to the scale and form of the roof over the pre-existing side extension and the insertion of a side and rear dormer extension. Not in accordance with permission 16/02958/H. Enforcement notice	26/07/2018
3	Clifton Down	123-125 Whiteladies Road Bristol BS8 2PL To take discontinuance action on an advertisement hoarding. Discontinuance notice	01/08/2018

Development Control Committee B 15 August 2018

Report of the Service Director - Planning

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Clifton	Grant	18/01374/F & 18/01375/LA - Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE Proposed landscaping / external work alterations to return the front garden to the original layout of the listed building and providing car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate.
2	Southville	Grant	17/06582/F - 22A Islington Road Bristol BS3 1QB Demolition of existing buildings and erection of a single dwelling.
3	Cotham	Grant	18/00447/F - 6 Cotham Lawn Road Bristol BS6 6DU Detached two storey, three bedroom house on land to rear of site fronting Trelawney Road
4	Hotwells & Harbourside	Grant	17/06957/X - 39 - 40 Berkeley Square Bristol BS8 1HP Application to vary condition No's 10 & 11 attached to planning application 16/05148/F - now proposed amendments to accommodate relocation of plant to the roof and installation of solar PV panels, retention of light-well and installation. & 17/06959/X - 39 - 40 Berkeley Square Bristol BS8 1HP Application to vary condition No's 4 (Samples), 10 (Sustainability) & 11 (Approved Plans) attached to planning permission 16/05148/F (which itself was for 'alterations and extensions, comprising: an infill extension at ground floor level on part of the existing undercroft car park on 40 Berkeley Square; a three-storey extension to the front of 40 Berkeley Square to create a new entrance reception and roof terrace above; a third-floor rear roof extension to create additional office accommodation with communal

Item	Ward	Officer Recommendation	Application No/Address/Description
			terrace above; infill of the existing internal lightwell at 39 Berkeley Square; installation of new curtain walling glazing to the front and rear elevations; installation of new windows, doors and entrance ramp.)

index
v5.0514

Development Control Committee B – 15 August 2018

ITEM NO. 1

WARD: Clifton **CONTACT OFFICER:** Alex Hawtin
SITE ADDRESS: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

APPLICATION NO: 18/01374/F & Full Planning
18/01375/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 18 July 2018

Proposed landscaping / external work alterations to return the front garden to the original layout of the listed building and providing car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate.

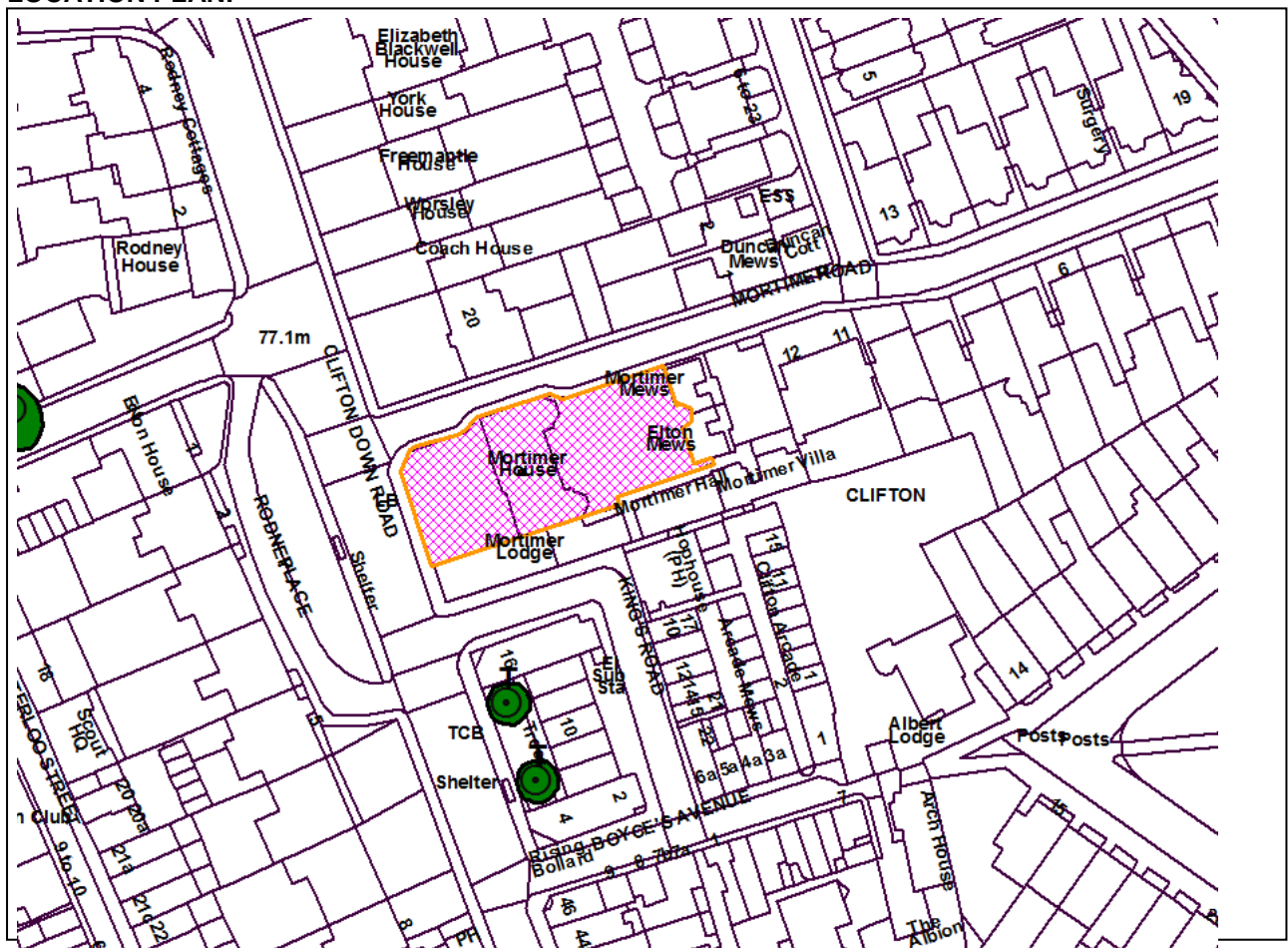
RECOMMENDATION: Grant subject to Condition(s)

AGENT: BBA Architects Ltd
Henrietta Mews
Bath
BA2 6LR

APPLICANT: Cedar Care Homes
20 Richmond Hill
Clifton
Bristol
BS8 1BA

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

LOCATION PLAN:



Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

BACKGROUND

This application relates to a three-storey, Grade II* Listed Building known as Mortimer House, in Clifton, north Bristol and its curtilage. The building is of c.18th mid-Georgian origin. The building is situated on the corner of Clifton Down Road with Mortimer Road. To the south of the site is the former Servant's House which is now in residential use, and Mortimer Road runs to the north of the site.

The site is within the Clifton Conservation Area.

In 2016, applications for change of use of the care home to an office with six car parking spaces to the front of Mortimer House were permitted (16/03501/F and 16/03502/LA). The internal works have largely been completed.

In January 2018, a decision was made by Development Control (DC) Committee B to refuse an application seeking full planning permission (17/05185/F) and an application for Listed Building consent (17/05186/LA) for landscaping and the formation of a car park to the rear of Mortimer House. The applications were refused for the following reasons:

The proposed car park to the rear of Mortimer House would cause harm to the historic appearance of the Listed Building and its setting through a loss of visual amenity and the garden's verdant character. As such, the proposed development would be contrary to the section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, Bristol Core Strategy Policies BCS21 (Quality Urban Design) and BCS22 (Conservation and the Historic Environment), and Policies DM26 (Local Character & Distinctiveness) and DM31 (Heritage Assets) of the Site Allocations and Development Management Policies.

The proposed level of car parking is unjustified given the highly sustainable location of Mortimer House, and the proposed development would encourage car use to the contrary to the transport user priorities set out within Bristol Core Strategy Policy BCS10 (Transport and Access Improvements).

In response to this decision, both an application seeking full planning permission (18/01374/F) and an application for Listed Building consent (18/01375/LA) have been submitted for proposals including landscaping to the front and rear of Mortimer House, the formation of a car park to the rear of Mortimer House and an access through the boundary wall with Mortimer Road.

In comparison with the application refused in January 2018:

- The level of car parking proposed has been reduced to 8 spaces. The applicant has removed two car parking spaces to the rear.
- Two additional areas of planting are proposed at the eastern end of the garden adjacent to the Garden House. These areas would include box plants, lavender and laburnum trees.

Whilst the proposal is similar in principle to the one refused by Committee in January 2018, these alterations constitute a material change when compared to the previous planning application and as such this application has been reassessed in full.

The rest of the proposed development would remain as proposed within the previous application and is summarised below.

The proposed development would seek to reinstate the curtilage to the front of Mortimer House to the original eighteenth century landscape layout. This would include a semi-circular carriageway,

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

surrounded by landscaped areas with lawns and trees. The carriageway would be from constructed from bound Cotswold chippings with pennant stone at the entrance and exit onto Clifton Down Road.

Several mature trees and two groups of box trees would be planted to the front of the property. The existing laurel hedge adjacent to the Servant's House to the south would be maintained. The trees proposed include: Autumn Cherry; Magnolia; Oak; Tibetan Cherry; Sumac and English Holly.

The raised area to the rear of Mortimer House would be paved with Yorkstone paviours. The parking area would be paved with "grasscrete", with two accessible parking spaces (3 and 4, as marked on plan 320 rev H) being paved with Yorkstone paviours.

Access to the car park would be created through the rubble stone boundary wall which runs to the north of the site along Mortimer Road. The access would be approximately 4 metres wide and would include stonework piers to match those used on the access to the Garden House. A timber sliding gate would be erected and a surface water drainage channel would be situated at the point of access.

Refuse and cycle stores would be positioned in the north east and south eastern corner of the car park respectively. The cycle store would include Sheffield stands for 9 bikes. 5 no. 660 litre bins would be stored within the refuse store. Further details of the cycle and refuse stores were provided by the applicant following a request from City Design Group's Conservation Officer. The stores would be constructed from red cedar timber and would have a grey roofing membrane.

An existing Cherry tree to the rear of the building has been removed prior to this application. This was confirmed by the Arboricultural Officer as acceptable within application 17/04339/VC; however, replacement tree planting is sought to in line with the Bristol Tree Replacement Standards (BTRS).

New planting is proposed behind the boundary wall which runs along Mortimer Road to the rear of Mortimer House. This planting is to include: Jasmine; Ceonothus; Oak; Oleaster; Honeysuckle; Holly; Sumac, Viburnum and Sweet Box.

New planting is proposed along the boundary with the Garden House, to include: Rose; Lavender, Honeysuckle and Box. The existing trees along the boundary to the south at the rear of the property would be retained with additional planting.

RELEVANT HISTORY

The site has been subject to a number of planning applications, the following are the most recent and relevant:

12/00052/F Residential conversion of existing Grade II* listed property to incorporate 6 no. houses with associated car parking and landscape works. - GRANTED subject to condition(s)

12/00053/LA Residential conversion of existing Grade II* Listed property to incorporate 6 No. houses with associated car parking and landscape works - GRANTED subject to condition(s)

12/02852/X Variation of condition 28 for planning permission 12/00052/F (Residential conversion of existing Grade II* listed property to incorporate 6 no. houses with associated car parking and landscape works.) - minor alterations to include insertion of a new window and amended internal layout. - GRANTED subject to condition(s)

13/04016/NMA Application for non-material amendment following the grant of planning permission 12/00052/F, which approved the residential conversion of the Grade II* listed property to incorporate 6 no. houses with associated car parking and landscape works - now proposed an addition of a steam room, removal of 20th century partitions (ground floor), reinstatement of doorway at first floor level and replacement of roof tiles with slate to central roof. – NMA AGREED

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

13/04091/LA Internal alterations to include a steam room, removal of 20th century partitions (ground floor), reinstatement of doorway at first floor level and replacement of roof tiles with slate to central roof. - GRANTED subject to condition(s)

14/05461/LA Revised design of bin/re-cycling storage and cycle parking, (bicycles secured to a standard Sheffield stand with bin area separated from bicycle area). Timber cladding changed to brickwork and roof finish changed to single ply from standing seam zinc (amendment to consent granted under app. no. 12/00053/LA). - GRANTED subject to condition(s)

16/03501/F - Change of use to from care home to office (Use Class B1), associated car parking and landscaping works. – GRANTED subject to condition(s)

16/03502/LA - Proposed internal and external works in relation to conversion of property to office. - GRANTED subject to condition(s)

17/05185/F - Proposed landscaping / external work alterations to return the front garden to the original layout and provision of car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate. - REFUSED

17/05186/LA - Proposed landscaping / external work alterations to return the front garden to the original layout of the listed building and providing car parking facilities at the rear of the building accessed through a new opening in the side wall controlled by a sliding timber gate. - REFUSED

Appeals against the decision to refuse application ref. no's. 17/05185/F and 17/05186/LA have been submitted to the Planning Inspectorate.

RESPONSE TO PUBLICITY AND CONSULTATION**PUBLIC COMMENTS**

In total, 30 comments have been received from 24 interested parties in response to the applications.

Of the 30 comments, 26 were comments made in objection to the scheme. The following issues were raised:

- Concerns over air and noise pollution.
- Concerns about water drainage.
- Concerns about a precedent being set for car parking development in rear gardens.
- Concerns over the policing of parking bays regarding time and usage restrictions.
- Concerns regarding the level of car parking.
- Concerns about traffic on Mortimer Road.
- Concerns over the safety of the proposed access to the scheme.
- Concerns over environmental and ecological impact.
- Concerns about impact upon heritage assets.
- Concerns over the loss of part of the garden wall.

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- Concerns over the loss of on-street parking spaces.

1 comment was neutral in its nature. The following issue was raised:

- Restoration of the front garden and moving parking to the rear of the property will restore heritage features and more appropriate to the area than front garden parking.

3 comments were made in support of the scheme. The following comments were made:

- The restoration of the front garden and moving parking to the rear of the property will restore heritage features and more appropriate to the area than front garden parking.
- The scheme adds more parking to an area where street parking is at a premium.

Following the deferral of the application at DC Committee B on 11 July 2018, a further 4 comments have been received from interested parties, all in support of the scheme.

A petition with 98 signatures “objecting in the strongest possible terms to the planning application to turn the garden of Mortimer House (Clifton Down Road) into a car park” was received as part of the submission of statements to DC Committee.

One comment in objection has been received via email to Committee Members. The following points were raised in objection:

- *Planning committee B has already ruled on a similar proposal and the application was rejected.*
- *The applicant has not addressed any of the previous reasons for refusal, therefore this application should be refused*
- *Approval would go against the council’s policies as stated in previous rejection*
- *The application should be refused due to adverse impact on neighbouring properties*
- *Screening will not prevent noise or pollution due to the close proximity of vehicles to residences*
- *The Highways have not been informed of the type of peripatetic parking and its effect on a narrow street. Advice, from Key Transport, highways consultants, states a business use of parking to the rear garden could see dangers to pedestrians and cyclists, with as many as 40 movements per day.*
- *CHIS (in writing) have suggested that the council only consider their opinion the same as a singular resident*
- *Historic England (Ian Morrison Director) states they do not consider planning conditions when not objecting to rear parking*
- *Acceptance could embarrass the city council with its new initiative on job place parking; this site is one of the prime examples of adequate public transport*
- *A petition of many hundreds of residents, locals and visitors object to the proposal*
- *The precondition of the change of use 16/03501/F that the rear garden would be landscaped as per drawing 3965-233D part of the approved drawings could see the original approval invalidated (see past case law)*
- *If the argument put forward is that this is just a choice of parking front or back, then the identical number of parking spaces should only be considered. NO GAIN. Since 2 disabled spaces are needed at the front for access, then in line with approval 16/03501/F, only 4 spaces should be considered at the back.*
- *If as the residents and petitioners believe it is to gain extra spaces back and front, then should approval to this application be given, then it will be impossible to enforce as vehicles will be on private property and neither the council nor planning officers have the resources to enforce when breached.*
- *Approval could set a precedent seeing many gardens destroyed and Bristol Cities policy on a green city will be in tatters.”*

Development Control Committee B – 15 August 2018

Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

Each of the points above is addressed within the Committee Report below and will feature within the Officer's presentation to Committee on 15 August 2018.

COUNCILLOR REFERRAL

The application has been referred to Development Control Committee by Councillor O'Rourke.

AMENITY GROUPS

Conservation Advisory Panel - Support

The Panel welcomes the proposed removal of all parking from the front garden. However, a landscape detail must be provided, such as a deep kerb, to prevent any car parking off the curved in/out drive, either before the application is determined or secured through condition.

The current landscape plan does not appear to reflect the latest version of the scheme; therefore, a revised landscape plan should be submitted to reflect the latest scheme.

The Clifton & Hotwells Improvement Society - Support

"The Society is pleased to note that the 2 parking spaces at the front of the house have now been removed from the proposals, this enables CHIS fully to support this application.

It must make sense to utilise this small patch of land behind the house to get cars off the street in an area of Clifton where parking is already extremely difficult, especially as excellent landscaping is proposed and the parked vehicles will be hidden from view.

It is a conservation gain to restore the front garden to its original state, ensuring the enhancement not only of the façade of this magnificent house but also this key part of the conservation area situated opposite the bus stop where visitors to Clifton and the suspension bridge first arrive."

EXTERNAL CONSULTEES

Historic England – No objection

"The amended proposals have removed the two parking spaces at the front of Mortimer House, restricting parking solely to the rear. If the faithful restoration of the front garden can be properly secured with the evidence already submitted and a historically accurate planting scheme, we advise that this would provide sufficient heritage benefits, outweighing the harm that we have already identified as a result of parking to the rear. In this particular case, we would be happy to provide additional specialist advice on the details of the garden restoration at the front, assuming this would be subject to conditions in the event of an approval.

The updated Transport Note confirms that the front would only be used for drop off/pick up. We would emphasise that in the event of the current application being approved, appropriate controls should be put in place that will preclude any parking in the front garden."

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF [2012], in particular paragraph numbers 128 and 132. In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest

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which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.”

INTERNAL CONSULTTEES

City Design Group’s Conservation Officer (Surgery Item / Site Visit) – No objection.

“CDG’s position reflects that of Historic England and the previous application. In summary, the proposal to return the curtilage to the front of the building to its original eighteenth century landscape layout is supported and considered to enhance the setting of the Listed Building and the Clifton Conservation Area.

Any harm to the setting of the rear of the Listed Building resulting from the relocation of the car park would be outweighed by the public benefit of preserving and enhancing the character of the building to the front and the wider Conservation Area, as per paragraph 196 of the National Planning Policy Framework.

Conditions should be attached to any permission to secure further details of the proposed metal gates and all proposed paving materials.”

Transport Development Management (Surgery Item) – No objection.

“Given the reduction in the level of parking, our advice remains the same as within application 17/05185/F.

The level of car parking has been further reduced to 8 spaces. This is less than half the 18 spaces allowed under the Parking Standards Schedule of Appendix 2 of the Site Allocations and Development Management Policies. The level is considered acceptable given the sustainable location of the application site.”

To recap, the advice of the previous application is set out below.

“There would be sufficient visibility splays for those using the access onto Mortimer Road. The proposal for a one way system to the front of the building is supported in the interests of pedestrian and highway safety. This can be secured by condition as per Condition 10 of application ref. 16/03501/F.

The proposed cycle storage meets the requirements of Appendix 2 of the Site Allocations and Development Management Policies and considered acceptable.

The proposed number and position of storage for refuse is considered acceptable.

The proposed use of grasscrete is acceptable as it is a permeable material and would ensure that there would be no surface water discharge onto the highway. It is noted that a drain is proposed at the point of access onto Mortimer Road. The details of this should be secured by condition. An ACO drain or similar would be acceptable.

It appears that there may have been damage to the pavement as a result of the demolition of a portion of the wall to facilitate the construction of the garden house. Upon completion of the access, the vehicular crossover shall be made good and the footway reinstated. This should be secured by condition.”

Development Control Committee B – 15 August 2018

Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

Pollution Control – No objection

“As set out in our previous comments on application 17/05185/F, we feel it would be hard to show that there will be any significant impact on the health or quality of life of the adjoining residents from noise from the use of the car park. Any impacts upon neighbouring properties would be reduced given the reduction in the level of car parking.

The noise and pollution impacts of development are considered acceptable.”

Arboricultural Officer – No objection

“An application was submitted back in 2017 to not place a tree regulation order (TRO) on the existing Cherry tree to the rear Mortimer House. This was considered acceptable given the state of the tree and it was considered to add little value to the street scene.

Bristol Tree Replacement Standards (BTRS) set out that 5 replacement trees would be required to mitigate the loss of the tree, however, the proposed plans show that a minimum of 9 trees of sufficient girth and appropriate type would be provided on site and would therefore exceed the requirements of Policy DM17. The proposed development is acceptable in terms of impact upon trees.”

RELEVANT POLICIES

National Planning Policy Framework – July 2018

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

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

KEY ISSUES

A. IS THE IMPACT UPON DESIGNATED HERITAGE ASSETS ACCEPTABLE?

As per the advice of Historic England, the applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in section 66.1 that local authorities shall have 'special regard to the desirability of preserving the building or its setting' when considering proposals affecting Listed Buildings or their settings.

There are two designated heritage assets (as defined by the National Planning Policy Framework) of relevance to the applications for full planning permission and Listed Building consent; the Clifton Conservation Area and the Mortimer House Grade II* Listed Building.

Paragraph 193 of the National Planning Policy Framework (NPPF) outlines that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

Paragraph 196 of the NPPF states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Policy BCS22 and Policy DM31 state that development proposals will safeguard or enhance assets such as Listed Buildings and the character and setting of Conservation Areas.

Policy DM31 states that development in the vicinity of Listed Buildings will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.

Impact upon the setting of the building

The proposed development would seek to reinstate the curtilage to the front of Mortimer House to the original eighteenth century layout and transfer the parking permitted to the front of Mortimer House within application refs. 16/03501/F and 16/03502/LA to the rear of the building, albeit with 8 car parking spaces, rather than 6.

A semi-circular carriageway is proposed in the curtilage to the front of the building, surrounded by landscaped areas with grass and trees. This is acknowledged within the Heritage Statement and both BCC's Conservation Officer and Historic England as reflecting the original C.18th landscape layout to the front of Mortimer House. It is considered that the reinstatement of the carriageway and associated landscaping should be seen as a significant enhancement to the setting of the Grade II* Listed Building.

In the interests of protecting and enhancing the setting of the Listed Building and the wider conservation area, a condition has been included to request further details of the proposed metal gates to the front of Mortimer House. An informative indicating the offer of specialist advice from Historic England to ensure the appropriate restoration of the curtilage to the front of the Listed Building would be attached to any permission.

The revised scheme to the rear of the building would reduce the total number of spaces proposed from ten to eight, and increase the areas of formal landscaping. The car park, with the exception of two disabled spaces, would be paved with grasscrete.

The removal of two car parking spaces and the introduction of further formal landscaping is considered to lessen the impact of the car parking upon the setting of the Listed Building, and whilst there remains some less than substantial harm caused by the introduction of the car park, this is outweighed by the public benefits of restoring the curtilage to the front of the Listed Building to its original C.18th layout. As such, it is considered the proposed development would accord with paragraph 196 of the NPPF and Policy DM31.

Impact upon the setting of the Clifton Conservation Area:

Mortimer House is located in a prominent position within the Clifton Conservation Area on Clifton Down Road. The curtilage to the front of the building is widely visible from the public realm and it has an important role in defining the street scene on Clifton Down Road and the wider Conservation Area.

In contrast, the garden to the rear of the building is obscured by a boundary wall along Mortimer Road, and would remain behind a wooden gate similar to the one approved at the Garden House and at Duncan Mews, and therefore makes a limited contribution to the setting of the Conservation Area.

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

The proposed landscaping, both to the front and the rear of the building, would enhance the character of the Conservation Area. Approximately 20 mature trees are proposed across the site. The 2016 approved scheme, by comparison, would only provide two new trees along the boundary with Mortimer Road, and three to the front of the building.

As such, the proposed development is considered to enhance the character of the Conservation Area.

Conclusion

It is concluded that by reducing the number of car parking spaces to the rear of Mortimer House from 10 to eight, the proposed development would result in less than substantial harm to the setting of the Listed Building when compared with the scheme refused by DC Committee B in January 2018. This is outweighed by the public benefits of returning the curtilage to the front of Mortimer House to its original C18th layout, and should be noted as a significant improvement to the scheme approved in 2016.

The proposals are considered to enhance the character of the Listed Building and the Clifton Conservation Area, and accord with Policy BCS22, Policy DM31 and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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 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.

The proposed development would consist of a car park to the rear of the Listed Buildings with 8 car parking spaces. Two separate stores are proposed for the storage of cycles and bins. The car park would be constructed in grasscrete, with disabled spaces paved in Yorkstone pavements.

A new access is proposed through the boundary wall to the rear of the building along Mortimer Road. This access would be 4 metres wide, and would include a sliding timber gate.

The carriageway to the front of the building would be reinstated, with a one-way system proposed to include access at the corner of Clifton Down Road with Mortimer Road, and egress further south on Clifton Down Road.

In response to consultation, TDM set out that the level of parking has been further reduced to 8 spaces. This is less than half the 18 spaces allowed under the Parking Standards Schedule of Appendix 2 of the Site Allocations and Development Management Policies. These car parking standards are 'maximum provision'. The 8 spaces proposed are considered an acceptable level of parking given the sustainable location of the application site and that they reflect the parking demand calculated within the Transport Statement submitted as part of application ref. no. 16/03501/F (Peter Evans Partnership, June 2016) which uses Travelwest's 2016 'Travel to work survey' data.

The proposed access onto Mortimer Road would allow sufficient visibility and for safe access and egress. The proposed vehicular crossover would be made good and the applicant should enter into an agreement with the highway authority to carry out these works. An advice would be attached to any permission to set out this requirement.

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

The proposed access would be similar to the access to the four dwellings at the Garden House, and the access to Duncan Mews opposite, however it would be wider than both and would therefore providing users with greater visibility. The Transport Report (Peter Evans Partnership) submitted with the application sets that there have been no personal injury accidents on Mortimer Road in the last 10 years, despite the accesses being in use and reports of peripatetic parking on the street.

The proposal for a one way system to the front of the building is supported in the interests of pedestrian and highway safety. This would be secured by condition.

The proposed cycle storage meets the requirements of Appendix 2 of the Site Allocations and Development Management Policies and considered acceptable.

The proposed storage for refuse is considered acceptable.

In conclusion, the proposed level of parking has been reduced to address the concerns of DC Committee B and is considered to be an appropriate level given its location and the amount of development proposed. It should be noted that the level of parking is only slightly higher than the quantum of six car parking spaces approved within the applications 16/03501/F and 16/03502/LA.

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

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 application proposes eight car parking spaces in a predominantly residential area. Concerns were raised by neighbours about the potential impacts of the development in terms of air and noise pollution.

Pollution Control was consulted to assess the likely impact of the proposed car park upon residential amenity.

The assessment concluded that it would be hard to show that there will be any significant impact on the health or quality of life of the adjoining residents from noise from the use of the car park. Any impacts upon neighbouring properties would be reduced given the reduction in the level of car parking and additional planting provided in comparison to the previously refused scheme.

There would be no impacts upon the Garden House given that it has no windows or openings facing Mortimer House. The Servant's House to the south of the garden would be screened from pollution by boundary fencing, large trees and proposed additional planting along this boundary.

In conclusion, the proposed development is acceptable in terms of its impact on residential amenity.

D. IS THE IMPACT UPON TREES ACCEPTABLE?

Policy BCS9 states that 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.

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Further to this, Policy BCS9 sets out that Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size.

Policy DM15 states 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 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 include the following mature or semi-mature trees: 2 no. laburnum, 3 no. oak; 1 no. magnolia; 3 no. cherry; and 2 no. holly. A number of other climbers, large shrubs and shrub beds are proposed throughout the site.

Further planting is proposed within the revised application. This would include 24 no. rosemary bushes, 112 no. box plants, and 48 no. lavender, situated in the eastern part of the site. This is in addition to the 2 no. laburnum set out above.

The existing Cherry tree to the rear of the site was removed following application ref. 17/04339/VC, which determined that the tree was mediocre in stature and form and was at risk of causing damage to the boundary wall on Mortimer Road.

As this was undertaken within the 12 months prior to these applications, BCC is able to require mitigation via the tree replacement standard set out in Policy DM17. The applicant has demonstrated that the tree was of a size to warrant replacement with 5 trees.

In the revised application, 9 trees of sufficient girth are proposed to meet, and would in fact exceed the requirements of the Bristol Tree Replacement Standard and accord with Policy DM17. The proposed type, position and size of these trees are considered acceptable and no objections were raised by BCC's Arboricultural Officer.

The proposed landscaping set out within drawing 102/PA/01A is considered to enhance the character of the area, and would increase the number of trees, planting and shrubs on site.

It is considered that the proposal is acceptable in terms of its impact upon trees and the proposals would enhance the visual amenity of the area.

CONCLUSION

Whilst the proposed development would result in some less-than-substantial harm to the Grade II* Listed Building through the loss of the green space to the rear of Mortimer House, it is concluded that this is not unacceptable. The harm identified would be outweighed by the heritage benefits of restoring the curtilage to the front of the building to its historic form and the additional planting across the site.

The proposed level and location of parking is acceptable and there would be no detrimental impacts upon the highway. Taking into consideration the removal of 2 car parking spaces and the proposals for replacement trees and additional landscaping it is considered that there would be no unacceptable impacts upon residential amenity.

Whilst there have been a number of public objections, the main issues raised have been considered within this report and none of the issues raised are considered to warrant refusal of the applications. The external and internal consultees to the applications raise no objection to the revised proposals for this site.

Development Control Committee B – 15 August 2018

Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

The applications for planning permission and Listed Building consent are both recommended for approval subject to conditions.

Application Ref. No. 18/01374/F

RECOMMENDED GRANT subject to condition(s)

Time limits for commencement of development

1. Full planning permission

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

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

Pre commencement condition(s)

2. Further details of drainage

Prior to commencement of the relevant elements, further details of the proposed drainage channels on-site shall be submitted to the Local Authority and approved in writing. These shall show all proposed materials. The works shall be built-out in accordance with the approved drawings.

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

Pre occupation condition(s)

3. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

4. Installation of vehicle crossover – Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety and accessibility

Development Control Committee B – 15 August 2018

Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

5. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development.

6. 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.

7. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

Post occupation management

8. Protection of parking and servicing provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

9. One way system

A one-way system shall be in operation on the driveway to the front of the property in accordance with approved plan 320 H (Proposed site plan, received 14 May 2018).

Reason: In order to ensure safe vehicular entry and egress.

List of approved plans

10. 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.

Development Control Committee B – 15 August 2018

Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

102/PA/01C Proposed Tree and planting proposals, received 14 May 2018
215 Existing east and west elevation, received 14 March 2018
225 Proposed east and west elevations, received 14 March 2018
320 H Proposed site plan, received 14 May 2018
501 Existing elevation, received 14 March 2018
503 B Proposed elevation, received 14 May 2018
Ecological Appraisal, received 14 March 2018
Heritage statement, received 14 March 2018
Heritage statement, received 14 March 2018
Transport Note, received 14 March 2018
Design and access statement, received 14 March 2018
3D Visualisation, received 4 June 2018

Reason: For the avoidance of doubt.

Advices:

1. Minor works on the Public Highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking the work on the highway you must enter into a highway agreement under s184 or s278 of the Highways Act 1980 with the Council. You will be required to pay fees to cover the Council's costs in undertaking the approval and inspection of the works. You should contact the Highways Asset Management Team on 0117 9222100

Application Ref. No. 18/01375/LA

RECOMMENDED GRANT subject to condition(s)

Time limits for commencement of development

1. Listed Building Consent

The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

2. Further details of front entry gates; before relevant element started

Prior to commencement of the relevant elements, detailed drawings of the proposed new vehicle and pedestrian gates to Clifton Down Road and King's Road at an appropriate scale shall be submitted to the Local Authority (in consultation with Historic England) and approved in writing. The works shall be built-out in accordance with the approved drawings.

Reason: In the interests of preserving the setting of the Listed Building and the character and appearance of the conservation area.

3. Further details of the landscaping to the rear; before relevant element started

Development Control Committee B – 15 August 2018**Application No. 18/01374/F & 18/01375/LA: Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE**

Prior to commencement of the relevant elements, detailed drawings showing the proposed retaining walls and steps within the rear garden, an appropriate scale, shall be submitted to the Local Authority and approved in writing. These shall show all proposed materials. The works shall be built-out in accordance with the approved drawings.

Reason: In the interests of preserving the setting of the Listed Building and the character and appearance of the conservation area.

4. Further details of the Mortimer Road access

Prior to commencement of the relevant elements, detailed drawings showing the proposed timber gate, method of fixing and details of the stonework piers, at an appropriate scale, shall be submitted to the Local Authority and approved in writing. These shall show all proposed materials. The works shall be built-out in accordance with the approved drawings.

Reason: In the interests of preserving the setting of the Listed Building and the character and appearance of the conservation area.

List of approved plans

5. 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.

102/PA/01C Proposed Tree and planting proposals, received 14 May 2018
 215 Existing east and west elevation, received 14 March 2018
 225 Proposed east and west elevations, received 14 March 2018
 320 H Proposed site plan, received 14 May 2018
 501 Existing elevation, received 14 March 2018
 503 B Proposed elevation, received 14 May 2018
 Ecological Appraisal, received 14 March 2018
 Heritage statement, received 14 March 2018
 Heritage statement, received 14 March 2018
 Transport Note, received 14 March 2018
 Design and access statement, received 14 March 2018
 3D Visualisation, received 4 June 2018

Reason: For the avoidance of doubt.

Advices

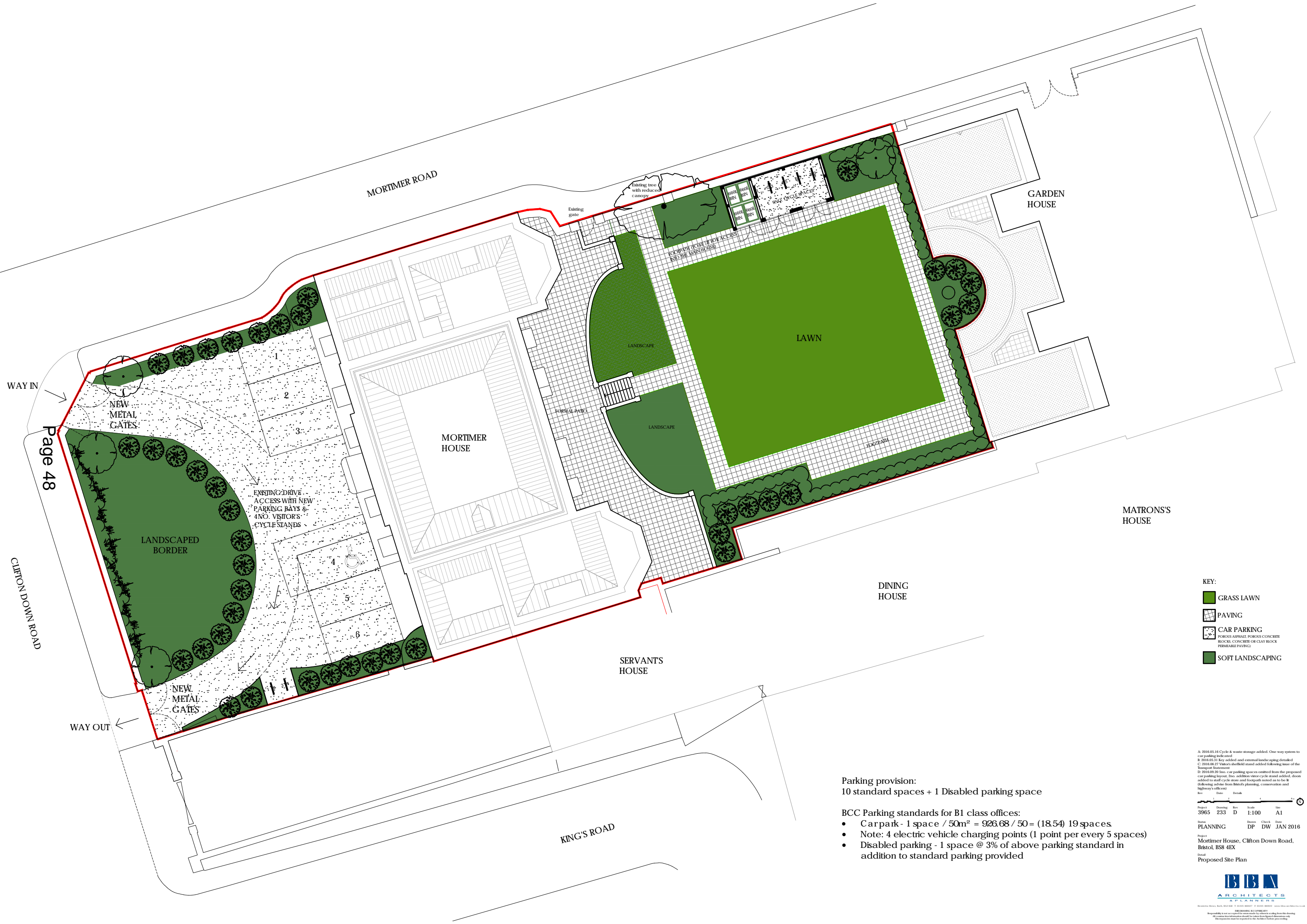
1. Historic England Advice

The applicant should seek specialist advice from Historic England to ensure the appropriate restoration of the curtilage to the front of the Listed Building.

Supporting Documents

1. Mortimer House Nursing Home, Clifton Down Road

1. 2016 Approved scheme
2. January 2018 Refused scheme
3. Proposed site plan
4. 3D Visualisation
5. Landscaping plan
6. Relationships with adjacent buildings
7. Access along Mortimer Road
8. Arboriculture Officer report



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CLIFTON DOWN ROAD

MORTIMER ROAD

KING'S ROAD

MORTIMER HOUSE

SERVANT'S HOUSE

DINING HOUSE

MATRON'S HOUSE

GARDEN HOUSE

- KEY:
- GRASS LAWN
 - PAVING
 - CAR PARKING
PERFORATED ASPHALT, PERFORATED CONCRETE BLOCKS, CONCRETE OR CLAY BLOCK PERMEABLE PAVING
 - SOFT LANDSCAPING

Parking provision:
10 standard spaces + 1 Disabled parking space

BCC Parking standards for B1 class offices:

- Carpark - 1 space / 50m² = 926.68 / 50 = (18.54) 19 spaces
- Note: 4 electric vehicle charging points (1 point per every 5 spaces)
- Disabled parking - 1 space @ 3% of above parking standard in addition to standard parking provided

A: 2016.05.16 Cycle & waste storage added. One way system to car parking indicated.
 B: 2016.05.31 Key added and external landscaping detailed.
 C: 2016.06.27 Visitor's shelter stand added following issue of the Transport Statement.
 D: 2016.09.20 Site, car parking spaces omitted from the proposed car parking layout. Also, addition of cycle stand added, down added to soft cycle store and footpath noted as to be in following advice from Bristol's planning, conservation and highway's officers.
 Rev Date Details
 Project: 3965 233 D Scale: 1:100 Site: A1
 Status: PLANNING Drawn: DP Check: DW Date: JAN 2016
 Project: Mortimer House, Clifton Down Road, Bristol, BS8 4EX
 Detail: Proposed Site Plan



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Level access to be provided through the gated entrance; the existing step is to be removed and the parking area, including the accessible path, is to be graded accordingly

Tree removed; refer to the Landscape Architects drawing 102/PA/01A for tree replacement calculations and species information

Surface water drainage channel

New sliding timber gate

Bin store; refer to drawing 3965/322B for further detail

Bike store; refer to drawing 3965/322B for further detail

- LEGEND**
- Bound Cotwold Chippings Gravel
 - Grasscrete
 - Yorkstone Pavious
 - Yorkstone Setts
 - Grassed Area
 - Shrub Planting
 - Box Hedge Shrub Planting
 - Tree Removed
 - Proposed Tree
 - Site Boundary

Rev.	Code	Details
3965	320	C
Scale	1:100	
Sheet	A1	
Project	CONSTRUCTION	MM JT
Date	21.12.2017	

Project: Mortimer House, Clifton Down Road, Bristol, BS8 4EX
 Detail: Proposed Site Plan





M O R T I M E R R O A D

C L I F D O W N R O A D

K I N G S R O A D

MORTIMER HOUSE

GARDEN HOUSE

MATRON'S HOUSE

DINING HOUSE

SERVANT'S HOUSE

Level access to be provided through the gated entrance; the existing step is to be removed and the parking area, including the accessible path, is to be graded accordingly

Tree removed; refer to the Landscape Architects drawing 102/PA/01A for tree replacement calculations and species information

Surface water drainage channel
New sliding timber gate

Bin store; refer to drawing 3965/322B for further detail

Bike store; refer to drawing 3965/322B for further detail

Metal railings atop a stone wall

DROP OFF POINT

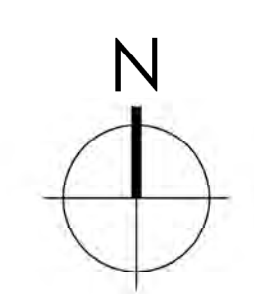
DIRECTION OF TRAFFIC

DIRECTION OF TRAFFIC

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LEGEND

- Bound Cotswold Chippings Gravel
- Grasscrete
- Yorkstone Pavious
- Yorkstone Setts
- Grassed Area
- Shrub Planting
- Box Hedge Shrub Planting
- Tree Removed
- Proposed Tree
- Site Boundary



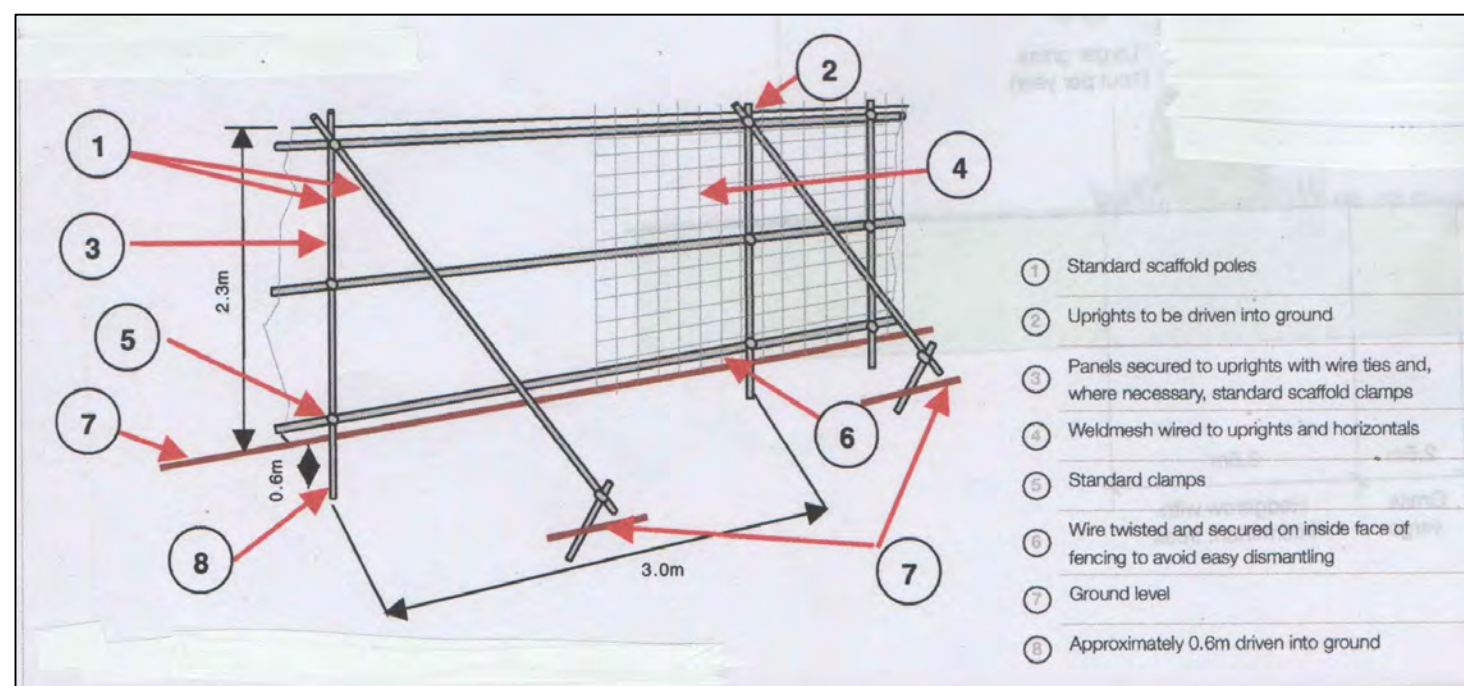
Rev.	Code	Details
3965	320	H 1:100 A1

Project: Mortimer House, Clifton Down Road, Bristol, BS8 4EX
 Date: 21.12.2017
 Drawn: MM
 Check: JT
 Detail: Proposed Site Plan

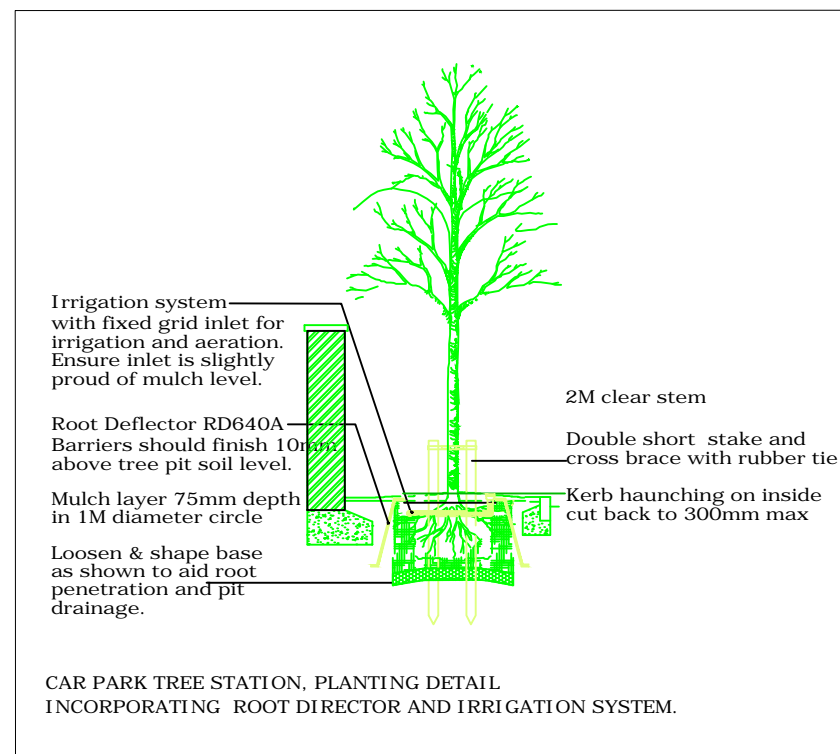
BBN ARCHITECTS & PLANNERS
 100, Clifton Down Road, Bristol, BS8 4EX
 Tel: 01274 353535
 www.bbnarchitects.co.uk



3965 - Mortimer House, Clifton Down Road, Bristol
Aerial View 01



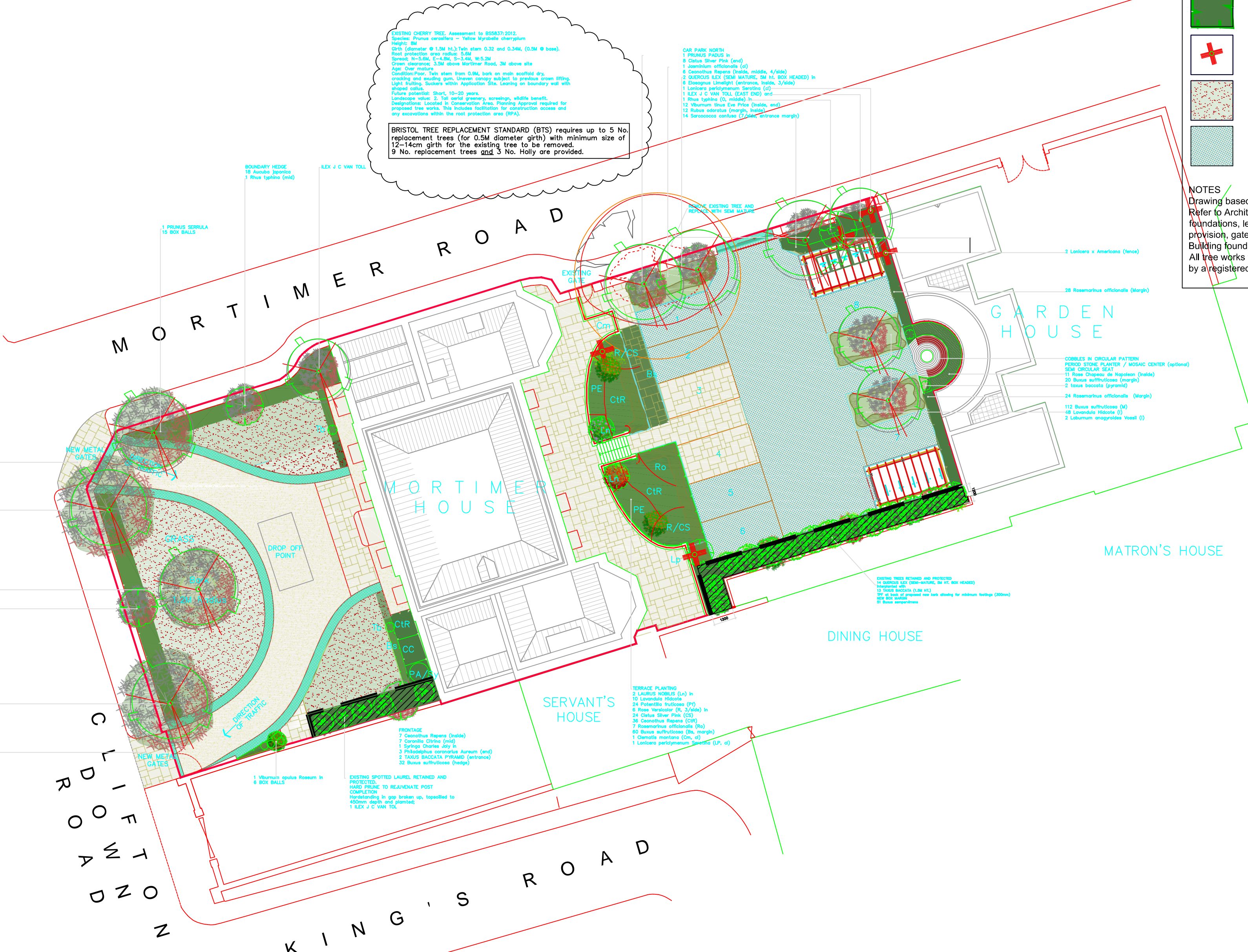
Temporary Protective Fence to BS5837:2012, Fig 2
Scaffold frame with wire mesh infill and support struts.



CAR PARK TREE STATION, PLANTING DETAIL
INCORPORATING ROOT DIRECTOR AND IRRIGATION SYSTEM.

EXISTING CHERRY TREE Assessment to BS5837:2012
Species: Prunus avestris - Yule Park cherry
Height: 8m
DBH: 150mm @ 1.3m
Condition: Fair
Notes: Tree shows signs of decline, particularly in the canopy. The tree is located in a confined space and is in close proximity to the proposed building. It is recommended that the tree be removed and replaced with a new tree of similar size and species. The replacement tree should be planted in a location that allows for adequate root spread and access to sunlight and water. The tree should be planted in a hole that is 1.2m x 1.2m x 1.2m deep and filled with a 50:50 mix of topsoil and compost. The tree should be supported with a 2m x 2m x 2m scaffold frame for the first year after planting. The tree should be watered regularly and mulched with a 75mm layer of mulch. The tree should be inspected regularly for signs of decline and any necessary treatments should be applied.

CAR PARK STATION
1. Root Deflector (RD640A)
2. Irrigation System
3. Root Protection
4. Kerb Haunching
5. Mulch Layer
6. Tree Support
7. Tree Watering
8. Tree Inspection
9. Tree Treatment
10. Tree Removal
11. Tree Replacement
12. Tree Support
13. Tree Watering
14. Tree Inspection
15. Tree Treatment



- KEY**
- EXISTING TREE/SHRUB to be removed due to poor condition and to facilitate development
 - ROOT PROTECTION AREA OF EXISTING TREE
 - EXISTING TREE / MATURE SCREEN SHRUB TO BE RETAINED AND PROTECTED
 - PROTECTED AREA to BS5837:2012 Fig 3a using 2.0M ht. scaffold fence with welded mesh panels
 - PROPOSED TREE
 - LARGE GROWING SHRUB
 - SHRUB BED
 - CLIMBER
 - LAWN
 - GRASSCRETE

PLANT SCHEDULE. All to BS3936 Part 1 from:

STRUCTURE TREES: Container grown 80L. All trees in communal areas planted with irrigation system and root director. Min distance from back of road kerb 3M and from back of footpath 1M. Trees in lawn planted with 1.2M diameter bare earth circle with bark mulch. All with double stake and rubber ties.

LV	laburnum anagyroides Vossii (laburnum)	size	EHS 14-16cm 4.25-4.5M
P	Prunus padus (Bird cherry)	2M clear stem	EHS 14-16cm 4.25-4.5M
Ps	Prunus serrula (Peeling bark cherry)	HS 12-14cm 3.0-3.5M	
PsA	Prunus subhirtella Autumnalis (Autumn flowering cherry)	HS 12-14cm 3.0-3.5M	
Q	Quercus ilex (2No. box headed) (Evergreen oak)	Semi-Mature 20-25mm 5M	

SPECIMEN SHRUBS: Container grown/Rootballed

Box	Buxus sempervirens (Box ball)	5L 400mm dia
Ln	Laurus nobilis (Bay pyramid)	15L 1.2-1.3M
H	Ilex aquifolium J C Van Toll (Holly)	30L 1.5-1.75M
ML	Magnolia acuminata (Cucumber tree)	30L 1.2-1.5M
Rl	Rhus typhina (Sumach)	15L 1.2-1.5M
Sy	Syringa vulgaris Charles Joly (Lilac, purple)	15L 1.2-1.5M
Tb	Taxus baccata (Yew pyramid)	15L 1.2-1.5M
VoR	Viburnum opulus Roseum (Gaulther rose)	12L 1.2-1.5M
Vt	Viburnum tinus Eve Price (Laurustinus)	5L 600-900mm

ORNAMENTAL HEDGES: Supply and plant in staggered rows

No./sq.M	AJ	Aucuba japonica Crotonifolia (Spotted laurel)	12L 0.8-1.0M 2
	Bs	Buxus sempervirens Suffruticosa (Dwarf box)	3L 250-300mm 4
	Ro	Rosemarinus officinalis Severn Seas (Rosemary)	3L 300-450mm 5

ORNAMENTAL SHRUBS: 3 strong breaks from the base. Container grown if planted outside recognised bare root season. No./sq.M

3L 300-450mm 3	3L 300-450mm 4	3L 300-450mm 3	5L 450-600mm 3	3L 200-300mm 5	3L 300-450mm 4	5L 450-600mm 3	5L 450-600mm 3	5L 450-600mm AS	3L 300-450mm 5	3L 300-450mm 3	
ChR	Ceanothus thrys Repens (California lilac)	CaP	Cistus Silver Pink (Rock rose)	Cc	Coronilla Citrina (Bastard semia)	EL	Elaeagnus Limelight (Vargated Oleaster)	LH	Lavandula Hidcote (Lavender)	PA	Philadelphus coronarius Aureum (mock orange)
PF	Potentilla fruticosa	R	Rosa centifolia Chapeau de Napoleon (Shrub rose, pink)	RV	Rosa damasc. Versicolor (York/Lancaster rose)	Ro	Rubus odoratus (Flowering raspberry)	Sc	Sarcococca confusa (Christmas box)	Cm	Clematis montana (Clematis)
Jo	Jasminum officinalis (white jasmine)	Lp	Lonicera periclymenum Serotina (Honeysuckle)	LA	Lonicera x americana (Evergreen honeysuckle)						

CLIMBERS: 3 plants with support cane 450mm from wall. Include for provision of line wire support, 3 strands of galvanised wire 450mm apart x 2M length secured tought to vine eyes.

3L 750-900mm	3L 750-900mm	3L 750-900mm	
Jo	Jasminum officinalis (white jasmine)	Lp	Lonicera periclymenum Serotina (Honeysuckle)
LA	Lonicera x americana (Evergreen honeysuckle)		

CLIMBERS: 3 plants with support cane 450mm from wall. Include for provision of line wire support, 3 strands of galvanised wire 450mm apart x 2M length secured tought to vine eyes.

OUTLINE PLANTING SPECIFICATION

EXISTING TREES AND HEDGES TO BE RETAINED. Protect to BS5837:2012 Fig 2 using 2.0M scaffold frame with welded mesh panels firmly secured to prevent movement and access within. Setting out dimensions as indicated. The protected area shall be regarded as sacrosanct. No construction access, excavations, materials stored or change in level within, no toxic materials allowed to run through the protected area (including cement/concrete and paint washings). Retain intact throughout the contract period. Remove at Completion.

SERVICES: No trees to be planted within 3 meters of existing or proposed foul, surface water drain or soakaway. Planting adjacent to other services shall be in accordance with the guidelines laid down by the relevant service authority.

SUBSOIL: Rip to 500mm depth using the teeth of a JCB back bucket to break up compaction and allow free drainage.

TOPSOIL: Existing topsoil to be stripped and stored in stockpiles on site for re-use. Stockpiles to be 2M ht. max. Location to be agreed. Keep free of perennial weeds by appropriate means. All imported topsoil to comply with BS 3882:2015, pH 6-8, free of stone greater than 50mm in any dimension, perennial weed roots, builders rubble/waste, toxic materials and contamination. Supply and spread by loose tipping to the following depths:
Tree pits 1.2 x 1.2M x 900mm depth incorporating 25L compost.
Ornamental shrubs/hedgerow - 400mm depth.
Grass (Turf) - 100mm depth.
Lightly firm in 150mm layers without compacting, incorporating 25L or compost or well rotted manure. Grade to an even surface and marry in with adjacent soft landscape areas. Finished levels adjacent to hard surfaces to be level with kerb, unless otherwise instructed. Cultivate to a fine tilth removing all stones over 50mm that come to the surface. Allow to settle and make good deficiencies, humps and hollows. Remove any weeds before planting.

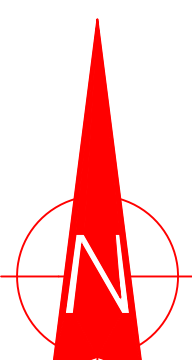
TURF - FRONT GARDEN. Ref Rowlawr 'Medallion' or similar. Cultivate to a fine tilth, grade, marry in with adjacent areas and remove all stones and rubble over 25mm dia. Water during periods of drought to avoid shrinkage and facilitate establishment. Re-level any humps or hollows that appear. Scarify and re-seed any bare patches.

BARK MULCH: 75mm depth over shrub beds and hedge. Main constituent conifer bark, maximum of 15% wood content and 5% fines, particle size 5-65mm, free of pest disease or weed contamination. 2L sample to be submitted for approval with tender.

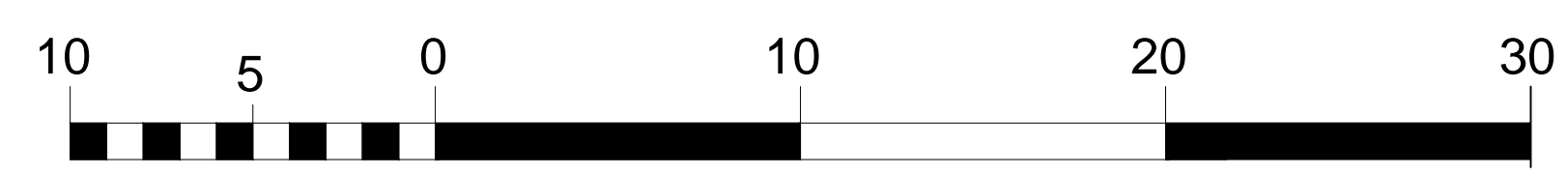
WATER: all plants after planting and before mulching. If planted between April and October include for soaking thoroughly after planting and then for dry spells of 7 days duration. Allow for provision of water from a bowser during periods of hosepipe ban to maintain uniform healthy growth.

MAINTENANCE: until handover or client instruction; Include for removal of weeds and litter, maintenance of bare ground beneath planted areas, pruning dead/damaged branches and edge trimming as required. Existing hedge and new shrubs trimmed to remove obstructions or when extension growth exceeds 450mm. Grass areas to be relevelled, scarified and overseeded to remove hollows and troughs which develop and watered to avoid turf shrinkage. Mowing, lawn and short grass to be kept neat and trim at between 35 and 70mm ht. at all times and free of coarse weeds. All grass cuttings, weeds and brashings removed. All plant defects to be replaced including trees for 5 years after planting. All fencing and tree stakes re-secured as necessary. Top up bark mulch including beneath trees in grass to 75mm prior to handover.

NOTES
Drawing based on survey information provided by others. Refer to Architect/Engineers drawings for details of proposed buildings, foundations, levels, services, hard surfaces, boundary treatments, parking provision, gates and visibility splays.
Building foundations to be in accordance with NHBC Guidelines Chapter 4.2.
All tree works to be carried out in accordance with BS3998:2010 Tree Work by a registered and fully insured arboriculturalist.



LANDSCAPE PROPOSALS scale 1:200



Rev. C Amendments to Site layout, parking bays removed from building frontage. 23-4-18
Rev. B. Amendments to Site Layout. 12-4-18
Rev. A. Reference to the Bristol Tree Replacement Standard (BTRS) and calculation of replacement trees added to the existing tree assessment details and highlighted. Drawing title amended. 21-12-17

All setting out dimensions to be site confirmed prior to works commencing and any discrepancies confirmed to architect. This drawing is to be read in conjunction with all other architectural and structural engineers drawings.

PERIOD GARDEN RESTORATION
MORTIMER HOUSE, CLIFTON, BRISTOL
CEDAR CARE CONSTRUCTION

TREE ASSESSMENT AND PLANTING PROPOSALS
PLANNING SCALE 1:200 (A1)

M D LANDSCAPE ARCHITECTS
3 HANOVER TERRACE, BATH BA1 6LW
E-MAIL: mdd@mdd-land.co.uk
TEL: (01225) 443107
MOB: 07748 693208

Date: 27/7/17
Drawn: MDD
Checked:
102/PA/01C

Boundary to the south with the 'Servants House'. 5 windows are located on the northern elevation of this building. Proposed location of 51 box plants and 13 conifers:



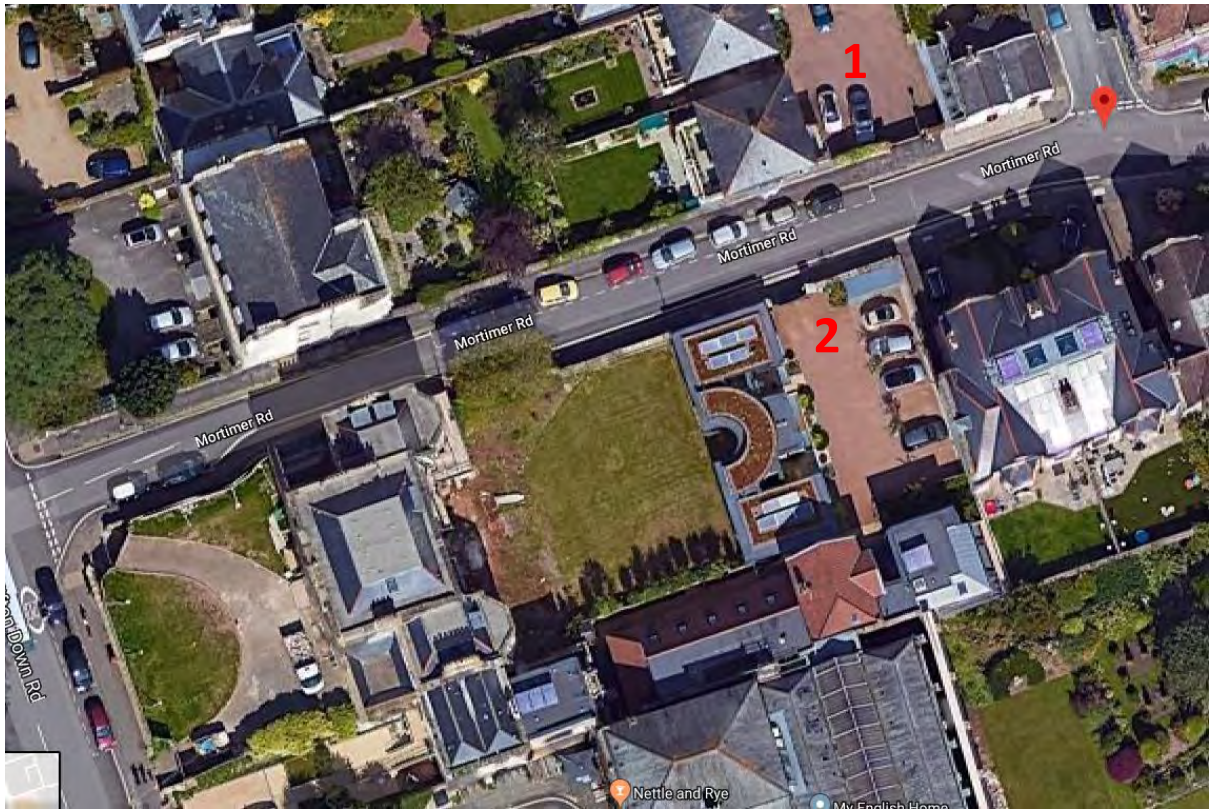
Boundary to the east with the 'Garden House'. No openings and proposed location of 132 box plants, 11 roses, two conifers, 48 lavender and 2 laburnums:



Other gated accesses along Mortimer Road, approved by the LPA:



Locations on Mortimer Road:



Bristol City Council Development Management

Delegated Report and Decision

Application No:	17/04339/VC	Registered:	2 August 2017
Type of Application:	Works to Trees in Conservation Areas		
Case Officer:	Laurence Wood	Expiry Date:	13 September 2017

Site Address:	Description of Development:
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Mortimer House
Nursing Home
Clifton Down Road
Bristol
BS8 4AE

Bird Cherry tree - Fell.

Ward: Clifton

RELEVANT POLICIES

Bristol Core Strategy, Adopted June 2011
BCS9 Green Infrastructure
BCS22 Conservation and the Historic Environment

Conservation Area Character Appraisals

Consultation Expiry Dates:

Site Notice: 30 Aug 2017	Neighbour: 28 Aug 2017
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RESPONSE TO PUBLICITY AND CONSULTATION

There have been two responses to the proposal. One concerned with potential future plans for the immediate area, the other objecting to the removal, unless there is sufficient reasoning to do so.

SITE VISIT OBSERVATIONS

1. Evaluation of the condition of the tree

The tree appears to be in a reasonable condition. It is growing immediately adjacent to a 2 metre boundary retaining wall.

2. Evaluation of the amenity of the tree

The tree is a small/medium-sized specimen that is located in the rear garden of the property. It does not have exceptional form, but it does have some value in that it is the only established tree in the street when viewed from the Grange Road junction.

3. Is the work acceptable?

The tree can be clearly seen from Mortimer road, however, it is mediocre in stature and form, and furthermore, is growing immediately adjacent to a two metre high, boundary retaining wall. On inspection,

DEVELOPMENT CONTROL () DELEGATED
Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

there appears to be no external damage to the wall, however, given its proximity, there is a considerable risk of damage in the short to longer term. Considering the above, I have carried out a TEMPO assessment on the tree (Tree Evaluation Method for Preservation Orders). The tree has scored 8 - insufficient merit to warrant a TPO. It is accepted that the tree does have some value as an amenity given its status as the only established tree in this part of the road, however on balance, it has insufficient amenity value to warrant a TPO.

KEY ISSUES

ARE THE PROPOSED TREE WORKS CONSIDERED NECESSARY OR WILL THEY HARM THE CHARACTER AND/OR APPEARANCE OF THIS PART OF THE CONSERVATION AREA? IS IT JUSTIFIED TO IMPOSE A TPO?

It is considered that the proposed works would have some effect on this part of the conservation area in terms of appearance. However, the tree has insufficient value to warrant a TPO and therefore the works involved are considered to be acceptable.

Recommended: Preservation Order NOT REQUIRED

Advices

1. Life of the Notice of Proposed Tree Works

If the work is not done within 2 years of the date of this letter, it will be necessary to submit a fresh **Notice/ Application** if it is intended to implement the work.

2. BS Standard

Any works should be completed in accordance with British Standard 3998: Recommendations for Tree Work and you are advised that the work should be undertaken by a competent and suitably qualified tree contractor.

3. Nesting Birds

Anyone who takes, damages or destroys the nest of any wild bird, whilst nest is in use or being built, is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work, you should ensure that no nesting birds will be affected.

4. Bats and bat roosts

Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations 2007. Prior to commencing work, you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult Natural England (tel.0845 6014523).

5. Ownership of Tree(s)

If you are the owner of the tree(s), you can proceed with the works that have been agreed. If you are not, it is your responsibility to obtain the permission of the owner to carry out the works, with the exception of your common law right in regard to overhanging branches.

DEVELOPMENT CONTROL () DELEGATED
Mortimer House Nursing Home Clifton Down Road Bristol BS8 4AE

Case Officer: Laurence Wood

Authorised by: Matthew Bennett

tree
V1.0211

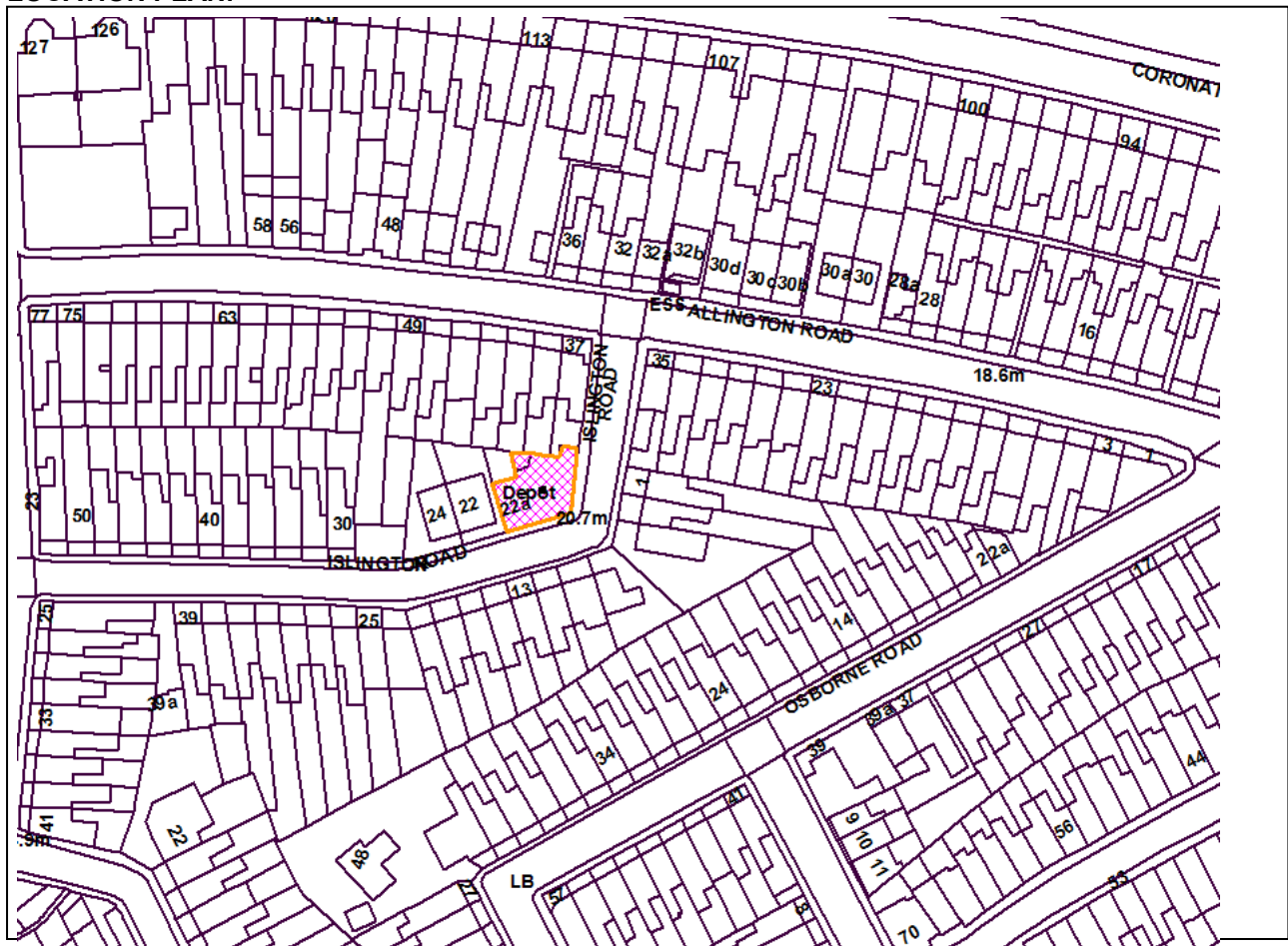
Development Control Committee B – 15 August 2018

ITEM NO. 2**WARD:** Southville**CONTACT OFFICER:** Tamsin Sealy**SITE ADDRESS:** 22A Islington Road Bristol BS3 1QB**APPLICATION NO:** 17/06582/F

Full Planning

DETERMINATION DEADLINE: 7 March 2018**Demolition of existing buildings and erection of a single dwelling.**

RECOMMENDATION: Grant subject to Condition(s)**AGENT:** WYG
90 Victoria Street
Bristol
BS1 6DP**APPLICANT:** Mr T Beldam
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 – 15 August 2018
Application No. 17/06582/F : 22A Islington Road Bristol BS3 1QB

SUMMARY

The application relates to a property known as 22a Islington Road in Southville ward, south Bristol. It is a two storey building with single storey extensions located on the corner of Islington Road, opposite terraces on Allington Road. It is currently vacant, however the most recent use of the property is for employment uses (Use Class – B2 General Industrial).

The site is within Bedminster Conservation Area and is on the Bristol Local List in recognition of its heritage value.

The application was initially made in November 2017. Following the submission of amendments to the proposals in February 2018, it was considered by Development Control (DC) Committee B on 25 April 2018. The Committee resolved to defer the application to allow the case officer to seek further amendments to the roof of the scheme, due to concerns that the dwelling as proposed would result in unacceptable loss of light and amenity to neighbouring gardens. The Committee resolution in full was:

“that the item be deferred for officers to establish with the applicant if the roof can be re-designed to address amenity concerns about increased shading of the rear gardens and that, in the event that the applicant is unwilling to do this, officers be given delegated authority to refuse the application on these grounds.”

In response to this, the applicant has submitted revised plans in July 2018. The proposed amendments are:

- The roof has been redesigned to introduce a hipped roof form at the eastern side of the building.
- The boundary fence has been reduced to 1.8m in height at the rear, while the western boundary fence has been redesigned to a stepped design to increase privacy for occupants and neighbours.

The applicant has also submitted a revised sunlight assessment study assessing the impact on light of the revised proposals. The rest of the proposed development would remain as previously presented and considered by the DC B committee and as summarised below.

The application proposes to demolish all existing buildings on the site and construct a two storey 2no. bedroom dwelling. The dwelling would be of a contemporary, industrial style and would largely be contained within the established building lines of the street and the envelope of the existing building, including its height and footprint.

The application was referred to DC Committee B by Cllr Charlie Bolton on the basis of concerns that it would be overbearing, out of keeping with the area and would result in overlooking and overshadowing to neighbours.

There has been neighbour objection to the scheme, relating primarily to the design, impact on heritage assets and impact on neighbouring residential amenity.

Officers in the City Design Group, Transport Development Management and Land Contamination have been consulted during determination of the scheme, including upon submission of revised plans, and have ultimately raised no objection, subject to securing further detail via planning conditions.

On balance, officers have concluded that while the proposed development would result in harm to heritage assets, this is less than substantial and does not warrant refusal of the scheme. The benefits of the scheme are believed to outweigh this harm and include bringing a vacant site into use, securing an additional unit of housing and delivering a distinctive, high quality design. Impacts on neighbouring

Development Control Committee B – 15 August 2018
Application No. 17/06582/F : 22A Islington Road Bristol BS3 1QB

amenity have been carefully considered and the scheme revised to minimise any unacceptable harm. It is concluded that the proposed development would be less than significantly harmful, particularly given the existing context and constraints of the site.

Officers recommend that planning permission is granted for the proposed development, subject to planning conditions.

SITE DESCRIPTION

The application relates to a property known as 22a Islington Road in Southville ward, south Bristol. It is situated on the south-east corner of Islington Road on the northern side of the street. Its south and east elevations form a direct frontage onto the pavement. The building is detached, however it shares a boundary with 22 Islington Road to the west and 37, 39 and 41 Allington Road to the north.

The site is comprised of a main two storey detached building with an asymmetrical hipped roof. It has a single storey flat-roofed extension to the west which runs along the boundary with No. 22 Islington Road and which forms a main entrance from the street. To the rear of the site is a large single storey lean-to extension which meets the side extension, such that almost the entire footprint of the site is built upon, with the exception of a small section of the north-west corner.

There is vehicular access to an integral garage/store to the east elevation of the site and a corresponding dropped kerb. The main building is finished in render with a red tiled roof, though exposed brick is visible on the northern elevation. The single storey extension roof is constructed of corrugated metal sheeting. The fenestration on the site is predominantly timber casement windows, although notable are the large black painted timber garage and warehouse doors on the east elevation. There is modern uPVC (or similar) glazing to the single storey side extension.

The building is located just within the boundary of the designated Bedminster Conservation Area and is identified as an 'unlisted building of merit' within the Conservation Area Character Appraisal (adopted December 2013). The building was subsequently included within the Bristol Local List (ID: 212), added in September 2015, which identifies local heritage assets outside of formal designation (e.g. Listed Buildings). It is believed to have been built in the 1880s.

The historic use of the site is for commercial/light industrial use. The last known use of the site was as a printing press under Use Class B2 – General Industrial. The site has been vacant since 2013.

The area surrounding the site is of predominantly residential land use and is characterised by rows of Victorian two storey terraces. The typical layout of the terraces is such that the rear gardens back onto each other and the rear elevation of dwellings are opposite one another with relatively small distances in between (typically less than 15m). Within this context, the detached siting of 22a Islington Road is atypical and it does not form part of the terrace further west, which begins from 30 Islington Road.

The immediate neighbour west of the site, 22 Islington Road, is also atypical being of three storey height and forming a semi-detached pair. The topography of the area is such that the Allington Road terrace is located at a lower level relative to the buildings on the north side of Islington Road. Due to raised foundations, the terraces on the south side and east corner of Islington Road are further elevated relative to the north of the road and the application site.

The architectural style of the area is fairly mixed, with various styles present in nearby terraces, however common features are pitched roofs, bay windows, exposed stonework and front boundary walls. There is little off street parking in the area.

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Beyond the immediate residential surroundings, the site is located close to local services, facilities and bus stops located on East Street and North Street, while the city centre is also within reasonable walking or cycle distance. Public open space at Greville Smyth Park and Victoria Park are also in the proximity of the area.

RELEVANT HISTORY

15/02956/PREAPP - Proposed redevelopment of the site (including demolition of existing building) to provide a new dwelling. Response received November, 2015.

14/04407/F - Demolition of existing two storey building and single storey extensions, erection of three storey dwelling and single storey garage for one vehicle. WITHDRAWN, October 2014.

03/04489/P - Outline application for demolition of existing workshops and residential development. WITHDRAWN, January 2004.

85/01197/E - Workshop for light industrial use and office accommodation ancillary to that use. REFUSED, September 1985.

APPLICATION

The application seeks permission to demolish all existing buildings on the site and construct 1no. two bedroom dwellinghouse.

The dwelling would be predominantly two storeys in height, however it would include single storey elements to the west and north east boundaries, with a flat and mono-pitched roof respectively. Following revisions to the scheme in July 2018, the main two storey element of the building would have an asymmetric roof; with a gable end to the west and hipped to the east.

The new dwelling would echo the existing layout with a south and east facing frontage onto Islington Road. The dwelling would represent an overall reduction in the footprint of buildings on the plot, with an increased area of private garden to the north-west corner of the site.

The maximum roof ridge height of the new dwelling would not exceed that of the existing building. The eaves height would be increased by 25cm and the overall massing of the roof would be increased due to the introduction of a gable end to the west, and a hipped roof form to the east with a steeper pitch than that of the existing building. The first floor would be extended 1m further west towards No.22 than the existing building.

The north elevation would feature an angled two storey protrusion of 2.2m depth with a full height window (curtain walling) facing west. The window would be set back from the northern elevation by 0.5m and would be partially obscure glazed at first floor, where it would serve a mezzanine living area. An existing low boundary wall at the rear of the dwelling would be replaced with 1.8m fencing.

The dwelling would be of a modern, industrial style featuring standing seam metal roofing, aluminium fenestration and red brick walls. It is proposed to install obscure glazing to the upper rear windows and louvred ventilation panels to windows on the east and south elevations.

The new dwelling would not have off-street parking. An enclosed cycle store for 2no. bikes and a courtyard refuse store would be provided in the north-east corner of the site, accessed via a roller shutter door on the east elevation.

Photovoltaic panels would be installed on the roof of the building.

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RESPONSE TO PUBLICITY AND CONSULTATION

NEIGHBOUR CONSULTATION

July re-consultation

Following the resolution by DC B Committee on 25 April 2018, the applicant submitted revised plans in July 2018. Neighbours (and anyone who previously submitted comment on the application) were notified of the revised plans by letter issued 20 July 2018 requesting comments by a deadline of 3 August 2018. A site notice was posted near the site on 25 July 2018 with an expiry date of 8 August 2018.

In response to re-consultation, 7 responses were received. Of these all objected to the proposed development.

The concerns raised in relation to the revised proposals are:

- The revisions do not sufficiently address the concerns of the Development Control Committee or reflect the nature of their resolution on 25 April
- Impact on amenity of neighbours through loss of light (including indirect light)
- Development should fully retain the roof design of the existing building
- The retention of the west gable and reduction in the gap between 22a and 22 Islington Road would overshadow gardens of Allington Road
- North facing windows would result in a loss of privacy to Allington Road properties
- Lack of case for change to residential and loss of B2 use
- Overlooking from the two storey curtain walling onto gardens
- Would create increased pressure on parking
- Noise and disturbance from roof terrace [Case officer note: there is not a roof terrace proposed – please see Key Issue D for further discussion on this point]
- Lack of evidence such as light or topographical survey [case officer note: an updated light assessment was submitted with the revised plans and available on the planning portal website]

All consultation prior to DC Committee B on 25 April 2018

Upon submission of the application, 27 neighbouring properties were notified by letter issued 28 December 2017 requesting any comments to be submitted by a deadline of 18 January 2018. A site notice was posted near the site on 10 January 2018 with an expiry date of 31 January 2018. An advertisement was published on 10 January 2018 with an expiry date of 31 January 2018.

In response to consultation, 25 responses were received, all in objection to the scheme. It must be noted that some individuals submitted multiple objections; for clarity, there were responses from 18 individuals in total.

During the determination process, the applicant submitted revised plans in response to case officer comments. This included reducing the massing of the development to the west boundary, a set back to the curtain walling and the removal of off-street parking.

Neighbours were re-consulted for a 14-day period following the submission of the revised scheme, including any individual who previously responded to consultation.

In total, 36 neighbours were notified of the re-consultation via letter issued 19 February 2018 with a deadline of 05 March 2018 to respond.

Development Control Committee B – 15 August 2018
Application No. 17/06582/F : 22A Islington Road Bristol BS3 1QB

In response to re-consultation, 20 responses were received, all in objection to the scheme. It must again be noted that some individuals submitted multiple objections; for clarity, there were responses from 15 individuals in total.

The concerns raised are summarised below:

- Scale of proposals and subsequent impact with regards to light, overbearing and privacy for neighbouring occupants.
- Impact of the hip to gable roof form on light received by properties on Allington Road.
- Visual impact on Conservation Area and street scene
- Unjustified loss of an 'unlisted building of merit' within a Conservation Area.
- Unjustified change in land use and loss of existing employment site.
- Infilling of gap between 22a and 22 Islington Road and impact on light, views and privacy of neighbours.
- Impact on privacy of neighbouring residents and their gardens
- Design and materials out of keeping with surrounding Victorian terraces
- Noise from garden
- Increased pressure on parking in the area
- Potential to create precedent for modern design in the area
- Extent of obscure glazing reducing living environment for future occupants
- Insufficient neighbour consultation by applicant prior to submission
- Set back of curtain walling does not address loss of privacy to rear gardens west of the site.
- Lack of case for change to residential use
- Noise and disturbance from roof terrace [see case officer note above]
- Approval of the scheme would not be consistent with a recent refusal of planning permission on the street.
- Potential of site to be converted to flats at a later stage
- Construction impacts [Case officer note: impacts of construction cannot form part of the assessment of a proposed development for planning consent]
- Site notices not posted around site [Case officer note: this was checked upon receipt of the comment and it was confirmed by the BCC site notices team that the appropriate notices were placed near the site]
- Inaccurate or unclear plans [Case officer note: revised plans to correct an error in the west elevation were requested and provided by the applicant]
- Noise and disturbance from roof terrace [Case officer note: please see previous comment regarding roof terrace or Key Issue D]

AMENITY GROUPS

BS3 Planning Group – Objection:

“We continue to strongly OBJECT to the continuing proposals to demolish this building in the conservation area. The conservation area exists partly as a result of the idiosyncratic buildings scattered across it. The proposals neither enhance nor preserve the CA and attempt to replace an interesting historic building with a bland, massive box fronting the pavement and with large windows to the rear with views across neighbouring gardens. The building may be in disrepair, but local demand for studio and small office space is well known and there is no apparent attempt to refurbish this building and return it to employment use, but clearly a long-term attempt to attempt to demonstrate redundancy and therefore justify destruction. This must be resisted.”

COUNCILLORS

Councillor Charlie Bolton – Objection. Cllr Bolton referred the application to the planning committee, citing the following reasons for objection:

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“Adverse effect on the residential amenity of neighbours, by reason of: Overlooking neighbouring properties; Loss of privacy; Overshadowing; Visual impact of the development; Effect of the development on the character of the neighbourhood; Design (including bulk and massing).

The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity. The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners. Inadequate neighbour consultation.”

INTERNAL CONSULTEES

City Design Group: No objection.

Both the Urban Design and Conservation sections of the City Design Group were consulted through the surgery process during the determination of this application, including upon receipt of amended plans in February and July 2018. CDG raised no objection subject to conditions. See Key Issues B and C for more detail.

Transport Development Management: No objection, following the receipt of revised plans in February 2018 which removed the off-street parking from the scheme.

Public Protection (Land Contamination): No objection:

“The planning application to demolish the existing property and create a new residential dwelling has been reviewed in relation to land contamination.

The applicants are referred to the following:

Bristol Core Strategy - BCS23 Pollution Local Plan DM34 Contaminated Land National Planning Policy Framework Paragraphs 109, 120 to 122

Planning Practice Guidance Note

<https://www.gov.uk/guidance/land-affected-by-contamination> <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination. The existing building dates from c1880 when it is believed to have been a coach house. During the twentieth century the property held a variety of uses including a liquid coffee manufacturers in the 1930's and 1940's, an electrical washing machine manufacturers in the 60's and a paint merchants in the 1970's. Whilst this is a minor application a risk assessment is required because of the potential risks identified.

A minimum of a phase 1 desk study looking into contamination must be submitted to the local planning authority and where deemed necessary a phase 2 intrusive investigation shall take place. If any information is already prepared submission prior to determination is encouraged to reduce the burden of pre-commencement conditions.

If not available it is recommended the standard conditions B11, B12, B13 and C1 are applied to any future planning consent.”

RELEVANT POLICIES

National Planning Policy Framework – July 2018

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

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Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017

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

KEY ISSUES

(A) IS THE PRINCIPLE ACCEPTABLE IN LAND USE TERMS?

The proposed development seeks to change the use of the site from Use Class B2 – General Industrial to Use Class C3 – Residential. The last known active use of the site for B2 use ended in 2013; it has been vacant since this time.

There are two key considerations in assessing the proposed development in land use terms. First, it must be determined whether the loss of the existing employment use is acceptable. Second, the suitability of the site for residential use must be assessed. These assessments will be made in turn.

Policy BCS8 of the Core Strategy (2011) requires that employment land outside of Principle Industrial Warehousing Areas is retained where it makes a valuable contribution to the economy and employment opportunities. The policy highlights the value of employment sites close to where people live and the difficulty in replacing employment sites when lost through redevelopment for alternative uses.

Policy DM12 of the Site Allocations and Development Management Policies document (SADMP, 2014), provides detail to this approach, setting out the specific instances when loss of employment land will be permitted.

DM12 states that employment sites should be retained for employment uses unless it can be demonstrated that:

- (i) There is no demand for employment uses; or
- (ii) Continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or
- (iii) A net reduction in floorspace is necessary to improve the existing premises; or
- (iv) It is to be used for industrial or commercial training purposes.

With regards to the current application, only points (i) and (ii) of policy DM12 are relevant, as the application does not seek a reduction in floorspace to improve the existing premises nor proposes an industrial or commercial training use.

In order to satisfy the requirements of policy DM12, the onus is on the applicant to demonstrate that either there is no demand for employment uses or that continued employment use would have an unacceptable impact on the environmental quality of the surrounding area.

The applicant has not provided any evidence to support a claim that continued employment use would have an unacceptable impact on the environmental quality of the surrounding area as per criteria (ii) of policy DM12. Subsequently, the applicant is reliant on their assertion that the loss of the existing B2 use is supported through criteria (i) of policy DM12, namely that there is no demand for employment uses. It is a requirement of the policy that evidence is submitted to demonstrate that the site has been adequately marketed for employment uses.

The applicant disputes that the existing site constitutes 'valuable' employment space. They provide an assessment which cites the following reasons for the site failing to be an attractive prospect for potential occupiers in continued B2 use:

- Poor state of repair and a lack of modern features and facilities

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- Isolation from other employment uses and close proximity to residential use
- Lack of off-street parking and servicing facilities
- Disjointed layout and floorspace

In accordance with the requirements of policy DM12, the applicant has submitted evidence that the site was unsuccessfully marketed for continued employment use. A statement from ETP Property Consultants demonstrates that the property was unsuccessfully marketed for continued employment use for over the minimum required period of 6 months, as set by Bristol City Council guidelines. ETP, in assessing the lack of interest in the site during this time, conclude that the poor condition and accessibility of the site, as well as availability within the market of more suitable properties, are factors in reducing demand for the site for employment use.

Following a second period of marketing from May 2017, it is stated that over 50 enquiries were received, largely relating to potential C3 use of the site, however two offers to purchase the property did not progress. Following case officer request, further detail of the offers made was provided by ETP, confirming that the majority of offers made were for proposed C3 use. It also further detailed that the two offers made to purchase the property were for B1 (business) use, however they did not progress following the failure to reach an overage agreement, which ETP conclude is an indication that the prospective buyers were intending to ultimately change the use of the building to C3 residential.

In assessing the proposed development against the requirements of policy DM12, it is considered that there is sufficient evidence to conclude that there is not demand for the continued employment use of the site. It is recognised that the site has been vacant for four years and is in a poor state of repair, as evidenced by the structural report submitted by the applicant. It is also recognised that the site is constrained for employment use given its location within a residential area with limits to accessibility and parking. It is considered that the evidence supplied by the applicant with regards to the marketing of the site is adequate in demonstrating that there is a lack of genuine demand for the site as an employment site. On balance, it is considered that the loss of the B2 use is acceptable.

An accepted loss of the B2 use does not preclude that residential use is acceptable and requires a further assessment.

Policy BCS5 states that the development of new homes will primarily be on previously developed sites across the city, with particular focus on delivering homes within south Bristol.

Policy BCS20 encourages the efficient use of land, and sets out that higher densities of development will be sought close to centres and along or near main public transport routes.

The application site is located in an area with a strong residential character. It is located 0.6 miles from Bedminster Parade to the east and 0.6 miles from North Street to the west, which are designated as a town centre and district centre respectively in the Core Strategy (2011). The city centre of Bristol is within reasonable walking or cycle distance and provides a wide range of employment, leisure and service facilities.

Bus routes from North Street and Bedminster Parade serve the city centre, while Bristol Temple Meads train station is 1.3 miles away.

It is considered that the proposed residential use would be appropriate in this location and would accord with policy objectives to locate new homes on previously developed land and close to centres and public transport routes. It is considered a sustainable location for a new dwelling which would contribute to overall targets for new homes both within south Bristol and the city as a whole.

In summary, the loss of the existing employment use is on balance considered to be acceptable and the proposed change of use to residential is concluded to be acceptable.

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(B) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN DESIGN TERMS?

Policy BCS21 of the Core Strategy is the overarching design policy which promotes high quality design across the city. The policy requires development to contribute positively to an area's character and safeguard the amenity of existing development and future occupiers.

The adopted development management policies reinforce this requirement, with reference to local character and distinctiveness (Policy DM26), layout and form (Policy DM27) and design of new buildings (Policy DM29). This section of the report considers how the proposed development responds to the requirements of these design policies.

Policy DM26 states that development will not be permitted where it would be harmful to local character and distinctiveness. The policy states that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, including skylines and roofscapes. The policy sets out that while reproducing existing designs of development may be appropriate, there is also scope for innovative and contemporary design solutions where they would complement existing development.

Policy DM27 concerns the layout and form of development. The policy states that the height, scale and massing of development should be appropriate to the immediate context, character of adjoining streets and location within the townscape. Building lines should be consistent and coherent. Policy DM29 sets out the expectations of the design of new buildings, which will be expected to be of a high quality and a coherent rationale. It states that they should respond appropriately to their function and role in the public realm, employ high quality materials and contribute positively to the character of the area.

In considering the design aspect of the proposed development, it must be recognised that the existing building is of a scale, siting and architectural style that is in contrast to the surrounding built environment. Features of the building that are not found in the surrounding area include its detached siting, its asymmetric hipped roof and direct frontage onto the street.

It must also be recognised that while the building is of sufficient character and historic significance to be labelled as an 'unlisted building of merit' within the Bedminster Conservation Area, it is in a poor state of repair and currently the site does not make a significantly positive visual contribution to the street scene or character of the area, particularly given its prominent corner location.

The City Design Group (CDG) within Bristol City Council has been consulted with during the determination of this application, including the Conservation section. With regards specifically to the design, the CDG have raised no objection subject to securing further details by condition. Their comments are reflected in the remainder of this section, while the impact of the development in conservation and heritage terms is specifically addressed in Key Issue C.

i) Overall design approach

It is considered that the proposed rationale of the scheme, which seeks a contemporary, industrial approach to the design, is an appropriate response to the historic use of the site for employment use. The existing site has a limited architectural relationship to the surrounding Victorian terraces, such that there does exist an opportunity for an innovative and contemporary design approach to enhance the character and distinctiveness of the street, as set out in policy DM26.

Furthermore, the aspiration of the applicant to maintain unique character features of the existing site within the contemporary design is welcomed, including retaining its detached siting, direct street frontage, hipped roof to the east elevation and industrial character. The overall approach to the design of the new building is supported in accordance with policy DM29, subject to the details of the proposal being acceptable with regard to scale, massing, form, siting and materials as per the requirements of

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policies DM26, DM27 and DM29.

ii) Layout

The proposed development would be of a detached siting and a layout which broadly accords with that of the existing site, retaining the direct street frontage to the south and east elevations and an area of private open space to the north-west corner.

The proposed development would represent a reduced footprint of built form on the site (approximately 166sqm) in comparison to existing (approximately 190sqm). The dwelling would not contravene established building lines on the street, including the angled two storey element of the design at the rear, which would align with and not exceed the rear building line of No.22.

With regards to layout and siting, it is considered that the proposed new dwelling would not represent a significant departure from the existing site. It would be appropriate within the immediate context and would be contained within established building lines. This accords with policy DM27.

iii) Scale, massing and form

The increased massing of the proposed development in comparison to the existing site has been a primary concern raised during neighbour consultation.

While the layout of the proposed site is similar to existing, it is recognised that the proposed extent of the two-storey element in particular represents an increase in its overall massing and scale, primarily due to its roof form and the curtain wall protrusion to the north.

With regards to the roof, the ridge height of the proposed development would not exceed that of the existing site, nor the surrounding dwellings on Islington Road. However, the eaves height would be increased by 25cm and there would be an overall increase in massing associated with the roof in comparison to the asymmetric hipped form of the existing building.

The application as originally submitted and considered by DC B in April 2018 comprised of a pitched roof with gable ends at both sides of the building. Following the resolution of the committee to defer a decision until revisions to the roof were made, the applicant has revised the scheme in July 2018 to remove the gable end to the east elevation and introduce a hipped roof form. This reduces the extent to which there is increased massing on the east side of the building, with a reduced roof mass than previously proposed. The revised roof design more closely resembles the form and character of the existing building and is considered appropriate in design terms.

The retention of a gable end to the west elevation would result in increased massing in comparison to the existing building, which is steeply hipped to this side. However, it would reflect the immediate neighbour at No.22, which has a gable end roof, as well as most of the surrounding dwellings; indeed, it is the dominant roof form of the Victorian terraces in the area. The asymmetric nature of the revised roof design would also reflect the existing building, which itself is characterised by a distinctive asymmetric hipped roof.

A partial gable/partial hipped roof form is apparent on other corner and end terrace buildings within the area, or example on 37 Allington Road and properties at the junction of Islington Road and Camden Road. Overall, it is considered that the revised roof design is acceptable.

The proposed development would extend the first floor to the west elevation by 1 metre beyond the existing building, reducing the gap between it and the adjacent dwelling at No.22. The gap between the proposed dwelling and No.22 would remain at just under 3 metres.

It is considered that this would be a sufficient visual gap to retain the detached character of the building and the existing relationship between No.22 and No.22a. It is considered that this extension would not result in substantial or significant harm to the character of the area or the street scene.

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Finally, the angled two storey protrusion to the rear represents an increased massing to the northern elevation in comparison to existing. However, this would not extend beyond the three-storey building line as established by the adjacent dwelling at No.22 and would appear subservient to the main building, with a reduced eaves height.

While it is recognised that some aspects of the proposed design represent an increase in the scale and massing of the new dwelling, it must also be noted that the majority of the proposals would be contained within the existing envelope and footprint of the site. Revisions to the scheme submitted in July 2018 further reduce the extent of increased massing due to the introduction of a hipped roof at the eastern elevation. Furthermore, the maximum height of the building would not be increased, and would remain substantially lower (2.5m) than that of the three-storey adjacent dwelling at No.22 and the elevated terrace on the south side of Islington Road.

It is considered that the proposed development would be of a scale and massing that does not represent a significant departure from the existing site and which would not result in substantial harm to the appearance and character of the area. This accords with policy DM26 and DM27.

iv) Materials and design details

Policies BCS21 and DM29 require that development is of a high quality. Given the location of the dwelling within a conservation area and the associated loss of an unlisted building of merit, the CDG places additional emphasis on the requirement to achieve a high-quality finish and secure the use of good quality materials and design details.

Following a request for further information, the applicant has specified the types of materials proposed for the building and has supplied precedent images. Details of the window reveals have been provided and comply with the request from CDG that this is at least 100mm to ensure an appropriately articulated elevation.

It is considered that sufficient information has been provided at this stage to provide confidence that the development would be of a satisfactory and high-quality finish to meet the objectives of policies BSC21 and DM29. However, it is proposed that conditions will be attached to any forthcoming consent to require the applicant to submit further details of the design and materials for approval prior to development.

In summary, the design of the proposed development is found to be acceptable. It is considered that the applicant has demonstrated a coherent design rationale and has taken an appropriate opportunity to introduce a contemporary and innovative design which would contribute to local distinctiveness. The overall siting, scale and massing of the development is appropriate and would not amount of significant harm to the character of the surrounding area. The proposed development is in accordance with the aims of policies BCS21, DM26, DM27 and DM29.

(C) WOULD THE PROPOSED DEVELOPMENT RESULT IN UNACCEPTABLE HARM TO HERITAGE ASSETS?

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

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Section 16 of the National Planning Policy Framework (NPPF) 2018 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing heritage assets, and the desirability of new development to make a positive contribution to local character and distinctiveness. It also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification.

Paragraph 194 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Paragraph 200 states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance their significance and that proposals which preserve these elements should be treated favourably. Paragraph 197 states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. There are two heritage assets of relevance to the proposed development. The first is the Bedminster Conservation Area, in which the site is located. This is a designated heritage asset.

Policy BCS22 states that development proposals will safeguard or enhance heritage assets and their character and setting. This includes conservation areas and historic buildings, including those locally listed.

Policy DM31 sets out that where a proposed development would impact the significance of a heritage asset (including those locally listed) the applicant will be required to justify the extent of proposed works and demonstrate how the features of the heritage asset and the local character of the area will be retained.

The site is identified as an 'unlisted building of merit' within the conservation area in the Bedminster Conservation Area Character Appraisal (adopted December 2013), however no description or reference is made to its significance within the document. It is situated on the boundary of the conservation area; much of the remainder of Islington Road is not within the conservation area, including the adjacent dwelling at No.22.

Within the conservation area, the site is located in the Stackpool Road character area, which is noted for its 'tightly packed Victorian terraces' and 'architectural uniformity'. Negative features are noted as loss of front boundaries, loss of traditional architectural details and the poor condition of some buildings.

The second heritage asset is the existing building of 22a Islington Road, which is included within the Bristol City Local List of heritage buildings. This does not constitute a designated heritage asset and subsequently, while this must be taken into account in determining the planning application (National Planning Policy Framework, paragraph 197), it carries less weight than a designated heritage asset such as the conservation area.

The application seeks permission for the demolition of the existing buildings at 22a Islington Road and subsequently, the loss of a locally listed building within a conservation area. The applicant is therefore expected to meet the requirements of policy DM31.

The submitted Structural Inspection Report identifies that the existing vacant site suffers from significant structural problems and would require extensive works to enable the re-use of the building. The required works would result in the loss of historic fabric and would have significant costs, rendering the re-use of the site unviable financially while still having substantial harmful impact on the heritage asset. The applicant subsequently states that the full demolition of the building is required to secure a viable long term use of the site.

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The Heritage Report submitted by the applicant recognises that the demolition of the existing building would have a substantial negative impact on its individual heritage significance, however asserts that the primary issue for consideration is the impact of the development on the conservation area, the designated heritage asset. The report states that the design of the new dwelling is intended to reflect the scale and massing of the existing site, while also retaining its character as an unusual and distinctive building within the street scene. It concludes that while the proposed development may have a slight, negative impact on the Bedminster Conservation Area, this does not amount to substantial harm.

In considering the proposed harm to heritage assets, the Conservation section of the City Design Group has been consulted with. The CDG has reviewed the information submitted by the applicant and accepts that there does exist sufficient justification for the loss of the building.

It is recognised that the building is currently in a poor state of repair and does not contribute in a significantly positive manner to the character and historic significance of the conservation area. It is considered that the structural report does sufficiently evidence that to attempt to retain the existing building would impact viability of development and may not present substantial benefits with regard to heritage, given the amount of historic fabric that may be required to be lost through renovation works. Furthermore, given that the site (as a non-designated heritage asset) is ascribed less weight under national policy, it is considered that the public benefit of finding a viable use for a vacant site in a sustainable urban location outweighs the harm caused by the loss of the building.

With regards to the conservation area, it is considered that the loss of an existing 'unlisted building of merit' does in principle constitute harm to the significance of a designated heritage asset. However, a balanced assessment also identifies several mitigating factors which it is considered result in this harm being less than substantial.

First, it is noted that the existing building is in a poor state of repair and does not share the characteristics of the conservation area which contribute to its significance. The Stackpool Road character area is identified as significant on account of its uniform Victorian terraces and architectural details associated with these. 22a Islington Road is not of this character, and its significance is not otherwise noted in the conservation area appraisal. While the loss of the building will therefore have a significant local harmful impact in terms of the immediate street scene, its impact on the overall character of the Stackpool Road character area is considered less than substantial.

The site is located on the boundary of the Bedminster Conservation Area. Subsequently its visual impact on the heritage asset is limited to views from Allington Road and the eastern end of Islington Road; it is not a highly prominent historic feature or landmark within the conservation area. As such, it is considered that the loss of the unlisted building of merit would not amount to substantial harm to the overall significance or character of the designated heritage asset.

Finally, the proposed design of the new building has been found to accord with policy objectives regarding distinctive and high-quality design. The proposed design would retain several character features of the building particularly with regard to its siting, footprint, (partial) hipped and asymmetric roof form and industrial character. It is considered that the new dwelling would represent an enhancement to the existing street scene and subsequently the conservation area.

In summary, it is recognised that the proposed development requires the loss of an undesignated heritage asset (22a Islington Road) and would result in harm to a designated heritage asset (Bedminster Conservation Area). However, there is considered to be sufficient, evidenced justification for the proposed loss of the building and an associated public benefit of bringing a vacant site into use. On balance, it is concluded that the proposed development would result in less than substantial harm to the Bedminster Conservation Area which would not warrant refusal of the development. It is considered that the development is acceptable with regard to its impact on heritage assets and is in overall compliance with national and local policy.

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(D) WOULD THE PROPOSED DEVELOPMENT HAVE AN ACCEPTABLE IMPACT ON THE AMENITY OF NEIGHBOURING OCCUPIERS?

Policy BCS21 of the Core Strategy requires new development to safeguard the amenity of existing residents.

Policy DM29 sets out that new development should ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

The Building Research Establishment (BRE)'s guidance document 'Site Layout Planning for Daylight and Sunlight' sets out tests that can be carried out to determine if a proposed development will result in substantial loss of light to neighbouring dwellings or gardens.

Objections have been received from neighbouring residents relating to the potential impact of the proposed development on their amenity through overshadowing, loss of privacy and overbearing. The issues will be addressed individually.

i) Overshadowing

The proposed development would represent an increased massing in comparison to the existing building, although the maximum height of the building would not be increased.

A sunlight assessment study has been submitted by the applicant and subsequently updated following revisions to the scheme, most recently within the July 2018 submission. The assessment has been produced with regard to the Building Research Establishment (BRE)'s guidance document Site Layout Planning for Daylight and Sunlight and has also been reviewed by officers with regard to this guidance.

Impact on adjoining dwellings

The light assessment shows that there would be limited impact on the internal living space of neighbouring dwellings, with increased shadow not extending to such an extent that habitable rooms would lose access to light. As demonstrated in the light assessment, the proposed dwelling meets the tests set out in BRE guidance which determine if a development would result in substantial effects on daylight received by adjoining dwellings. The development would not result in substantial harm with regard to light received within neighbouring dwellings.

An objection has been received relating to loss of light to the side elevation windows of No.22 Islington Road, and this forms one of the tests passed by the proposed development in the light assessment, and within BRE guidance. It must also be recognised that the existing outlook and light of these windows is poor, and at ground floor would remain the same as existing under the proposed development. It is considered that there may be minor impact to the first-floor window due to the 1 metre reduction in the gap between the two buildings at this level, however it is understood that this window serves a stairwell and not primary living space. The impact on the occupants of No.22 is not considered significantly harmful.

Impact on adjoining gardens

The BRE guidance states that if an existing garden or outdoor space is already heavily obstructed then any further loss of sunlight should be kept to a minimum. It sets a parameter that if an area of the garden which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, then this further loss of sunlight is considered significant.

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The updated sunlight assessment demonstrates that there would be some loss of light as a result of the development which would primarily impact the rear gardens of properties on Allington Road. The loss of light is apparent when modelled for 21 March, a date which provides the average scenario according to BRE guidance. The extent of impact varies throughout the day, demonstrating minimal loss of light in the morning (8 am) and late afternoon (4pm), in which the rear gardens as existing are also in substantial shadow.

The greatest impact of the proposed development on Allington Road gardens is demonstrated to be between 10am and 2pm on 21 March, in which four surrounding properties would experience a loss of light considered noticeable under BRE guidance (less than 0.8 times the former area). However, it must be noted that none of these properties would be affected consistently throughout 10am and 2pm, rather they are each only affected for one period (e.g. in the 12 noon scenario only or the 2pm scenario only). Furthermore, the impact often relates to an already small parcel of light, in which – for example - the loss of 50% light within this parcel represents in reality a limited area of shadow.

Further assessment carried out by the applicant during the re-design of the roof has demonstrated that the most significant increase in shadow on 21 March is the result of the proposed rear boundary fence. This fence replaces an existing low boundary wall and is considered necessary to provide privacy between gardens. Furthermore, the fence, which would be 1.8m, could be erected at any point without planning permission under Permitted Development rights afforded by the General Permitted Development Order 2015 (GPDO), with the same resulting impact on the neighbouring garden.

The model for 21 June, which represents the best case scenario for light, shows that there would be minimal impact on neighbouring gardens during the summer months.

It is recognised that the rear gardens of Allington Road properties receive limited light at certain times of the year due to the topography of the area, and that subsequently it is preferable that any further loss of light is avoided. However, it is considered that the proposed development would not result in a loss of light to rear gardens that can be considered to result in unacceptable harm to residential amenity. The gardens that would lose light would not be affected all year-round or at all times of daylight, often losing small pockets of light that would be unlikely to provide substantial residential amenity if retained. The impact on occupants is considered in the context of their gardens already being substantially in shadow at the times of most impact, with summer months (when gardens would be most in use) largely unaffected.

The fall-back position regarding the rear fence must also be taken into consideration, in which the largest impact on light is the result of an aspect of the development which does not require planning permission and could be put in place at any time in the future irrespective of the current application.

Furthermore, it is considered appropriate to take into account that the adjacent dwelling at No.22 is approximately 2.5m taller than the proposed new dwelling and has a considerably larger impact on shadow and light of gardens opposite than that of the proposed development.

In summary, it is considered that the proposed development would not cause unacceptable harm to the amenity of neighbouring occupiers through loss of light to their gardens or internal living space. While there may be some minor increase in overshadowing to gardens, it is determined that this would not result in significant or unacceptable harm to occupants and that the gardens would continue to receive appropriate levels of light, particularly within the existing context. The internal living environment of residents would be safeguarded. It is considered that the proposed development is acceptable with regard to overshadowing and any impacts are not unacceptable such to warrant refusal of the scheme.

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ii) Loss of privacy

Significant neighbour objection relates to the proximity of windows in the proposed dwelling and subsequent loss of privacy.

The proposed windows to the south and east elevations fronting Islington Road are intended to echo the fenestration of the existing building, with varying sizes and inconsistent placement. Whilst it is recognised that the windows would be large, their position is not materially different than that of the existing building and the majority of windows would serve hallways and bathrooms rather than living space. It is considered that the distance between the windows and dwellings opposite (approximately 12m) would be appropriate given the urban setting and is therefore acceptable with regard to impact on privacy.

The north elevation of the dwelling would have two first floor windows and a set of ground floor patio doors directly facing the rear of properties on Allington Road; this placement has received considerable objection from neighbours. These rear windows would be located approximately 6.8m from the rear boundary of No. 39 and 41 Allington Road, and approximately 14m from their nearest rear elevation.

The northern elevation would also have two windows facing westward toward No.22: a set of ground floor patio windows and a two-storey window (known as curtain walling) facing west in the angled rear two storey projection.

With regards to the rear windows directly facing north, it is appreciated that the elevated position of 22a Islington Road relative to the Allington Road properties increases a sense of being overlooked by these windows. It is also recognised that the building has been vacant for four years, with a resulting improvement in the sense of privacy. However, a balanced assessment must recognise that the proposed windows are not materially different in their outlook to that of the existing building. Such a separation difference is also typical of the area and the characteristic layout of its Victorian terraces. Finally, the applicant has proposed to obscure the first-floor north elevation windows and the future retention of this could be secured via condition. Subsequently, it is considered that there would not be a loss of privacy due to the directly rear facing windows.

The rear ground floor patio windows facing west would not have a significant impact on privacy due to the position of fencing to the north and west boundaries, preventing views into neighbouring gardens.

The two-storey curtain walling would be situated such that it would not extend beyond the building line of No.22. Subsequently, direct views to the west would be semi-obstructed. In order to further mitigate the impact of the window and limit outward views, the applicant has proposed that the first-floor level would be mezzanine, and set back by 1.5m from the window. While this would reduce the extent of overlooking possible, it is noted that permanent retention of this mitigating measure cannot be conditioned and therefore following case officer comments, the applicant has proposed further mitigation measures. The window has been set 0.5m behind an overhang of the northern elevation, such that views directly north toward Allington Road properties are not possible. A section of obscure glazing has also been introduced to the first-floor level at a position to prevent near views; in particular, views down into the rear patio of No.22 would be prevented. The installation and permanent retention of the obscure glazing would be secured via condition.

It is considered that neighbours have raised valid concern over the impact of a large two storey window on their privacy and this aspect of the design has been carefully assessed from an amenity perspective. Following the introduction of additional mitigation measures, it is concluded that the window would not result in unacceptable loss of privacy to neighbours. The resulting views from the upper floor of the window would be long and indirect views; direct overlooking into the living space of neighbouring properties would not be possible. It should be noted that the neighbouring three storey dwelling at No.22 has rear windows directly facing the opposite terrace at third floor level which would

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allow for similar if not more extensive views over neighbouring properties. As such, the impact of the proposed development is considered not to result in a loss of privacy materially worse than the existing level of overlooking between properties.

In summary, it is concluded that the proposed dwelling would not result in a significant or unacceptable loss of privacy to neighbouring properties.

iii) Overbearing

Some concerns have been raised over the prospect of the new development being overbearing for neighbours, with an imposing or oppressive impact. It has been established earlier in this report that the scale and massing of the new dwelling is not significantly larger than that of the existing building, that it would not represent an increase in the maximum height of the existing site, that the existing footprint is reduced and that it does not contravene the established building line.

While 22a Islington Road is a prominent building due to the topography and its corner position, it must be noted that the adjacent dwelling at No.22 is three storeys and approximately 2.5m taller than the proposed dwelling. It is considered that this contributes to an existing sense of overbearing for properties on Allington Road.

It is considered that the properties most likely to be impacted by a sense of overbearing are No.37 and 39 Allington Road, which face upwards toward the north elevation. It is recognised that the new dwelling would be located in close proximity to their rear boundary and would create a sense of enclosure and overbearing. However, this must be considered within the context of the existing site. The existing site is built up to the boundary with No. 37 and 39 and covers a larger footprint against this boundary. It is considered that the proposed dwelling would not result in an increased sense of overbearing that is substantially more harmful than the existing outlook from the opposite properties.

Assessed within the above context, it is considered that the proposed development would not give rise to an unacceptable sense of overbearing that is materially different to that of the existing site or the neighbouring dwelling, and therefore does not warrant refusal of the scheme. However, in the interests of future safeguarding, it is recommended that a condition be applied to any forthcoming consent preventing the extension of the dwelling or installation of windows without further planning permission.

iv) Noise

Objections have been received relating to increased noise from the outdoor amenity space of the proposed dwelling and subsequent impact on neighbouring dwellings.

The proposed outdoor terrace is located in the same position as the existing rear courtyard, although it is of a larger size. Given the residential nature of the area, and that the existing layout of the Allington Road and Islington Road properties is such that their rear gardens back onto one another, it is not considered that the use of the rear garden at No.22a would result in unacceptable impact to amenity through noise.

Concern has also been raised over the potential use of the flat roof single storey sections of the development as an elevated roof terrace. A condition preventing this without further planning consent would be attached to any forthcoming consent.

(E) WOULD THE PROPOSED DEVELOPMENT PROVIDE AN ACCEPTABLE LIVING ENVIRONMENT FOR FUTURE OCCUPANTS?

BCS21 states that new development should provide a safe, attractive, usable and inclusive built environment which creates a high quality living environment for future occupants. This should include

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consideration of outlook, privacy, natural lighting, ventilation and indoor and outdoor space.

Policy BCS18 states that residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

The relevant minimum space standards for new housing is contained in the Department for Communities and Local Government (DCLG) Nationally Described Space Standards for new housing published in March 2015.

The minimum space standard for a two-storey 2 bedroom dwelling according to this guidance is 79sqm. The proposed dwelling would provide 225sqm of space for its occupants and therefore meets the required space standards.

The new dwelling would have a varied outlook, with fenestration to three elevations. It is recognised that the two bedrooms would have a less than ideal outlook; the ground floor bedroom would be served by a roof light and internal window only, while the first floor bedroom would have an obscured window and a roof light. However, given the generous size of the bedrooms (exceeding minimum space standards) and the dwelling as a whole, it is considered that this would not constitute a poor quality living environment such to give rise to refusal of the scheme.

There would be sufficient ventilation through the use of louvred ventilation panels.

The occupants of the dwelling would have access to private outdoor space of a reasonable size. In summary, it is considered that the proposed development would provide a high quality living environment for future occupiers.

(F) IS THE PROPOSED DEVELOPMENT ACCEPTABLE WITH REGARD TO TRANSPORT AND HIGHWAY SAFETY?

Policy BCS10 of the Core Strategy states that development should promote sustainable transport choices.

Policy DM23 requires development to provide safe and adequate access to new developments.

Under the initial submission, the proposed development did include 1no. off-street parking space accessed via the east elevation. Bristol City Council's Transport Development Management (TDM) team objected to this proposal on the grounds of poor visibility, lack of manoeuvrability and safety concerns. The requirement to keep an integral garage unobstructed for access would also result in a reduction in available on street parking.

Following this response, the applicant has removed the off-street parking from the proposal and the development as revised would not provide any private vehicular parking. It is considered that this is appropriate given that the site is within a highly sustainable location close to main public transport routes.

Secure cycle storage for 2no. cycles would be provided in a cycle shed accessed from the east elevation. This provision meets the minimum requirements of policy DM23 and is acceptable.

Refuse storage would be provided adjacent to the cycle store with direct access to the street for collection via a garage door. This is considered acceptable by TDM.

The installation and maintenance thereafter of the cycle and refuse stores would be controlled via condition.

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In summary, the proposed development is acceptable with regards to transport and highway safety.

(G) DOES THE PROPOSED DEVELOPMENT ADEQUATELY MEET OBJECTIVES OF SUSTAINABILITY AND CLIMATE CHANGE?

Policies BCS13 to BCS15 of the Bristol Development Framework Core Strategy forms a suite of planning policies relating to climate change and sustainability. It requires development to both mitigate and adapt to climate change. This includes new development to minimise its energy requirements, address issues of sustainable design and construction and also water management issues to reduce surface-water run-off. Policy BCS14 requires that development provides sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

The proposed development would result in the reduction of CO2 emissions by 20% through on site renewables (PV panels) and the design of the building would incorporate energy efficiency measures. Further details relating to the installation of the PV panels would be secured via condition.

In summary, the proposed development is acceptable with regards to sustainability and climate change.

(H) IS THE PROPOSED DEVELOPMENT ACCEPTABLE WITH REGARD TO CONTAMINATED LAND?

Policy DM34 requires that new development should demonstrate that any existing contamination of land will be appropriately mitigated and that new development will not cause the land to become contaminated.

Given the industrial/commercial use of the existing site, Bristol City Council's Public Protection (Land Contamination) Officer was consulted on the proposed development.

The officer identified that the site is sensitive to contamination and subsequently, a risk assessment would be required prior to commencement of the scheme. This could be secured via condition if consent were forthcoming.

CONCLUSION

The application proposes to demolish a vacant industrial unit and construct a two bedroom dwelling in a sustainable location. In accordance with policy requirements, the applicant has provided sufficient evidence to justify the development in pure land use terms, in particular the loss of an employment site.

It is recognised that the site is of heritage value as a locally listed building within Bedminster Conservation Area. Subsequently, it is accepted that the proposed development does constitute a degree of harm to heritage assets. However, on balance, it is concluded that this harm would be less than substantial and does not warrant refusal of the scheme. Furthermore, the proposed development would be of a high quality, innovative design that it is considered would contribute to local distinctiveness and retain aspects of its character.

It is recognised that the proposed development would result in some impact to neighbouring residential amenity through overshadowing to gardens and a potentially increased sense of being overlooked. However, it is apparent that the greatest impact on light is the result of the boundary fence rather than the building itself, while there is sufficient mitigation proposed to safeguard privacy of neighbours. It is considered on balance that the proposed development would not result in unacceptable harm through overlooking, overshadowing or overbearing or which is substantially more harmful than the current building. Neighbouring properties would continue to receive appropriate levels

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of light and outlook given the context of the surrounding area and the existing building.

The development would provide a high quality living environment for future occupiers that meets policy requirements regarding transport and sustainability measures.

It is concluded that the proposed development should be recommended for approval subject to conditions.

CIL

The Community Infrastructure Levy for this development is £15,167.41.

RECOMMENDED GRANT subject to condition(s)

Time limits for commencement of development

1. Full planning permission

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

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

Pre commencement condition(s)

2. To secure the recording of the fabric of buildings of historic or architectural importance

Prior to the commencement of development, including demolition, the developer shall record the building known as '22a Islington Road' and any ancillary structures and submit the record to the Local Planning Authority. The recording must be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority and submitted to the Historic Environment Record (HER), the record should then be submitted to Bristol City Museum and a hard copy to Bristol Record Office.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

3. Land affected by contamination - Site Characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

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- adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Reason: To ensure that risks from land contamination 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

4. Land affected by contamination - Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and 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.

5. Land affected by contamination - Implementation of Approved Remediation Scheme

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

6. Further details – external

No development shall take place until a detailed part elevation and section at 1:20 scale showing all typical external treatments and building elements has been submitted and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

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Reason: in order to ensure that the external appearance of the building is satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context.

7. Further detail and submission of samples – materials

No development shall take place until all details of external materials have been submitted and approved in writing by the local planning authority. An agreed sample reference panel to include external facing materials and construction details shall be erected on site and approved in writing by the Local Planning Authority. The approved reference sample panel shall be retained on site until the completion of the development. The development will be carried out in accordance with the approved materials and panel.

Reason: in order to ensure that the external appearance of the building is satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context.

8. Further details – Photovoltaic Panels

Prior to the commencement of the relevant part of the works hereby approved details relating to the photovoltaic panels (including the exact location, dimensions, design/technical specification and method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and to ensure that the external appearance of the building is satisfactory.

9. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 2 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 3 which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

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.

Pre occupation condition(s)

10. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site.

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Application No. 17/06582/F : 22A Islington Road Bristol BS3 1QB

No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

11. 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.

12. Reinstatement of Redundant Accessways – Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the existing accesses to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety.

13. No Further Extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse hereby permitted, or any detached building erected, without the express permission in writing of the council.

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

14. Obscured Glazed Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the following windows shall be glazed with obscure glass in accordance with the approved plans and shall be permanently maintained thereafter as obscure glazed:

- First floor windows in the north elevation
- Two storey curtain walling in the north-west elevation

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

15. No Further Windows

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

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

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16. Restriction of Use of Roof

The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises.

17. Demolition Linked to Redevelopment

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission was granted on XX and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

Reason: To ensure the demolition is followed by immediate rebuilding and to maintain the character and appearance of the Conservation Area.

18. 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:

6254 3 0001 B Location Plan, received 27 November 2017
 6254 3 0101 I Proposed ground floor plan, received 14 February 2018
 6254 3 0102 I Proposed first floor plan, received 14 February 2018
 6254 3 0104 I Proposed roof plan, received 11 July 2018
 6254 3 0201 I Proposed section AA, received 11 July 2018
 6254 3 0202 F Proposed section BB, received 11 July 2018
 6254 3 0203 G Proposed section CC, received 11 July 2018
 6254 3 0301 I Proposed elevation east, received 11 July 2018
 6254 3 0302 G Proposed elevation North, received 11 July 2018
 6254 3 0303 F Proposed elevation south, received 11 July 2018
 6254 3 0304 G Proposed west elevation, received 11 July 2018
 6254 3 0501 F Proposed 3D Views external, received 11 July 2018
 Energy Statement, received 27 November 2017
 6254 REP03A Design Note (Parts 1-3), received 14 February 2018
 6254 3 0502A Proposed 3D Views External 2, received 20 February 2018
 6254 3 2501 External Walls - Openings - Windows, received 20 February 2018
 6254 3 0204 A Proposed Section D-D, received 11 July 2018

Reason: For the avoidance of doubt.

Advices:

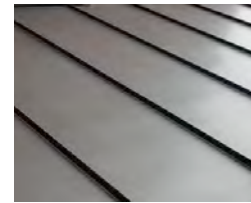
1. Alterations to vehicular access

There is a requirement to make alterations to vehicular access(s). Applicants should note the provisions of section 184 of the Highways Act 1980. The works should be to the specification and constructed to the satisfaction of the Highway Authority (Telephone 0117 9222100). You will be required to pay fees to cover the Councils costs in undertaking the approval and inspection of the works.

Supporting Documents

2. 22A Islington Road

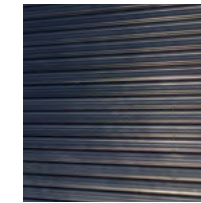
1. Previously proposed East elevation (as per 25th April Committee)
2. Previously proposed North elevation (as per 25th April Committee)
3. Previously proposed South elevation (as per 25th April Committee)
4. Revised 3D views (July 2018)
5. Revised proposed elevation East (July 2018)
6. Revised proposed elevation North (July 2018)
7. Revised proposed elevation South (July 2018)
8. Revised proposed elevation West (July 2018)
9. Revised section D-D (July 2018)
10. Updated sunlight assessment (July 2018)



Standing seam metal roofing / cladding



Red brick cladding to closely match existing



Metal panel finish to roller shutter door

Grey PPC aluminium window / door / rooflight frames / panels

Grey single ply roof to stores



Rev.	Date	Notes	Revised by	Checked by
D	3/3/2017	Roof pop-ups omitted; roof height revised; material of stores revised to timber. Issued to client for approval.	JE	
E	21/3/2017	Minor revisions to windows; notes updated; issued for planning.	JE	
F	18/4/2017	Minor revisions to suit survey information.	JE	
G	17/11/2017	Material change to stores, doors and fence to garden.	JE	
H	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	



East Elevation - Red brick walls with standing seam cladding / roof

Planning

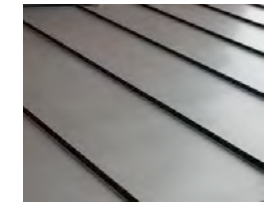
22A Islington Road
Southville, Bristol

Proposed Elevations
East Elevation

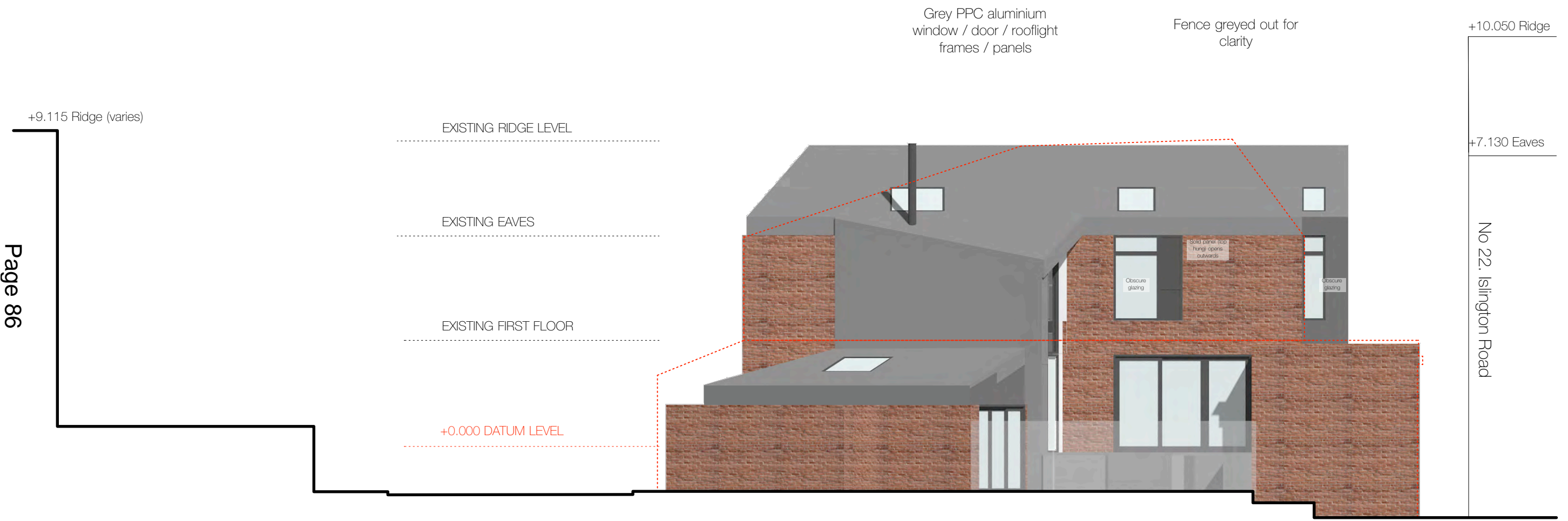
Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
8/3/2016	JE	JE	6254 3 0301	H
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE	JE	Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			

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Standing seam metal roofing / cladding



North Elevation - Red brick walls with standing seam cladding / roof

Rev.	Date	Notes	Revised by	Checked by
B	3/3/2017	Roof pop-ups omitted; roof lowered; render cladding replaced with standing seam. Issued to client for approval.	JE	
C	21/3/2017	Minor changes to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	17/11/2017	Notes updated.	JE	
F	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

22A Islington Road
Southville, Bristol

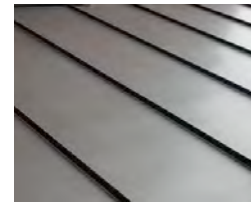
Proposed Elevations
North Elevation

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Check all dimensions on site. If in doubt ask.

Planning

Date	Drawn	Checked	Drawing No	Amendment
29/9/2015	JE	KH	6254 2 0302	F
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE		Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			

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Standing seam metal roofing / cladding



Red brick cladding to closely match existing



Rev.	Date	Notes	Revised by	Checked by
A	15/6/2016	Scale bar added. Notes updated.	JE	
B	3/3/2017	Roof pop-ups omitted; roof lowered; notes updated. Issued to client for approval.	JE	
C	21/3/2017	Minor amendments to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

South Elevation - Red brick walls with standing seam cladding / roof

Planning

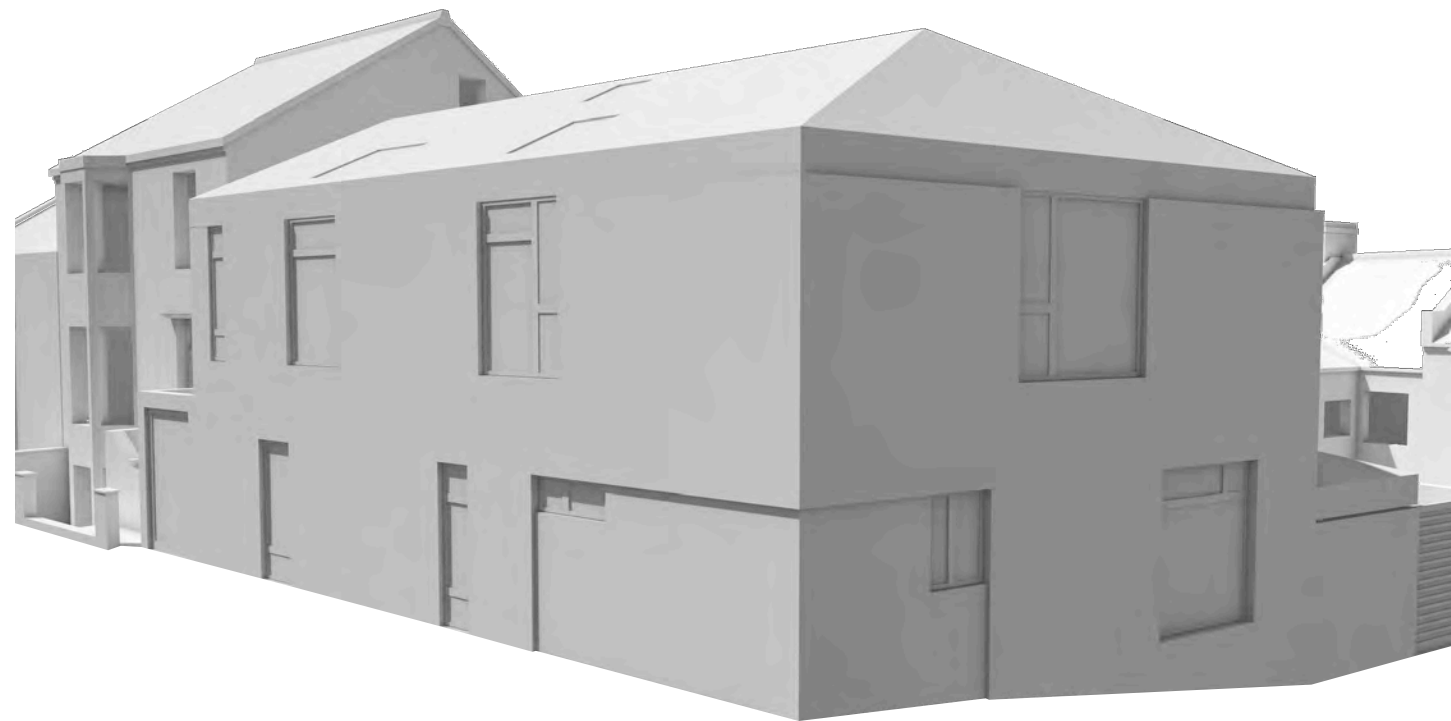
22A Islington Road
Southville, Bristol

Proposed Elevations
South Elevation

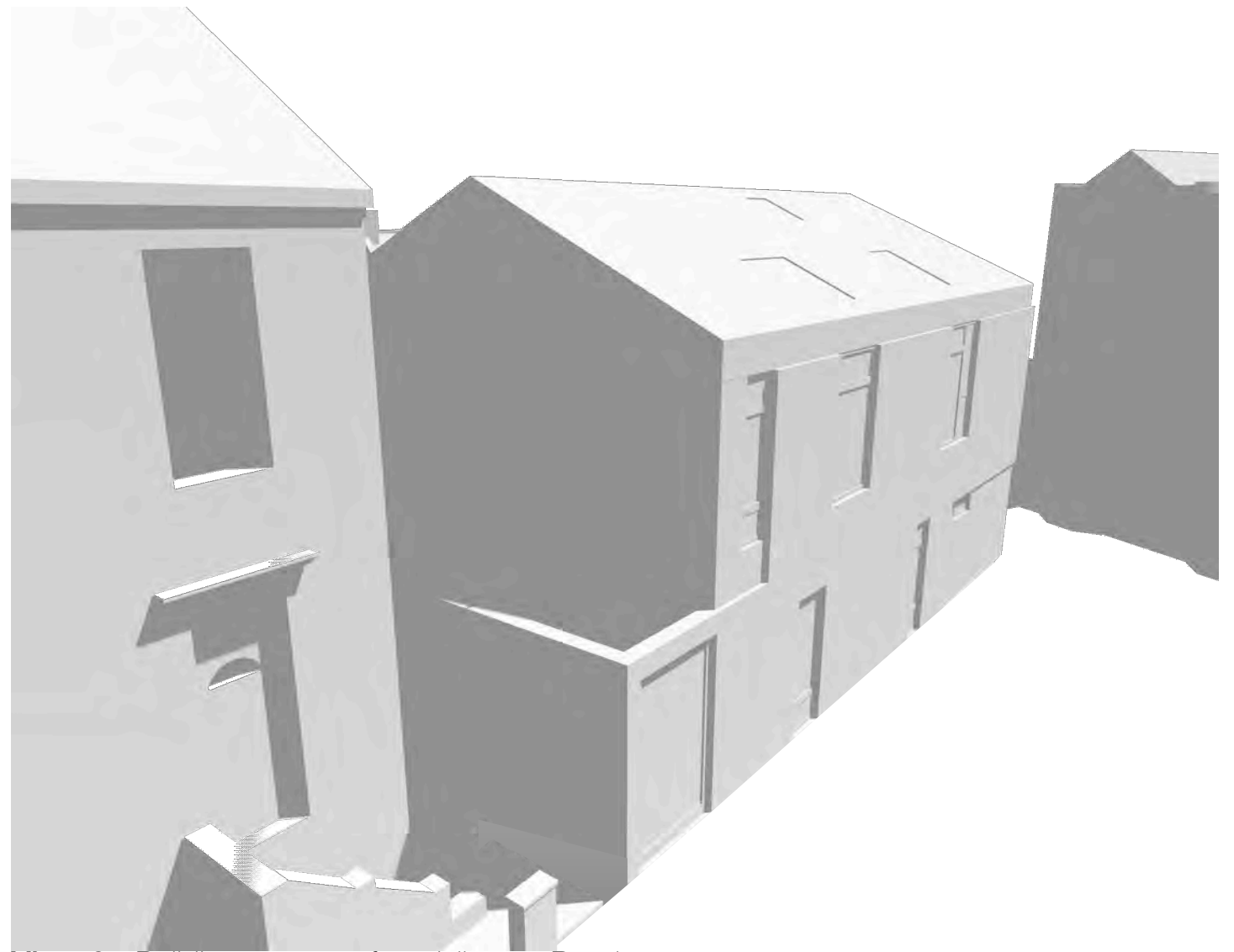
Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date 13/6/2016	Drawn YH	Checked JE	Drawing No 6254 3 0303	Amendment E
Date 9/2/2018	Amended JE	Checked	Status + Work Stage Planning	
Scale 1:100 @ A3	Sta A3	Scale @ A3	Developed Design	

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View 1 - Corner of Islington Road



View 2 - Building entrance from Islington Road

Rev.	Date	Notes	Revised by	Checked by
B	13/6/2016	Views updated. Issued for planning.	JE	
C	3/3/2017	Roof pop-ups omitted; roof lowered. Issued to client for approval.	JE	
D	21/3/2017	Updated views; issued for planning.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
F	11/7/2018	Roof form revised to include hipped gable to eastern end.	JE	

Planning

22A Islington Road
Southville, Bristol

Proposed 3D Views
External - Sheet 1

Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
17/12/2015	JE	KH	6254 3 0501	F
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning	
Scale	Sta	Scale @ A3	Developed Design	
NTS	A3			

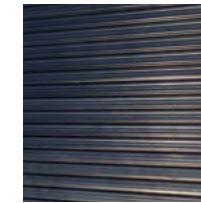
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Standing seam metal roofing / cladding



Red brick cladding to closely match existing



Metal panel finish to roller shutter door

Grey PPC aluminium window / door / rooflight frames / panels

Grey single ply roof to stores



Rev.	Date	Notes	Revised by	Checked by
E	21/3/2017	Minor revisions to windows; notes updated; issued for planning.	JE	
F	18/4/2017	Minor revisions to suit survey information.	JE	
G	17/11/2017	Material change to stores, doors and fence to garden.	JE	
H	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
I	11/7/2018	Roof form revised to include hipped gable at eastern end.	JE	



East Elevation - Red brick walls with standing seam cladding / roof

Planning

22A Islington Road
Southville, Bristol

Proposed Elevations
East Elevation

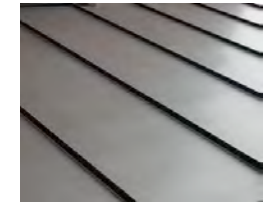
Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
8/3/2016	JE		6254 3 0301	I
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			

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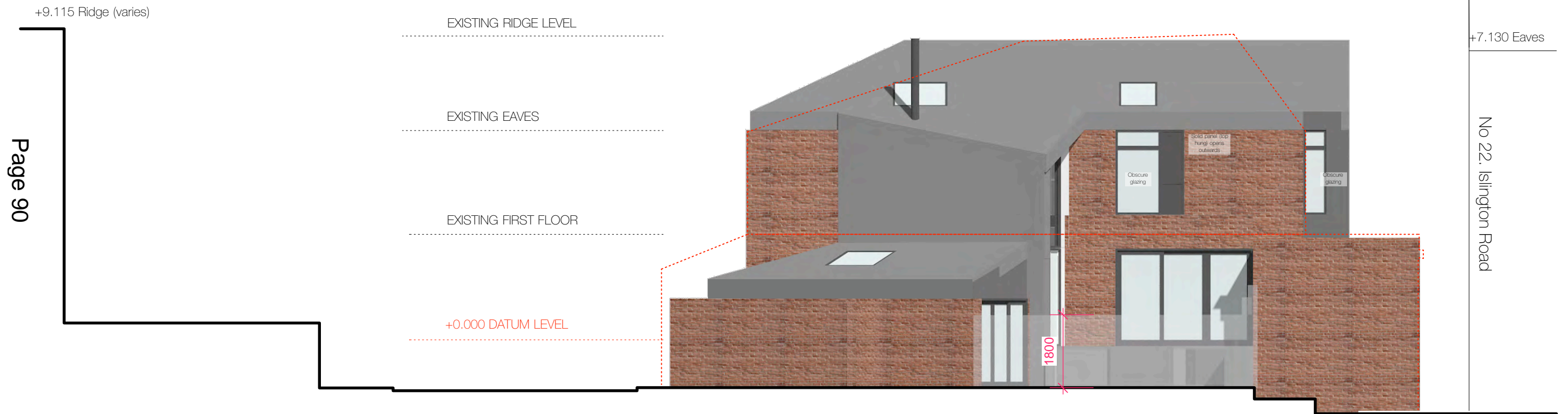
Red brick cladding to closely match existing



Standing seam metal roofing / cladding

Grey PPC aluminium window / door / rooflight frames / panels

Fence greyed out for clarity



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North Elevation - Red brick walls with standing seam cladding / roof

Rev.	Date	Notes	Revised by	Checked by
C	21/3/2017	Minor changes to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	17/11/2017	Notes updated.	JE	
F	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
G	11/7/2018	Roof form revised to include hipped gable at eastern end; fence height indicated; drawing number corrected to Stage 3.	JE	

Planning

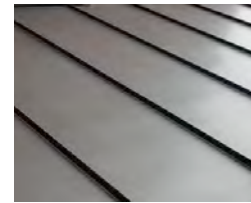
22A Islington Road
Southville, Bristol

Proposed Elevations
North Elevation

Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
29/9/2015	JE	KH	6254 3 0302	G
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning Developed Design	
Scale	Sta	Scale @ A3		
1:100 @ A3	A3			

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Standing seam metal roofing / cladding



Red brick cladding to closely match existing



South Elevation - Red brick walls with standing seam cladding / roof

Rev.	Date	Notes	Revised by	Checked by
B	3/3/2017	Roof pop-ups omitted; roof lowered; notes updated. Issued to client for approval.	JE	
C	21/3/2017	Minor amendments to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
F	11/7/2018	Roof form revised to include hipped gable at eastern end.	JE	

Planning

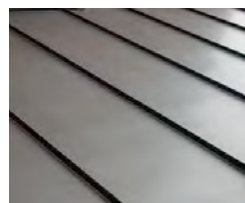
22A Islington Road
Southville, Bristol

Proposed Elevations
South Elevation

Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
13/6/2016	YH	JE	6254 3 0303	F
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning	
Scale	Size	Scale @ A3	Developed Design	
1:100 @ A3	A3			

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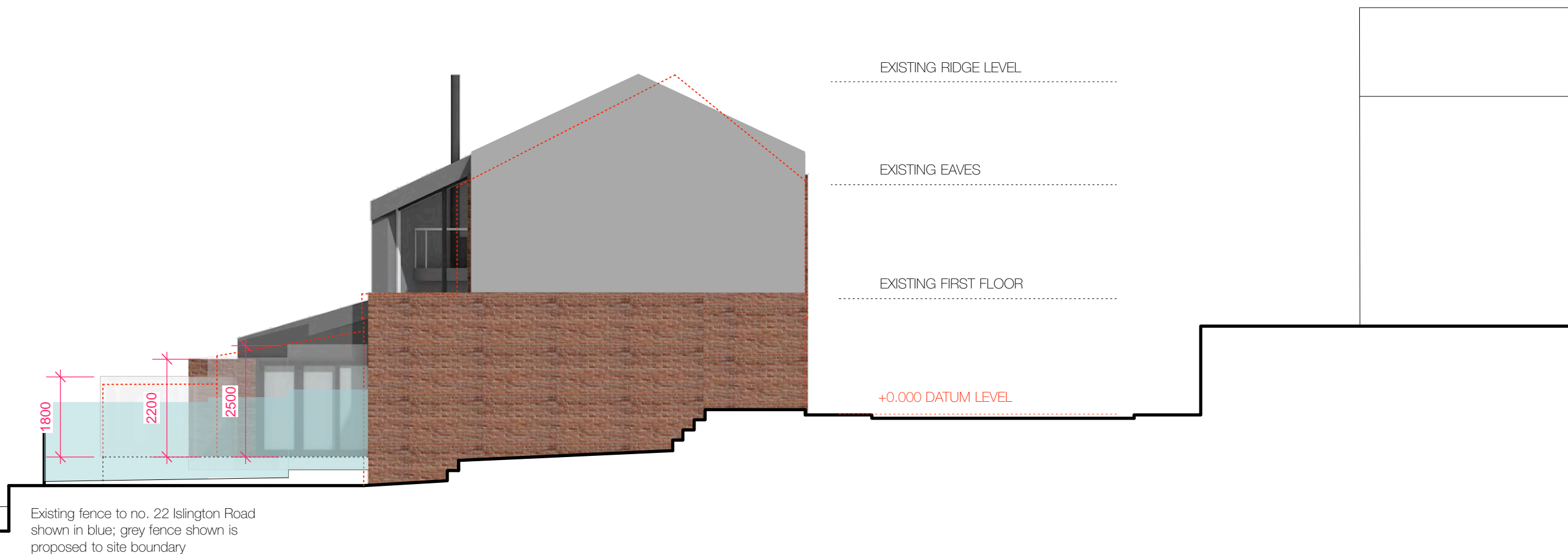
Standing seam metal roofing / cladding



Red brick cladding to closely match existing

Fence greyed out for clarity

Grey PPC aluminium window / door / rooflight frames / panels



Rev.	Date	Notes	Revised by	Checked by
C	21/3/2017	Minor revision to window; notes added; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
F	20/2/2018	Depth of elevation extended to show area at rear of proposed dwelling.	JE	
G	11/7/2018	Annotations added to fencing.	JE	



West Elevation - Red brick walls with standing seam cladding / roof

Planning

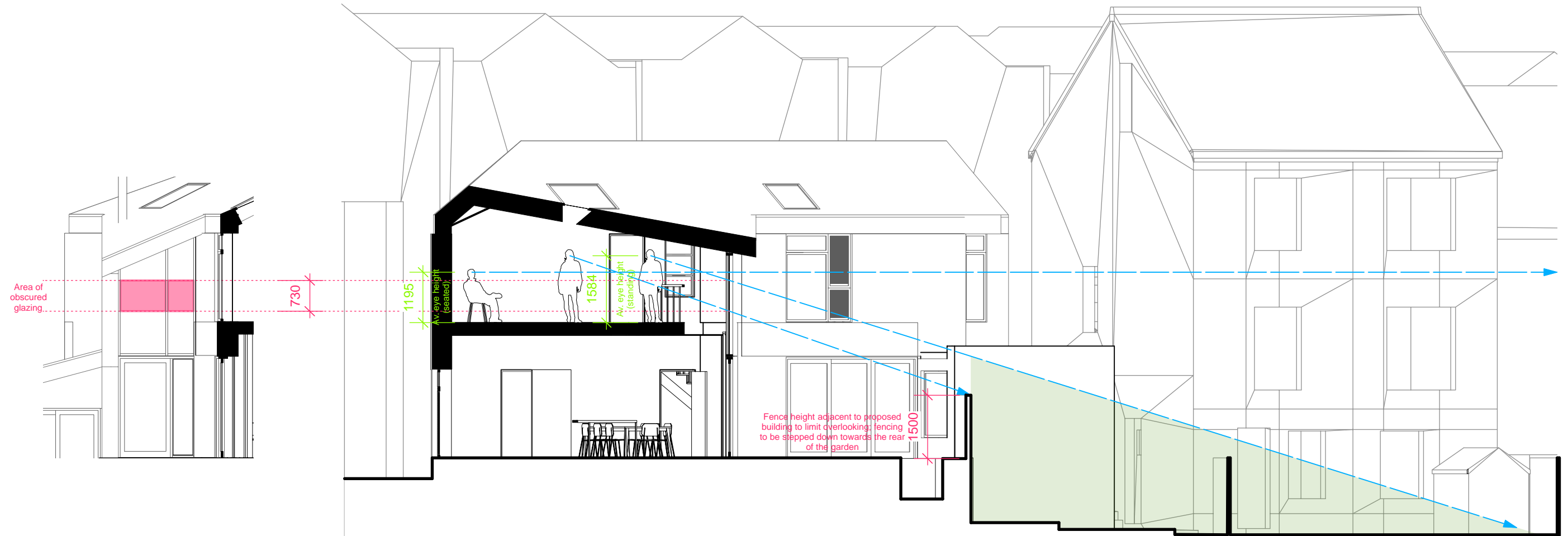
22A Islington Road
Southville, Bristol

Proposed Elevations
West Elevation

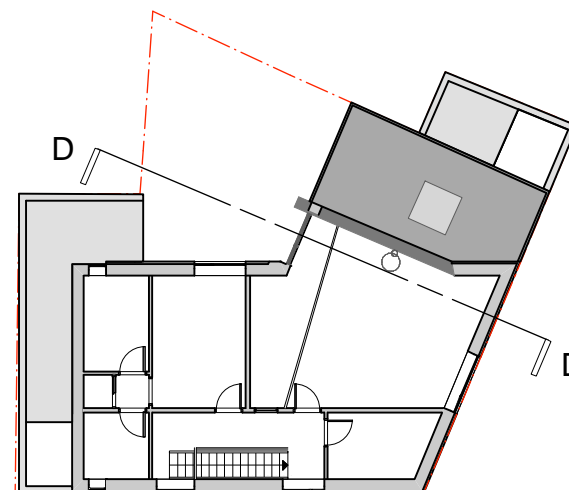
Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
13/6/2016	YH	JE	6254 2 0304	G
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning	
Scale	Size	Scale @ A3	Developed Design	
1:100 @ A3	A3			

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Type of obscured glazing proposed to curtain walling at rear



Section D-D - Curtain walling showing obscured glazing

Rev.	Date	Notes	Revised by	Checked by
A	11/7/2018	Roof form revised to include hipped gable at eastern end.	JE	

Planning

22A Islington Road
Southville, Bristol

Date	Drawn	Checked	Drawing No	Amendment
14/3/2018	JE	KH	6254 3 0204	A
Date	Amended	Checked	Status + Work Stage	
11/7/2018	JE		Planning	
Scale	Size	Scale @ A3	Developed Design	
1:100 @ A3	A3			

Proposed Sections
Section D-D

Thomas Beldam & Georgina Bolton
Check all dimensions on site. If in doubt ask.

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Daylight / Sunlight Assessment

Issue: Planning

Revision : 5

Issue Date: July 2018

for

22A Islington Road, Southville, Bristol BS3 1QB



Page 94

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white design

Fifth Issue	July 2018	Updated to revised design and issued for Planning	JE	
Fourth Issue	March 2018	Updated to revised design and issued for Planning	JE	
Third Issue	November 2017	Revised and issued for Planning	JE	KH
Second Issue	June 2016	Issued for Planning	JE	KH
First Issue	June 2016	Issued in draft	JE	KH
Rev.	Date	Notes	Author	Checked by

Front page: OS Map extract, Application Site (red outline)

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4 Diagrams - 21st March.....	8
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1 Introduction

This Daylight / Sunlight Assessment is for the proposed development of 22A Islington Road, Bristol as requested following the pre-application planning submission. The document is developed having regard to the BRE's (Building Research Establishment) guidance document *Site Layout Planning for Daylight and Sunlight*.

This document assesses the impact of the proposal on adjoining properties, including associated gardens or amenity space, in respect of potential loss of daylight and sunlight.

Since previous planning submissions, the design of the building has been revised to include a hipped roof to the eastern end; this is to limit overshadowing and to reduce the perceived height of the building where it turns the corner. There is also a stepped fence proposed to the boundary with no. 22 Islington Road to minimise perceived overlooking, whilst keeping any overshadowing to a minimum.

2 Daylight

In relation to daylight, the BRE guidelines are intended to be used for “rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms”. The guidance states that windows to the following areas need not be analysed: “bathrooms, toilets, storerooms, circulation areas and garages”.

Two windows have been used for the purpose of this assessment. The first is the downstairs rear window / patio door to the property on the corner of Allington / Islington Road (see plan and photograph). This opening has been chosen as it is the closest, and lowest, living room window on Allington Road. The first test referred to in the guidance is as follows:

“loss of light to existing windows need not be analysed if the distance of each part of the new development from the existing window is three or more times its height above the centre of the existing window. In these cases the loss of light will be small.”

Due to the change of level from the application site to the property on Allington Road, the above test is not met. The guidance continues:

“If the proposed development is taller or closer than this, a modified form of the procedure adopted for new buildings can be used to find out whether an existing building still receives enough skylight. First, draw a section in a plane perpendicular to each affected main window wall of the existing building (Figure 14 [see diagram below]). Measure the angle to the horizontal subtended by the new development at the level of the centre of the lowest window. If this angle is less than 25° for the whole of the development then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building.”

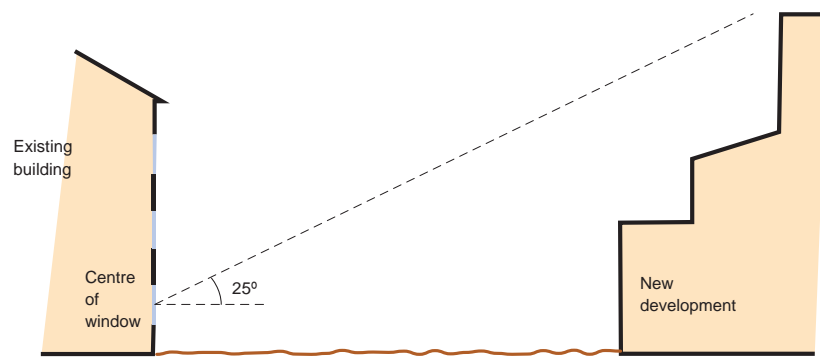
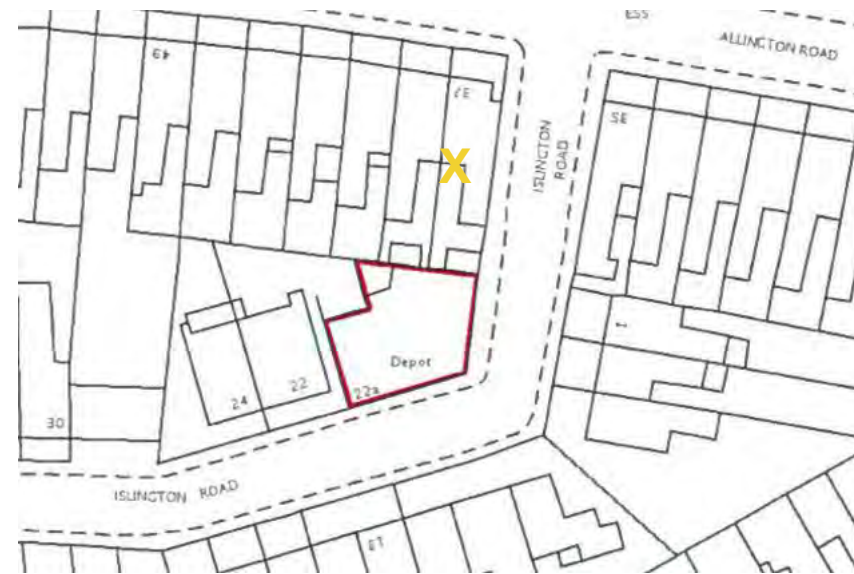
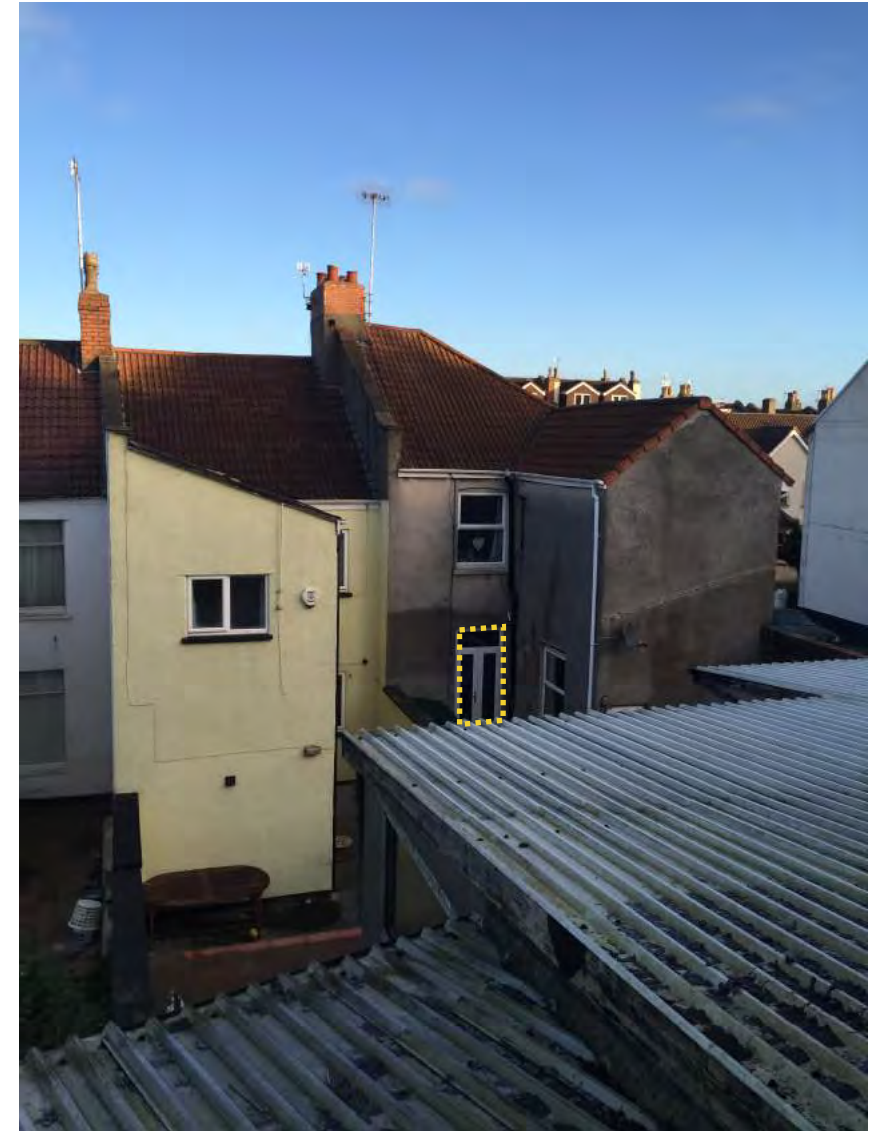


Figure 14 from BRE guidance document



Window location - plan

The proposed section (below) demonstrates that the 25° test can be met for this opening; the 1600mm height from which the line is drawn in the diagram is given in the guidance document for patio doors.



Window location - photo



Proposed section showing daylight calculation

The second window is to the adjacent property on Islington Road (no. 22). This is believed to serve a kitchen on the lowest floor. The window does not meet the tests referred to above; however, the guidance document provides specific guidance for situations where “an existing building has windows that are unusually close to the site boundary”. It states:

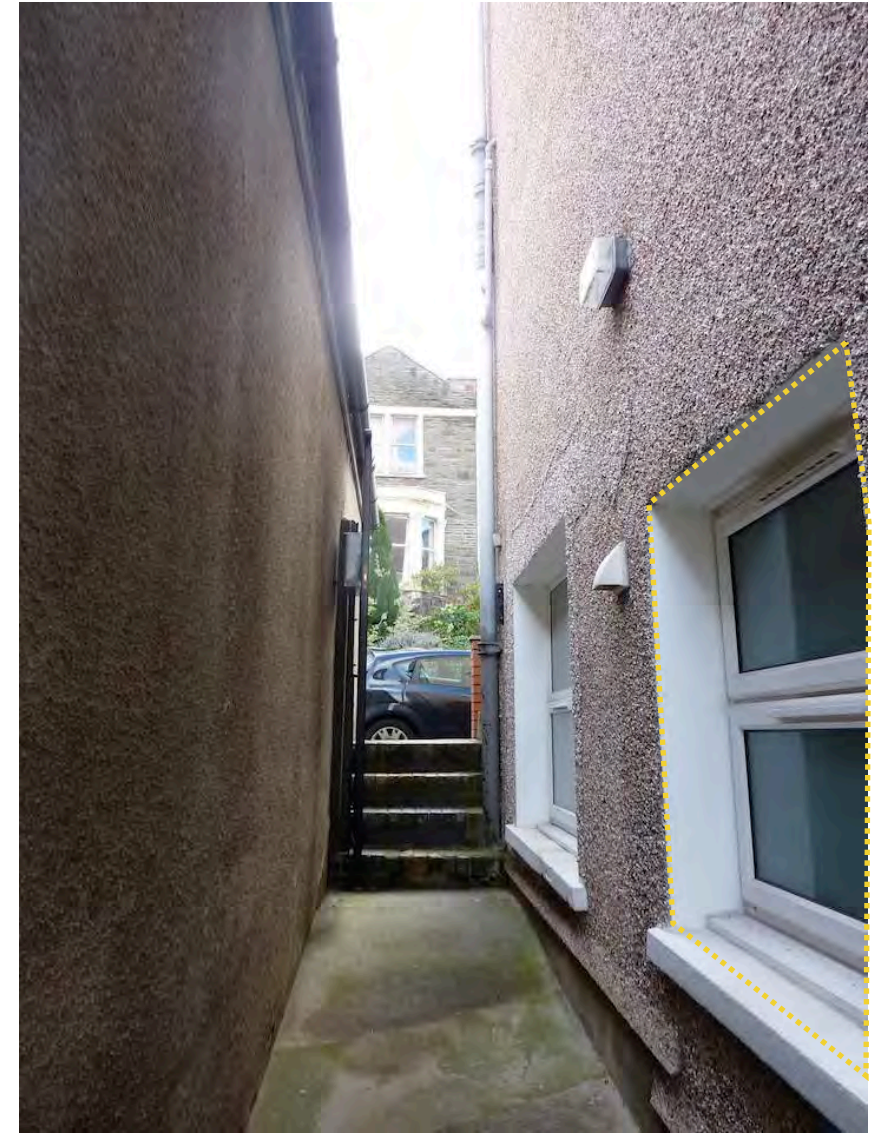
“Figure F3 [see diagram below] shows an example, where side windows of an existing building are close to the boundary. To ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size, an equal distance away on the other side of the boundary.”

The section below shows the proposed outline (at proposed roof ridge level) in relation to the mirror-image (at roof verge level). The area of sky visible (defined by the yellow arrow) is less for the mirror-image as would be for the proposed building (green outline). In addition, it should be noted that as the depth of the proposed building is less than its neighbour, the impact on daylight compared to the mirror-image would also be less.

Page 99



Window location - plan



Window location - photo

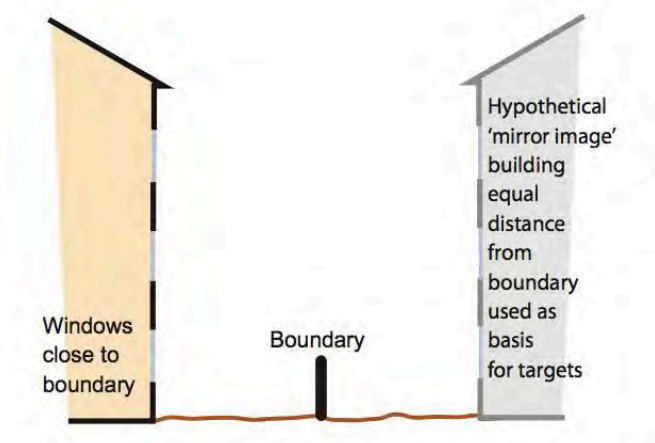
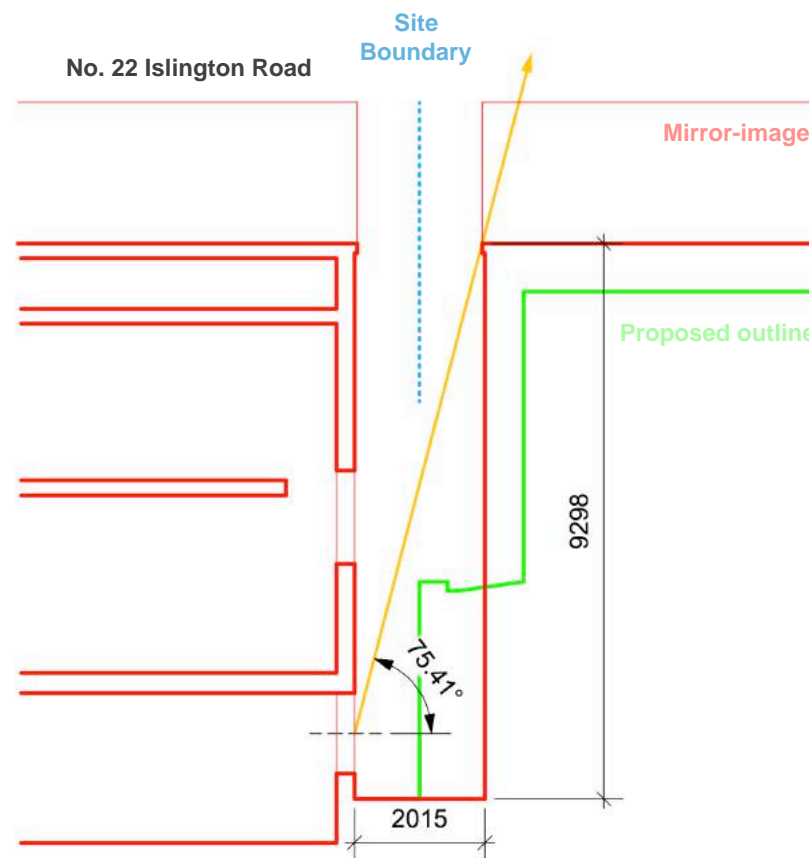


Figure F3 from BRE guidance document



Section showing mirror-image (red) and proposed outline (green)

3 Sunlight

The BRE guidance document identifies sunlight as a separate consideration. It states that:

“obstruction to sunlight may become an issue if: some part of a new development is situated within 90° of due south of a main window wall of an existing building; in the section drawn perpendicular to this existing window wall, the new development subtends an angle greater than 25° to the horizontal measured from the centre of the lowest window to a main living room (Figure 14 [see diagram on previous page])”.

As set out on page 5, the above test is met by the proposed development (see proposed section diagram).

In addition to consideration of the existing buildings, the BRE document recommends that sunlight in the spaces between buildings (in this case, the main back gardens to the existing houses) should also be assessed.

The guidance states:

“If an existing garden or outdoor space is already heavily obstructed then any further loss of sunlight should be kept to a minimum. In this poorly sunlit case, if as a result of new development the area which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, this further loss of sunlight is significant. The garden or amenity area will tend to look more heavily overshadowed.”

It continues:

“Where there are existing buildings as well as the proposed one, ‘before’ and ‘after’ shadow plots showing the difference that the proposed building makes may be helpful. In interpreting the impact of such differences, it must be borne in mind that nearly all structures will create areas of new shadow, and some degree of transient overshadowing of a space is to be expected.

“If a space is used all year round, the equinox (21 March) is the best date for which to prepare shadow plots as it gives an average level of shadowing. Lengths of shadows at the autumn equinox (21 September) will be the same as those for 21 March, so a separate set of plots for September is not required (...).

“As an optional addition, plots for summertime (eg 21 June) may be helpful as they will show the reduced shadowing then, although it should be borne in mind that 21 June represents the best case of minimum shadow, and that shadows for the rest of the year will be longer.”

The diagrams on the following pages show shadow plots for a before and after view of the site for the 21st of March and 21st of June. Since previous planning submissions, it has been noted that the proposed rear fence to no. 22a is what is causing the majority of any changes to the shadow plots, not the buildings. The number of diagrams have therefore been expanded to show the proposed building with and without the proposed 1.8m high

boundary fence; the diagrams also show the existing building with a 2m high boundary fence (as would be within permitted development rights).


The diagrams on the following pages are set out as follows:

Top Left - Existing building - with existing fence to no. 22 boundary, but none to rear (current situation)

Bottom Left - Existing building - with 2m fence to rear boundary (within permitted development rights)

Top Right - Proposed building - with existing fence to no. 22 boundary, but none to rear (to demonstrate that the building itself has minimal impact)

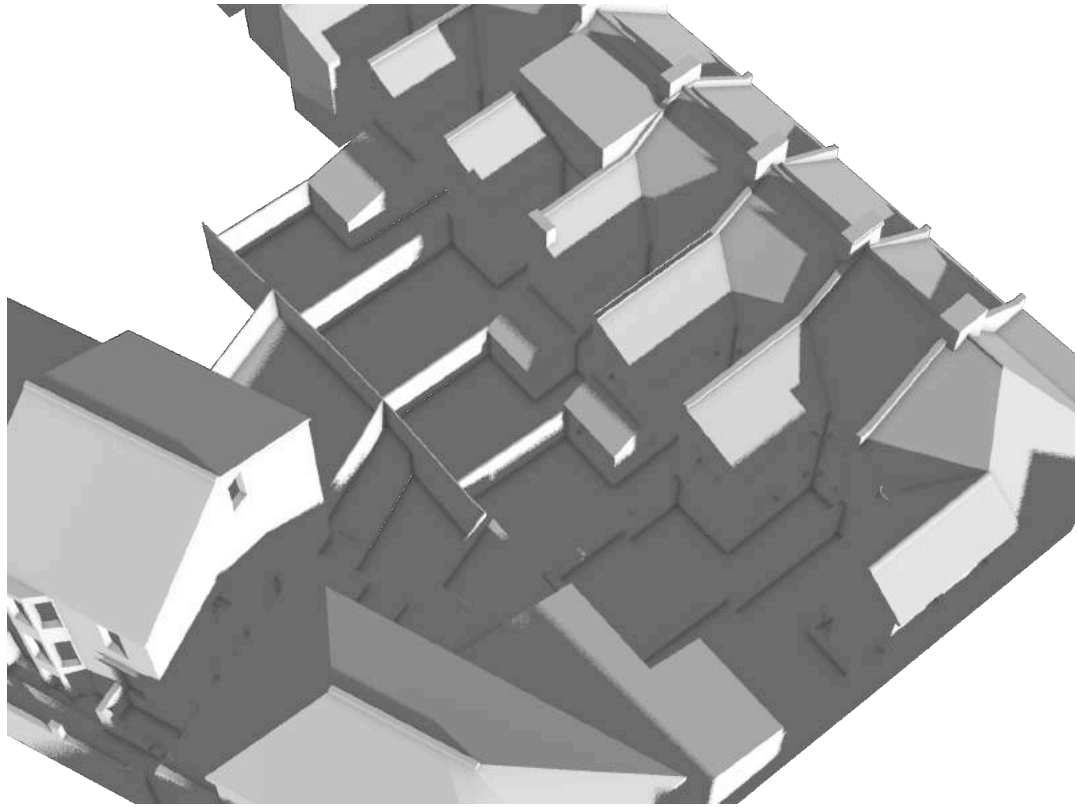
Bottom Right - Proposed - with 1.8m fence to rear boundary and stepped fence to no. 22 boundary

The yellow outline  provides a comparison to the current situation (top left image).

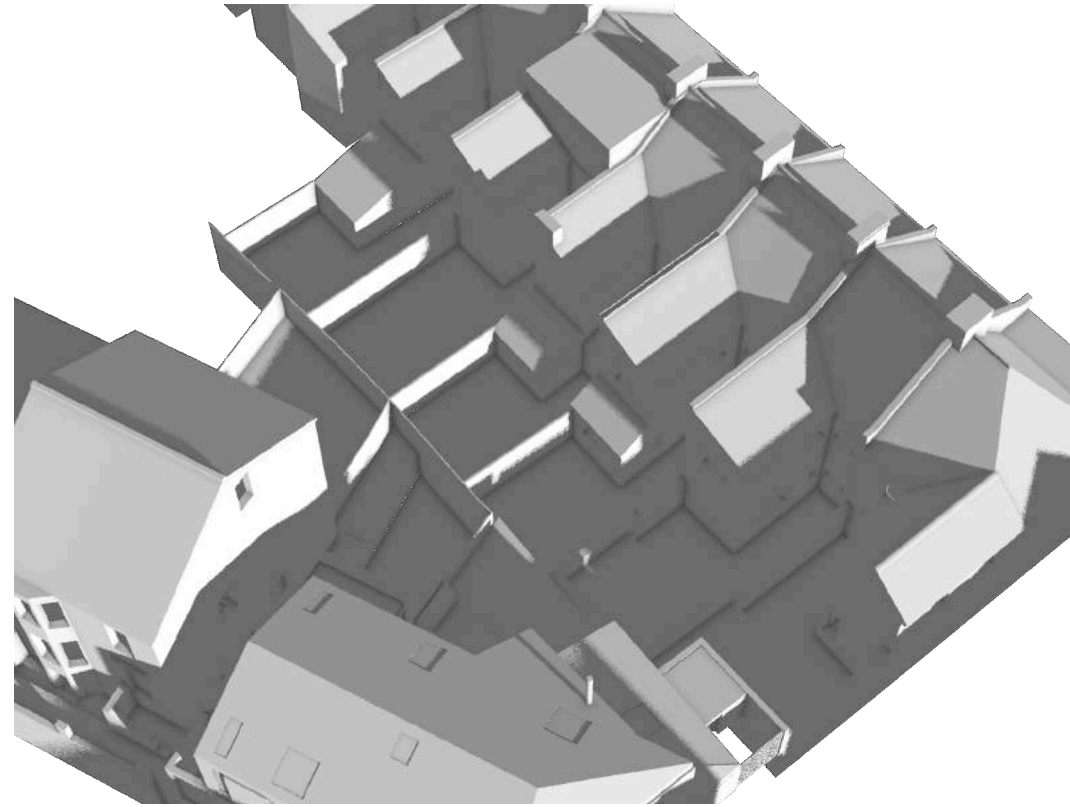
Each of the following pages provides a commentary on the shadow impact. Section 6 of this document sets out conclusions in relation to daylight and sunlight impacts.

4 Diagrams - 21st March, 8am

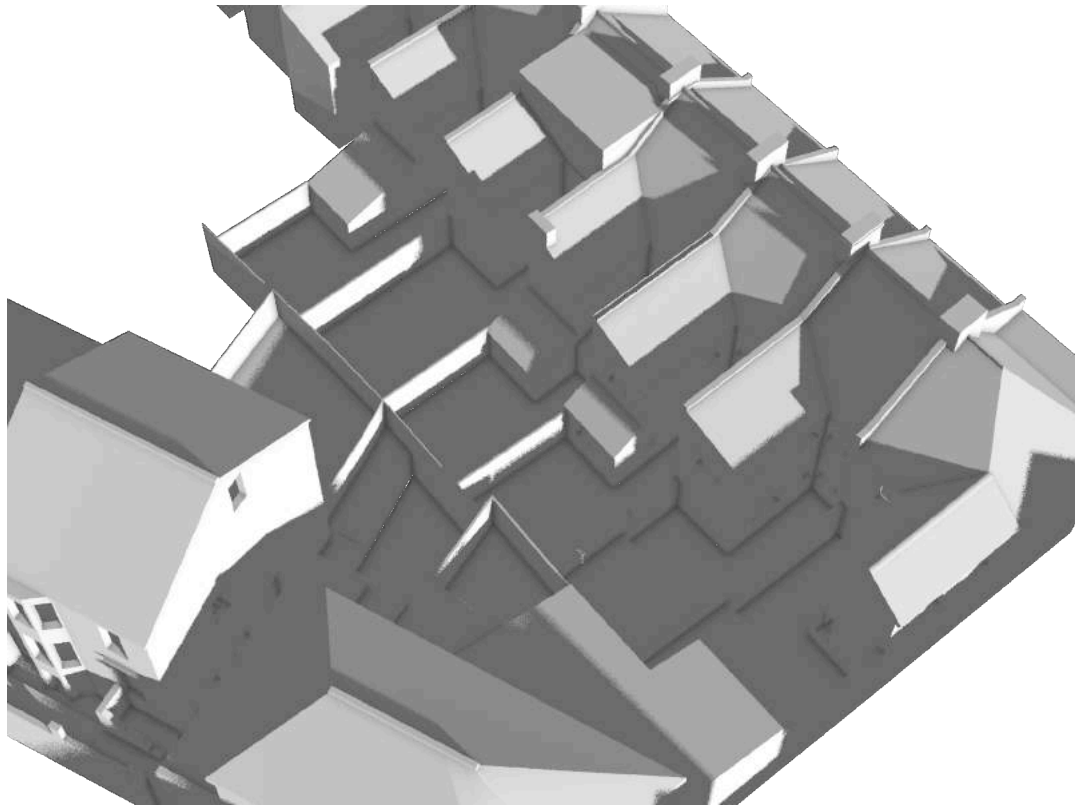
Commentary
- no gardens receive direct sunlight; no change from existing



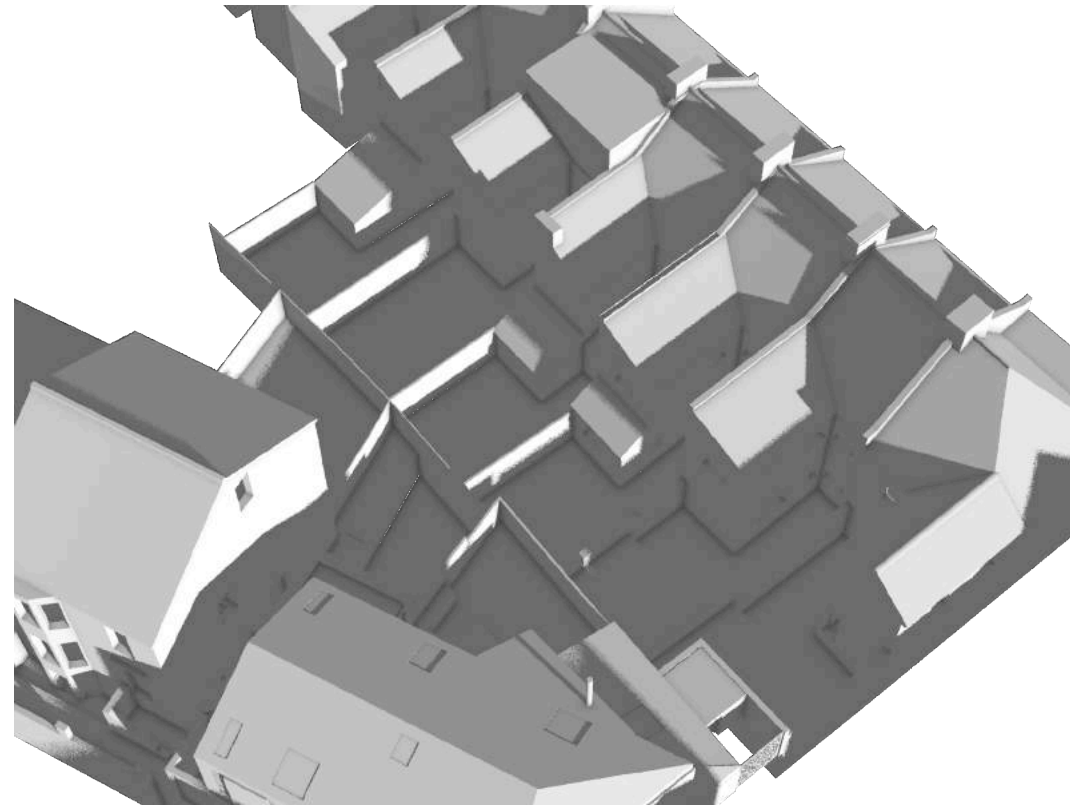
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



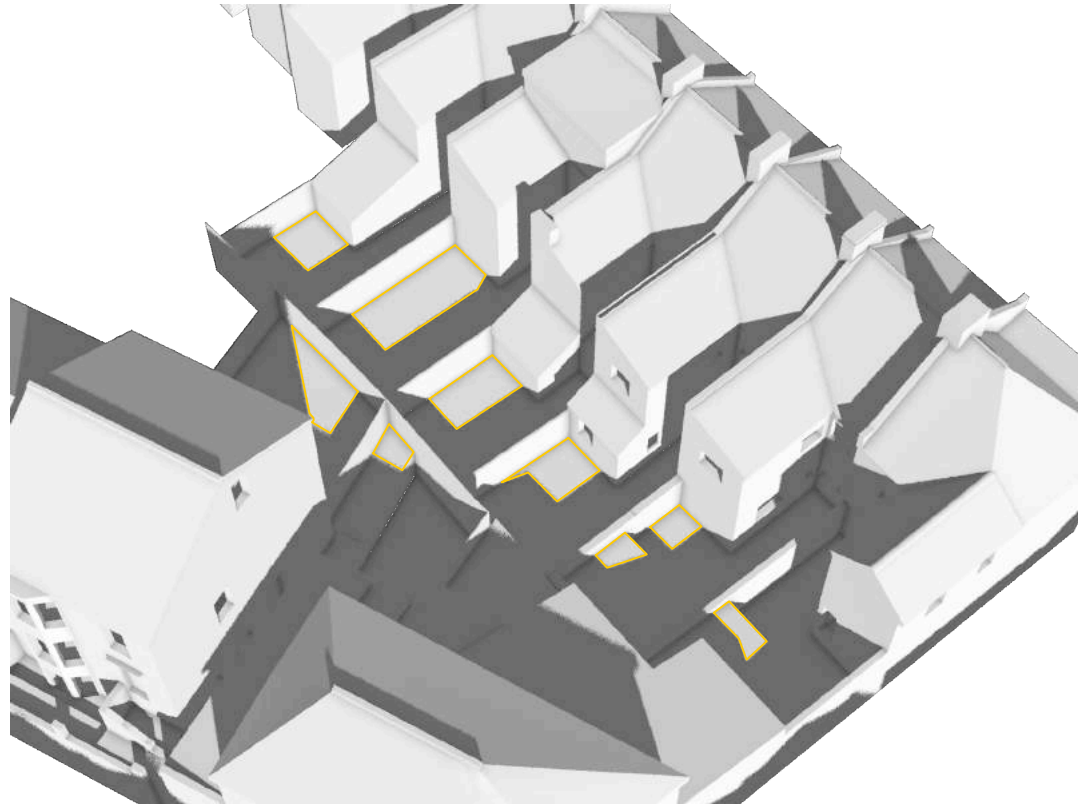
Existing building with 2m fence to rear boundary



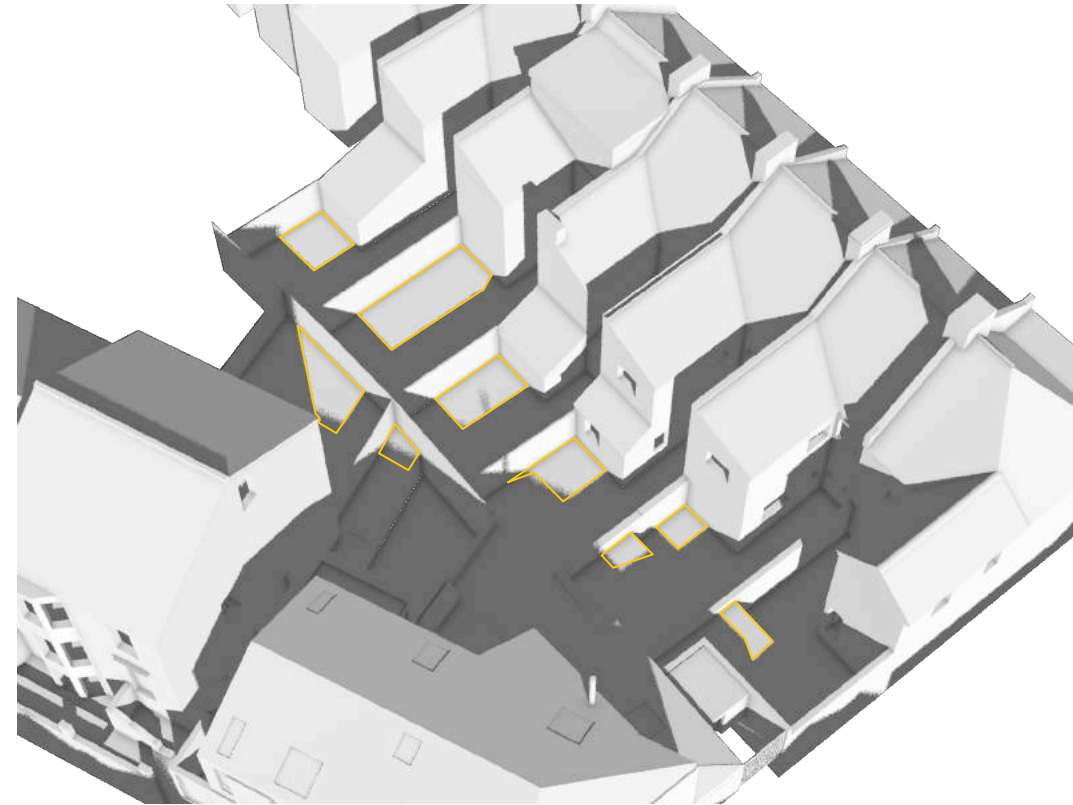
Proposed building with proposed fence to rear boundary

white design

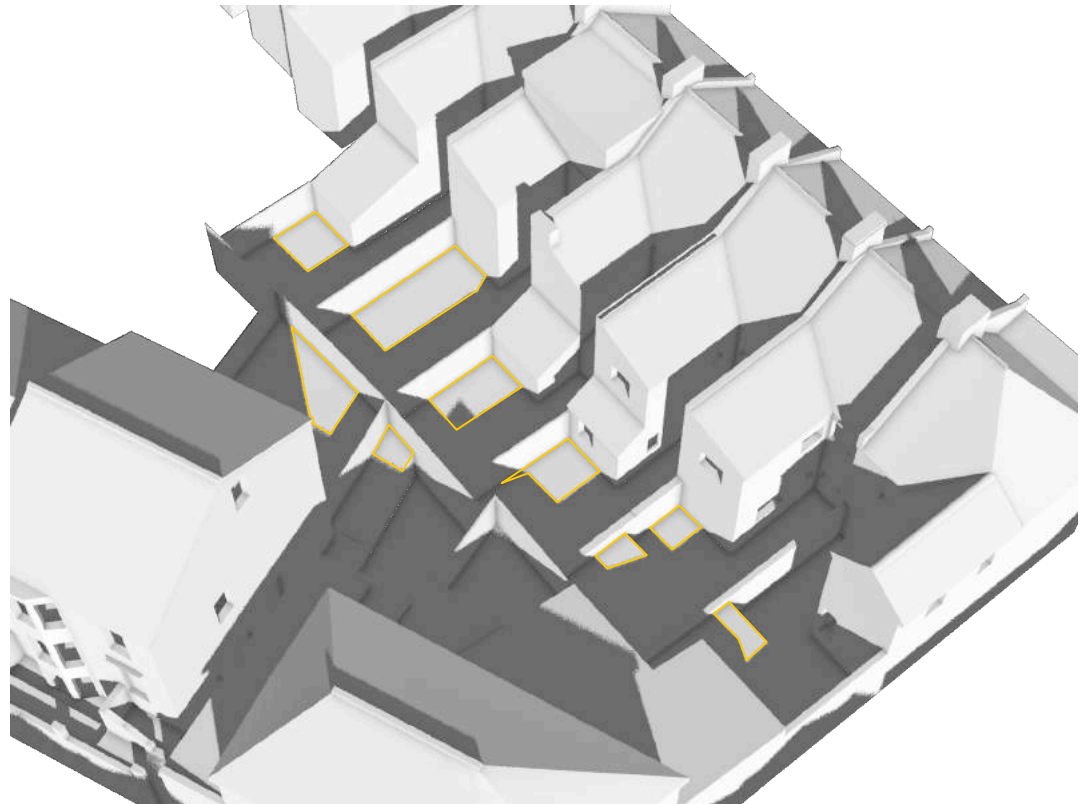
21st March, 10am



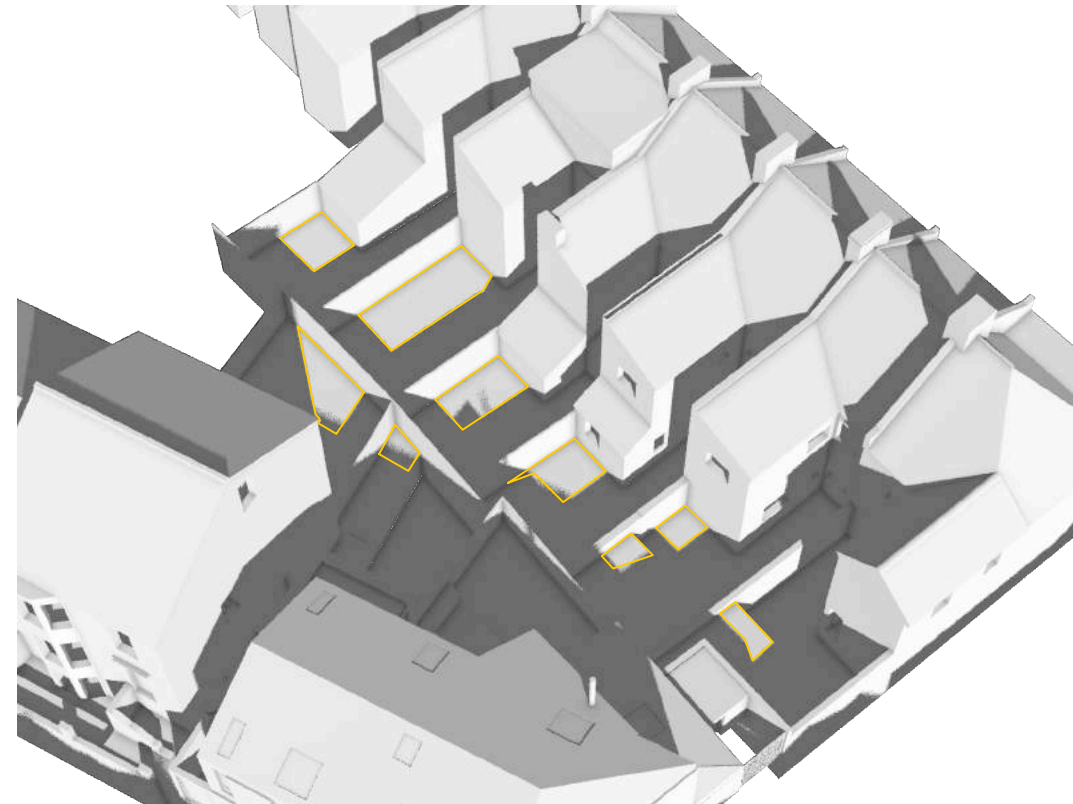
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

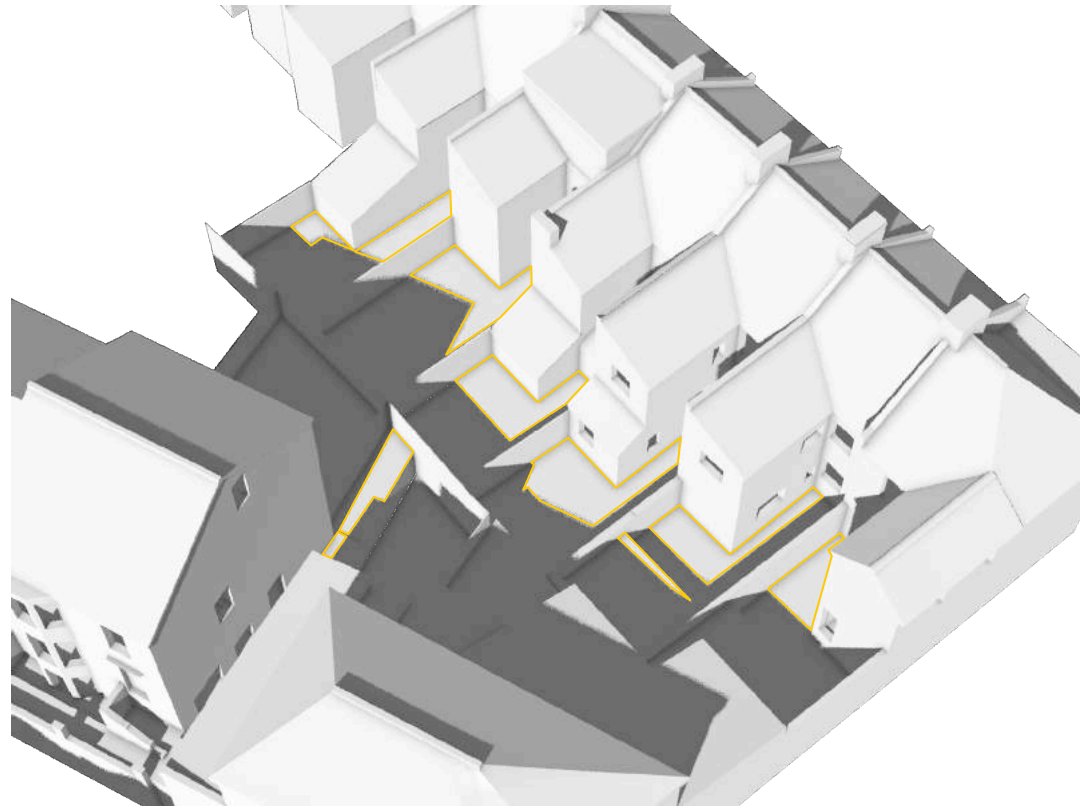


Proposed building with proposed fence to rear boundary

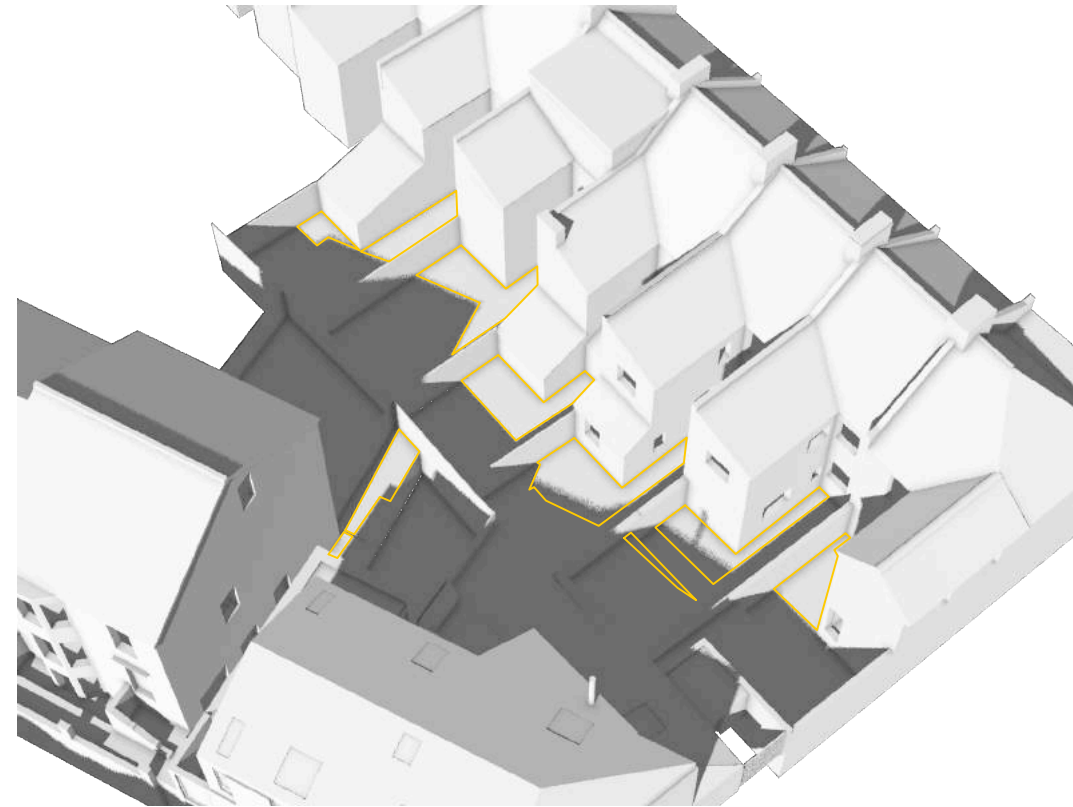
Commentary

- small impact (0.86 of former sunlit area) to 4th garden along Allington Road; bottom left image demonstrates that the impact is related to the proposed fence, not the building
- small impact (0.91 of former sunlit area) to main garden of no. 22 Islington Road; impact is related to the proposed building
- impact (0.50 of former sunlit area) to side garden of no. 22 Islington Road; impact is related to the proposed building

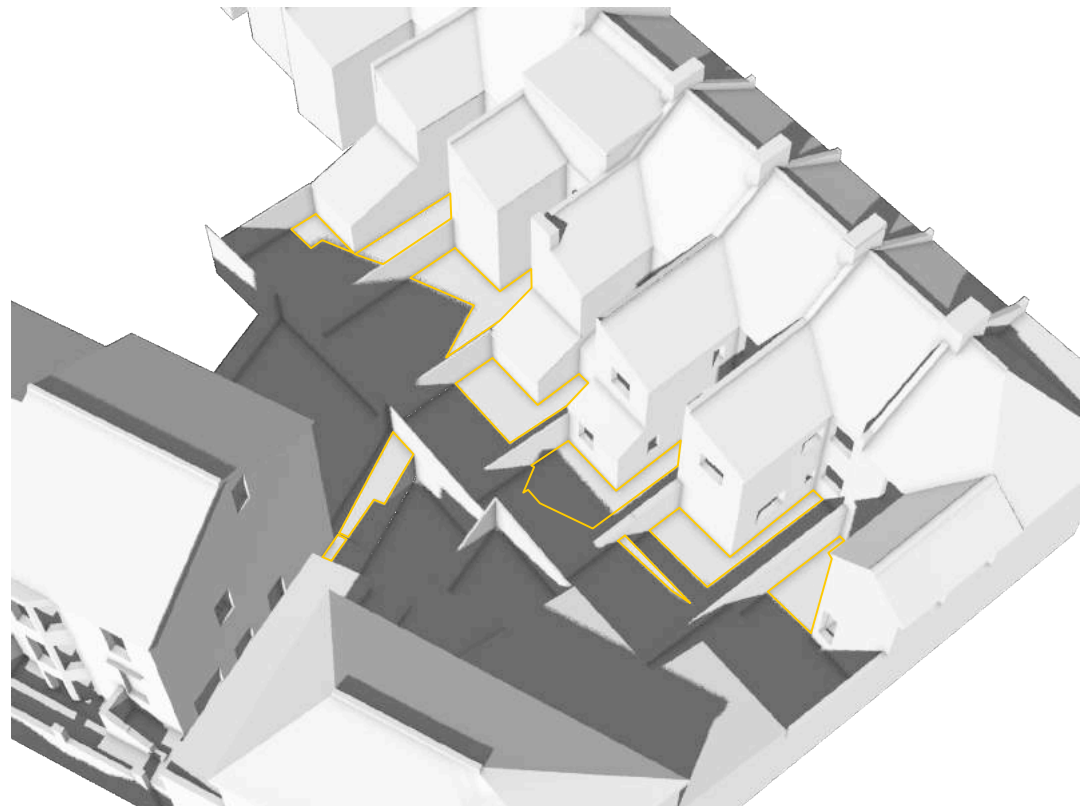
21st March, 12noon



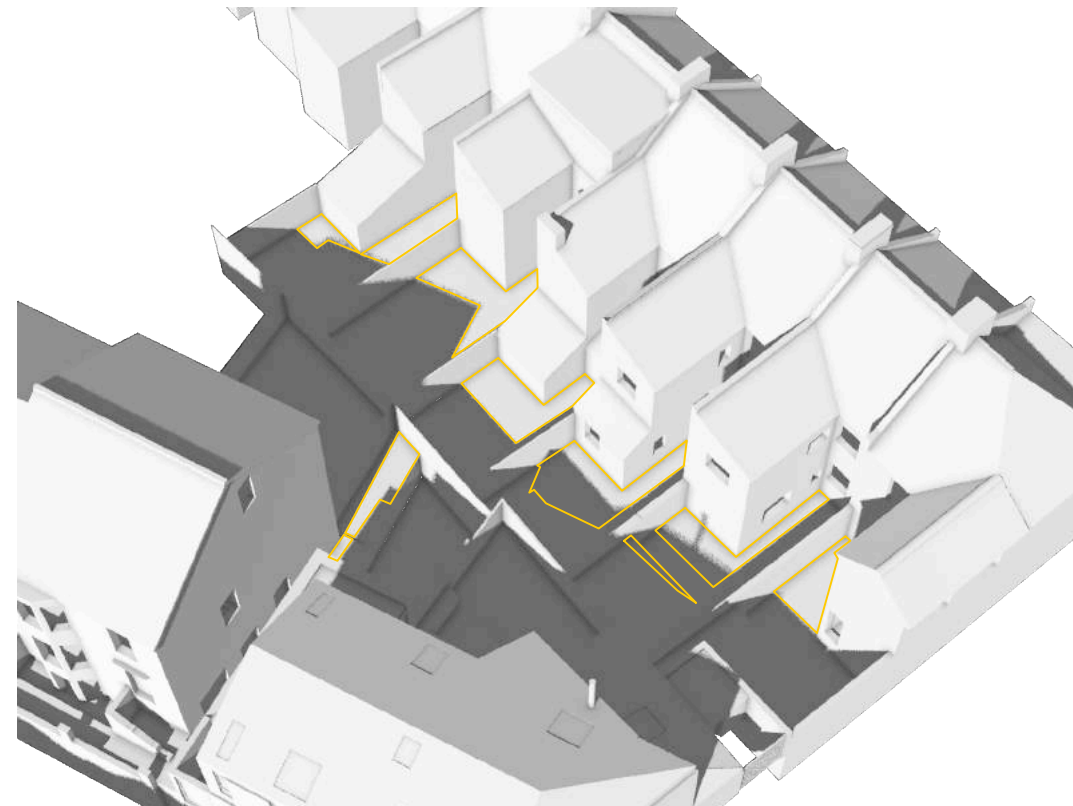
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

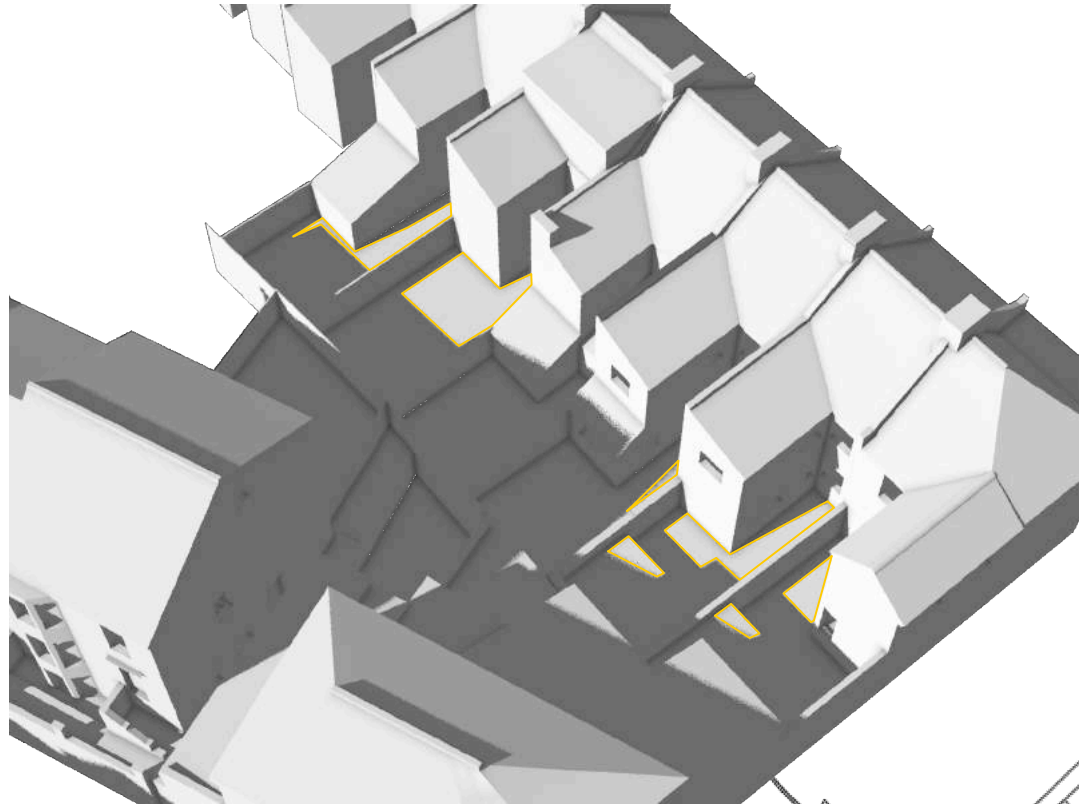


Proposed building with proposed fence to rear boundary

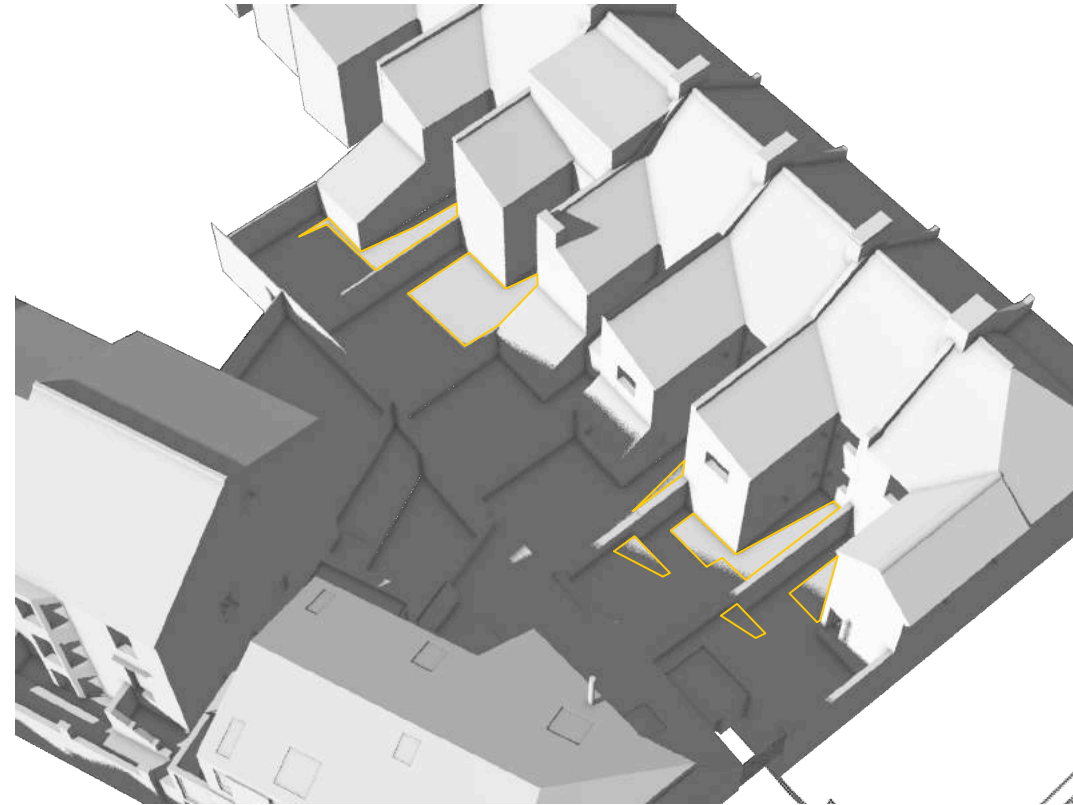
Commentary

- impact (0.43 of former sunlit area) on 3rd garden along Allington Road; bottom left image demonstrates that the impact is related to the proposed fence
- impact (0.61 of former sunlit area) on 2nd garden along Allington Road; this is related to the proposed building
- small impact (0.93 of former sunlit area) on side garden of no. 22 Islington Road; this is related to the proposed building

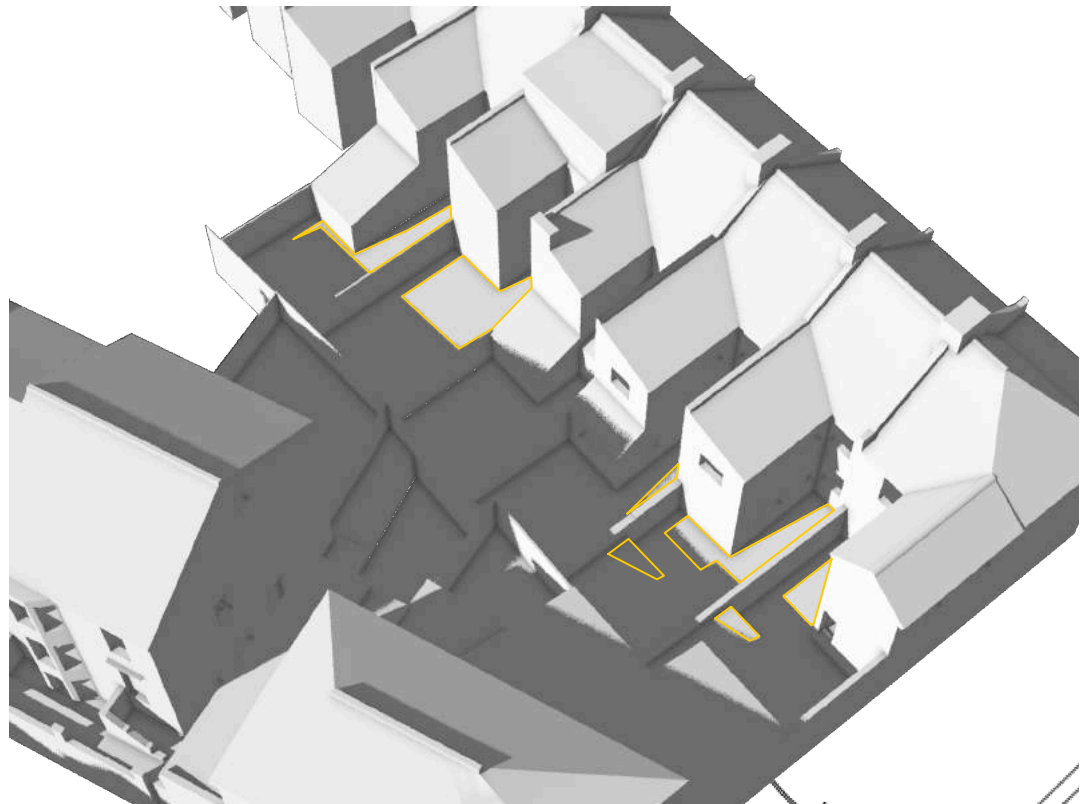
21st March, 2pm



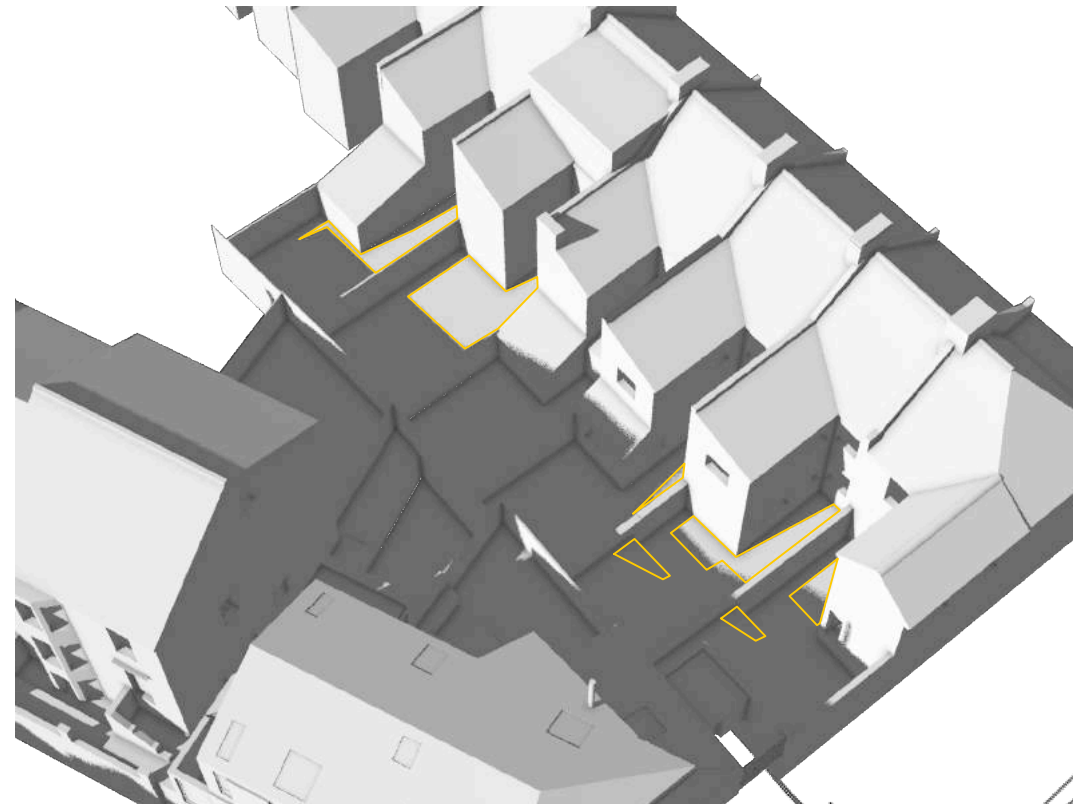
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

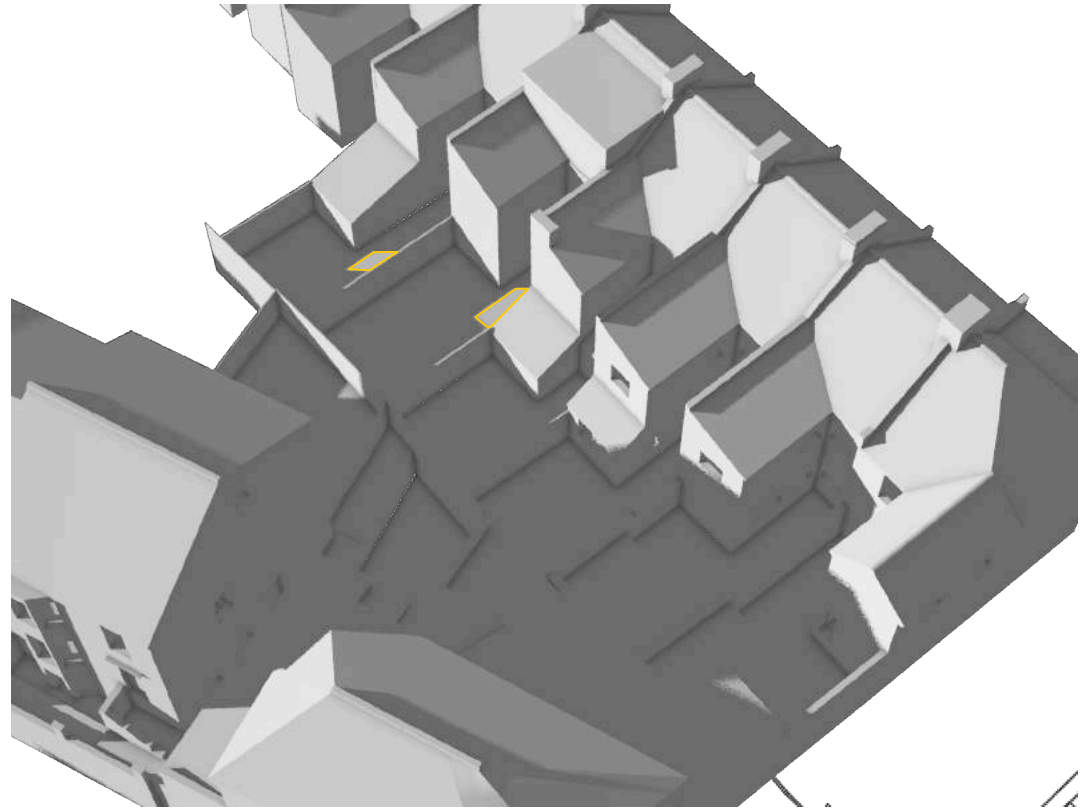


Proposed building with proposed fence to rear boundary

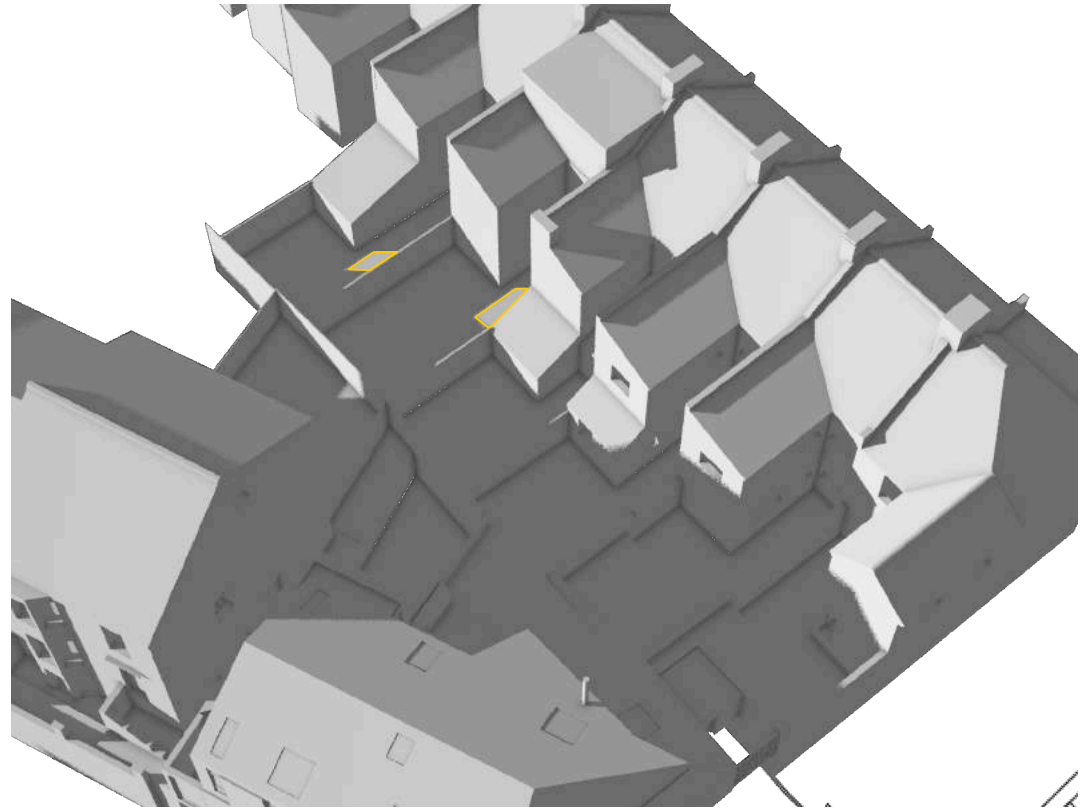
Commentary

- small impact (0.81 of former sunlit area) on 2nd garden along Allington Road; bottom left image demonstrates that the impact is related to the proposed fence
- impact (0.61 of former sunlit area) to 1st house on Allington Road; this is related to the proposed building

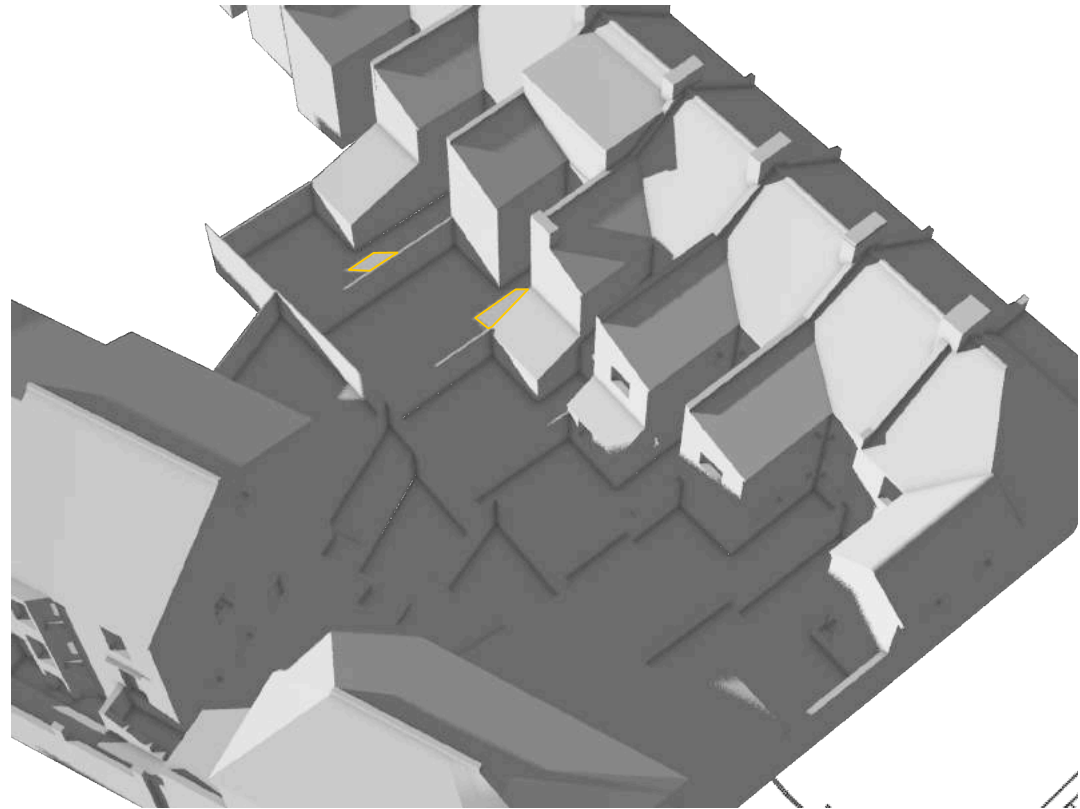
21st March, 4pm



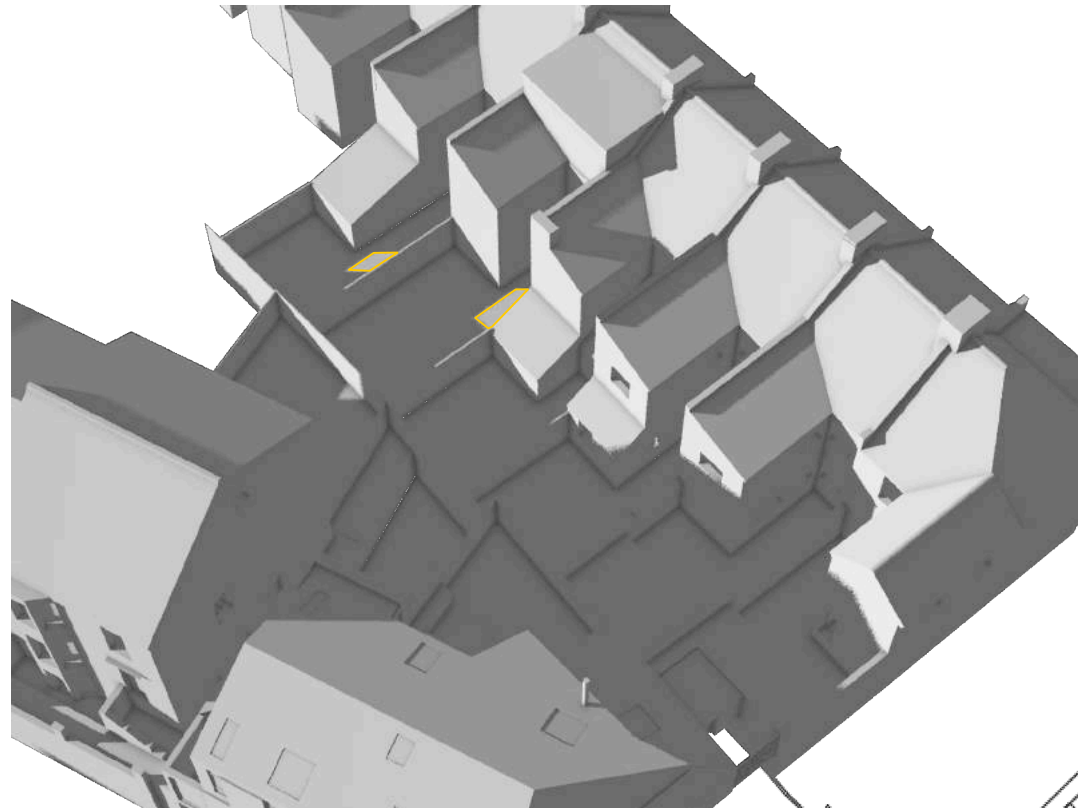
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

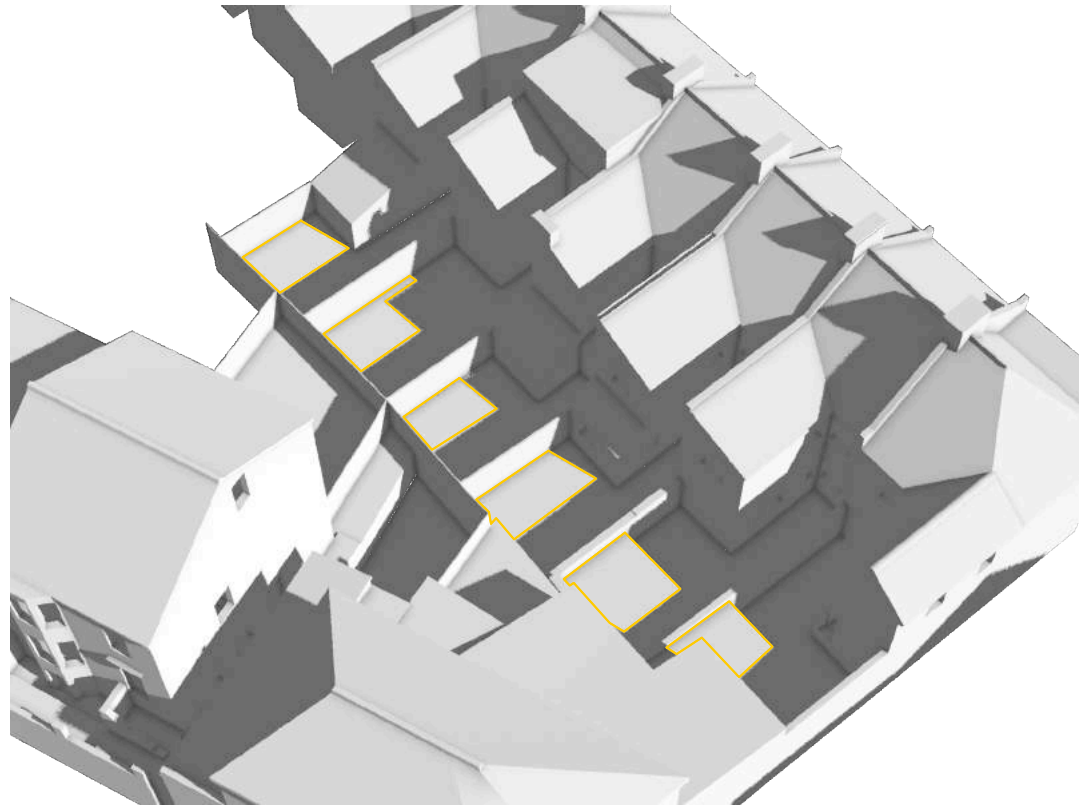


Proposed building with proposed fence to rear boundary

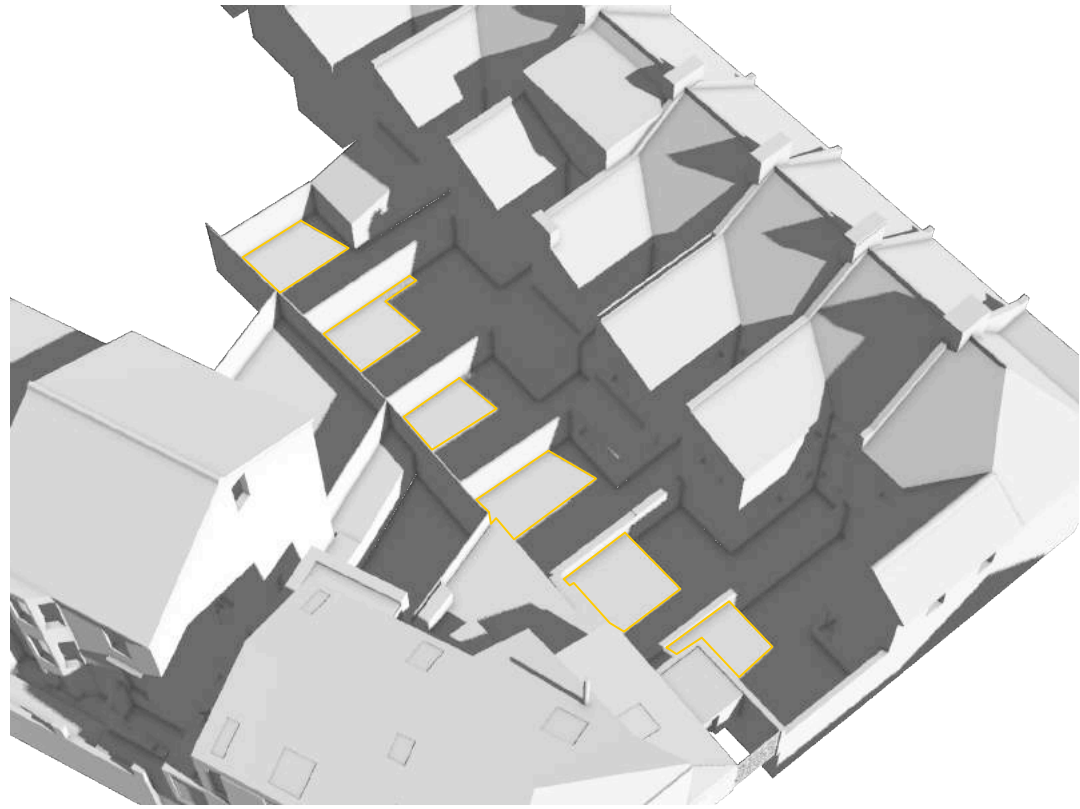
Commentary
- very little direct sunlight; no change from existing

5 Diagrams - 21st June, 8am

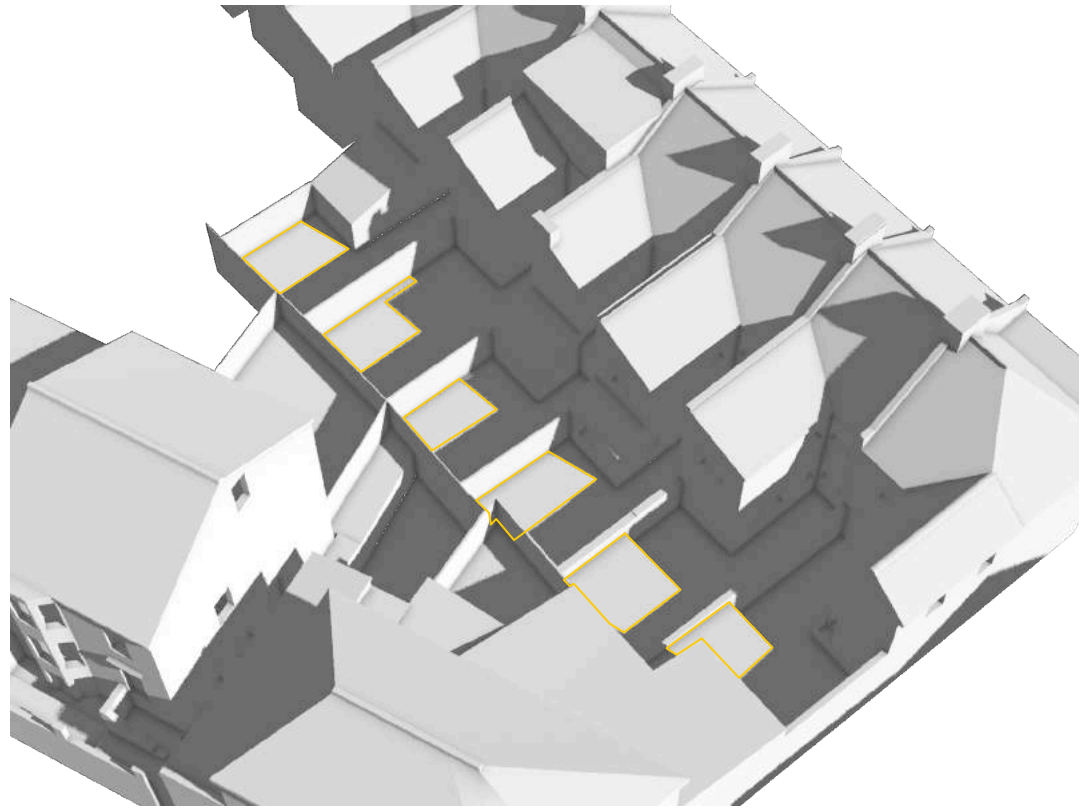
Commentary
- no change from existing



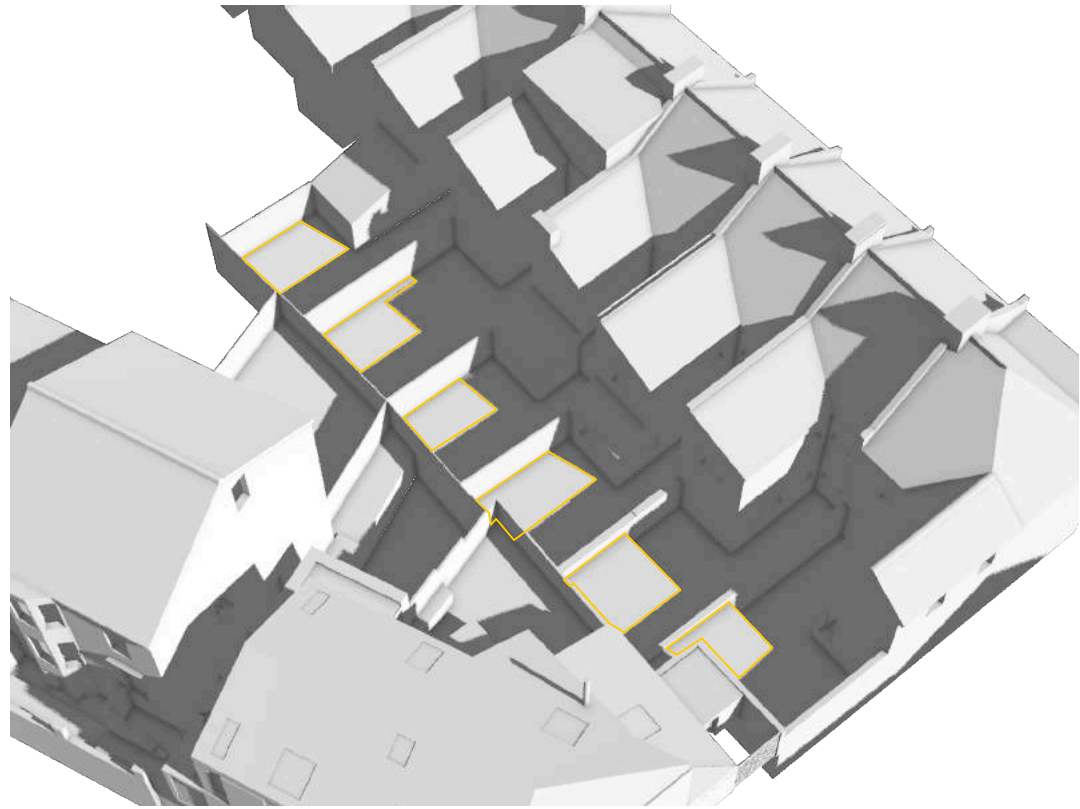
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

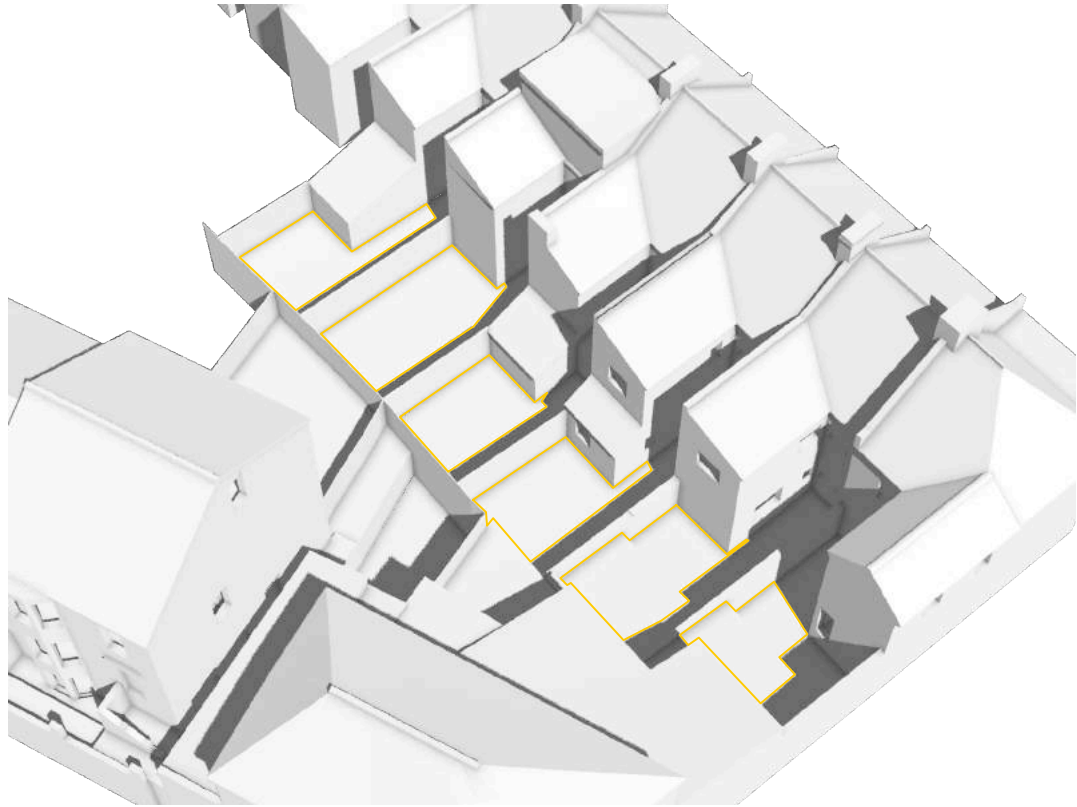


Proposed building with proposed fence to rear boundary

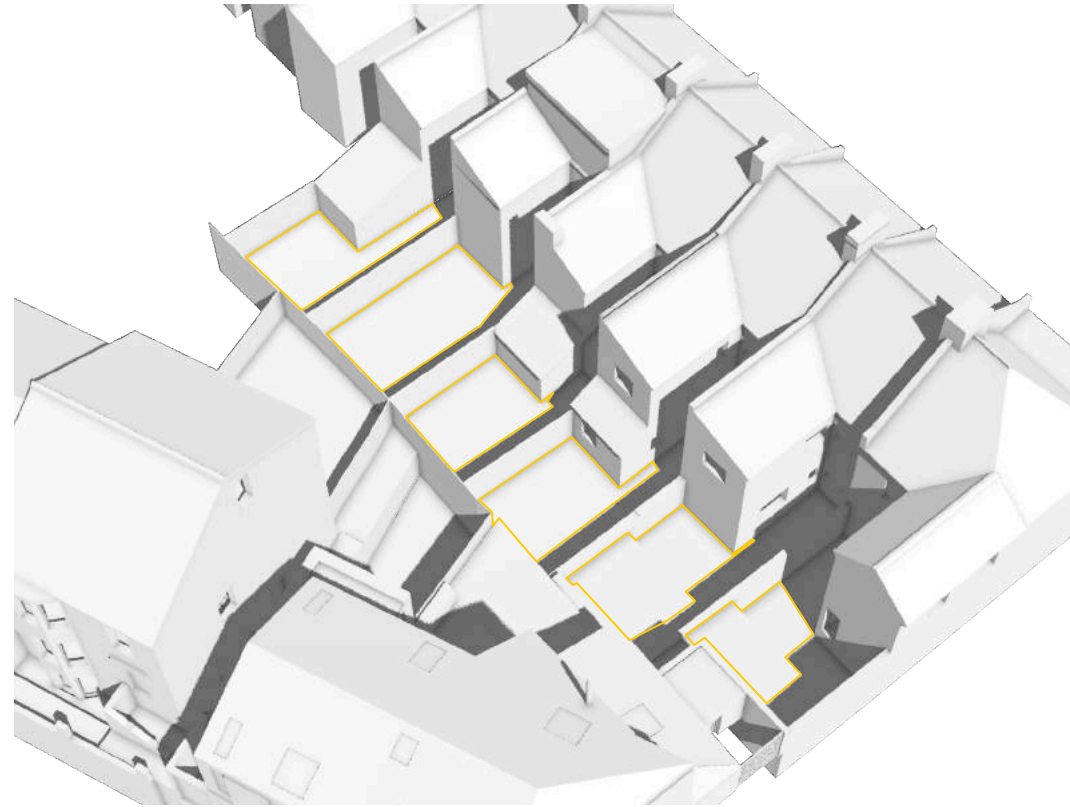
white design

21st June, 10am

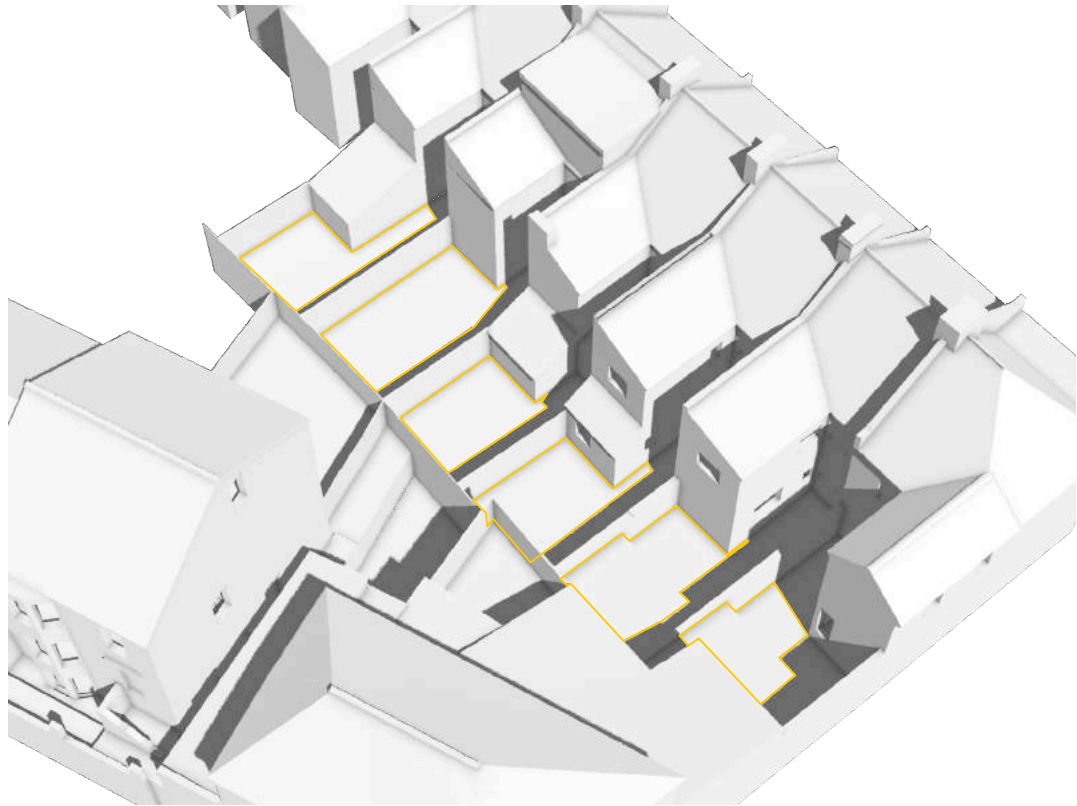
Commentary
- no change from existing



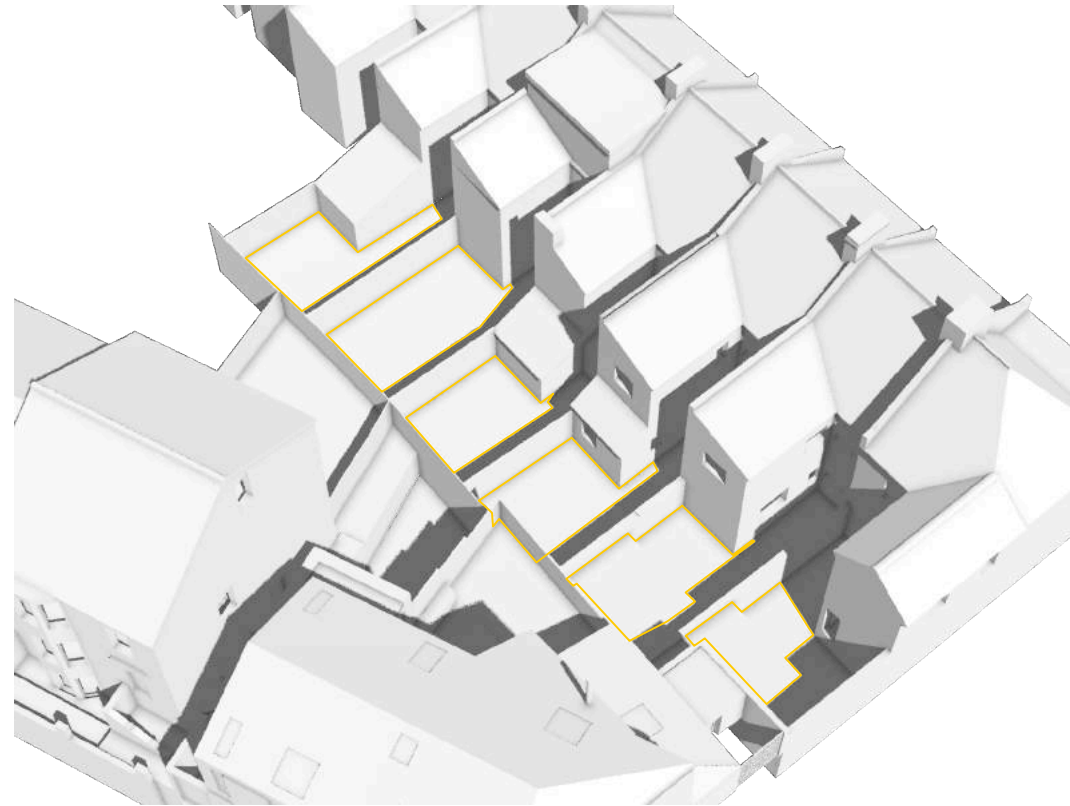
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary

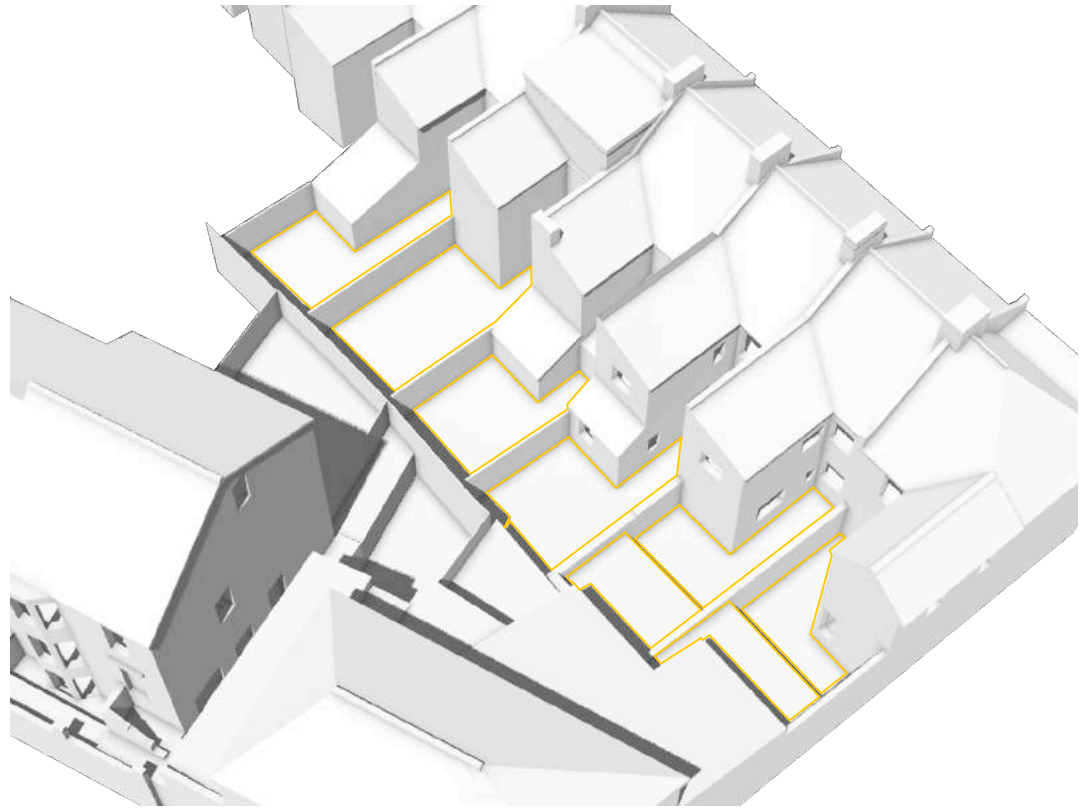


Proposed building with proposed fence to rear boundary

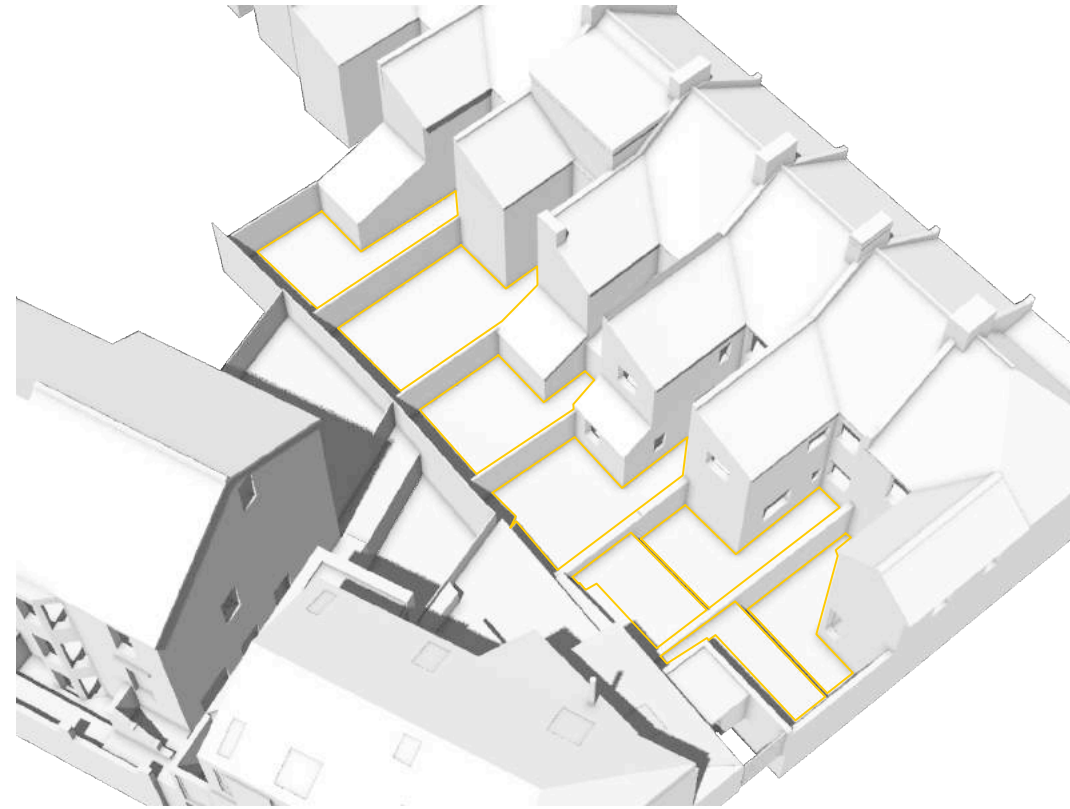
white design

21st June, 12noon

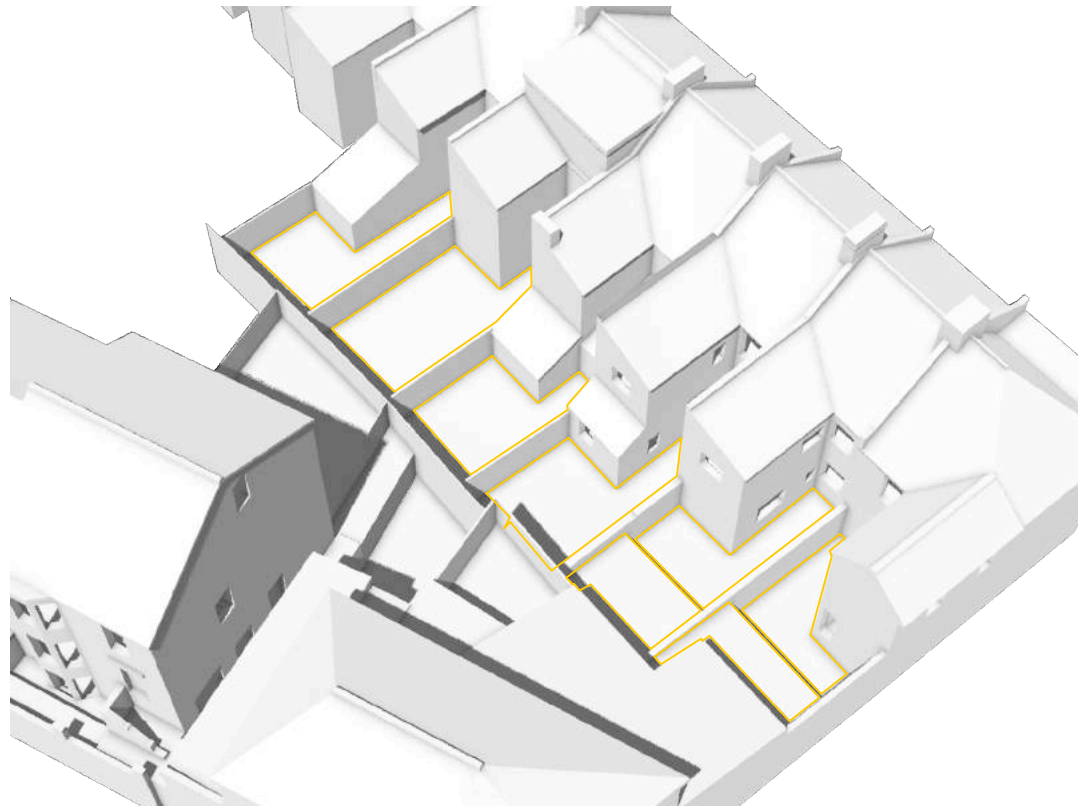
Commentary
- no change from existing



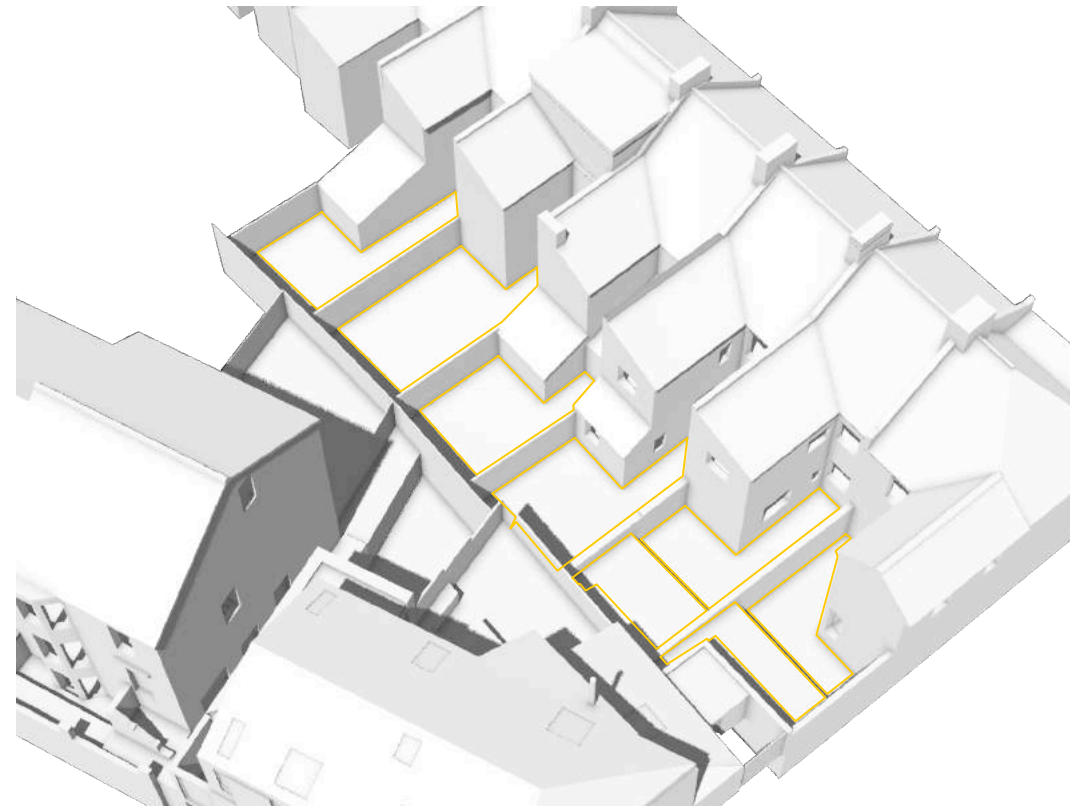
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



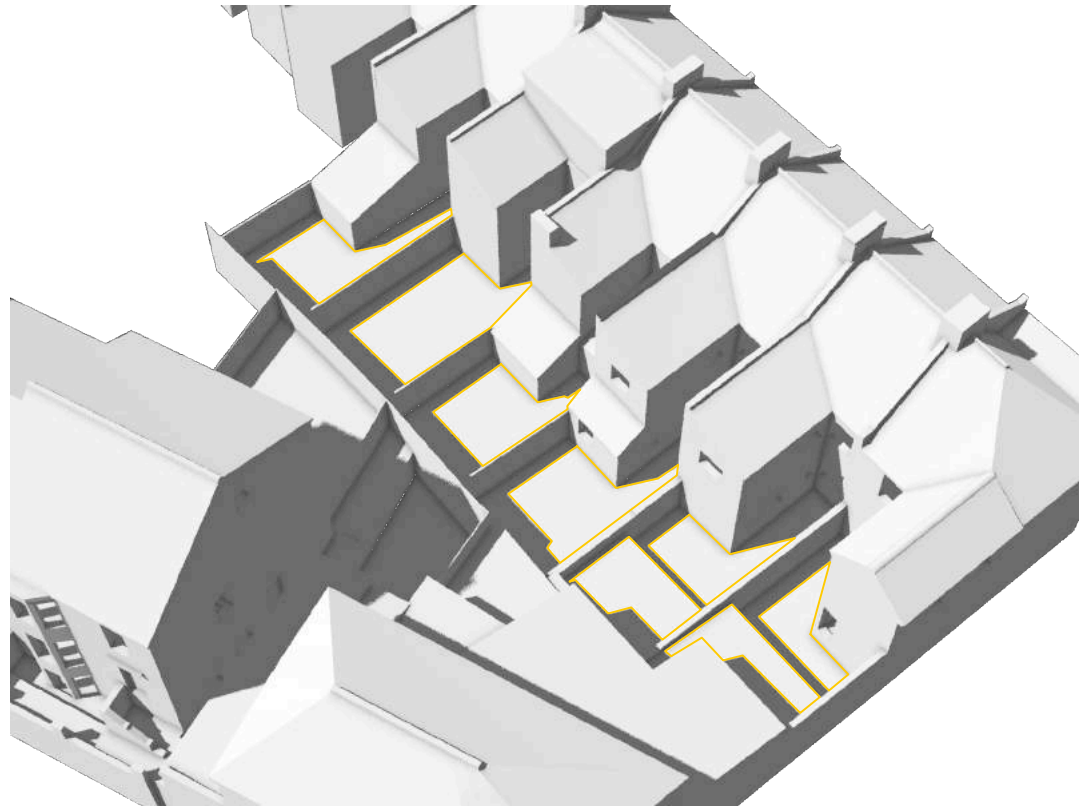
Existing building with 2m fence to rear boundary



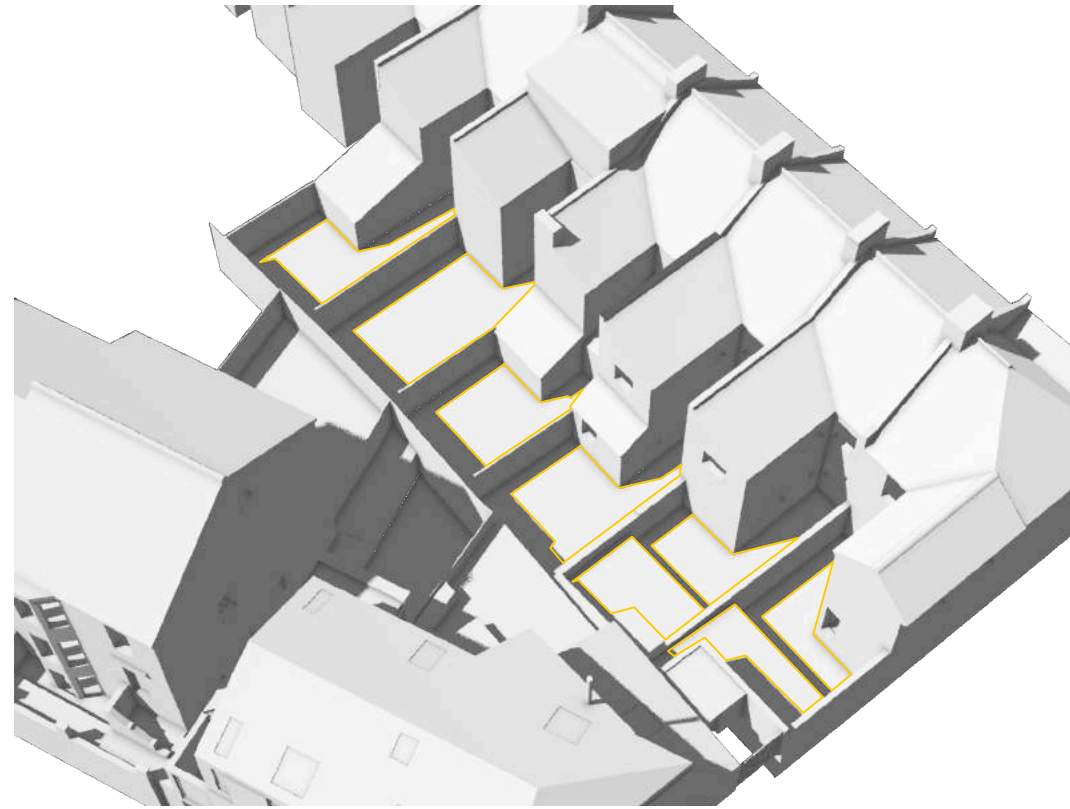
Proposed building with proposed fence to rear boundary

white design

21st June, 2pm

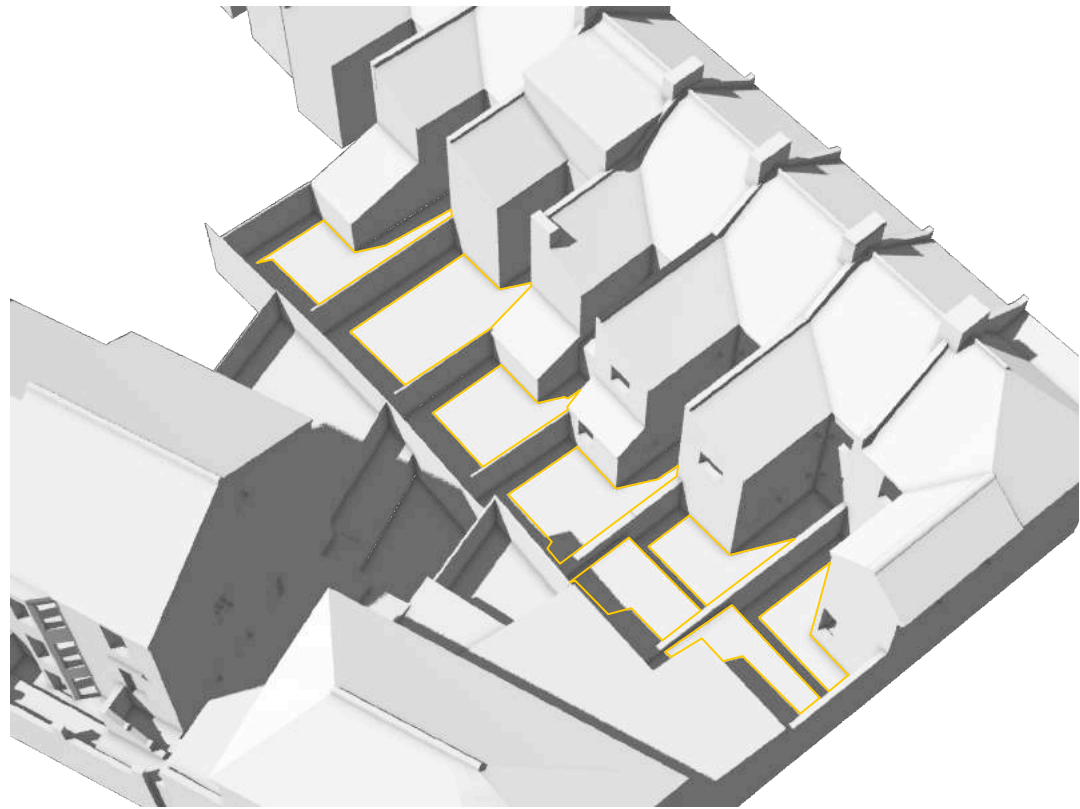


Existing building with existing fence to boundary

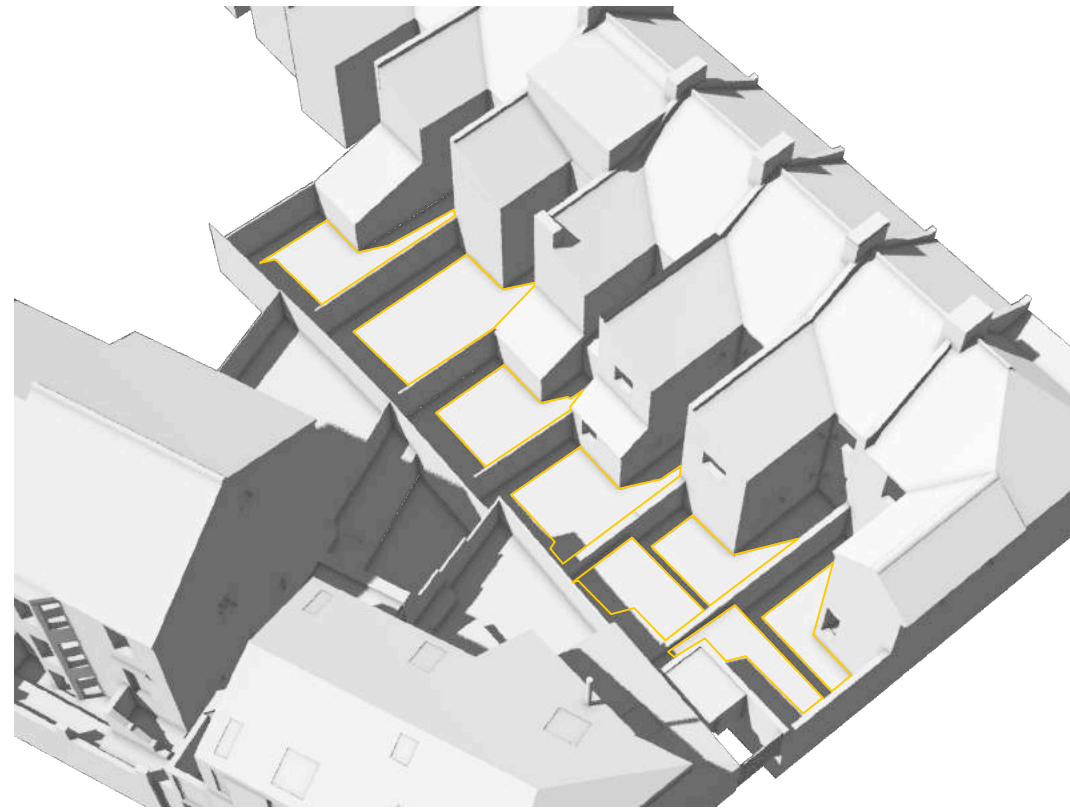


Proposed building with existing fence to boundary

Commentary
- minor change related to proposed fence



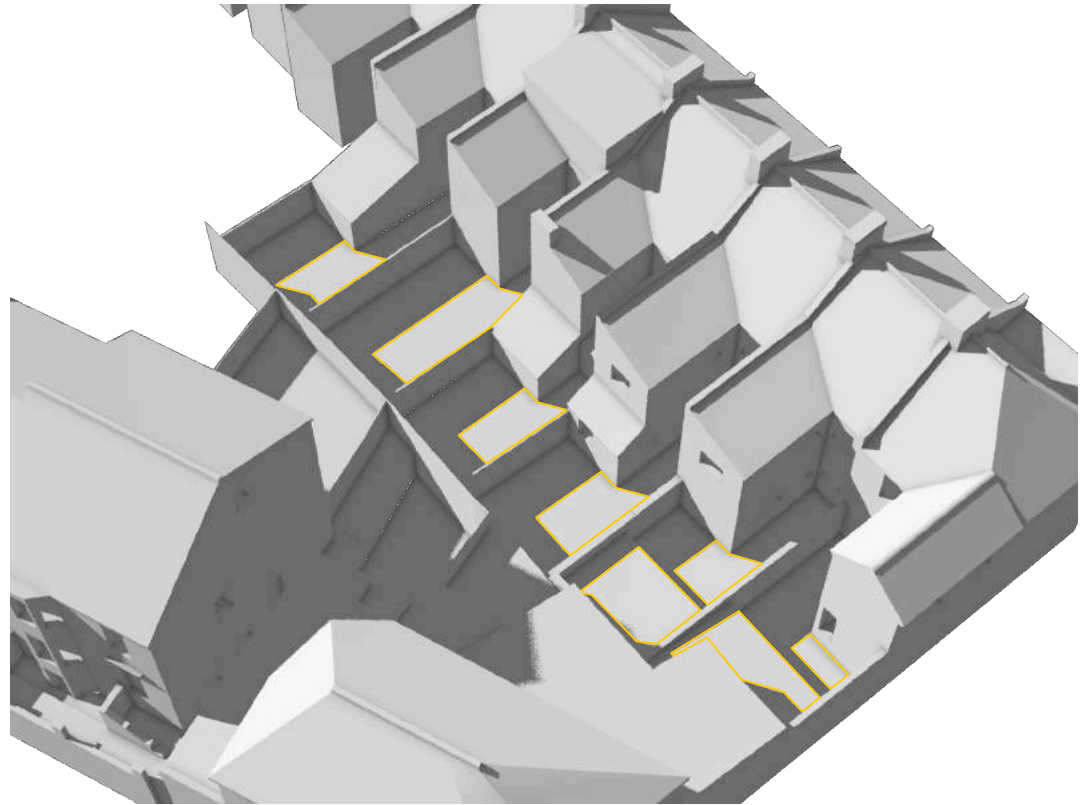
Existing building with 2m fence to rear boundary



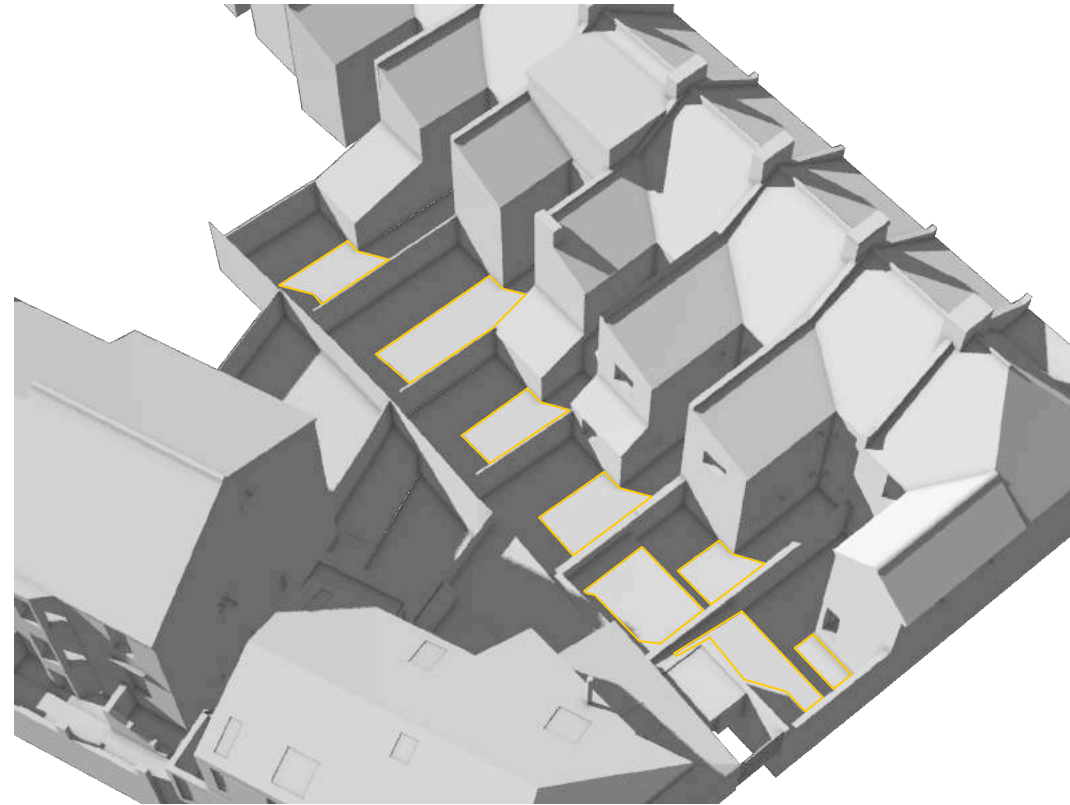
Proposed building with proposed fence to rear boundary

white design

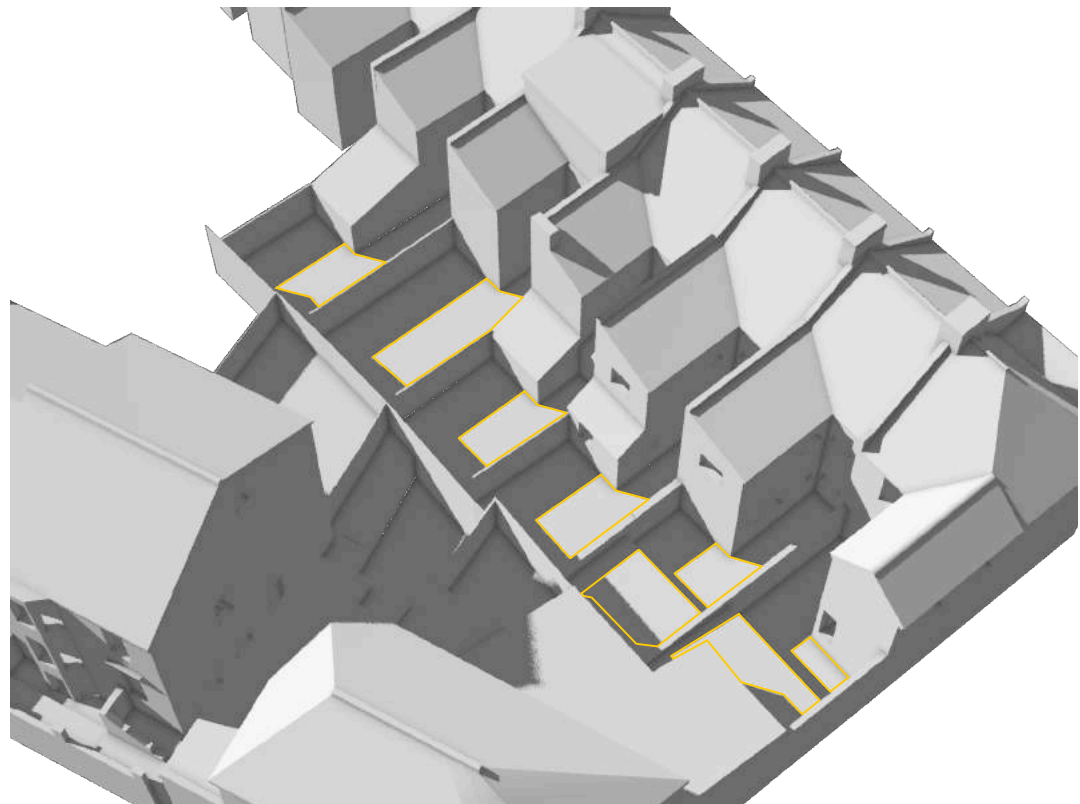
21st June, 4pm



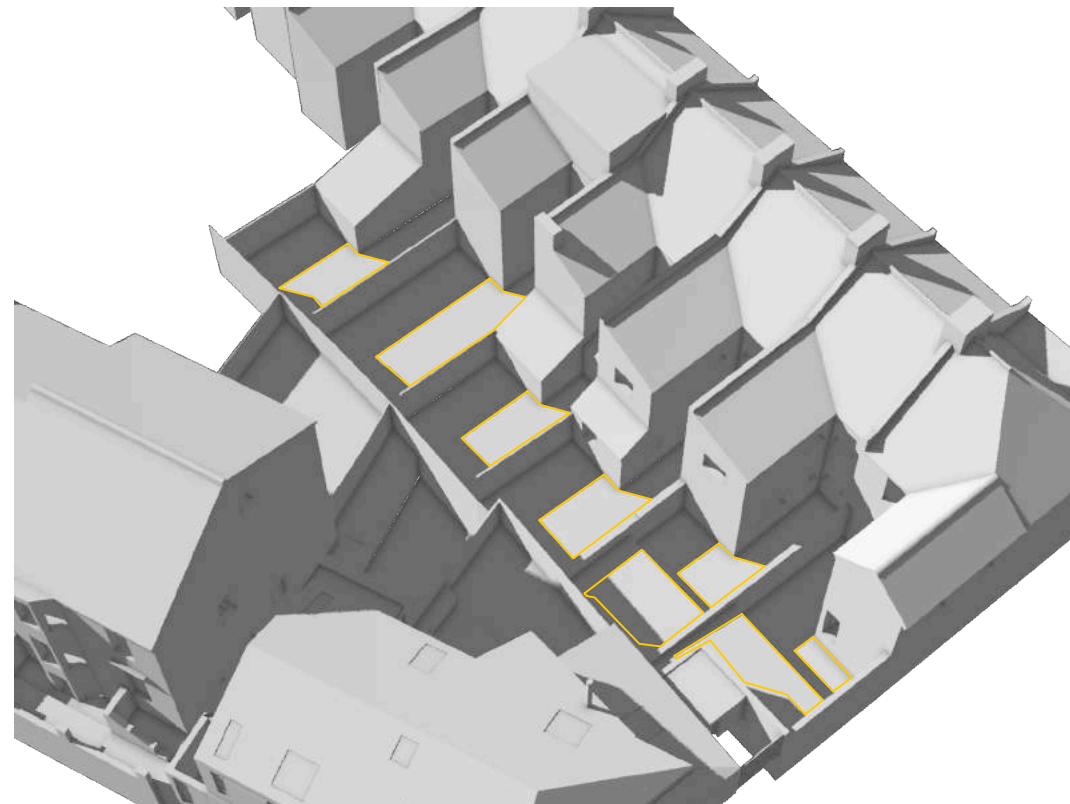
Existing building with existing fence to boundary



Proposed building with existing fence to boundary



Existing building with 2m fence to rear boundary



Proposed building with proposed fence to rear boundary

Commentary
- minor change related to proposed fence

6 Conclusions

This Daylight / Sunlight Assessment has reviewed the impact on the existing properties on Allington Road and Islington Road.

In relation to daylight, the assessment concludes that impacts will be minimal, and are acceptable within the parameters set out in the BRE guidance document.

In relation to sunlight, the shadow plots in the previous sections demonstrate the following:

- generally, impacts are minimal (within parameters set out in the BRE guidance)
- where impacts are above the parameters set out in the BRE guidance, this can typically be attributed to the fence proposed at the rear of the property (which is within permitted development rights), rather than the proposed building; the following are those areas that are impacted by the building only
- there is an impact to the side garden of no. 22 Islington Road (shown in the March 21st, 10am plot); as can be seen from the diagram, there is a very small increase in the amount of shadow cast by the proposed building (over that cast by the existing); the area ratio impact is inflated by the small size of the area that currently receives sunlight; it is considered that the perception of overshadowing will be minimal
- there is an impact to the second garden on Allington Road (shown in the March 21st, 12noon plot); however, the 10am and 2pm plots demonstrate that there is no impact at other times of the day and therefore that any perceived overshadowing will be minimal
- there is an impact to the first garden on Allington Road (shown on the March 21st, 2pm plot); however, the

10am and 12noon plots demonstrate that there is no impact at other times of the day and therefore that any perceived overshadowing will be minimal

In conclusion, there are some minor impacts on the levels of sunlight within neighbouring gardens. These can predominantly be attributed to the fence proposed at the rear of the property (which is within permitted development rights), rather than the proposed building. Those areas where overshadowing is caused by the proposed building are minimal and limited to short periods of the day. It is therefore considered that the perception of any increase in overshadowing will be negligible.

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ITEM NO. 3

WARD: Cotham **CONTACT OFFICER:** David Macfadyen
SITE ADDRESS: 6 Cotham Lawn Road Bristol BS6 6DU

APPLICATION NO: 18/00447/F Full Planning

DETERMINATION DEADLINE: 17 August 2018

Detached two storey, three bedroom house on land to rear of site fronting Trelawney Road

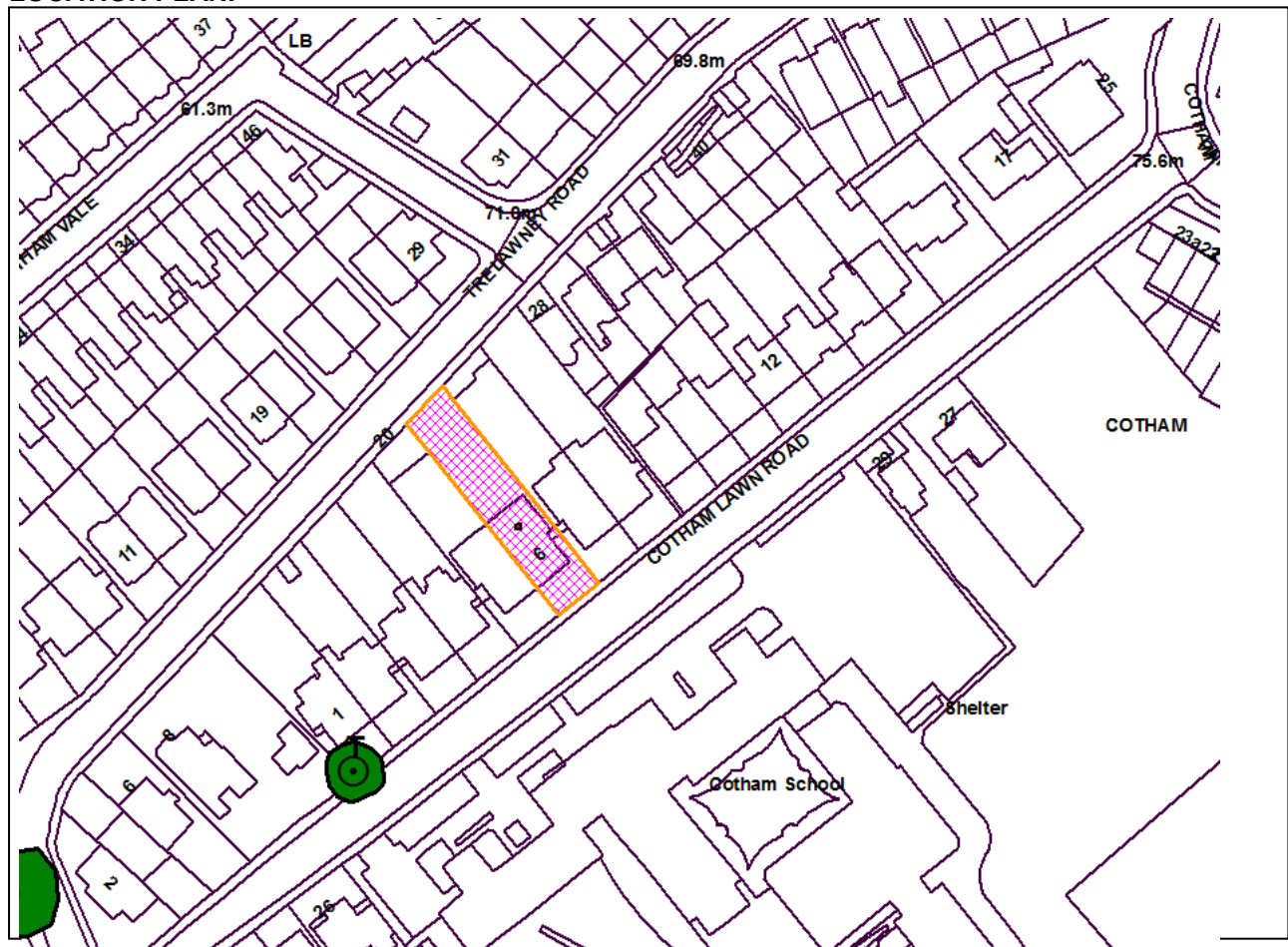
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Projectworks
 1C Colston Yard
 Colston St
 Bristol
 BS1 5BD

APPLICANT: Alec Hopkins
 1C Colston Yard
 Colston Street
 Bristol
 BS15BD

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

LOCATION PLAN:



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SUMMARY

The application is presented for determination by Committee as a result of a high level of local objection to the proposals (34 objections).

The application seeks planning permission for the proposed development of a two storey detached house on land to the rear of 6 Cotham Lawn Road, which fronts the southern side of Trelawney Road. The site is located within the Cotham and Redland Conservation Area.

Objections primarily relate to harm to the appearance and character of the area through loss of a historic boundary wall, impact to adjacent trees, proposed windows/doors detailing, impact to neighbouring amenity through loss of light and privacy, the lack of a green roof, lack of car parking facilities, absence of clarity regarding a proposed flue and concerns regarding an adjacent site to the rear of 2 Cotham Lawn Road.

It is noted that the proposals involve rebuilding the historic stone wall and incorporating this at ground floor level within the front facade of the house.

The proposal is supported by officers for the following reasons:

- It is found to be reflective of the character, appearance and distinctiveness of the existing townscape;
- The proposed house would preserve the character and appearance of the conservation area, resulting in negligible harm to the overall conservation area as a heritage asset;
- The impact of the development to neighbouring amenity and living conditions is found to be relatively low;
- It has been agreed by officers that subject to safeguarding conditions, the proposals would not result in harm to adjacent important trees;
- The proposals would make more efficient use of land, to create an additional good standard house at a location where policy indicates higher densities are acceptable;
- Issues raised by residents regarding an adjacent site (2 Cotham Lawn Road) are not relevant to the determination of this planning application and would not represent a legitimate basis for refusal of planning permission in this instance.

It is the conclusion of officers that the proposals would represent sustainable development in accordance with national and local planning policy. Review of all relevant material considerations has not presented any issues which would warrant refusal. Consequently, the report beneath concludes in the recommendation to Members that planning permission be granted subject to safeguarding conditions.

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SITE DESCRIPTION

The site is situated comprising land to the rear of 6 Cotham Lawn Road which fronts the southern side of Trelawney Road. The site presently forms part of the curtilage of 6 Cotham Lawn Road. The existing site includes a three storey semi-detached Victorian villa which has been subdivided to form three self-contained flats. The building is positioned before a small front garden with a larger area of garden situated to the rear (north) of the site. There is a significant reduction in level to the rear of the site which presents a large retaining wall forming the rear boundary of the site onto Trelawney Road. Neighbouring properties to the east and west (7 and 5 Cotham Lawn Road) are similar in scale and layout. It is noted that a two storey dwelling (20 Trelawney Road) has been developed on land to the rear of 5 Cotham Lawn Road. This was originally granted planning permission in June 2007 under application reference 07/01167/FB. The application site is directly adjacent to the east of this contemporary dwelling. The site is situated within the Cotham and Redland Conservation Area.

PLANNING HISTORY

Application ref: Proposal: Decision:

53/01437/U_U Convert to six flats. GRANTED - 22.07.1953

57/03370/P_U Outline application for the erection of three prefabricated private garages for the storage of motor cars and/or motor cycles. GRANTED - 03.02.1958

11/03531/VC One Beech tree located in the front garden - crown reduce by 20% and crown lift by 4 metres. GRANTED - 30.09.2011

11/04957/VC Fell three Leylandii (T1, T2 and T3), one Holly (T4), three fruit trees (T5, T7 and T8) and one Yew (T6); all trees located to the rear of the property. GRANTED - 30.12.2011

APPLICATION

The application seeks planning permission for the proposed development of a two storey detached dwelling on land to the rear of the site, fronting Trelawney Road. The proposed dwelling would be situated adjacent to the west of the existing contemporary dwelling (20 Trelawney Road) to the rear of the neighbouring site (5 Cotham Lawn Road). The dwelling would be built into the site, level with Trelawney Road and the street boundary. The existing stone retaining wall would be reconstructed to form the front façade at ground level. The house would be a maximum of 9.5m in width and 10.8m in depth. The roof would be hipped with raised stone gables to the eastern and western sides. The eaves would be 5.4m from ground level and the ridge would be 7.7m in height. The ground floor and side elevations would be finished with stone, the first floor clad with timber and the roof finished with slate. The dwelling would be a two bedroom, four occupant dwelling with internal area totalling 137m². The house would include a small rear courtyard style garden before a significant increase in level to the remaining rear garden of 6 Cotham Lawn Road. Access is proposed directly from the footway to the southern side of Trelawney Road. The site would include bin storage at ground floor level fronting Trelawney Road. Cycle parking is proposed within the rear garden area. No car parking is proposed. Solar panels would be installed to the rear (south) facing pitched roof.

COMMUNITY INVOLVEMENT

The proposed development is classed as 'Minor' development, therefore there is no requirement for the Applicant to demonstrate community engagement prior to submitting the application.

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EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities 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. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

RESPONSE TO PUBLICITY AND CONSULTATION

37 neighbouring properties were directly consulted in relation to the application. A site notice and press advert were also published, along with the application being listed on the planning section of the Council website.

The deadline for comments was 6th June 2018.

A total of 37 responses were received including 33 objections, 2 in support and 1 classified as neutral.

The content of objections are summarised as follows:

- *Concerns regarding potential loss of historic stone boundary wall*
- *Harm to adjacent trees including on street Limes and their root systems*
- *Fenestrations should be smaller and more sympathetic in order to appear in keeping*
- *Loss of light to the rear garden of 7 Cotham Lawn Road and adjacent contemporary dwelling (20 Trelawney Road)*
- *The proposed roof is intrusive due to the ridge height and does not replace the garden lost through green/sedum*
- *Design approved to the rear of 2 Cotham Lawn Road (15/03808/F) is found more sympathetic*
- *Proposed boiler/flue position unacceptable*
- *Development to the rear of 2 Cotham Lawn Road has stalled resulting in excessive ongoing disruption and blight to the community*
- *Party wall agreements and geotechnical/hydrology surveys should be demonstrate to confirm that construction is feasible and will not stall similar to 2 Cotham Lawn Road*
- *Concerns regarding potential structural damage to neighbouring properties through lack of understanding of geotechnical conditions, potential construction impacts and vibration*
- *No details of a drainage strategy*
- *Issues of access to roof from the eastern side for maintenance purposes*
- *First floor living-room and study windows appear will cause overlooking to the rear terrace of the adjacent contemporary dwelling (20 Trelawney Road)*

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- *Requirement for access to boundary walls at neighbouring sites for maintenance*
- *The rear elevation is out of character with Cotham Lawn Road*
- *No off street parking proposed*

AMENITY GROUPS

The Redland and Cotham Amenities Society have commented as follows:

This is a carefully designed new dwelling which should fit well into its context and blend with the neighbouring, relatively new, dwelling. We note the appropriate off street provision for bins, recycling and for cycles. Subject to the satisfactory resolution of the proposed treatment of the adjacent trees RCAS supports this application.

Conservation Advisory Panel has commented as follows:

The Panel supports this application.

RESPONSES

It is highlighted that the existing historic stone boundary wall is to be retained and rebuilt as the front wall of the proposed dwelling. It is not found that proposed fenestrations would result in harm to the appearance or character of the local area.

The flue raised in comments has been removed from the proposed design. The roof pitch has also been revised to reduce the impact to neighbouring properties.

The pitched roof form is not suitable for a green/living roof.

The Council's Arboricultural Officer has reviewed the proposals and agreed that the development will avoid harm to adjacent trees subject to the recommendations within the supplied Arboricultural Assessment and safeguarding conditions.

Details of a drainage strategy would be sought via condition, prior to the commencement of development, in the event of permission being granted.

Party Wall matters and agreements relate to the Party Wall Act which is not planning legislation. The applicant would be required to follow these separate legislative processes also however these are not relevant to determination of the current application which is for planning permission only.

A detailed assessment of the acceptability of the proposed development in relation to all of the points raised following public consultation will follow in subsequent sections of this report.

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OTHER COMMENTS

Bristol City Council, City Design Group:

Verbal comment, no object to proposed design subject to details secured by condition

Bristol City Council, Transport Development Management:

No objection, refer to standing advice

Bristol City Council, Arboricultural Officer:

I have now reviewed the revised arboricultural method statement produced by Tim Pursey Rev B 30th July 2018.

The report addresses previous concerns about a the lack of information regarding off site trees located in adjacent gardens. I am satisfied having reviewed the site investigation report that these trees will not be adversely impacted by the proposals.

Of greater concern was the wording of in the arboricultural method statement that provided the developer with the opportunity to cut significant structural roots if they considered it necessary. The revised report addresses this issue with more detail in relation to the services installation between the off-site street trees.

Tree protection has been specified for the trunks of the two street trees and arboricultural supervision has been recommended. In the event that consent is granted conditions should be made in relation to tree protection and arboriculture supervision

RELEVANT POLICIES

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – July 2018

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

SPD5 Sustainable Design and Construction (February 2006)

Cotham and Redland Conservation Area Character Appraisal

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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KEY ISSUES

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework (NPPF, 2018) states that "the purpose of the planning system is to contribute to the achievement of sustainable development". This includes economic, social and environmental objectives. Paragraph 11 outlines a presumption in favour of sustainable development. For decision taking this means "approving development proposals that accord with an up-to-date development plan without delay".

Section 5 (Delivering a sufficient supply of homes) of the NPPF outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". Strategic policies should be informed by a local housing need assessment outlining the minimum number of homes needed. The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Section 11 (Making effective use of land) of the NPPF states that "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". Paragraph 118 (d) states that planning should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively".

Policy BCS5 (Housing Provision) of the Core Strategy outlines the Council's aim to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. Provision of new homes will be in accordance with the spatial strategy for Bristol set out in this Core Strategy and it is envisaged that 30,600 new homes will be provided in Bristol between 2006 and 2026. Additional provision which accords with the spatial strategy may be appropriate within the plan period. The minimum target will be 26,400 homes between 2006 and 2026. The appropriate level of new homes will be reviewed within 5 years of the adoption of the Core Strategy. Development of new homes will primarily be on previously developed sites across the city. 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. The strategy by which the Council will allow development of open space is set out within the Site Allocations & Development Management Policies (SADMP) Local Plan.

The figures in the Policy above are based upon the Strategic Housing Land Availability assessment which indicated a potential supply of 30,000 homes over the plan period. The Strategic Housing Land Availability Assessment did not consider the potential contribution that developments on small unidentified 'windfall' sites could make over the plan period. Although all small sites cannot practicably be identified, they have made a considerable contribution to housing delivery in the past. The council has cautiously estimated that there are reasonable prospects of around 4,200 homes being delivered from this source from 2012 to 2026.

Policy BCS9 (Green Infrastructure) of the Core Strategy outlines 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.

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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.

Policy BCS10 (Transport and Access Improvements) of the Core Strategy states that development proposals should be located where sustainable travel patterns can be achieved, with more intensive, higher density mixed use development at accessible centres and along or close to main public transport routes. Proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport.

Policy BCS18 (Housing Type) of the Core Strategy states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

To achieve an appropriate tenure, type and size mix the development should aim to:

- Address affordable housing need and housing demand;
- Contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists;
- Respond to the requirements of a changing population;
- Employ imaginative design solutions.

Policy DM1 (Presumption in Favour of Sustainable Development) of the SADMP outlines that the city's approach to development proposals will generally be positive and reflective of the presumption in favour of sustainable development as referenced throughout the NPPF.

Policy DM17 (Development Involving Existing Green Infrastructure) of the SADMP outlines that development on part, or all, of an Important Open Space as designated on the Policies Map will not be permitted unless the development is ancillary to the open space use. Important open spaces with a role and value for recreation, leisure, community use, townscape, landscape or visual amenity quality are designated and shown on the Policies Map and protected from development.

Policy DM21 (Development of Private Gardens) of the SADMP outlines that private garden space makes an important contribution to the cities green infrastructure. In general, the Council will seek to retain private gardens however there are certain circumstances where development on private gardens will constitute sustainable development and contribute positively to the city's supply of new homes. Such circumstances occur where proposals make more efficient use of land where higher densities are appropriate, development results in significant improvements in urban design and where development involves an extension to an existing dwelling, retaining adequate functional garden. In all cases, any development of garden land should not result in harm to the character and appearance of an area. Development involving front gardens should ensure that the character of the street is not harmed and that appropriate boundary treatments and planting are retained.

The site is located in a long established inner northern residential neighbourhood approximately 250m from the boundary with the city centre (Central Area Plan). The site is within 450m (approximately 5 minutes' walk) of a designated town centre (Whiteladies Road) which offers a wide range of shops and services. The site is a similarly short distance from local shops on St. Michael's Hill. Furthermore, the site is 350m from a bus stop on Cotham Road which offers a frequent service to the City Centre and Temple Meads Station. Further bus services as well as Clifton Down train station are situated approximately 500m from the site on Whiteladies Road. There are also a number of schools within a short walk of the site. Given the wealth of local services and amenities in addition to good access to public transport, the site represents a highly sustainable location for residential development. The site is therefore well located to provide future occupants access to local services via sustainable and

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active means, offering legitimate opportunity for the use of walking, cycling and public transport. The development is therefore compatible with the objectives of national and local policy in this regard. The site therefore represents a location where the development of garden land would make more efficient use of land where higher densities are appropriate.

The application proposes development of a single 2 bedroom, 4 occupant house (use class C3) at the site. The site is within the Cotham ward and the Cotham Park lower super output area. Lower super output areas are geographies of approximately 1500 residents or 650 households. There are 252 in Bristol and this measure provides a more accurate, lower level portrayal of the local area over ward statistics. Statistics from the 2011 Census show that accommodation within the local area (LSOA) is balanced in favour of flats, maisonettes and apartments with 60.7% of people living within such accommodation and 39.3% residing in houses. The proposed development of a single house would therefore contribute positively to addressing this existing imbalance. Furthermore, proposals would not result in the loss of any existing houses and development would create a net gain. The development would therefore make a small scale positive contribution to housing mix and balance as well as overall housing supply and targets.

The proposed development is therefore found to be compatible with policy objectives of boosting housing supply, principles of sustainable development and creation of mixed, balanced and inclusive communities. The principle of development of a small house at the site is therefore acceptable subject to the detailed consideration of other relevant planning matters that follows within subsequent sections.

APPEARANCE, CHARACTER & HERITAGE ASSETS

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." .

Section 12 (Achieving well-designed places) of the NPPF outlines that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Planning policies and decisions should aim to ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

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- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 of the NPPF also states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents".

Section 16 (Conserving and enhancing the historic environment) of the NPPF outlines that heritage assets "are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 189 of the NPPF states that "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Paragraph 195 of the NPPF states that "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

Policy BCS21 (Quality Urban Design) of the Core Strategy advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy DM21 (Development of Private Gardens) of the SADMP outlines that private garden space makes an important contribution to the cities green infrastructure. In all cases, any development of garden land should not result in harm to the character and appearance of an area.

Policy DM26 (Local Character & Distinctiveness) of the Site Allocations & Development Management Policies (SADMP) Local Plan outlines that all development is expected to contribute positively to an area's character and identity. The policy builds on policy BCS21 (above) by stipulating the characteristics which development should seek to respond to. General principles include:

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- i. Responding appropriately to and incorporating existing land forms, green infrastructure assets and historic assets and features; and
- i. Respecting, building upon or restoring the local pattern and grain of development, including the historical development of the area; and
- ii. Responding appropriately to local patterns of movement and the scale, character and function of streets and public spaces; and
- iii. Retaining, enhancing and creating important views into, out of and through the site; and
- iv. Making appropriate use of landmarks and focal features, and preserving or enhancing the setting of existing landmarks and focal features; and
- v. Responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes; and
- vi. Reflecting locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion; and
- vii. Reflecting the predominant materials, colours, textures, landscape treatments and boundary treatments in the area.

The policy states that "development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions."

Specifically in relation to 'backland' development the policy states "Backland development will be expected to be subservient in height, scale, mass and form to the surrounding frontage buildings. It should not prejudice the opportunity to develop the adjoining land of similar potential nor should the proposed access arrangements cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development."

Specifically in relation to infill development, Policy DM26 states "infill development will be expected to have regard to the prevailing character and quality of the surrounding townscape. The higher the quality of the building group and the more unified the character of the townscape, the greater the need to reproduce the existing pattern, form and design of existing development. Infill developments on return frontages should be compatible with the open character of corner sites and be subservient in height, scale and massing to the primary frontage building."

Policy DM27 (Layout and Form) of the SADMP outlines that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. It should make efficient use of land, provide inclusive access and take account of local climatic conditions.

Proposals should not prejudice the existing and future development potential of adjoining sites or the potential for the area to achieve a coherent, interconnected and integrated built form. Where such potential may reasonably exist, including on sites with different use or ownership, development will be expected to either progress with a comprehensive scheme or, by means of its layout and form, enable a co-ordinated approach to be adopted towards the development of those sites in the future.

Specifically in relation to height scale and massing, the policy states: The height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces, the setting, public function and/or importance of the proposed development and the location within the townscape. Design solutions should optimise adaptability and

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energy efficiency and promote health and wellbeing.

Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. Proposals for new buildings will be expected to:

- i. Be clearly organised in terms of their form and internal layout and circulation to reflect the hierarchy of function they will accommodate, the uses they will serve and the context they will address; and
- ii. Incorporate active frontages and clearly defined main entrances facing the public realm that emphasise corners and reinforce the most prominent frontages; and
- iii. Respond to the solar orientation of the building to support energy efficient design while ensuring as far as possible that active rooms face the public realm; and
- iv. Provide appropriate natural surveillance of all external spaces; and
- v. Ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight; and
- vi. Allow for future adaptation or extension to accommodate alternative uses or to respond to the changing future needs or circumstances of occupiers by means of their internal arrangement, internal height, detailed design and construction; and
- vii. Provide appropriately for inclusive access and circulation; and
- viii. Incorporate opportunities for green infrastructure such as green roofs, green walls and green decks that may be accessed and used where appropriate; and
- ix. Incorporate exteriors and elevations that provide visual interest from a range of viewing distances and are visually organised and well-proportioned; and
- x. Incorporate high quality detail of an appropriate scale and proportion, arranged in a coherent way that contributes positively to the overall design approach of the building; and
- xi. Employ high quality, durable and sustainable materials of an appropriate texture, colour, pattern and appearance that contribute positively to the character of the area.

The site is located within the Cotham and Redland Conservation Area which represents a designated heritage asset. The character of the Cotham and Redland Conservation Area is outlined within the Cotham & Redland Conservation Area Character Appraisal & Management Proposals (2011) document. The site is situated within character area 2 (Lower Cotham). Of the area the document states;

'Area 2 takes in the predominantly residential streets on the relatively flat area between Trelawney Road and the railway line, bounded by Hampton Road on the west. Overall, there is a regular street layout with strong building lines. Rapid development occurred from the 1870s onwards. Houses are generally domestic in scale, 2 to 3-storeys with pitched roofs, though there is considerable individual variation in style and execution.'

Of Trelawney Road the document states;

'Trelawney Road has a variety of house types, partly a consequence of the topography and partly the result of 20th century infill. The earliest buildings are at nos. 1 - 5 (odd), an early 19th century terrace (Grade II) of distinctive Georgian houses. On the southern side houses are elevated, with front

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gardens set behind high retaining walls. The northern side has a more consistent, Victorian, character with Pennant stone, ashlar dressings and painted bargeboards uniting the variety in individual style.'

Strengths of the area on the whole are noted to include the verdant character which results from planting within private gardens, the variety of boundary treatments including stone walls and railings, variety of architectural details and local and long views including glimpsed views across gardens and between buildings.

Threats to the character of the area are stated to include continued or increased loss of front gardens and front boundary walls, issues relating to waste and recycling and how these services detract from the environment, unsympathetic alteration of existing buildings resulting in loss of traditional architectural details, development or overlaying of gardens which results in the loss of trees and lack of suitable replacement.

Cotham Lawn Road is located within Character Area 1 (Upper Cotham). Of this area the document states:

'Land use is diverse, with a high proportion of institutional occupation. Built form, however, tends to be domestic in scale and character (with the exception of Cotham School). Buildings range from grand early Victorian villas of Cotham Park and Cotham Road, the semidetached later Victorian villas of Cotham Lawn Road (west) to inter-War, semidetached houses of Cotham Lawn Road (east). The diversity in built form reflects the historic development of the area and changes in land ownership over the 18th and 19th centuries.'

Strengths of this part of the conservation area are stated to include the historic character - conveyed by early Victorian grand villas and detached houses, many of which are listed, the visual integrity provided by the cohesive architectural character, symmetry of detailing and sense of rhythm along main thoroughfares, views, landscape quality and rubble walls and boundary details.

In this case, the site is situated between character areas 1 (Upper Cotham) and 2 (Lower Cotham). This location provides a transitory character defined primarily by topography which reduces significantly to the north, both at the site and adjacent land. This results in no established historic development to the southern side of Trelawney Road, comprising mostly either retaining walls with some ancillary single storey garage/workshop buildings. There is some divergence in land uses with upper Cotham being more institutional and lower more residential. There is also variety in building types and origin with the western end of Cotham Lawn Road comprising grand semi-detached Victorian villas, where the southern side of Trelawney Road comprises post war housing and the northern side reverting to earlier Victorian properties.

The site forms the northern end of the rear garden of 6 Cotham Lawn Road. It is located adjacent to the east of an existing modern infill house to the rear of 5 Cotham Lawn Road. This was granted planning permission originally in June 2007 (ref: 07/01167/FB) and later amended in June 2010 (10/01875/F). The design was amended to more closely reflect the coach house building which once stood at the site. Prior to the initially approved application, an application (reference: 06/05114/F) for a three storey dwelling at the site was withdrawn following concerns raised by the Council with regard to the proposed height in light of the surrounding context.

The proposed dwelling would take a similar design approach to the adjacent house found to the west (20 Trelawney Road). Specifically, the proposed position, height, scale, massing, shape, form and proportion would be similar to the existing adjacent building. In this regard the proposed house would be reflective of the existing adjacent townscape. The proposed house would also be proportioned subserviently to the existing Victorian villa at the site, ensuring the development would not compete with the established historic building. The proportions would provide a coach house style development typical of the location to the rear of the curtilage. The proposed scale would be such that the house would not appear out of character with existing other sites nearby which remain undeveloped. The

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development is found to respond appropriately to the topography of the site, built into the landscape in order to reduce the perception of massing further. The ridge would step down from the adjacent contemporary house (20 Trelawney Road), respectful of the existing topography. The proposed house would front and be directly accessed from Trelawney Road. The building would also introduce public surveillance in comparison to the existing situation which can be considered beneficial in terms of security and urban design. It is however acknowledged that the proposed roof form would vary from that of the adjacent contemporary dwelling. This is primarily to improve the impact to neighbouring amenity however it is not found that this would appear out of character as there are many examples of hipped roofs surrounding the site and the variation in form is found to generate some interest at roof level.

The development would also utilise traditional and generally high quality materials to achieve an in-keeping and sensitive appearance. It is noted that it is proposed to incorporate the existing stone wall within the front elevation at ground floor level. Such proposals are found to be beneficial and respectful of this historic local treatment. The proposed stone finish will be mirrored to the side gable walls. A stone quoin detail surrounding the arched front door head is also typical of the Victorian area. Cedar panelling is proposed at first floor level and whilst this is not a native cladding material for houses locally, in this context, the material is found appropriate. This is based upon the lesser proportions and coach house style design as well as the use within the directly adjacent house (20 Trelawney Road). Windows and doors to the front elevation would also be manufactured from timber which is in keeping with the surrounding conservation area. The roof would be clad with slate which there is many references for in the local area. To the rear, it is proposed to finish the building with render and use aluminium windows. Whilst these materials are more modern and less sympathetic to the character of the conservation area, this elevation of the house will be of very limited prominence given the position facing away from the public realm and significant change in levels to the rear of the site.

Overall, the proposed design is found to safeguard and preserve the character, appearance and historic significance of the Cotham and Redland Conservation Area. The proposals would offer some improvement in urban design, facilitating public surveillance and active frontage to the southern side of Trelawney Road. Subject to safeguarding conditions, the development is compatible with the objectives of local policy and is acceptable to this end.

TREES & GREEN INFRASTRUCTURE

Section 11 of the NPPF (Conserving and enhancing the natural environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy BCS9 (Green Infrastructure) of the Bristol Cores Strategy outlines 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.

Policy DM17 (Development Involving Existing Green Infrastructure) of the Site Allocations and Development Management Policies Local Plan (SADMP) outlines that development should integrate important existing trees. It is suggested that where tree loss or damage is essential to allow for

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appropriate development, replacement trees of an appropriate species should be provided in accordance with the standard set out within Policy DM17.

An arboricultural assessment has been submitted in support of the application. It is highlighted that there are two significant street trees on the public highway (Trelawney Road) directly to the front site. These are a Lime and a London Plane, both approximately 17m in height and classified as good quality B2 trees. No works are proposed to either tree in order to facilitate development however the trees will require protection during construction as well as supervision from an arboricultural specialist during installation of services to the site to ensure the root system will not be significantly affected. Provisional method for these works have been reviewed and agreed by the Council's arboricultural officer and will be secured by condition. In addition, as these existing important street trees are located in close proximity to the proposed new dwelling and some rooms as a result will look out at the trees an advice is added informing the applicant/developer/future occupiers that that under Bristol City Council's Tree Management Standards, the Council will not prune its own trees to improve natural light into a property, open up views or to reduce leaf or debris fall, or due to apprehension about the proximity of large trees to dwellings and that any such requests from residents would be met with refusal.

There are also trees adjacent to the site in neighbouring rear gardens. The most significant adjacent tree is a large Ornamental Cherry situated immediately to the rear of 20 Trelawney Road. A site specific arboricultural survey has been undertaken to review whether roots from this tree penetrate beyond the garden boundary wall. The trial pit presented no roots and it appears the boundary wall has prevented root spread from this tree into the application site. This has been reviewed and agreed by the Council's Arboricultural Officer. Subject to conditions securing compliance with all recommendations within the Arboricultural Method Statement and Tree Protection Plan, the proposed development would have an acceptable impact in terms of trees, green infrastructure and would preserve the character and appearance of the site and conservation area in this regard.

NEIGHBOURING AMENITY

Section 17 of the NPPF outlines 12 'core planning principles' which should underpin both planmaking and decision-taking. One of these principles is that decision making should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy BCS21 (Quality Urban Design) of the Bristol Core Strategy advocates that new development should give consideration to matters of neighbouring privacy, outlook and natural lighting.

Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. To achieve this, new buildings are expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Policy DM30 (Alterations to Existing Buildings) of the SADMP states that extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers. This will be by means of ensuring extensions would not result in harmful loss of sunlight or daylight through overshadowing of neighbours. Alterations to existing buildings should also leave sufficient usable external private space for the occupiers of the building.

The proposed house would roughly align with the front and rear elevations of the adjacent contemporary dwelling to the west (20 Trelawney Road) and would be positioned approximately 17m from the rear of the existing house (6 Cotham Lawn Road). Houses adjacent to the opposite northern side of Trelawney Road would also be separated by approximately 17m.

In relation to the adjacent property to the west (20 Trelawney Road) a 1.1m gap is proposed between the respective houses. It is noted that the neighbouring property includes a side window at upper level

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within the eastern elevation which faces the site. This window is situated at the shared side boundary. It is noted that this side window was not shown on the approved plans and therefore it is not clear exactly which part of the house the window serves. It is however likely that the window is a secondary source of light to a room which benefits from additional windows to the front or rear. It is noted that 1.1m would be retained between the respective buildings and the eaves of the proposed roof would roughly align with the cill height of the adjacent window. The hipped roof form would mean the roof would pitch away from the adjacent window, reducing the impact to the window. Whilst there would be some change in outlook however this would be relatively minor and it is not foreseen that any significant overshadowing or loss of light would occur. The application has also demonstrated a 25 degree line will be retained from the window which is compliant with Building Research Establishment: Site layout planning for daylight and sunlight: A guide to good practice (BR209). Overall, in light of the aforementioned factors, it is concluded that the proposed development would have an acceptable impact to this adjacent side window.

In relation to the adjacent site to the east (7 Cotham Lawn Road), whilst some overshadowing may occur as a result of proposed development in this orientation, particularly later in the day, this would be limited to the end of the rear garden and therefore not any windows. The overshadowing would be unlikely to impact a significant proportion of the garden area, thus limiting the impact to overall amenity. It is also noted that existing trees presently create some existing shadow in this area also. Overall, it is found that an acceptable standard of amenity would be retained at this adjacent site.

With regard to adjacent properties to the north and south of the site (opposite to the northern side of Trelawney Road and the existing building at 6 Cotham Lawn Road), the retained separations of over 17m would be sufficient to ensure that no detrimental level of loss of light or overshadowing occurs.

In terms of privacy, the proposed house would be in nearest proximity of the adjacent contemporary property to the west (20 Trelawney Road). It is recognised that side windows are proposed within the projecting element to the rear which would face this site however the supplied section demonstrates that the floor level within the first floor mezzanine study would not be sufficient to afford views beyond the boundary wall between the houses. The proposed first floor rear windows would afford only oblique views, with the boundary wall of a height such that sufficient privacy would be retained. It is also noted that existing ground levels are significantly higher and accommodate an existing level of overlooking from the site towards this neighbouring property. There is also existing overlooking from the adjacent three storey villas which would be expected within the tightly knit inner urban area. Overall, it is found that an acceptable relationship and standard of privacy would be retained at the adjacent house.

Adjacent houses to the north and south would be separated by over 17m, as well as across Trelawney Road. This separation distance between facing windows is acceptable to avoid significant detriment to privacy. To conclude, the proposed development would avoid any undue harm to neighbouring amenity and living conditions, and is consequently compatible with policy and acceptable in this regard.

STANDARD OF ACCOMODATION

Policy BCS18 (Housing Type) of the Core Strategy outlines that residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. To achieve this, new buildings are expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. New residential development should provide dual aspect where possible, particularly where one of the aspects is north-facing.

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The relevant space standards are the Department for Communities and Local Government (DCLG) Nationally Described Space Standards for new housing published in March 2015. These outline technical standards for application to all tenures of new housing across England. The standards set minimum internal areas which accommodation should provide relative to the number of future occupants. Relevant to this application, 2 bedroom, 4 occupant dwellings of a two storeys are required to provide minimum internal area of 79m². The standards also set minimum levels for built in storage within new houses, bedroom sizes and minimum floor to ceiling heights. Double bedrooms should have a floor area of 11.5m² and a minimum width of 2.75m. Single bedrooms should have a minimum floor area of 7.5m² and minimum width of 2.15m. The dwelling should ensure 2.3m floor to ceiling height for at least 75% of the gross internal area. Any area with headroom of less than 1.5m is not counted within the gross internal area unless used solely for storage. Built in storage with an area of 2m² is required within 2 bedroom, 4 occupant dwellings.

In this instance, the proposed dwelling would offer internal floor area totaling over 130m². This would significantly exceed the level required by the national space standards. Bedrooms would also meet expected space standards. The proposed dwelling would be dual aspect and would experience good levels of light and natural ventilation. The dwelling would also benefit from a small private terrace to the rear offering some private amenity space for future occupiers. These factors would ensure the proposed house would provide a good standard of accommodation for future occupiers. The application is therefore compatible with policy objectives and acceptable in this regard.

TRANSPORT & HIGHWAYS

Section 4 of the NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

Policy BCS10 (Transport & Access Improvements) of the Core Strategy states that development proposals should be located where sustainable travel patterns can be achieved, with more intensive, higher density mixed use development at accessible centres and along or close to main public transport routes. Proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport.

Developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

The following hierarchy for transport user priorities is set out:

- a. The pedestrian;
- b. The cyclist;
- c. Public transport;
- d. Access for commercial vehicles;
- e. Short stay visitors by car;
- f. The private car.

Policy DM23 (Transport Development Management) of the SADMP outlines that new development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network. The policy also outlines that new development should be accessible by sustainable transport methods such as walking, cycling and public transport. Furthermore, the policy

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sets standards for parking provision. Policy DM23 requires a maximum provision of car parking spaces and minimum provisions for cycle parking. Based upon the limits outlined within DM23, a maximum of 1.25 car parking spaces can be accommodated by the development and a minimum of 2 cycle parking spaces are required within the development. It is noted that in relation to individual or small-scale developments car parking standards will be applied flexibly to allow for the best layout of the site. On occasion this may result in the provision of driveway space which exceeds that specified in the guidelines. Appendix 2 stipulates that standard car parking spaces should measure 2.4m by 4.8m, with the depth enlarged to 5.3m where abutting a solid structure to enable access. In line car spaces (end to end parking) assuming access available from the side should measure 2.4m x 6.6m.

As highlighted above within the principle of development section, the site is found to represent a sustainable and accessible location for residential development. This is based upon proximity to various centres including the city centre, Whiteladies Road town centre and St Michaels Hill local centre as well as good public transport accessibility. These would offer future occupiers a legitimate and high frequency public transport service. The site therefore benefits from easy and convenient access to a range of local shops and services. The location of the site is such that future occupiers would not need to be dependent on the private car should they wish. The site would therefore encourage use of active and low carbon transport modes and sustainable transit patterns in accordance with national and local planning policy.

As noted above, policy requirements for car parking provision are a maximum levels which the development could feasibly accommodate and generally within sustainable inner city areas, which have good access to shops and services as well as public transport, lower levels are acceptable. The development in this case includes no provision for on-site car parking which is found to be acceptable and the proposal has formally been assessed as car free. This is based upon the sustainability of the site and availability of high frequency public transport services in addition to the provision of policy compliant cycle parking facilities which can be ensured via condition. In order to ensure that the development is car free, future occupiers will not be permitted to apply for parking permits in the local area.

In relation to cycle parking, Policy DM23 requires a provision of 2 cycle parking spaces per 2 bedroom dwelling. Cycle parking should be secure, weather tight, accessible to all potential users and have direct access to the public highway. In this case, cycle parking is proposed to the rear of the site. Whilst it is noted that this location is not ideal from an accessibility perspective, given the scale of the site, options are limited in this regard. It is found to be preferable to include bin storage with direct access to the highway and retain a greater degree of public surveillance of the street in this instance. Full details of security and lighting would be sought via condition in the event of permission being granted.

Policy DM32 (Recycling & Refuse Provision in New Development) of the SADMP outlines that all new development should provide bin and recycling storage facilities fit for the nature of development, with adequate capacity for the proposed development, in a location which is safe and accessible for all users and does not harm the visual amenity of the area or neighbouring amenity.

Bin storage is proposed to the front of the building and as noted above, this location has direct access to the public highway for collection. The proposed storage facilities are sufficiently sized to accommodate bins and receptacles as outlined within Policy DM32. The facilities would ensure bins are not stored on the public highway and would avoid harm to the appearance and character of the area. The proposed bin and recycling facilities are acceptable.

Subject to conditions, the proposed development is therefore found compatible with national and local policy objectives for sustainable development through encouraging active and low carbon travel. The development would also avoid any detrimental impact upon the safe and free flow of the surrounding highway network. On this basis the proposed development is therefore acceptable in terms of transport and highways matters.

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SUSTAINABILITY & CLIMATE CHANGE

Themes of sustainability, carbon reduction and climate change underpin national planning policy. Policies BCS13-15 of the Core Strategy relate to the Council's expectations with regard to sustainable construction of new buildings and emissions in respect of climate change. These policies must be addressed and the guidance within the Council's Climate Change and Sustainability Practice Note followed. New dwellings are expected to minimise energy requirements. This will be achieved by high standards of energy efficiency including optimal levels of thermal insulation, passive ventilation and cooling, passive solar design, and the efficient use of natural resources in new buildings. Core Strategy Policy requires new dwellings also incorporate an element of renewable energy to reduce carbon emissions by a further 20% above energy saving measures.

The applicant has supplied a sustainability statement and energy statement in support of the proposed development. This outlines compliance with Building Regulations Part L. The energy table also indicates a further 20% reduction in carbon emissions can be achieved via on site renewable energy generation, specifically via installation of photovoltaic panels. These are proposed for installation to the rear pitched roof of the proposed dwelling in a south east facing orientation and are shown on plans. A condition will be applied to any eventual permission ensuring full compliance with the supplied a sustainability statement and energy statement. Subject to this, the proposed development would therefore make an acceptable contribution to policy objectives of sustainability and climate change.

SURFACE WATER DRAINAGE

Policy BCS16 (Flood Risk and Water Management) of the Core Strategy states that development in Bristol will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a sequentially greater risk of flooding will be considered where essential for regeneration or where necessary to meet the development requirements of the city.

Development in areas at risk of flooding will be expected to:

- i. be resilient to flooding through design and layout, and/or
- ii. incorporate sensitively designed mitigation measures, which may take the form of on-site flood defence works and/or a contribution towards or a commitment to undertake such off-site measures as may be necessary, in order to ensure that the development remains safe from flooding over its lifetime.

All development will also be expected to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).

Policy DM33 (Pollution Control, Air Quality and Water Quality) of the SADMP states that Development which has the potential, either individually or cumulatively, for an unacceptable impact on environmental amenity, biodiversity or water quality by reason of pollution as set out in the Core Strategy but is considered desirable for reasons of economic or wider social need will be expected to provide an appropriate scheme of mitigation.

The policy proceeds to outline that "Development adjacent to underground or surface water bodies covered by the Water Framework Directive and Severn River Basin Management Plan should contribute towards those water bodies maintaining or achieving Good Ecological Status. This may take the form of on-site measures or a financial contribution to off-site measures."

"In terms of water quality, the River Frome, Brislington Brook, Malago, River Trym and Colliter's Brook

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do not currently achieve Good Ecological Status due to impacts from flood protection / land drainage schemes and urbanisation. To comply with the Water Framework Directive water bodies should reach good ecological potential by 2027. Measures will therefore be sought from development adjacent to waterways covered by the Water Framework Directive, where feasible and viable, either through measures in the Severn River Basin Management Plan or other good practice such as naturalised river habitats, deculverting and appropriate vegetation management plans. The River Avon is at good ecological status and this should not be allowed to deteriorate through development."

The proposed development is located within surface drainage discharge zone where the priority is to limit discharge to capacity of existing sewer network or existing discharge rate. The proposed development of open garden land would likely result in increased discharge rate. As such, details of a comprehensive sustainable urban drainage scheme design to limit discharge to capacity of existing sewer network or existing discharge rate will be required prior to commencement in order to provide sufficient mitigation for development. A condition could be attached securing this in the event of permission being granted. Subject to this measure the development would avoid causing a significant increase in flood risk locally.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The following development types will be liable for CIL:

- i. Development comprising 100m² or more of new build floorspace
- ii. Development of less than 100m² 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 would create approximately 137m² of new build residential floorspace within the inner Bristol CIL charging area (£70per m²). Consequently, the development generates CIL liability totalling £9590 (plus indexation) which would be payable on commencement of development.

CONCLUSION

The proposed development would help to address the availability, mix and balance of housing locally, contributing a good standard house at a sustainably located site where policy encourages higher densities. Subject to conditions, the development would preserve the appearance, character and historic significance of the surrounding conservation area and important trees. The proposal would also have an acceptable impact on living conditions and amenity at neighbouring properties. The development would also avoid causing any significant highways issues and subject to conditions would make acceptable contributions to reducing the impact of climate change and flood risk locally. Consequently, the application is found to accord with all relevant national and local planning policy and no material considerations have been identified which would warrant refusal. On this basis, it is recommended that planning permission is granted, subject to the conditions beneath.

RECOMMENDED GRANTED subject to condition(s)

Conditions

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees T1 and T2 in the position and to the specification shown on Drawing No. TP 2373/1803/TCP (REV A). The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. 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. 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.

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.

4. Construction management plan

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

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

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

5. Submission of samples before work starts

No development shall take place until samples of the cedar cladding has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample.

Reason: To ensure that the external appearance of the building is satisfactory.

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6. Pennant Stone Features

Prior to the commencement of development, drawings to a minimum 1:10 scale (also indicating materials, treatments and finishes); relevant scaled construction sections and sample panels of the proposed pennant stone walling demonstrating the typical colour, texture, face bond and pointing, construction and re-use of existing pennant stone are to be submitted to (samples to be erected on site) and agreed in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the finished works are of a high standard and would appear in keeping and complementary of the local area, avoiding harm to the surrounding conservation area.

7. Sustainable Drainage System (SuDS)

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

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

8. Rainwater Goods

Prior to the commencement of the relevant element of development, detailed drawings of proposed rainwater goods demonstrating a system designed to prevent gutters being clogged by leaf fall from the adjacent street trees, will be submitted to and approved in writing by the local planning authority. The approved design will be fully implemented and retained in perpetuity unless otherwise agreed in writing by the local planning authority.

Reason: To avoid unnecessary pruning works and pressure for removal of important adjacent street trees which contribute highly to the appearance and character of the conservation area.

Pre occupation condition(s)

9. PV Panel Details

Prior to commencement of the relevant element of development, details (including the exact location (to include the optimisation of positioning), dimensions, design/ technical specification and method of fixing) relating to the PV panels as specified within the approved Sustainability and Energy Report shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

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10. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

11. Cycle parking

Prior to first occupation of the residential accommodation hereby approved, full details demonstrating how bicycles will be parked and secured within the approved cycle store as well as method of illumination for the cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. The agreed cycle parking and associated details shall be retained, free from obstruction, solely for the purposes of parking bicycles thereafter.

Reason: To ensure the proposed cycle parking is secure and weathertight and the development effectively contributes to objectives of sustainability, active and low carbon transport as required by Policy BCS10 of the Core Strategy as well as Policies DM1 and DM23 of the Site Allocations & Development Management Policies Local Plan.

12. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

13. Land affected by contamination - Reporting of Unexpected Contamination

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

Development Control Committee B – 15 August 2018
Application No. 18/00447/F : 6 Cotham Lawn Road Bristol BS6 6DU

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

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

Post occupation management

14. No further extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of the council.

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

15. No Further Windows

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

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

16. Sustainability and energy efficiency measures

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the energy and sustainability statement (Sustainability Report, gsharchitects, March 2018) prior to first occupation. A total 20% reduction in carbon dioxide emissions below residual emissions through renewable technologies (photo voltaic panels) shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with Policies BCS13 (Climate Change), BCS14 (Sustainable Energy), BCS15 (Sustainable Design and Construction) and DM29 (Design of New Buildings).

17. In accordance with arboricultural assessment

The proposed development shall be implemented in accordance with all findings and recommendations (including tree protection measures) as outlined within the supplied Arboricultural Assessment (Arboricultural Assessment, Tim Pursey, Rev B, 30 July 2018). The project arboricultural consultant must be present to oversee works within root protection areas in accordance with the arboricultural supervision recommendations in the arboricultural method statement. Copies of written site notes and/or reports detailing the results of

Development Control Committee B – 15 August 2018
Application No. 18/00447/F : 6 Cotham Lawn Road Bristol BS6 6DU

arboricultural site supervision shall be submitted to the Local Planning Authority following the operations detailed within the arboricultural method statement.

Reason: To protect green infrastructure and the character and appearance of the area in line with Policy BCS9 of the Core Strategy and Policy DM17 of the Site Allocations & Development Management Policies Local Plan.

List of approved plans

18. 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.

16/10/320 (05) Proposed Ground Floor Plan, received 29 June 2018
 16/10/321 (05) Proposed First Floor Plan, received 29 June 2018
 16/10/322 (05) Proposed Roof Plan, received 29 June 2018
 16/10/323 (05) Proposed Front Elevation, received 29 June 2018
 16/10/324 (04) Proposed Section AA, received 29 June 2018
 16/10/325 (04) Proposed Section BB, received 29 June 2018
 16/10/326 (04) Proposed Section CC & Rear Elevation, received 29 June 2018
 16/10/327 (04) Site Plan and Sections of Boundary with Neighbouring Property, received 29 June 2018
 16/10/328 (01) Proposed Eastern Side Elevation, received 29 June 2018
 16/10/329 (01) Proposed Western Side Elevation, received 29 June 2018
 Heritage Statement, received 25 April 2018
 Arboricultural Assessment Rev B 30 July 2018, received 25 April 2018
 16/10/300 Site Location plan, received 25 April 2018
 16/10/301 Existing site plan, received 25 April 2018
 Energy Strategy, received 25 April 2018

Reason: For the avoidance of doubt.

Advices

1. Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.
2. Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.
3. Tree Protection: You are advised to refer to BS5837 : 2012 Trees in relation to construction for detailed information on types of tree protection, protection zones and other relevant matters.

Development Control Committee B – 15 August 2018
Application No. 18/00447/F : 6 Cotham Lawn Road Bristol BS6 6DU

4. Existing street trees:

The proposed residential accommodation fronts onto Trelawney Road and hence the existing Lime and Plane street trees. Some rooms as a result will look out at the trees. The applicant/developer/any future occupiers should note that under Bristol City Council's Tree Management Standards, the Council will not prune its own trees to improve natural light into a property, open up views or to reduce leaf or debris fall, or due to apprehension about the proximity of large trees to dwellings. Any such requests from residents would be met with refusal.

5. Minor works on the public highway: The development hereby approved includes the carrying out of work on the public highway (relocation of RPZ sign and installation of services). You are advised that before undertaking the work on the highway you must enter into a highway agreement under s171, s184 or s278 of the Highways Act 1980 with the council. You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. You should contact TDM - Strategic City Transport (100TS), Bristol City Council, PO Box 3176, Bristol, BS3 9FS, telephone 0117 903 6846 or email TransportDM@bristol.gov.uk.

Supporting Documents

3. 6 Cotham Lawn Road

1. Site location plan
2. Site photo's
3. Proposed drawings
4. Arboricultural Assessment
5. Tree root survey

6, Cotham Lawn Road, Cotham, Bristol, BS6 6DU



Site Location Plan - 1:1250

This application is for the rear to 6 Cotham Lawn Road. The site is shown outlines in Red

00 Revision 26.10.2017

Title
Site Location Plan

Project
LTR No. 6, Cotham Lawn Road,
BS6 6DU

Scale
1:1250

Status
Planning Application

Dwg No. Revision
16 / 10 / 300 / *

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Rear of 6 Cotham
Lawn Road



20 Trelawney Road

28 Trelawney Road

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P
Permitted
Residential
55
Mon-Fri
8am-5pm



Rear of 6 Cotham
Lawn Road

20 Trelawney Road



Rear of 6 Cotham
Lawn Road

20 Trelawney Road



20 Trelawney Road

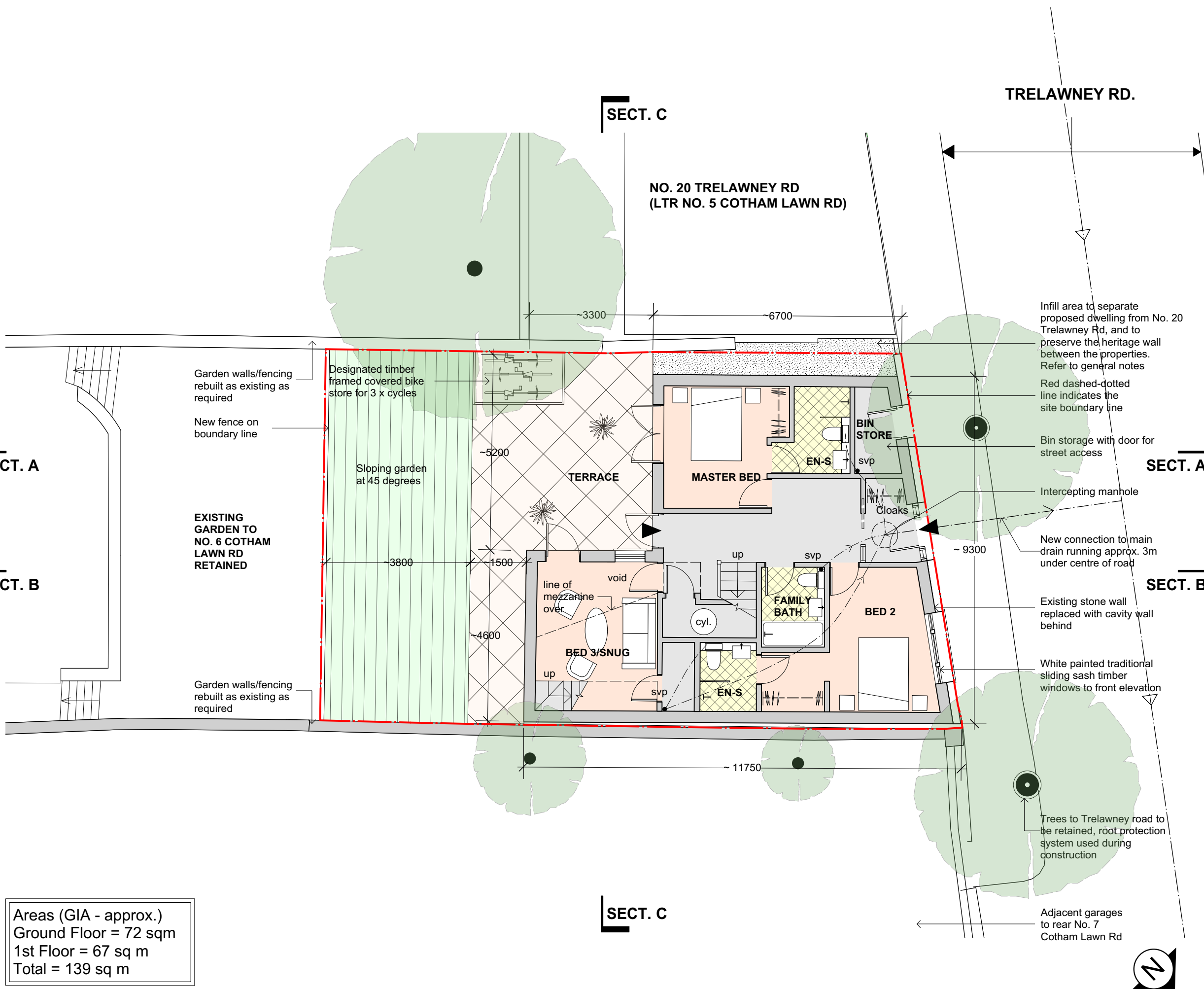
Rear of 6 Cotham
Lawn Road



20 Trelawney Road

Proposed site

We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



Areas (GIA - approx.)
 Ground Floor = 72 sqm
 1st Floor = 67 sq m
 Total = 139 sq m

01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	21.11.2017
Energy Report details added		
04	Revision	22.05.2018
Boiler moved to utility room on first floor, site boundary line adjusted		
05	Revision	01.06.2018
Door position adjusted, new door added for bin store and hallway layout revised		

Title
Proposed - Ground Floor Plan

Project
 LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale
 1:100

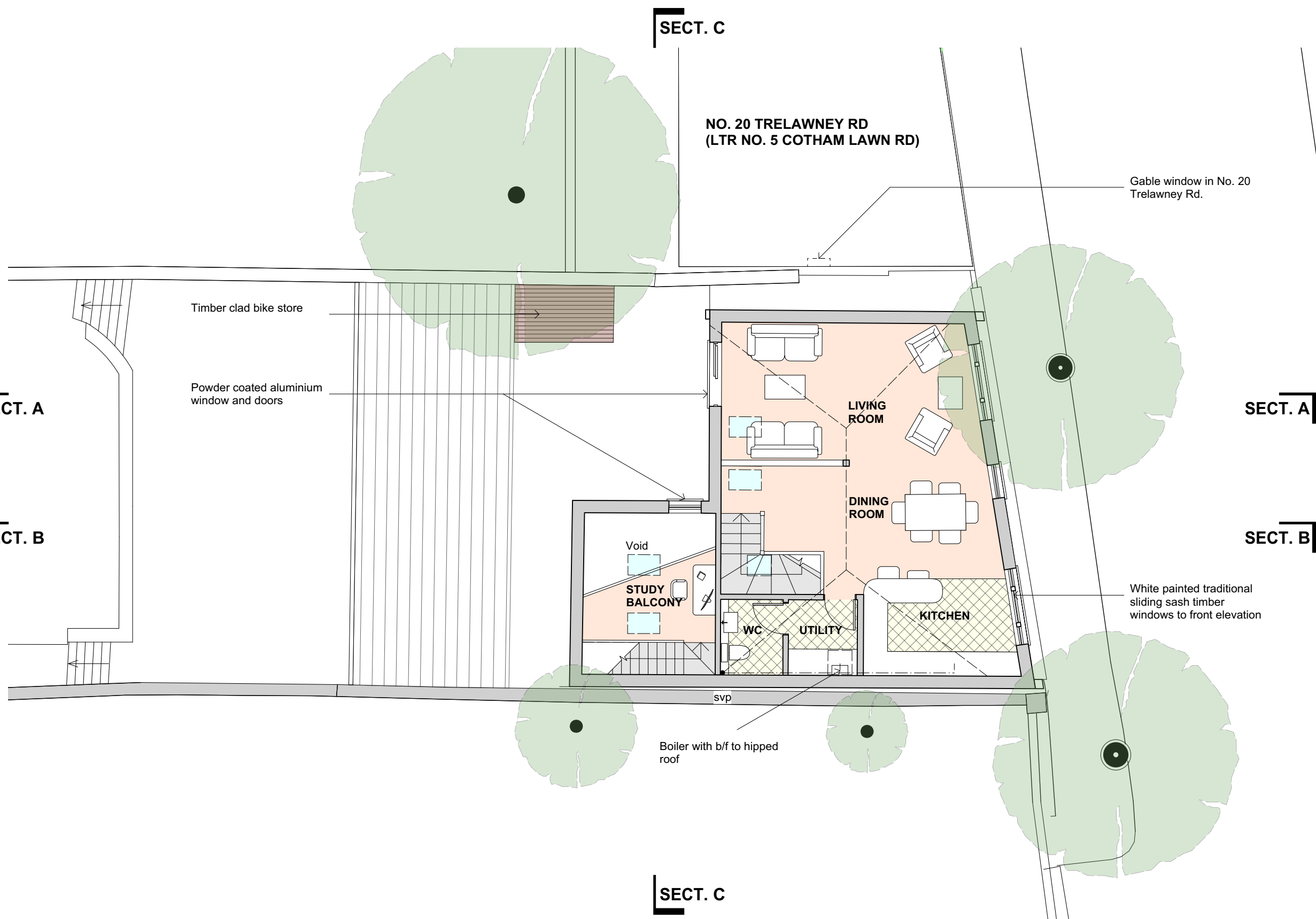
Status
 Planning Application

Dwg No. 16 / 10 / 320 / Revision 05

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place

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01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	21.11.2017
Energy Report details added		
04	Revision	22.05.2018
Boiler moved to utility room		
05	Revision	01.06.2018
Window and velux positions adjusted		

Title
Proposed - First Floor Plan

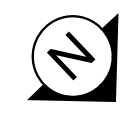
Project
LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale
1:100

Status
Planning Application

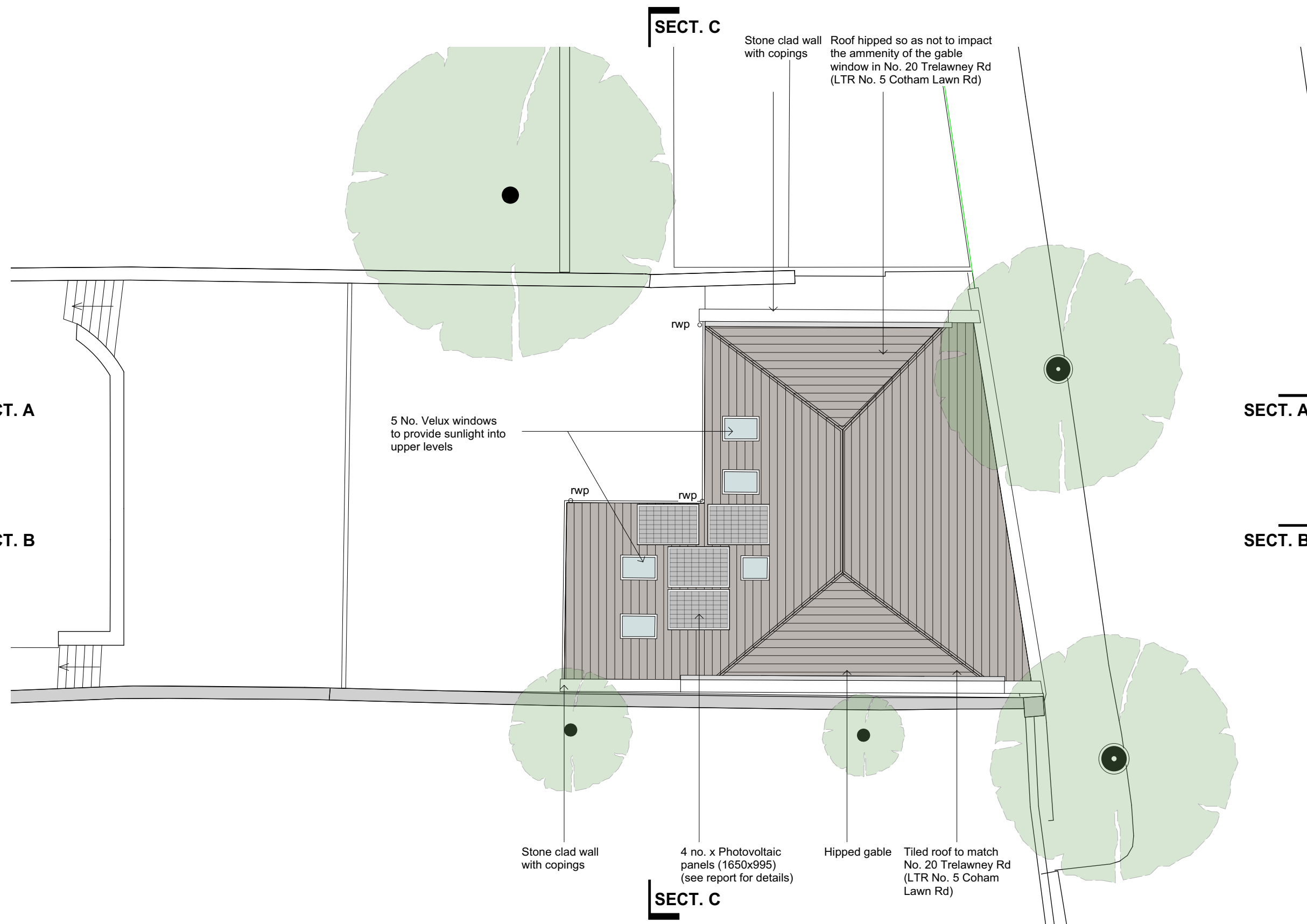
Dwg No. **16 / 10 / 321 /** Revision **05**

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place

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01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	17.11.2017
	Energy Report details added	
04	Revision	22.05.2018
	Boiler moved to utility room	
05	Revision	01.06.2018
	Hipped roof changed, velux windows and PV panels repositioned	

Title
Proposed - Roof Plan

Project
LTR No. 6, Cotham Lawn Road,
BS6 6DU

Scale
1:100

Status
Planning Application

Dwg No. **16 / 10 / 322 /** Revision **05**

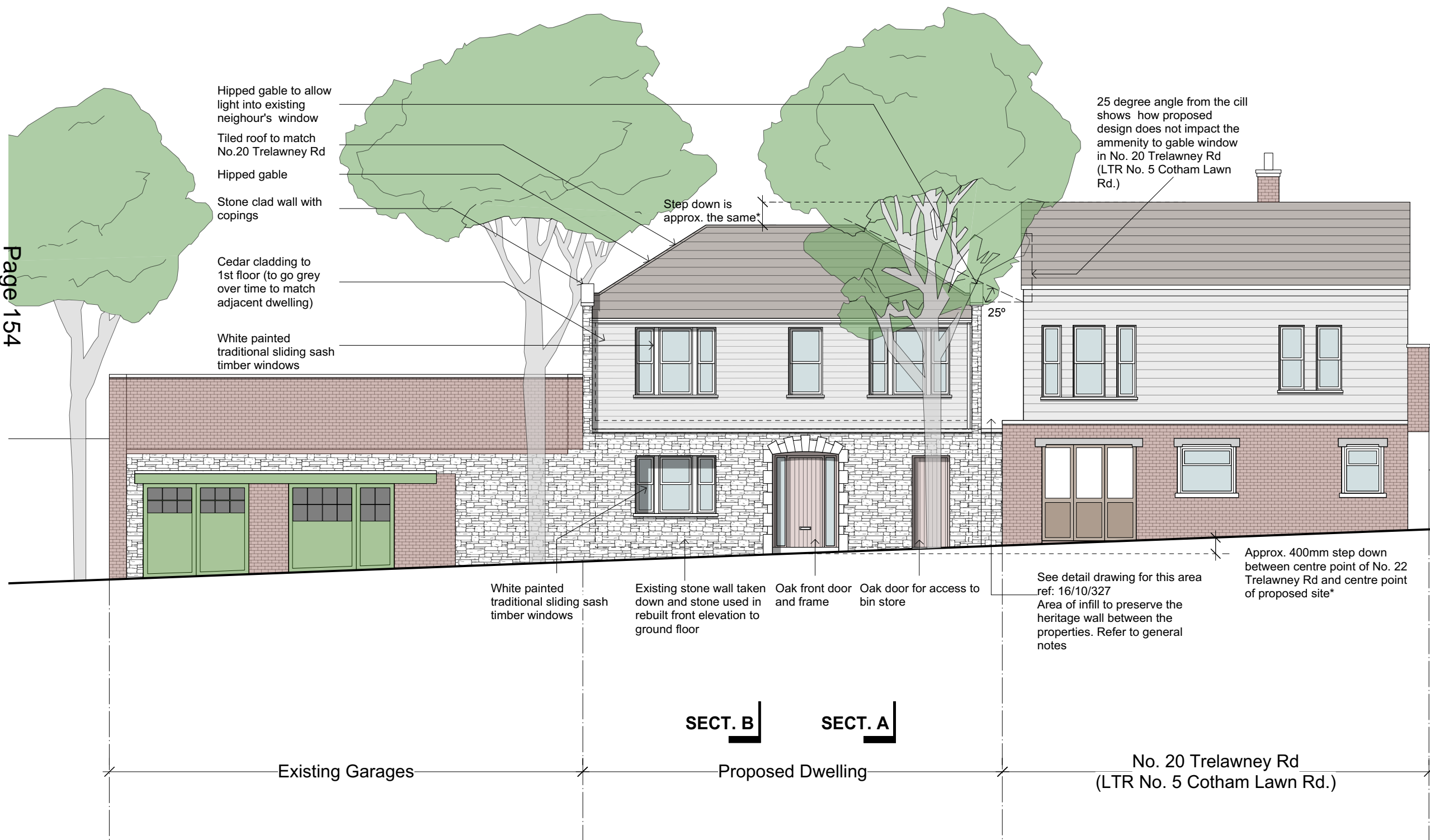
ProjectWorks

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	21.11.2017
	Energy Report details added	
04	Revision	31.05.2018
	Hipped roof altered and new door to bin store added	
05	Revision	01.06.2018
	Door position adjusted, new door added for bin store, hipped roof adjusted	

Title
Proposed Front Elevation (West) on Trelawney Rd

Project
LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale
1:100

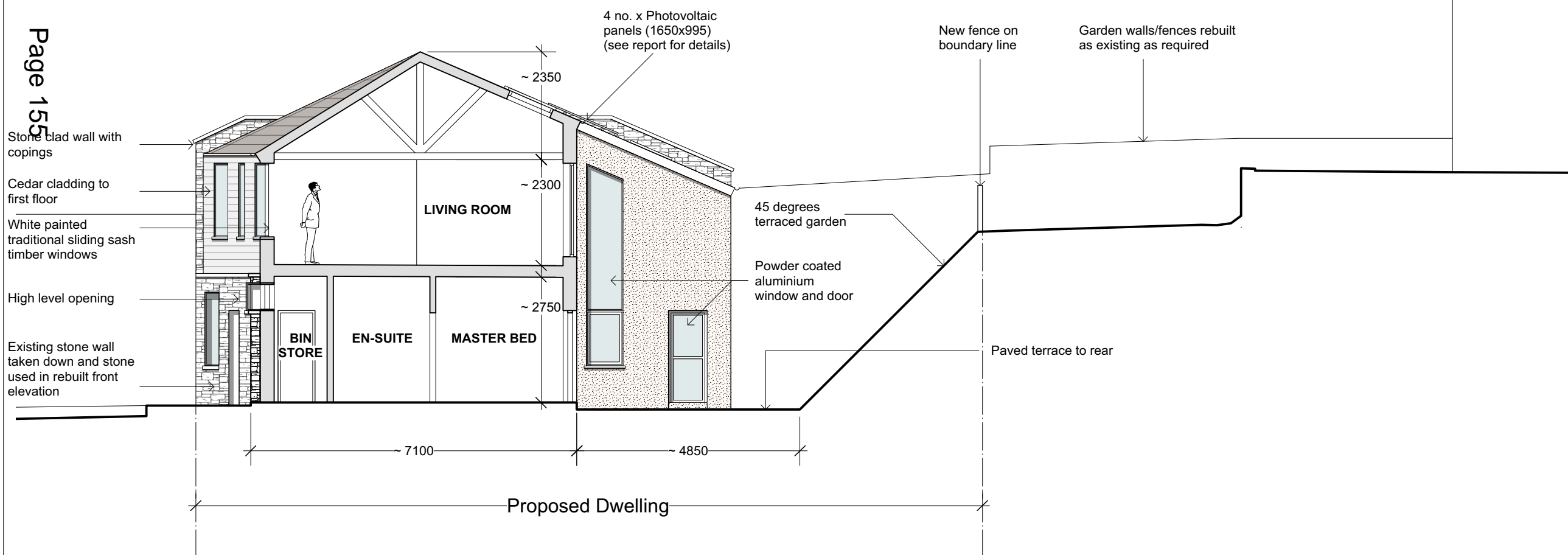
Status
Planning Application

Dwg No. **16 / 10 / 323 /** Revision **05**

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	17.11.2017

Energy Report details added

04	Revision	01.06.2018
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Hipped roof adjusted, and gable wall lowered to height of other gable wall

Title

Proposed - Section AA

Project

LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale

1:100

Status

Planning Application

Dwg No.

16 / 10 / 324 /

Revision

04

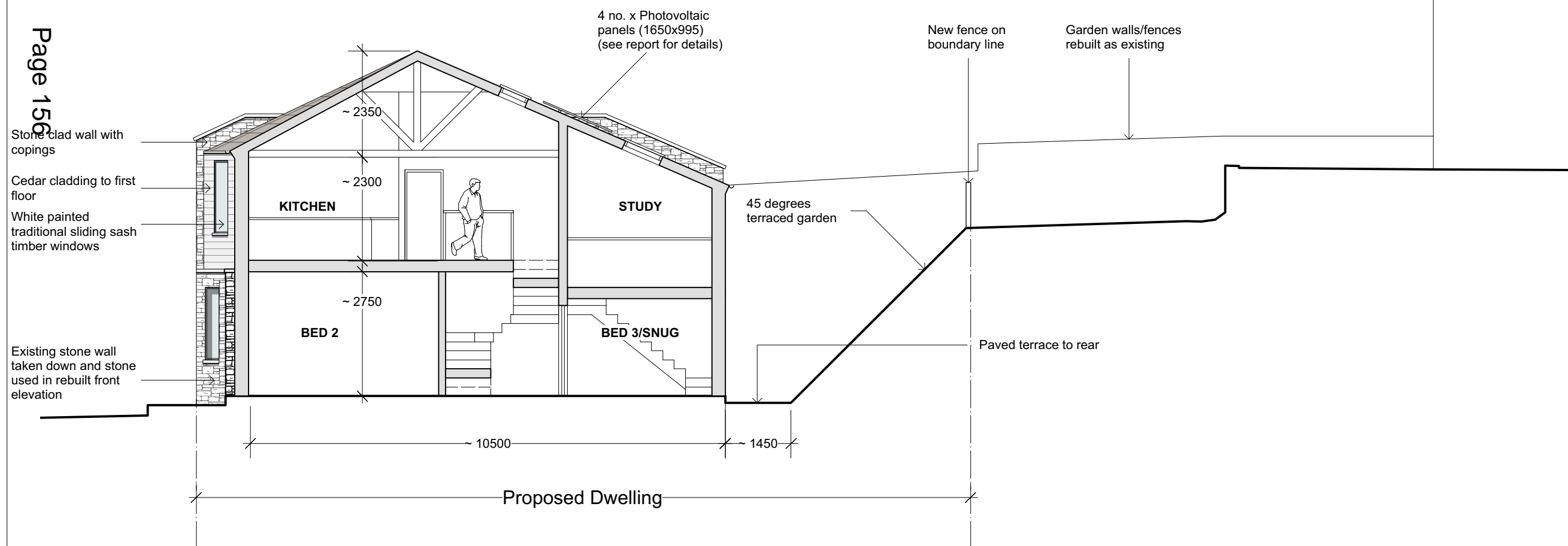
ProjectWorks

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	17.11.2017

Energy Report details added

04	Revision	01.06.2018
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Hipped roof adjusted, and gable wall lowered to height of other gable wall

Title
Proposed - Section BB

Project
LTR No. 6, Cotham Lawn Road,
BS6 6DU

Scale
1:100

Status
Planning Application

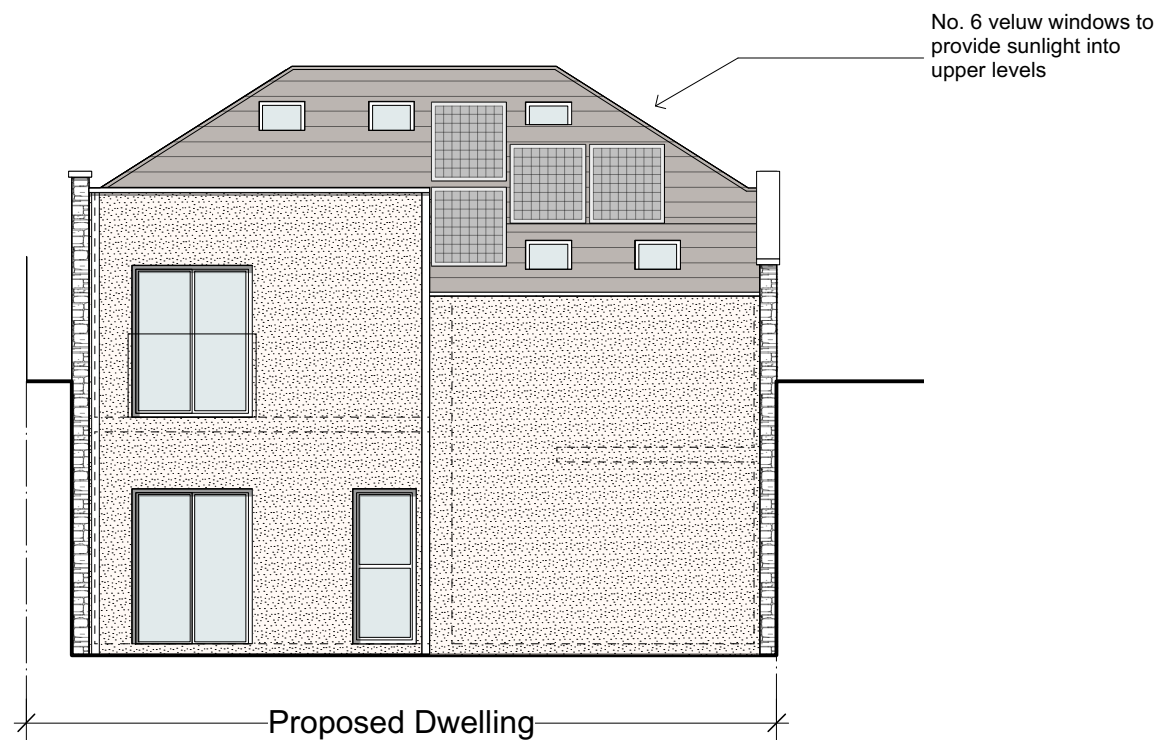
Dwg No. Revision
16 / 10 / 325 / 04

ProjectWorks

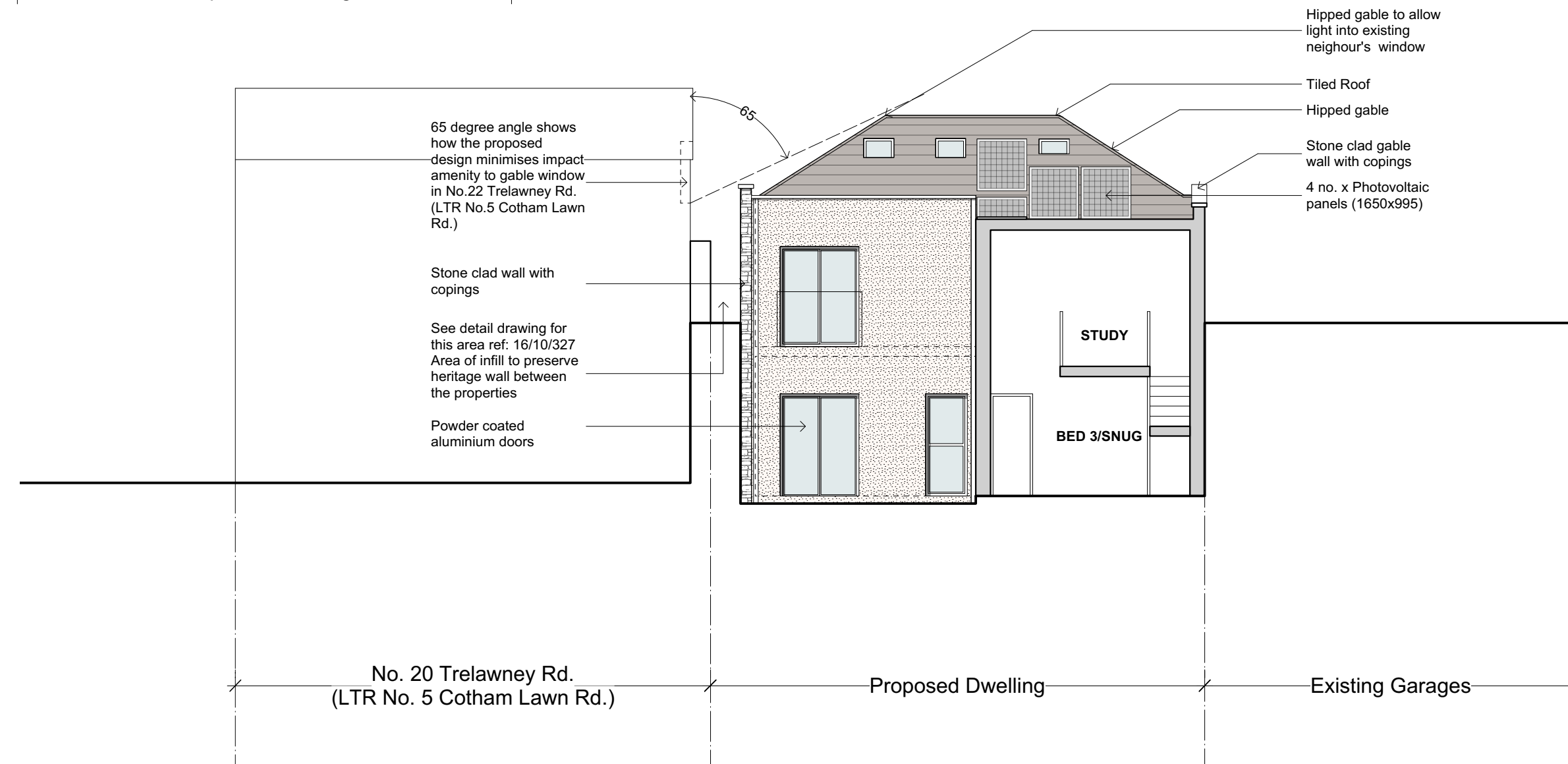
The Orca Building,
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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



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01	Revision	17.05.2017
02	Revision	19.06.2017
03	Revision	17.11.2017
Energy Report details added		
04	Revision	01.06.2018
Hipped roof adjusted, and gable wall lowered to height of other gable wall. Velux windows and PV panels adjusted		

Title
Proposed - Section CC & Rear Elevation

Project
LTR No. 6, Cotham Lawn Road, BS6 6DU

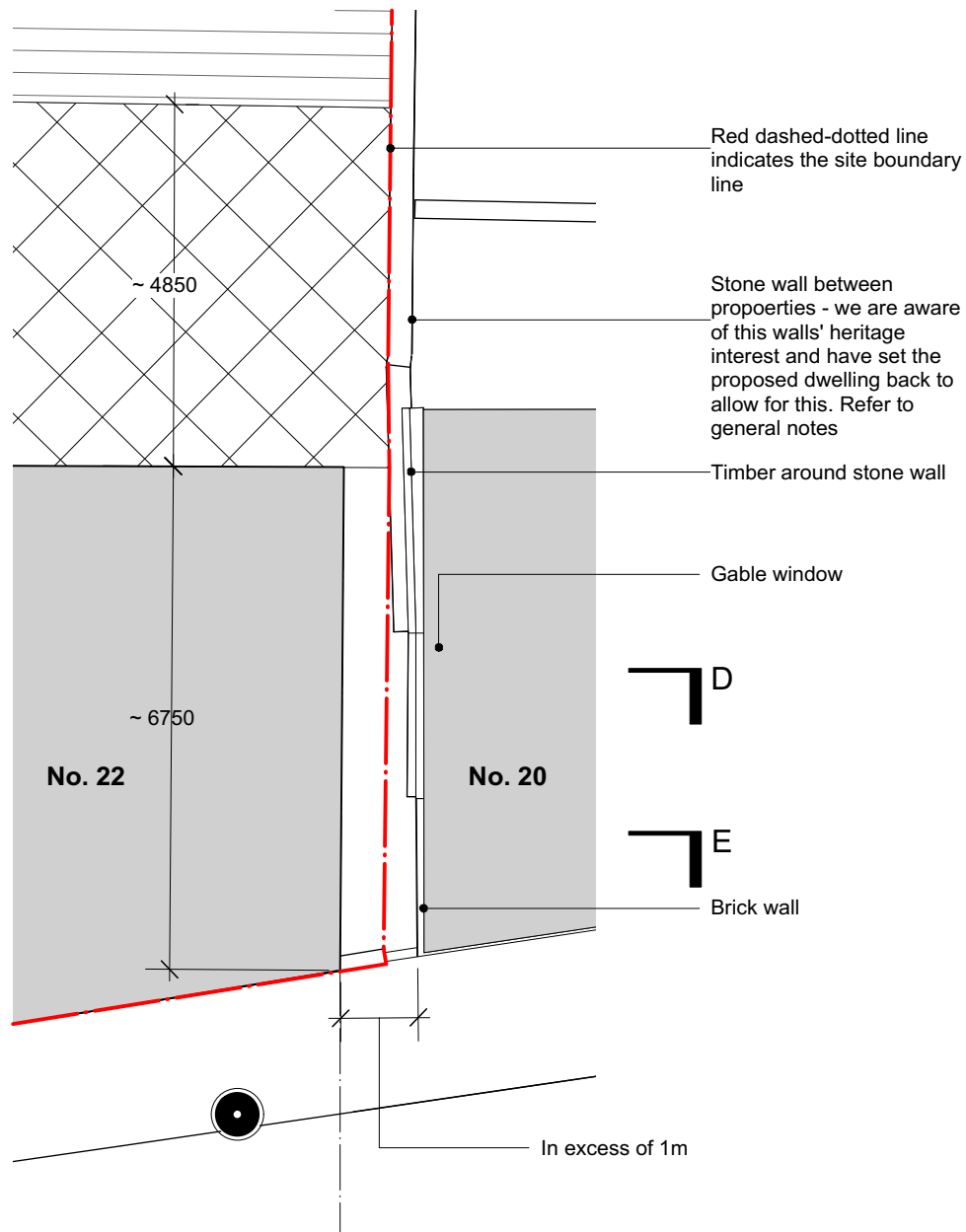
Scale
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Status
Planning Application

Dwg No. **16 / 10 / 326 /** Revision **04**

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Red dashed-dotted line indicates the site boundary line

Stone wall between properties - we are aware of this walls' heritage interest and have set the proposed dwelling back to allow for this. Refer to general notes

Timber around stone wall

Gable window

Brick wall

Site plan 1:100

External wall line of proposed dwelling

Gable window of No. 20 Trelawney Rd. (LTR No. 5 Cotham Lawn Rd.)

Timber cladding

Stone wall higher up the site

Timber around stone wall

Fence

Lower stone wall

Heritage wall in this area to be taken into account in Party Wall Awards

External wall line of proposed dwelling

Red dashed-dotted line indicates the site boundary line

Trelawney Road level

Section D-D 1:50

Timber cladding

Stone wall higher up the site

Timber around stone wall

Fence

Lower stone wall

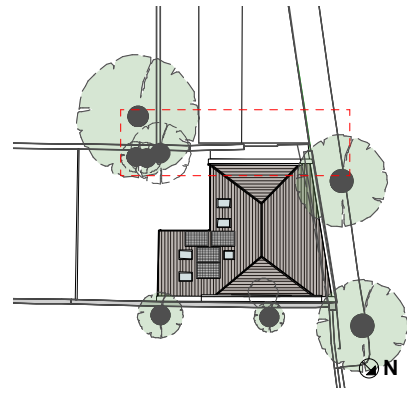
Brick wall

External wall line of proposed dwelling

Red dashed-dotted line indicates the site boundary line

Trelawney Road level

Section E-E 1:50



General Notes

We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place

01	Revision	27.06.2017
02	Revision	21.11.2017
	Energy Report details added	
03	Revision	22.05.2018
04	Revision	01.06.2018
	Hip roof pitch adjusted	

Title
Site plan and sections of boundary with neighbouring dwelling

Project
 LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale
 1:100/1:50

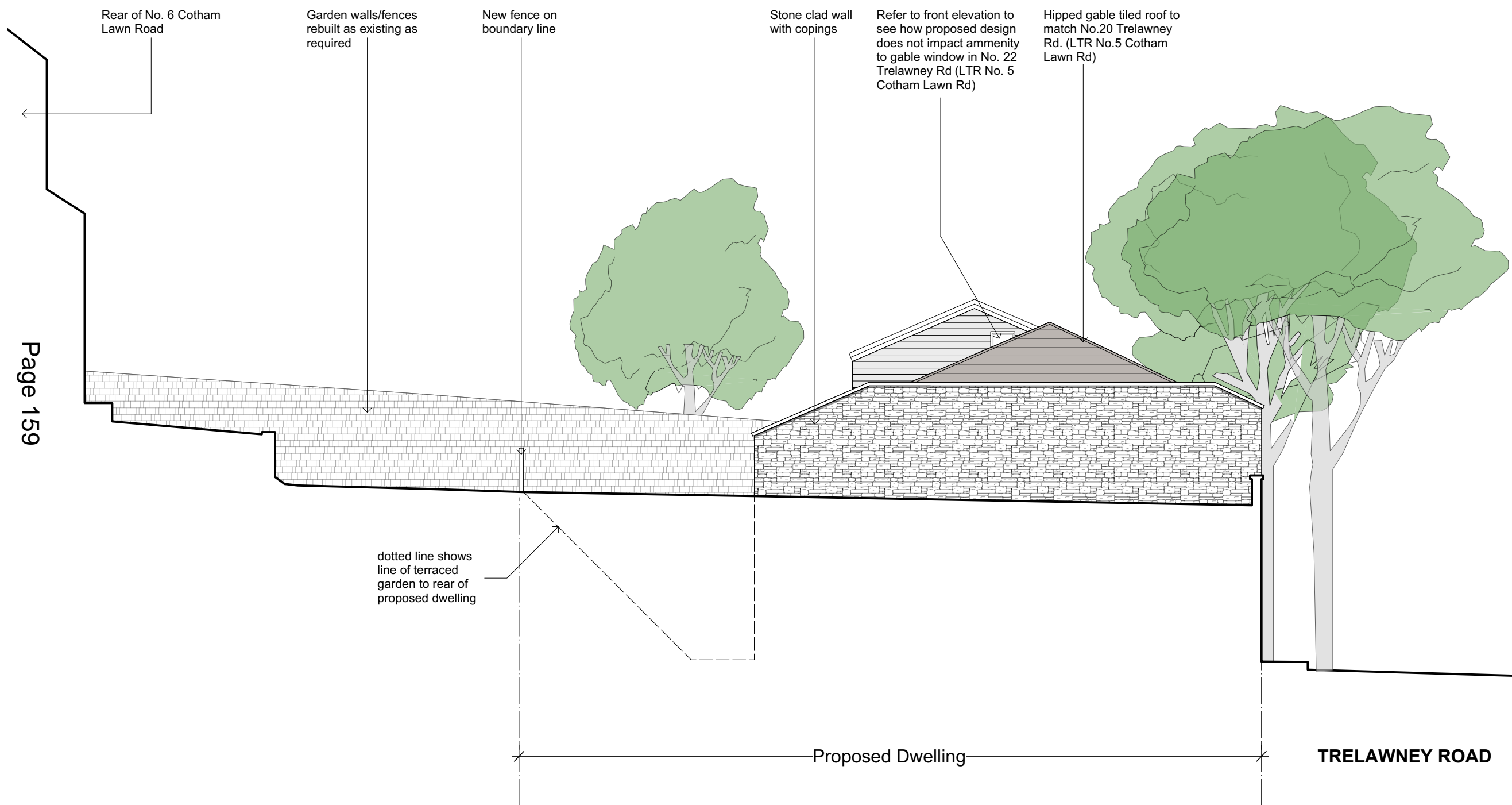
Status
 Planning Application

Dwg No. 16 / 10 / 327 / Revision 04

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We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place



Page 159

00	Revision	21.11.2017
01	Revision	01.06.2018
Gable wall lowered to height of opposite gable wall		

Title
Proposed - Side Elevation (Existing Garage)

Project
LTR No. 6, Cotham Lawn Road, BS6 6DU

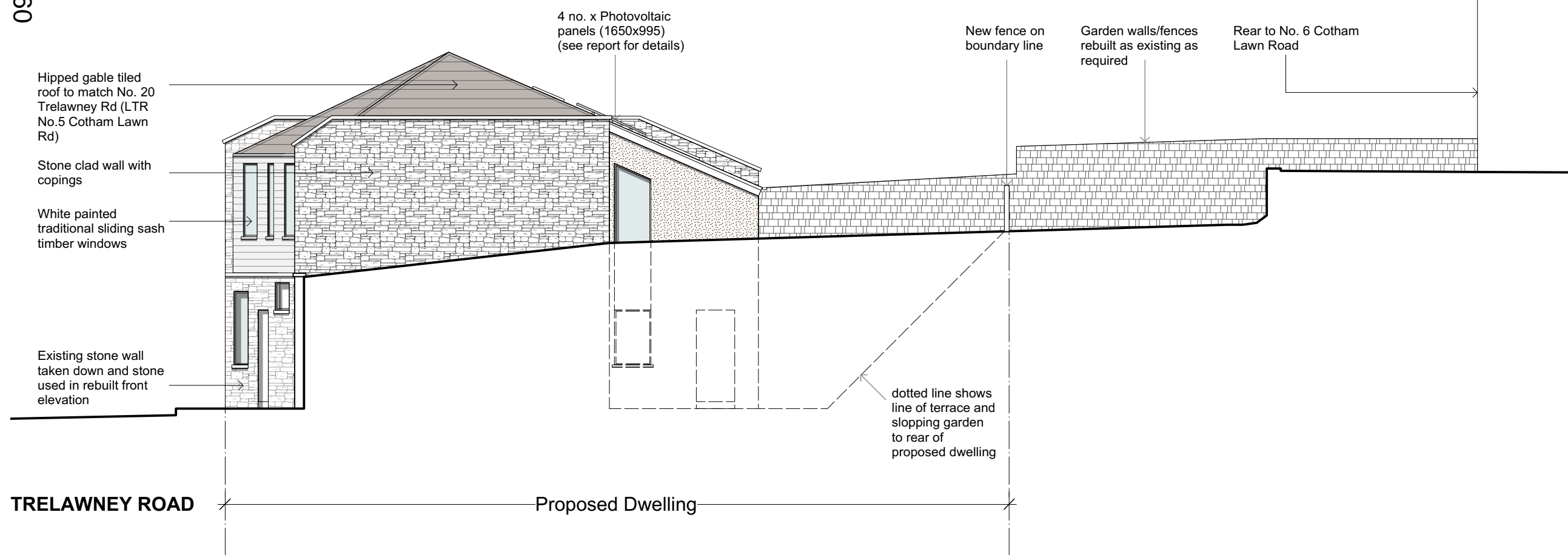
Scale
1:100

Status
Planning Application

Dwg No. **16 / 10 / 328 /** Revision **01**

ProjectWorks

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General Notes

We are aware of the sensitive nature of this site, both in terms of the local vernacular and the Cotham and Redland conservation area, but also because of the historic and heritage aspects of some of the walls bounding the site. Should a consent be granted then full discussions with immediate neighbours under the terms of the Party Wall Act (etc) 1996 would take place, and no development will begin without an agreement in place

00	Revision	21.11.2017
01	Revision	01.06.2018
Gable walls lowered to same height		

Title
Proposed - Side Elevation (Existing House)

Project
LTR No. 6, Cotham Lawn Road, BS6 6DU

Scale
1:100

Status
Planning Application

Dwg No. **16 / 10 / 329 /** Revision **01**

ProjectWorks

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Arboricultural Assessment

for

**Rear of 6 Cotham Lawn Road
Cotham
Bristol**

Prepared by

Tim Pursey

MICFor, M.Arbor.A., Dip.Arb.(RFS), Tech.Cert.(Arbor.A.)

Arboricultural Consultant

Tel. 0117 951 1375

1 Stanley Park, Lower Easton

Bristol BS5 6DT

Email arb@timpursey.co.uk

www.timpursey.co.uk

Rev B 30 July 2018

1.0 Date of survey

1.1 March and July 2018

2.0 Surveyor

2.1 Tim Pursey

3.0 Instructions

3.1 As a result of a planning application, I am instructed to undertake an arboricultural assessment and to prepare a report assessing the impact that the proposed development will have on two trees growing on Trelawney Road as well as trees growing in rear gardens of Cotham Lawn Road.

3.2 The report includes:

- An indication of the constraints placed on the design by the trees on site
- Site plan detailing the existing trees on site – drawing TP 2373/1803/TCP Rev A appended
- A schedule indicating the tree survey results

4.0 Report limitations

4.1 All inspections were made from ground level, using binoculars where necessary. Should a more detailed inspection, by climbing or by elevated platform, be required then this will be highlighted within the survey recommendations.

4.2 I have not contacted the local planning authority to determine the legal status of the trees on site. If any trees are the subject of an order, or the land forms part of a Conservation Area then it will be necessary to properly notify, or to obtain prior permission from, the local authority before carrying out any works on the trees.

4.3 Trees are living, dynamic organisms. Their health and overall condition changes as the trees grow and can be affected by external conditions. For this reason the condition survey and any recommendations given are valid for a period not exceeding one calendar year from the date of issue of this report.

4.4 The method statement in this document is provisional and subject to confirmation.

5.0 Proposals

- 5.1 It is proposed to construct a new dwelling to the rear of 6 Cotham Lawn Road which will front Trelawney Road.
- 5.2 No trees are proposed to be removed to facilitate works.

6.0 Tree survey

- 6.1 See schedule of tree survey results.

7.0 Assessment of Impact

- 7.1 Trees T1 and T2 grow in the public pavement on Trelawney Road. Both are managed as pollards and both are in a normal condition.
- 7.2 It is proposed to construct a new dwelling in the rear of 6 Cotham Lawn Road fronting Trelawney Road.
- 7.3 Ground level difference between street level and subject site level is currently around 3.5m. It is very unlikely that significant root growth from the two trees will be found within the subject site.
- 7.4 The existing rear garden is retained by a large stone wall with unknown foundation depth.
- 7.5 Given the proximity of the wall to the two trees, it may be prudent to remove the lower sections and foundation of the wall with great care to ensure no significant roots are damaged.
- 7.6 The canopies of both trees are relatively high and although they oversail the subject site to a limited extent, there is sufficient vertical clearance beneath to accommodate the new two storey dwelling.
- 7.7 There may be some issues with honeydew dropping from the Lime tree and leaving residue to the front of the new dwelling and its windows. This is easily remedied with regular cleaning of windows and occasional cleaning of the house frontage with a powerful hose or power washer.
- 7.8 Both trees are deciduous so both will drop their leaves during autumn. The roof and gutters of the new dwelling should be designed to prevent gutters being blocked by leaf fall.
- 7.9 Windows from the new dwelling face onto Trelawney Road. The living space will be upstairs and looks out beneath the lower level of the canopies of both trees. The open-plan living space will inevitably experience some lowering of light levels but has three windows so overall light loss is likely to be lessened.

- 7.10 New services will be installed from Trelawney Road. They will inevitably pass through the root protection areas for both trees. Excavation to install services will, therefore, need to be undertaken with great care to avoid unnecessary root damage.
- 7.11 Provided the project is completed with sufficient care and in accordance with this document, there is no reason why the two trees cannot be retained without damage.
- 7.12 Small ornamental trees grow in adjacent gardens. Trees T3 and T4 grow sufficiently far from the boundary wall so root protection areas (RPAs) do not extend beyond the boundary wall.
- 7.13 Tree T5 grows some 2m from the boundary wall and its theoretical RPA, if drawn as a circle centred on the tree, extends into the subject site. Careful excavation undertaken by hand revealed no roots from Cherry T5 growing beneath the boundary wall and into the subject site. Excavation was taken to around 600mm in depth and the base of the boundary wall was not located.
- 7.14 Given that no roots from the tree grow into the subject site, proposed works will not have a detrimental effect upon the tree. Some minor crown pruning may be necessary but this will not affect the tree significantly.

8.0 Provisional Method Statement to Mitigate Impact

8.1 Tree Works

The crown of Cherry T5 will be crown lifted to 3m to provide greater working space beneath. Works will be undertaken by persons both experienced and qualified to do so and in accordance with BS3998:2010.

8.2 Protective Fencing

Protective fencing is not necessary or appropriate in this instance.

8.3 Tree Trunk Protection

The trunks of both trees T1 and t2 will be wrapped in a double layer of chestnut paled fencing (or other timber) to a height of 3m to ensure no stem/bark damage occurs as a result of plant working in the area (see overleaf).

- 8.4 Tree trunk protection will be installed prior to commencement of any works on site and will be retained until completion of the project.



Example of tree trunk protection, in this case not to 3m high

8.5 Removal of Existing Stone Boundary Wall

The lowest sections and foundation of the existing boundary wall will be removed with care and under the direct supervision of the project arboriculturist in order to ensure no unnecessary root damage occurs.

8.6 In the unlikely event that roots are encountered from either tree, the project arboriculturist will advise on the most appropriate course of action.

8.7 Service Installation

New services will need to be installed from Trelawney Road so a service trench is required. This will be excavated as close to mid-way between trees T1 and T2 as possible and will be excavated with care to avoid root damage.

8.8 Excavation will be completed by hand and in any case will be completed under the supervision of the project arboriculturist, again, to ensure no unnecessary root damage is caused. Roots less than 25mm in diameter may be severed if necessary using a sharp saw to ensure a clean cut.

8.9 Should larger roots be encountered then it may be necessary to locate services at greater or shallower depth. The project arboriculturist will be supervising excavation and will be able to advise as necessary. No roots larger than 25mm diameter will be severed without permission from the project arboriculturist.

- 8.10 Major roots will be retained and new services routed beneath or between roots where possible.
- 8.11 **General**
No storage or mixing of cement/concrete will be permitted anywhere within 10 metres of any retained tree. Account will be taken of any slopes in order to avoid the possibility of cement washings running into the rooting areas of retained trees.
- 8.12 Oil, bitumen or other material likely to be injurious to a tree should not be stacked or discharged within 10 metres of the trunk. Materials generally should not be stacked or discharged within 5 metres of the trunks.
- 8.13 **Arboricultural Supervision**
A pre-commencement meeting will be held between the project arboriculturist and site manager. The purpose of such a meeting will be to finalise protective measures and to ensure that tree trunk protection is adequate. It is also to ensure contractors are fully aware of the need to comply with the contents of this document.
- 8.14 It is particularly important that this meeting take place prior to works commencing on site.
- 8.15 Removal of the base of the existing wall and excavation for new services from Trelawney Road will be directly overseen by the project arboriculturist.

30 July 2018
Tim Pursey
Chartered Arboriculturist

Tree Survey

Key:

- Height: Estimated in metres.
- Stem diameter: Measured at 1.5m above ground level.
- Branch spread: Estimated in metres at four cardinal points.
- Height of crown Clearance: Height in metres (estimated) above adjacent ground level to inform on ground clearance, crown stem ratio and shading.
- Age class: Young tree in first third of its life expectancy
Middle age tree
Mature trees
Over Mature
Veteran
- Category grading: **A/B/C/U** – In accordance with BS 5837:2012 *Trees in relation to design, demolition and construction – Recommendations.*
- Category A – High Quality
Category B – moderate quality
Category C- low quality
Category U – trees for removal
- All surveys and inspections made from ground level unless otherwise stated.

Rear of 6 Cotham Lawn Road, Cotham, Bristol

Tree No.	Species	Height (m)	Stem Dia.(mm)	Crown Radius (m)				Crown Ht. (m)	Age Class	Remaining Contribution	Structural and Physiological Condition	Preliminary Management Recommendations	Retention Category
				N	E	S	W						
T1	London Plane	17	750	4	4	4	4	5	Mat	20-40	Tree growing in pavement. Regularly pollarded to manage crown size. Stem forked at 4m. Normal	None	B2
T2	Common Lime	17	760	3	3.5	3	3	5	Mat	20-40	Tree growing in pavement. Regularly pollarded to manage crown size. Previously pollarded to 5m, now managed at greater height. Disruption to adjacent pavement and kerbing. Normal	None	B2
T3	Cypress	6	Est 125	1	1	1	1	1	Mid	20-40	Normal	None	C1
T4	Purple Leaf plum	7	Est 300	4.5	4.5	4.5	4.5	2	Mat	20-40	Normal	None	C1
T5	Ornamental Cherry	8	Est 400	5		5	5	2.5	Mat	10-20	Normal. Thinning slightly	None	C1

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APN12 Through the Trees to Development Patch, D.
ARIN 130/95/ARB Tree Root Systems Dobson, M.

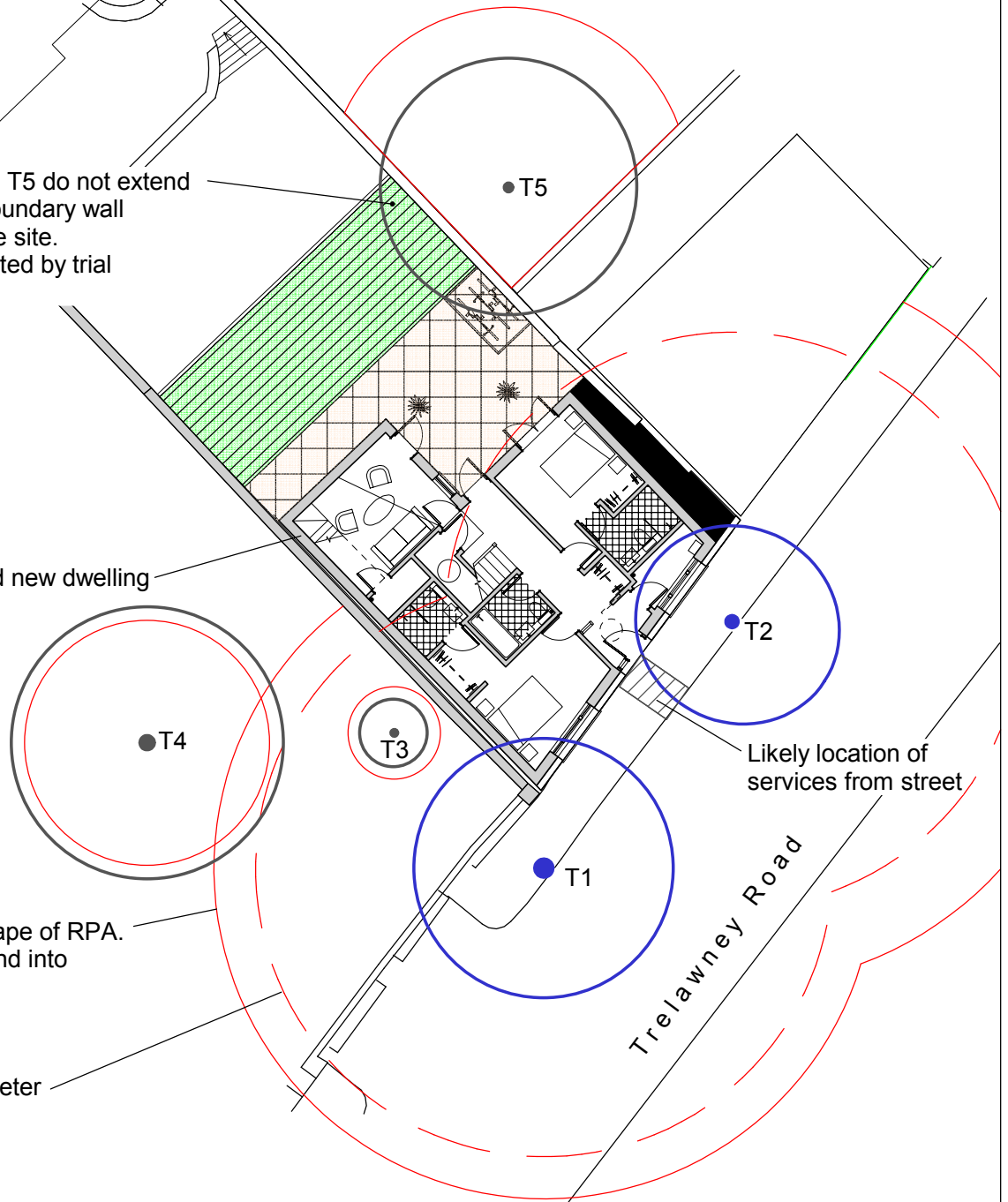
6 Cotham Lawn Road

Roots from T5 do not extend beneath boundary wall and into the site. Demonstrated by trial excavation

Proposed new dwelling

More likely shape of RPA. Does not extend into subject site

12x stem diameter
BS5837:2012



Tim Pursey Arboricultural Consultant 1 Stanley Park, Lower Easton, Bristol BS5 6DT Tel 0117 951 1375 Email arb@timpursey.co.uk				
TITLE Tree Constraints Plan Rear of 6 Cotham Lawn Rd				
SIZE A4	CAGE CODE	DWG NO TP 2373/1803/TCP	REV A	
SCALE 1:200		26 Jul 2018	SHEET	

LTR 6 Cotham Lawn Road

Application Ref 18/00447/F

**Photographic report to be read in conjunction with
Arborcultural Assessment (Rev A 26 July 2018) by Tim Pursey**

The excavation trench was dug to explore the (unlikely) possibility of tree roots from the Ornamental Cherry (See report plan and tree ref T5) penetrating through or under the stone wall, that exists between the properties.

These photographs relate to excavation works undertaken week/comm 23July2018 on applicants side of the stone wall between 6 and 5 Cotham Lawn Road.

The excavation trench was dug to a depth of 600mm from ground level, and as far as possible to a width of 2m either side of the Ornamental Cherry tree approx 1.5-2m into the rear garden of No 5 - the rear garden of 20 Trelawney Road appears to end at the old wall which it is assumed was the boundary of the (garage?) properties that were there prior to No 20 being constructed.

The existing stone wall is battered (sloping) on both sides and is a substantial stone wall on what must be considered substantial foundations. The trench was dug as close to the wall as possible, but there was a lot of root infestation in the ground which clearly relates solely to 2 small shrubs on the applicants side of the wall these roots made excavation difficult, but it was clear from the depth of excavation, and the fact that the stone wall continued down below the 600mm depth excavated, that there is no root penetration into the applicants side of the wall from the Ornamental Cheery tree of concern.

.....

Photographed and compiled by

ProjectWorks
07899 665066 or joel@baillie-lane.com

(Agents for applicant)



Overview of the Ornamental Cherry tree from Garden of No. 6 Cotham Lawn Road



Land prior to clearance



Land after clearance



Excavation trench dug in rear garden of No.6 Cotham Lawn Road



Distance shot of tradesman and excavation on completion



Confirmation that the trench was dug to 600mm depth



Excavation trench full length showing the roots are coming from the 2 small shrubs on the applicants side of the wall



Excavation trench showing roots of 2 small shrubs on the applicants side of the wall



Historic wall between 20 Trelawney Road and Garden 5 Cotham Lawn Road (wall constructed prior to building of No. 20). T5 tree approx. 1m to LHS this wall as seen from No. 6 Cotham Lawn Road



Ornamental Cherry tree in rear garden of No. 5 Cotham Lawn Road

Development Control Committee B – 15 August 2018

ITEM NO. 4

WARD: Hotwells & Harbourside **CONTACT OFFICER:** Susannah Pettit

SITE ADDRESS: 39 - 40 Berkeley Square Bristol BS8 1HP

APPLICATION NO: 1. 17/06959/X & Variation/Deletion of a Condition
 2. 17/06957/X Variation/Deletion of a Condition

DETERMINATION DEADLINE: 10 July 2018

1. Application to vary condition No's 4 (Samples), 10 (Sustainability) & 11 (Approved Plans) attached to planning permission 16/05148/F.

2. Application to vary condition No's 10 & 11 attached to planning application 16/05148/F.

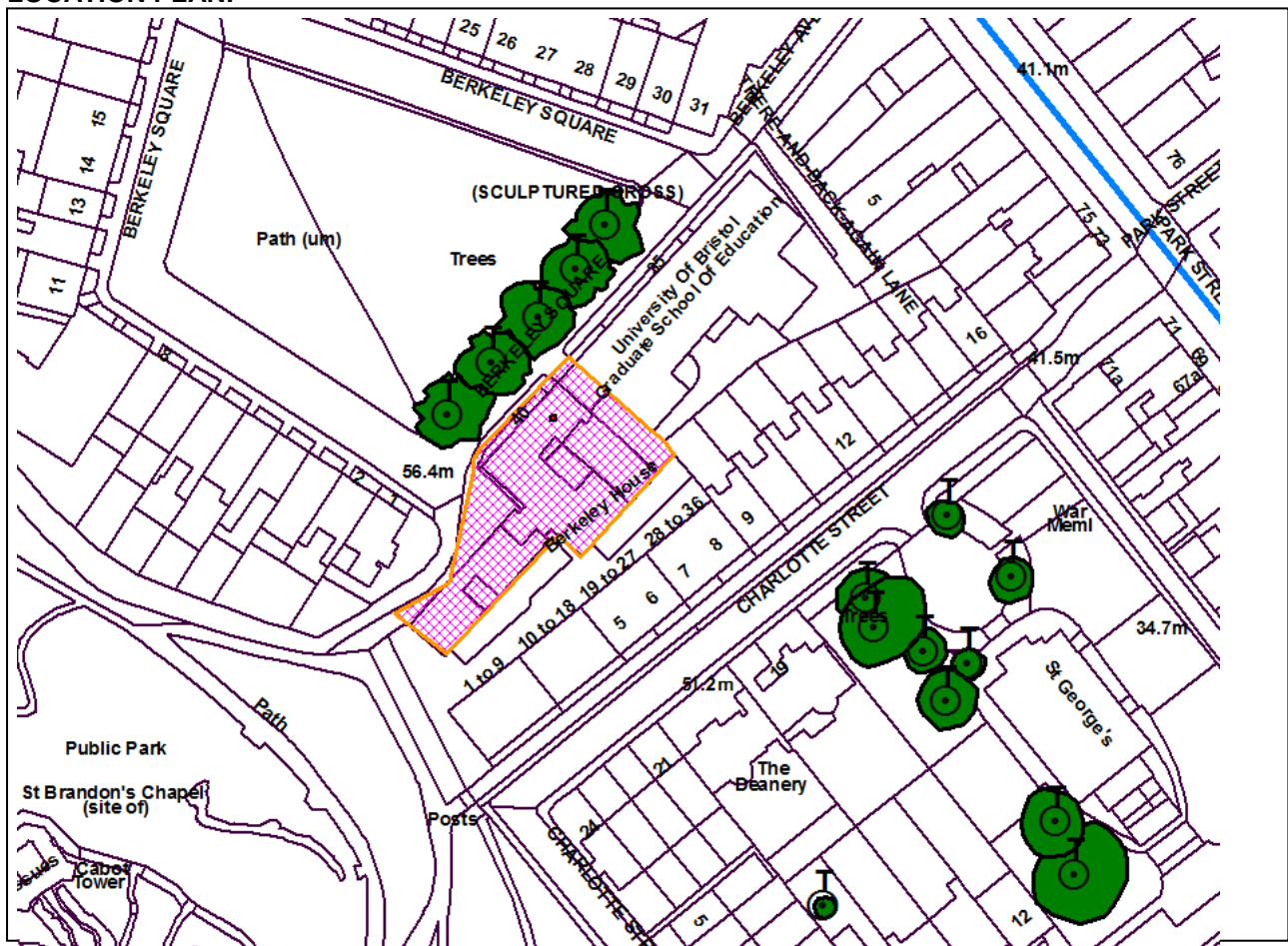
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Lichfields
 The Quorum
 Bond Street
 Bristol
 BS1 3AE

APPLICANT: Whiteoaks Capital Ltd
 39-40 Berkeley Square
 Clifton
 Bristol
 BS8 1HP

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

LOCATION PLAN:



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Application No. 17/06959/X : 39 - 40 Berkeley Square Bristol BS8 1HP

SUMMARY

These applications (17/06957/X and 17/06959/X) are being referred to Committee for a decision due to the number of objections received (30). They both relate to changes and revisions now sought to amend an extant planning permission, which was granted on 14 December 2016.

The alterations that are being sought are threefold.

Firstly, (application 17/06959/X only) the applicant wishes to change the appearance of the additional storey, from the mansard style roof that was previously consented, to a more modern, flat roofed storey. The roof extension would have a similar set back to that shown in the previous approval. The approved roof terrace would be in the same position as approved, but with the addition of a glazed structure to cover the lightwell which is in the centre of the building. There would also be a pergola frame next to this structure.

Secondly, (both applications) the approved renewable energy technology (which was originally approved as Air Source Heat Pumps - ASHP) has been found by the applicant to be problematic, as the pumps were proposed internally to the basement. These would have required additional cooling plant in order to function. Instead, an array of PV panels is proposed to the roof of No. 40 - the modern building. During the course of the application, officer assessment revealed that the full array would have resulted in harm to nearby heritage assets, (namely the view from Brandon Tower and other parts of the Park Street and Brandon Hill Conservation Area) and officers therefore negotiated with the applicant, a reduction in the number of PV panels so that they only covered one quarter of the roof, and as a result posed less harm to the heritage assets. This reduction would only provide a reduction in residual carbon emissions of 5.5%, and not the full 20% required by policy, therefore a carbon off-set contribution of £113,534 is offered by the applicant and secured via Unilateral Undertaking.

Thirdly, (both applications) air conditioning plant is proposed to be relocated from the basement, where it was originally consented, to the front part of the roof facing Berkeley Square.

The objections have been received in the main from residents of Berkeley House, which is a residential building, Grade II listed, comprising of flats. The current relationship of this building with the application buildings is very close, with, at its closest, only a 10m gap between the two buildings. The issues raised include increased overlooking, loss of daylight and sunlight, and increased noise from the roof terrace, and these issues are explored in detail in the report.

During the course of the application, the applicant has responded to requests from officers for additional reports on Daylight and Sunlight, as well as Noise Impact arising from the roof terrace and the roof top plant, and officers have assessed these. A second consultation exercise was also undertaken (and the number of additional comments is included in the total number of objections above).

A number of conditions which were attached to the previous consent have been made stricter within this recommendation.

The three main additional conditions are as follows:

- Requirement that the roof terrace is not used at the weekends (in the previous scheme it was restricted to the hours of 9am-6pm on any day. These hours are still applied, but to weekdays only and not bank holidays).
- Noise from plant to remain 5dB below background noise level
- Management Plan required as a pre-occupation condition, to require details of how behaviour on the terrace would be managed, details of signage, and details of how often the terrace would be used.

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It is noted within this report, that any additional use of the terrace, such as for a bar or with amplified music, would require a licence to be obtained by the applicant, which would be subject to a separate regime. The application is for the terrace to be used as an ancillary amenity space to the office, therefore there is no intention by the applicant to have a bar or amplified music.

Officers are satisfied that the amendments to the scheme would not result in significant harm to amenity, and that steps have been taken by the applicant to alleviate concerns in this regard. The scheme would result in 'less than significant' harm to heritage assets - a harm which is outweighed by the public benefit of bringing the office back into use.

It should be borne in mind that the parent planning permission (16/05148/F) could still be implemented, and this has less controls than the scheme subject of this report. Officers therefore support this scheme as set out in the agenda report and recommendation.

SITE DESCRIPTION

The application site comprises two linked buildings located in the south east corner of Berkeley Square. The site is within the Park Street and Brandon Hill Conservation Area, and surrounded by a number of listed buildings although neither of the application buildings are listed. The three historic sides of the square still represent a good Bristol example of speculative housing development, by significant local architects, and is variously afforded Grade II and Grade II* Listed building status. To the rear of the site, (south-east) are nos.1-16 (consecutive) Charlotte Street, to the south-west are nos. 1-8 Berkeley Square, and to the north-east, nos. 20-30, which are all Grade II* listed. The site is adjacent to Brandon Hill Park, and is overlooked by the Grade II listed Cabot Tower.

The application buildings are currently in use as offices. No.39 emulates the traditional Georgian facades of the Square, where no.40 is a modern 1960s design which as stated as having a negative impact on the conservation area (in the Park Street and Brandon Hill Character Appraisal.)

The buildings are serviced collectively from a car park (13 spaces) and service yard which is accessed via an undercroft off Berkeley Square. To the rear of the site (at a lower level) are residential properties fronting Charlotte Street.

RELEVANT HISTORY

16/05148/F Alterations and extensions, comprising: an infill extension at ground floor level on part of the existing undercroft car park on 40 Berkeley Square; a three-storey extension to the front of 40 Berkeley Square to create a new entrance reception and roof terrace above; a third-floor rear roof extension to create additional office accommodation with communal terrace above; infill of the existing internal lightwell at 39 Berkeley Square; installation of new curtain walling glazing to the front and rear elevations; installation of new windows, doors and entrance ramp.

Date Closed 14 December 2016 PG

91/01299/F 39/40 Berkeley Square Bristol
 Refurbishment of 4,105sqm to offices with an additional 380sqm gross of office floor space to be created.

Date Closed 9 September 1991 PCA

04/04989/F Replacement of windows and doors on secondary reception area.

Date Closed 10 February 2005 PG

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APPLICATION

Approval of a minor material amendment is sought under section 73 of the Planning Act, to vary condition 4 (sample panels); (10 (Energy and Sustainability Statement, which proposed a 20.4% reduction in residual carbon emissions through the use of Air Source Heat Pumps (ASHP)); and condition 11 (drawings list). The scheme would be amended to propose an array of PV panels instead of Air Source Heat pumps, and the drawings have been updated to reflect this change.

The reason for the proposed change, is that the applicants have received advice that ASHP would a) have decreased efficiency in an internally located plantroom than they would on an open air installation

- b) because of the plant being located internally, mechanical ventilation would be required in order to optimise efficiency
- c) the system would have a high electrical load in view of the above two points

As a revised response to renewable energy provision, the applicant proposes a PV array. Drawings have been submitted showing the PV array being located across the whole roof of no.40 (the modern 1960s annex building).

The alteration to condition 4 is to amend the appearance of the roof extension. The previously approved scheme showed a mansard style roof extension with terrace to the flat roof, which is now proposed to be altered to a vertically planed flat roof extension, to cover an almost identical footprint. Also proposed is a glazed structure to cover the lightwell which currently pierces the building at no. 39. The glazed structure would be at roof level in the centre of the roof measuring 5.4m (W) x 5.1m (D) x 1.5m (H) (to eaves) and 2.8m (H) (to roof apex). There would also be a timber pergola structure measuring 5.4m (W) x 3m (D) x 2.66m (H) on the south side of the glazed structure.

ALTERATION TO ROOF TOP PLANT

5 Wall-mounted plant installations are proposed to the Berkeley Square facing elevation, to be attached to current roof structures in the centre of the roof. These were previously shown at lower ground floor level, internally.

AMENDMENTS TO THIS APPLICATION

During the course of the application, the applicant was asked to provide amended drawings and documents. These were submitted on 15th June 2018 and showed the following changes:

- Revised Daylight and Sunlight Assessment
- Revised Noise report to assess plant and noise from roof terrace
- Drawings to include plant locations
- Drawings to show obscure glazed window locations to rear
- Revised Design and Access Statement (to correct diagrammatical portrayal of roof extension)

CONCURRENT APPLICATION

An application (17/06597/X) has been submitted alongside this one, to vary conditions 10 (Sustainability) & 11 (Approved Plans) attached to planning permission 16/05148/F. This application is identical to the application subject of this report, but is limited to the revised PV (instead of Air Source Heat Pumps), and new glazed roof lantern.

PHASING

Both applications seek to introduce a phased element - the works to the roof extension being Phase 1, and the works to the front extension being Phase 2.

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STATEMENT OF COMMUNITY INVOLVEMENT

Whilst the application is not a major application, and therefore there is no requirement to undertake community consultation prior to submission, in view of the level of public interest, the applicant was asked to supply details of what level of consultation they had undertaken themselves. The following summary was submitted by email dated 27.04.18.

- A meeting with James Redshaw (Berkeley House Directors) on 26 September 2018.
- An informative flyer was distributed to residents in January 2018, informing residents of the upcoming works and planning applications (see copy attached).
- A series of informal drop in sessions were held on Thursday 18, Saturday 20, Tuesday 23 and Wednesday 24 January 2018, where members of Whiteoaks Capital and the project team were on hand to discuss the project and any queries. These were attended by neighbours and residents of Berkeley House, and feedback received was broadly positive.
- Requests to meet the Directors of Berkeley House to discuss the refurbishment works and other matters, which had not been taken up.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by site notice and press advert, both posted on 17.01.18. Letters were also sent to 128 neighbours. A total of 22 objections were initially received, all from residents of Berkeley House to the rear of the application site, and the issues raised are summarised below. The full responses are displayed on the Council's website during the course of the application process.

Details of the second consultation, consulting on the revisions received on 15th June are set out later in this report.

- The plans will result in light and outlook being blocked from the rear windows of Berkeley House.
- The proposed roof terrace will allow even more opportunity for views into bedrooms and bathrooms of properties in Berkeley House. Office workers in the building already have the view and the proposal will make it worse. If the development goes ahead there should be an opaque screen from floor surface to above head height, so that noise cannot travel under the barrier and people cannot peer over and look at naked residents in their bathrooms and bedrooms.
- The current application presents an opportunity to correct some mistakes from the past. Currently, the rear facing windows in the office block are covered with reflective windows - meaning that the office occupiers have a view out, but no one can see in. This gives Berkeley House residents the impression that they can't be seen, when in fact they can. The windows should therefore be fitted with an opaque screen as part of the refurbishment so that light may still pass through, but so that views to Berkeley House are prevented.
- The terrace would result in a great deal of noise which would be exacerbated by the building's close proximity to the Berkeley House. Because Berkeley House is listed, it is not possible to install double glazing to protect residents against noise disturbance.
- The plans do not include a continuous back wall to the ground level car park. This currently causes problems with anti-social behaviour, so the opportunity should be taken with the refurbishment to address this.
- More information is needed on the proposed roof fans, including their proposed location and likely decibel rating so that residents can ascertain whether noise pollution from this would occur.

Temple Bright Solicitors submitted two letters of objection (dated 30 April 2018 and 4 May 2018 respectively) on behalf of the residents of Berkeley House, and the second letter (dated 4 May 2018)

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was accompanied by a letter from an acoustic consultant (Red Twin Limited) which provided a critique of the acoustic reports submitted by the applicant in respect of applications 16/05148/F and 17/06959/X.

The letters are summarised below:

30 April 2018 - Temple Bright Solicitors

The proposal to place a raised glazed lightwell to create an atrium would adversely impact upon sunlight hours received by residents of Berkeley House. No addendum report to the original Daylight and Sunlight report was submitted to support this part of the proposal. This structure would also deflect noise back to our client's property, resulting in a perceptible change in loudness. Whilst an addendum noise report has been submitted for the plant on the roof, an addendum report has not been submitted for the rear roof terrace. The application should therefore be refused.

In terms of the alterations proposed to the roof, there are three aspects. One is to alter the roof extension from a mansard roof to a glazed façade. Secondly, the extension would be enlarged, and thirdly, the roof terrace would include a pagoda structure. The pagoda structure would be higher than the solid structure and would be closer to our client's property, further impacting on light received by it. This in turn would direct further noise down to our client's property.

In terms of the Daylight and Sunlight report submitted with the parent application (16/05148/F), the results reported showed two third floor windows failing to meet the Daylight Distribution test, and three second floor rooms falling marginally short of the minimum Daylight Distribution requirement to achieve no less than 0.8 times its former value (they achieved 0.74, 0.76 and 0.78). This is incorrectly reported in the officer report recommending approval, which said that NONE of the rooms fell short of the standard. This is simply wrong.

The current application states that 'the alternative design is no higher than the approved scheme and no closer to Berkeley House. This is incorrect, since the current proposal is for a vertical extension rather than an angled mansard. This additional height would result in a loss of amenity to the residential properties of our client. This further exacerbates the findings of the original Daylight and Sunlight report.

The third floor balcony is to be restricted to window cleaning and maintenance. If permission is granted, the balustrade for this balcony should not be clear, to resist overlooking. If it were obscure, then we revert to the additional interference with light. Within application 16/05148/F the balustrade was to be obscure glass. The applicant has corresponded with our client and has resisted agreeing to it being obscure glass to protect its views (including of our client's property).

The application should be refused, but if approved, the use of the roof terrace should be restricted to, 9am-6pm (as in the previous application) but with an additional restriction of Monday to Friday only. The balustrade should be secured to the roof surface to avoid noise escaping in the direction of our client's property.

The applications should be refused for the following reasons:

- Inaccurate and misleading information
- Insufficient information on noise and light
- Loss of light to below the recommended guidance
- Increased overlooking with no mitigation

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4 May 2018 - Temple Bright Solicitors and 4 May 2018 - Red Twin Limited (Acoustic Consultants)

The noise report accompanying application 16/05148/F uses the incorrect British Standard as a basis to assess noise impact from people and the conclusions reached are not relevant to the assessment of sound from an occupied roof terrace.

The noise readings were taken over 15 minute intervals, instead of 1 hour intervals as required by BS4142. No spectral information was provided for the survey. The main sources of noise in the area were not adequately described. There was not enough justification that the data used is applicable, therefore they could not have been checked by the LPA. There is also an anomaly in the measured noise levels quoted. In discussing the noise reduction that would be offered by the proposed 1.1m screen, this has been significantly overstated. The terrace is bounded by higher structures of 40 Berkeley Square which reflect sound and would negate much of the benefit from the screen. The report concludes 'an imperceptible change in noise levels'. This is based on a short-term sound event being imperceptible against the average sound, and is technically incorrect and reached in haste. Using our own judgement for attenuation, I would expect the L_Amax received at the façade of Berkeley House to be several decibels greater than reported.

The same report also does not accurately state where each item of plant is located. The noise from the Nuaire units is not provided, this would imply that these units are to be located indoors, but this should have been clarified.

For the current applications, an addendum report has been submitted. These applications seek to relocate mechanical plant from the lower ground floor to the fourth floor roof. The addendum report only considers noise from the relocated plant, and not from the amended fourth floor roof terrace or third floor perimeter terrace.

The introduction of the raised lantern over the lightwell will provide reflection of sounds generated on the terrace. The intensification of sound in the direction of Berkeley House will in my opinion result in more sound being received hence this design feature will lead indirectly to a greater noise impact than has been stated previously.

The calculations in relation to the relocated plant show that the local authority criteria would not be achieved. No consideration has been given to the cumulative noise level resulting from the new roof mounted condensers together with the originally approved Nuaire condensers. The overall level of both sources combined would be higher than has been reported and hence the noise impact would be greater. My estimate of the noise level from the roof mounted condensers is that it is 1dB above the minimum background sound level.

In my opinion, the plant noise assessments are incorrect as they are not in accordance with the British Standard method used by the LPA. Furthermore, the calculations do not reach the correct value and hence the conclusions based on these calculations are incorrect. The application to amend the scheme should have included a specific review of the changes to the building form in relation to acoustics, with specific reference to the introduction of a raised lantern over the atrium, the inclusion of a cover to part of the terrace and the introduction of a perimeter terrace around the third floor extension.

RE-CONSULTATION

In the light of the amendments submitted on 15th June, a further consultation for 21 days was carried out, with letters sent to the same 128 neighbours plus all objectors. The 21 day period for comment ended on 17 July, and 23 comments were received (including 8 from addresses not previously having commented), raising the following additional issues (summarised):

- My choice to live in my flat in Berkeley House was based on the light and through view into Berkeley

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Square. Three of the flats in Block 11 have this view. This view and the light will be filled in and the light will be obscured. Nearly all the rooms at the rear of Berkeley House are bedrooms.

- The revised plans still keep the terrace towards Charlotte Street private windows and with only a chest-height non-sound proofed barrier. They are the opposite of what would reduce intrusion to us, which seems counter to the body of objections to date. If a roof terrace on this elevation is allowed then it should be restricted to not include a bar or to allow any events. The opaque windows to the stairwells would not go far enough to maintain privacy.
- Any additional windows in the development should be opaque to promote privacy in both directions
- This planning application should be dealt with by committee given the sensitivity of the issue.
- Workers have routinely started loud pieces of machinery at 7am, which with period windows is extremely loud.
- This is a historic part of Bristol and the proposal will encourage 'partying' on the hill. This coupled with the extension to St George's Chapel will completely spoil this quiet, residential area.
- Many of the residents in Berkeley House are doctors, nurses and key workers with varying shift patterns who will be attempting to get sleep during the day while the terrace is open.
- If this proposal goes ahead, there should be serious sound barriers of at least 2m in height installed on the terrace. This would also help maintain privacy.

16 July 2018 - Temple Bright Solicitors and 17 July 2018 - Red Twin Limited

- Red Twin raise continued concerns in relation to the revised Noise Impact Assessment, which shows that the LPA's requirement that noise be 5dB below background is not met
- The Noise Assessment does not have separate measurements for noise created by a) the plant and b) the roof terrace
- The report does not consider plant noise at night time
- The report does not consider any variation in speech level, including raised voices or laughter
- Hydrocks survey was taken from the roof and not the façade of the receptors
- The applicant has not suggested any mitigating factors either by increasing the height of the already approved balustrade or by using absorptive materials

In mitigation of overlooking our client's property from the roof terrace, the applicant has included provision for benching to be installed to the perimeter of the terrace and alongside the balustrade. However, encouraging people to sit facing away from our client's property will also have the corresponding effect of encouraging others to stand facing those sitting so that their mouths are above the balustrade and speaking directly towards our client's property.

The application should be refused.

- It is noted that the revisions to the outstanding permission alters the previously applied for pagoda above the roof terrace to a pergola. If permission is granted, it should be a condition that a covered roof above a pergola is not permitted as it will deflect sound waves towards our client's property, and increase use of the roof terrace, offering protection from sun and rain
- The use of the roof terrace should be restricted to Mondays to Fridays (excluding bank holiday); no covered roof structure; no amplified noise; no events or bar; and the noise attenuation measures suggested by Red Twin.
- The MES [daylight and sunlight] report states that the light to three bedrooms would be improved, which cannot be right

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- The number of windows shown to be changed to opaque would not ensure there is no reduction in overlooking
- Contrary to the comment in the Design and Access statement that the approved mansard roof design is not in keeping, quite the opposite applies, not having a mansard roof is not in keeping
- The brise soleil would bring the extension closer to our client's property

COMMENT FROM COUNCILLOR MARK WRIGHT

A resident has sent me the following list of requests for the plans:

- a) a proper sound barrier on the roof terrace perimeter i.e. 3m double glazed transparent glass
- b) of which the first part from ground up is opaque glass, minimum 1.1m high,
- c) with planters boxes terrace side 1.1m high, minimum 40cm deep (from barrier into terrace) around all perimeter with plants from 1.1m to 1.4m +. Therefore making it hard for people to step close to the barrier and look down on more bedrooms invading privacy further (a bench can just be stood on, plus encourages people to spend more time on the terrace). Though do note, there will still be many bedrooms the privacy of which will be damaged from people on the roof as Charlotte Street rises up the hill to the park, plus even with the 3m transparent barrier, there will still be noise disturbance. But a serious noise barrier and planters to set people back a bit from the barrier surface would be a mitigation of the impact (from noise and to privacy), a mitigation that we would be willing to accept at this point.
- d) and on the roof terrace no bars, no roofs encouraging all weather use, no sound systems, no music
- e) the roof terrace not being open at 9am on Sundays and Saturdays
- f) opaque glass for the additional glass in the third floor variation

These should be explored with the applicant and be incorporated into the plans, in preference to those already granted planning permission.

OTHER COMMENTS

Pollution Control has commented as follows:-

Due to the chronology of comments received on the two versions of the noise reports, comments are incorporated within the assessment at Key Issue (C).

Conservation Section has commented as follows:-

Summary of comments (full assessment incorporated into Key Issue (B))

-Initial objection due to large PV array on the roof of no. 39, and the harm this would cause to the setting of Grade II listed Cabot Tower due to the prominence of the roof when seen from this structure.

-No objection to the modern roof extension, which would not be out of character with the modern office building at no.39.

-Subsequent amendments to the PV array to reduce it to only a quarter of the size are acceptable in terms of their impact on the heritage assets.

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Sustainable Cities Team has commented as follows:-

No Objection - Collective comments made in writing over email in February 2018, following negotiations with the applicant and conservation officer, and are incorporated into Key Issue (D).

RELEVANT POLICIES

Park Street and Brandon Hill Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – July 2018

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

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) ARE THE PROPOSED CHANGES ACCEPTABLE?

The main impacts arising from the proposed changes are design and heritage, neighbouring amenity and sustainability. There are no land use implications as the buildings would remain in B1 office use.

(B) WOULD THE PROPOSAL RESULT IN ANY HARM TO THE NEARBY HERITAGE ASSETS, AND WOULD THE DESIGN RESPONSE BE ACCEPTABLE?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48]. This is applicable here because there is harm to the listed building and conservation area caused by the proposals as set out below.

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy 31 seek to ensure that development proposals safeguard or enhance heritage assets in the city. Development in the vicinity of listed buildings will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.

The proposed modern flat roofed addition is compared with the already approved mansard style addition with set-back roof terrace and glazed balustrade.

SIGNIFICANCE OF HERITAGE ASSETS

The site is surrounded by listed buildings, and is within the Park Street and Brandon Hill Conservation area. The site is also within the setting of Brandon Tower, and in accordance with the definition in the NPPF, setting means 'the surroundings in which a heritage asset is experienced'. The Character Appraisal for this area sets out that there is strong historic character conveyed by the mainly Georgian buildings, visual integrity, range and quality of historic features. It identifies threats as being loss or unsympathetic alteration to buildings and traditional architectural details.

IMPACT OF PROPOSALS

(i) PV array

Upon officer advice, after expressing an objection to the harmful impact of the whole roof of no.40 being covered by PV panels on the surrounding conservation area and the setting of Brandon Tower, the applicant reduced the PV array to only cover one quarter of the roof. The impact that the array would have is therefore minimised. (The impact that this would have on the renewable energy credentials of the proposal are explored below in the sustainability section.)

(ii) Roof Extension Alterations

The revised design of the roof terrace would make it more modern in its proportions. The roof terrace is positioned towards the rear of the property, and its impact on Berkeley Square would be minimal. Its impact would affect the setting of the listed building to the rear - Berkeley House on Charlotte Street, although in view of the modern style of the rear part of nos 39-40 Berkeley Square, to which it would be similar in style, the impact on this building compared with the previous scheme is also considered to be minimal.

LEVEL OF HARM

In view of the amendments, and the considerations above, the proposals would give rise to a less than substantial level of harm to the nearby heritage assets, however this harm would be outweighed by the public benefit of refurbishing the buildings and bringing them back into a sustainable office use.

In terms of design, the proposals would also comply with the following policies:
DM26 - Reflecting locally characteristic architectural styles, rhythms, patterns, features and themes taking account of scale and proportions. AND respect build upon or restore local pattern and grain of development, including historical development of an area.
DM30 - The proposal would retain traditional or distinctive architectural features. The design approach should draw on analysis of local character and distinctiveness.

Due to the roof extension matching the existing modern rear part of the building, it would not introduce incongruous design features. The reduction in the amount of PV panels to the roof reduces the level of harm to 'less than substantial' and this harm would be outweighed by the public benefit of bringing the site back into office use, and through this application, securing funding received through Allowable

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Solutions to be invested in other renewable energy or carbon reduction measures to be installed elsewhere in Bristol.

(C) WOULD THE PROPOSALS SAFEGUARD NEARBY RESIDENTIAL AMENITY?

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. In addition, Core Strategy Policy BCS21 expects development to safeguard the amenity of existing developments and create a high-quality environment for future occupiers.

A number of objections have been received, raising the issues of noise, daylight and sunlight and overlooking. By way of an explanation, and for clarity, the assessment of the original scheme in respect of each individual issue is summarised in the following sections, along with a comparison and assessment of the current proposal.

(i) PREVIOUSLY APPROVED NOISE REPORT

The Noise report was produced by Hann Tucker Associates ON 21 September 2016. There were 3no 'Daikin' external condensers at lower ground floor and 4no 'Nuair' heat recovery units in Zones A B C and D, which are inside the building. The heat recovery units need extract and intake outlets on the roof, and these positions were shown on the drawings- one at the front adjacent to Berkeley Square, one adjacent to the lightwell and one on the modern building at no. 39. Noise monitoring had taken place between 11:45am on Tuesday 23 August 2016 and 10:30am on Wednesday 24 August 2016 and that the unmanned equipment took measurements at 15 minute intervals, but the report objection Red Twin points out that these were not done at 1hour intervals. The survey confirmed that wind conditions at the beginning and end of the survey were calm and the sky was clear, and that during the survey it is understood that the conditions remained similar. Measuring equipment was positioned at the front of the building on a tree, and at third floor roof terrace level. The dominant noise source was noted to be vehicular movements on nearby roads, although this was only noted at the beginning and end of the survey due to the test equipment being unmanned. The Red Twin report states that the report did not correctly identify the main sources of noise in the area.

Noise levels on the roof terrace were also assessed, and based on a roof terrace with a similar capacity (40 people max).

No conditions relating to noise were attached to the consent.

(ii) CURRENTLY SUBMITTED AND AMENDED NOISE REPORT

The current proposal is supported by a noise report by Hydrock (dated 13 June 2018). This application seeks to relocate the three 'Daikin' condensers from the lower ground floor, as well as three additional condensers, onto the fourth floor roof. Due to the initial lack of clarity, and to respond to some of the objections in this regard, the applicant was asked to prepare drawings showing this plant, manufacturer's details, and a revised noise report. As reported above, the applicant submitted this information on 15 June 2018.

The Council's pollution control officer reviewed the revised noise report and made the following comments:

"It is stated in paragraph 11.1 that 'The calculated noise emissions are significantly below the minimum background noise level and therefore likely to be inaudible' but at Berkeley House Flats in table 9 the predicted façade level at 44 is only 1 dB below the minimum background level of 45. It is also not clear how the façade level at 44 became the rating level of 42. This then isn't mentioned in the discussion 11.1.1 where just the levels at 1 Berkeley Square are mentioned.

The levels at 1 Berkeley Square are detailed in the summary and conclusions. Here it would be useful to state what the difference will be between and, for completeness the difference between the

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rating level and the typical background level should be stated along with the fact that levels may be reduced further by the use of the enclosure to the Nuair DE6 fan."

In the light of these comments, the report was revised a second time on officer advice. The pollution control officer confirmed that the second version was acceptable as it addressed the concerns above. This second revised version (dated and referenced identically to the first) was made public but no additional public consultation took place because the Council's Pollution Control Officer was satisfied with the findings.

Specifically, the report addresses previous concerns as listed below:

- Does the revised noise report give readings over 1 hour intervals?

Yes.

- Does it provide spectral information?

Yes - it includes noise modelling

- Does it correctly identify the main sources of noise in the area?

Yes - in relation to each monitoring position. Vehicle noise, plant from other buildings and to a small degree, internal building works

- Does it state where each item of plant is located and do the readings therefore give sufficient comfort? Does it say how far away from the plant the measurements were taken?

Yes - one at either end of the roof. The revised Noise Report and drawings indicate the location of the proposed plant on the roof. It says plant would only operate between 7am and 11pm and that it would be mitigated by attenuators. It says that plant noise would be significantly below the background noise levels and likely to be inaudible taking into account the urban location.

- Does it consider noise from the roof terrace as well as plant?

Yes - the roof terrace would be in operation between 9am-6pm, and these hours are commensurate with the previous approval. The noise report anticipates 10-15 separate conversations taking place at any one time - 15 being a worst case scenario. It confirms that no music would be played as it would only be used by office workers and not for private events. Any additional usage would require a license which would be applied for and determined under the licensing regime. An additional condition is proposed to require a management plan to set out how the roof terrace would be used, and how it would be managed.

- Does it consider reflection of sounds from surrounding buildings and the glazed lantern?

It says the pergola and lantern would not influence the noise levels.

- Does it consider the combined noise of plant and roof terrace and is there an acceptable outcome?

The terrace would have capacity for 40 people. The Hydrock report finds that noise from the terrace will be virtually inaudible within residential properties, but this is based on normal speech levels, and the objection from Red Twin feels that the assessment should take into account variation in speech levels. It predicts that with varied speech, people-noise will be apparent over the normal sounds normally experienced within the properties in Berkeley House, and hence would have an adverse impact.

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It should be noted that the external area is for office use only and one would therefore expect much less raised speech than at a bar or restaurant or in a public space. The external area is only permitted to be used up to 6 pm and therefore it would be difficult to prove that the use of the terrace would have a significantly adverse impact in terms of noise.

The calculated noise emissions for the plant are significantly below the minimum background noise level (as shown at Table 9 of the revised noise report, the predicted rating level of the plant being 13 dB below the background level at 1 Berkeley Square and 14 dB Berkeley House. Whilst no condition was applied during the previous application (because the plant was proposed to be indoors at lower ground floor level), it is proposed to include such a condition in this recommendation. The condition would require that noise from plant would be at least 5dBA below the background levels.

In view of the above considerations, there would be no quantifiable reason to refuse the application on the grounds of noise disturbance.

(iii) ACOUSTIC MITIGATION

In terms of the mitigation suggested within the consultation responses, the applicant has agreed to accept a further limitation on hours of use, to limit the use of the terrace to Mondays to Fridays only (excluding bank holidays). They have also agreed to submit a management plan for approval prior to occupation, which sets out how behaviour on the terrace would be managed. An acoustic barrier of up to 3m (as requested in some of the objections) is not considered to be appropriate on conservation, design and amenity grounds. The conditions on hours of use, and plant noise output would enable the scheme to adequately address concerns.

(iv) PREVIOUS DAYLIGHT AND SUNLIGHT REPORT

The Daylight and Sunlight report was produced by MES Building Solutions on 7 September 2016. This set out the applicant's measurements taken in respect of the proposals' effect on light received by windows in the rear of Berkeley House. The standard BRE tests were applied, and no significantly harmful impact was envisaged in this regard.

The results for two dormer windows on the third floor (R1/W1 28-38 Berkeley House and R3/W3 19-27 Berkeley House) showed that the rooms fell short of the BRE guidelines - they were shown to experience a reduction of 0.69 and 0.65 respectively, and three of the windows at second floor level of Berkeley House showed a 'Marginal' result (showing a reduction of below the recommended standard of 0.78, 0.76 and 0.74). R1/W1 28-38 Berkeley House and R3/W3 19-27 Berkeley House are shown in the schedule attached to the BRE Assessment to measure 7.82sqm and 8.35sqm. Due to the modest size of these rooms it would be fair to assume that these are not the main habitable rooms of the flats, although the use of the rooms is not confirmed in either the Daylight and Sunlight report, or the letter from Temple Bright solicitors. A habitable room is generally understood to mean a 'room used for dwelling purposes but which is not solely a kitchen, utility room, bathroom, cellar or sanitary accommodation' (definition taken from the Planning Portal website). Habitable room windows (such as those relating to living rooms or bedrooms) are generally expected to achieve better levels of outlook and daylight and sunlight, than non-habitable rooms (such as kitchens and bathrooms).

Whilst the proposed development would be noticeable in terms of daylight and sunlight received by certain windows in surrounding properties, it must also be borne in mind that the BRE tests are guidelines only, and not planning policy, however they are a useful tool for assessing the impacts of developments on light received by neighbouring windows. They are intended to be applied flexibly, and the background sets out that in some areas (for example city centres and high density areas,) developments may not always achieve optimum levels of daylight or sunlight.

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Out of the 71no. windows tested, two dormer windows on the third floor failed the tests, and three windows on the second floor fell marginally short of the BRE guideline reduction. These shortfalls did not illicit a reason for refusal in the previous application, and they would not now, for the reasons stated above.

In terms of the position of the revised roof extension, and the roof terrace and structure on the roof, the drawings submitted for both applications have been compared. For the parent scheme this was drawing ref: 525-PA.11 - Proposed section BB, and for the current scheme the comparison drawing is P40-AHR-B1-ZZ-PDR-A-24-101 Proposed East Elevation. Whilst there are differences between the two applications in how the drawings are scaled and shown due to them having been prepared by different architects, both sets of drawings are to an appropriate scale and this allows an assessment to be made by officers as to the relevant distances displayed by each version of roof extension.

There are three key measurements as set out in the table below:

	16/05148/F drawings	17/06959/X drawings
Distance from parapet to base of roof extension / mansard	2.1m	2.06m
Distance from parapet to top of roof extension / mansard	2.5m	2.06m
Distance from parapet to roof terrace balustrade	4.3m	4.6m

When examining these key measurements, it can be seen that there is no significant difference between key distances within the two schemes, aside from the current proposal for the terrace being set back 0.3m further than the original terrace.

In spite of this, the applicant was asked to prepare a revised Daylight and Sunlight Assessment for this application to include an assessment of the new pergola structure (confirmed as pergola which is open not covered), which is to be set further back in the roof (at a distance of 12m from the existing parapet).

(v) CURRENT DAYLIGHT AND SUNLIGHT REPORT

The revised report was prepared by MES Building Solutions dated 14 June 2018 and sent out to consultation for 21 days. The revised report was based on the drawings submitted for the current application, therefore the proposed lightwell and the pergola structure are included. The findings of this second report are very similar to that of the first application, and they do not change the results in terms of whether windows pass or fail or marginally meet the guidelines. The third floor window (R3) in 19-27 Berkeley House would go from 0.65% reduction to a 0.69% reduction (so would actually be slightly improved in this scheme) and the third floor window (R1) in 28-36 Berkeley House would go from 0.69% to 0.66% reduction. The other 'marginal' rooms would vary no more than 0.03% in comparison to the first scheme.

It should also be noted that the brise-soleil which was initially proposed, was removed on officer advice, (due to design and amenity concerns) and the latest drawings reflect this.

There is no quantifiable reason to sustain a reason for refusal of this application on the grounds of loss of daylight and sunlight.

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(iii) OVERLOOKING

The assessment for the previous scheme in respect of the new windows and infill on the south elevation was as follows:

"Due to this being an existing relationship, it is not considered that these new windows would give rise to additional harmful overlooking as the same views are already possible from the upper floors of the existing office. A number of comments received in response to the consultation have reported problems with the current office having views into private rooms in Berkeley House. It would be unreasonable and unnecessary to require the applicant to fit either the new or existing windows with obscure glazing."

In spite of this, and in view of the comments received in consultation, the applicant was asked to look at whether, as part of the refurbishment of the building, it would be possible to install obscure glazing or at least a directional film as these were considered to be measures that could easily be incorporated to overcome the existing problems reported by the Berkeley House residents.

The applicant was not prepared to install obscure glazing or an applied directional film to either the existing or proposed new windows, however, they submitted a drawing showing that the balustrade on the further floor roof terrace would be obscurely glazed, as well as the windows in the lower ground floor wellness centre and the stair core of no. 39. They submit that "the scheme now provides significant betterment regarding these matters to the fall-back of the existing building and the extant permission."

Comments have suggested that the position of planter boxes and benches could be positioned on the terrace to discourage views. The applicant has also referred to this in their latest submission, by showing benches positioned close to the edge of the terrace. Whilst these will be secured by listing the approved drawings on the decision notice, it is beyond the remit of the planning system to seek to control where furniture is positioned within a space.

The third floor balcony is proposed to be for maintenance purposes only, and a condition is imposed to reinforce this. It is not therefore considered necessary to require this to be fitted with obscure glazing, indeed the applicant has shown a horizontal rail balustrade in the latest drawings instead.

It is acknowledged that the revised roof extension includes a larger area of glazing than as previously proposed. It should be noted here that the latest versions of the south elevation include solid spandrel panels (opaque coloured glazing) which align with the existing concrete frame below. These were added in response to officer concerns that the originally submitted scheme showed glazing across the full width of the extension. It was considered that in design terms this approach was sensible, and the applicant's claim that spandrel panels would reduce the amount of clear glazing and further allay overlooking concerns, was accepted. The fact that views are already possible from this property to Berkeley House is also a material consideration as it was with the previous scheme.

In the light of the above considerations, it is considered that the applicant has taken reasonable steps to address concerns relating to overlooking. Whilst they are not incorporating all the suggestions arising from consultation responses, it is not considered that the current scheme would introduce harmful overlooking impact such a significant loss of amenity would occur.

To conclude the amenity section, the concerns of the residents of Berkeley House have been acknowledged and it is not refuted that certain elements of this proposal would affect light received by a small number of rooms within Berkeley House, and that the additional storey with its windows and roof terrace would present further opportunities for views between the two buildings. These concerns have been given due weight. The applicant has responded to requests for further analysis and studies, and as a result, it is considered that the scheme presented here, with the proposed conditions, is a better response in terms of amenity than the parent scheme 16/05148/F. The proposal would not have a significantly harmful impact on daylight and sunlight received by neighbouring

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properties, overlooking relationships or noise. The application is acceptable in terms of amenity and complies with the above-mentioned policies.

(D) IS THE SUSTAINABILITY RESPONSE ACCEPTABLE?

As embedded in the NPPF, sustainability should be integral to all new development. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity.

Bristol City Council's Climate Change and Sustainability Practice Note provides additional advice on how to deliver the requirements of these policies.

As set out in the Description of Application section above, the application seeks to amend the type of renewable energy from Air Source Heat Pumps to PV panels. A number of discussions have taken place during the course of the application on the acceptability of a PV array on the roof of no. 40 (the 1960s part of the building). As originally submitted, the PV array was shown to extend the full length of the roof, however the Heritage officer raised concerns that this would be visually harmful within the conservation area and in views of the site from the listed Cabot Tower, and this was envisaged to result in substantial harm that would not be outweighed by any public benefit. It is acknowledged that in this case, there is a balance to be struck between the harm inflicted on the setting of nearby and surrounding Heritage assets, and the requirement to deliver sustainable development with a policy compliant renewable energy response. Following negotiations, a PV arrangement that covered approximately one quarter of the roof at no. 40 has been agreed to.

On site PV is proposed to reduce residual CO₂ emissions. Whilst a 20% reduction is required by policy, due to the heritage objection, the potential for a PV array is greatly reduced. With the PV array on the reduced area of roof (25%), the scheme can therefore achieve a 5.5% reduction through the PV.

The applicant is proposing to meet the remainder through allowable solutions by way of a financial contribution (calculated at £60/tonne CO₂ shortfall x 30yrs) to Bristol City Council to be secured by S106 to be spent on CO₂ reduction measures off site. This approach is allowed by policy BCS14, where it is written in the supporting text: "Where the full requirements of Policy BCS14 cannot feasibly be delivered onsite, an alternative allowable solution will be considered, such as providing the residual emission reduction through a contribution to a relevant citywide low-carbon energy initiative or by agreeing acceptable directly linked or near-site provision." This approach has been taken on other sites successfully.

The energy strategy submitted suggests £60/tonne/yr over a 30yr period. This price is equivalent to the approximate cost to install PV on another building to deliver the required CO₂ savings. It is also a nationally recognised carbon price (it is the discounted figure published by DECC for a home built in 2017 to abate 30 yrs of carbon (up to 2046)). £60/tonne has been adopted by a number of other local authorities for the purpose of carbon offset monetary in-lieu contributions. This would be put towards other renewable energy projects within the vicinity of the site, within ten years from the date of the decision.

Based on the above, the carbon off-set contribution would be £113,534 and the applicant has prepared a Unilateral Undertaking pledging this amount. This has been accepted by the council.

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CONCLUSION

The development is found to be acceptable, and the additional measures that are built in, in the form of conditions that were not included in the parent scheme would give a greater control over the operation of the roof terrace and the limits on plant noise. The changes are agreed as being minor, and the development is supported.

Section 73 amendment applications such as this act as a new planning permission that supersedes the existing permission, therefore the conditions to be attached must be reviewed accordingly. The development on site has not commenced, and none of the conditions have been discharged. The recommendation for this application therefore reflects the most up to date list of conditions.

This application is recommended for approval, subject to the conditions on the recommendation, and the Unilateral Undertaking to secure the allowable solutions contribution.

COMMUNITY INFRASTRUCTURE LEVY

This development is liable for CIL, however the CIL rate for this type of development, as set out in the CIL Charging Schedule, is £nil and therefore no CIL is payable.

RECOMMENDED GRANT subject to Planning Agreement

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the end of 14 December 2019.

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

Pre commencement condition(s)

2. Further details before development starts

No development (of the relevant phase as shown on Phasing Plan submitted on 02.08.2018) shall take place until detailed section and elevation drawings at a scale of 1:5 of the following have been submitted and approved in writing by the Local Planning Authority. The detail thereby approved shall be carried out in accordance with that approval.

A. Phase 1

- a) Proposed window and glazing system showing frame profiles, and material connections, including with the external ground surfaces, in context
- b) Glazed balustrade and handrails
- c) Proposed windows to rear including roof, frame, and return finishes

B. Phase 2

- d) Proposed window and glazing system showing frame profiles, and material connections, including with the external ground surfaces, in context
- e) Glazed balustrade and handrails
- f) Proposed vertical louvres and all material connections
- g) Stonework to entrance feature showing detail, construction, and material connections.
- h) Stonework to facade showing detail, construction, and material connections.
- i) Parapet and coping detail to roof level of the façade and to roof level of projecting 4-storey entrance feature.

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Reason: In the interests of safeguarding the special character of the Conservation Area.

3. Further details of hard landscaping before development starts

No development of the Phase 2 works shall take place until drawings showing hard landscaping, to a scale of 1:10 have been submitted to the Local Authority and approved in writing. These shall show all proposed paving slabs, ramp, kerbs, steps, delineation of public and private realm, street furniture, and the re-use of the existing iron railings within the scheme. The development shall be completed in accordance with the approved details.

Reason: In the interests of safeguarding the special character of the Conservation Area.

4. Further details of samples before relevant element started

Sample panels of the following shall be made available on site for inspection, 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.

- 1) Proposed natural or cast stonework to the principal elevation
- 2) Proposed natural or cast stonework to the entrance canopy detail.
- 3) Proposed anodised aluminium louvres including the proposed final finish and colour
- 4) Proposed blanking/spandrel panels to glazed curtain wall system including finished colour and finish, including to rear roof extension
- 5) Section of the proposed curtain wall glazing frame
- 6) Render proposed for the recessed sections of the north elevation including colour and finish
- 7) Proposed paint colour for the south-west façade of the building and elsewhere.

Reason: In the interests of safeguarding the special character of the Conservation Area.

5. Construction Management Plan (CMP)

The CMP details approved in respect of application reference 18/02717/COND, decision issued on 31.07.18, shall be adhered to during the construction phase of the development, unless otherwise agreed in writing with the LPA.

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

Pre occupation condition(s)

6. New works to match

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special character of the conservation area is safeguarded.

7. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the

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approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

8. Completion and Maintenance of 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.

9. Management Plan

Prior to occupation of the roof extension, a Management Plan setting out how the roof terraces hereby approved would be managed in terms of noise and capacity, shall be submitted and approved in writing by the LPA. The development shall thereafter be operated in accordance with the approved management plan.

Reason: In order to safeguard the amenity of nearby residents.

Post occupation management

10. Hours of operation of roof terraces;

The use of the front and rear roof terraces shall not be carried out outside the hours of 9am to 6pm on Mondays to Fridays, and shall not be used on bank holidays.

Reason: To safeguard the residential amenity of nearby occupiers.

11. Energy and Sustainability in accordance with statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the submitted energy statement (entitled Energy Statement Addendum, and dated 4 June 2018) prior to first occupation. A total 24.4% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 5.5% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings), BCAP20 (Sustainable design standards), BCAP21 (connection to heat networks).

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12. Third floor balcony - maintenance

The balcony area at the rear of the third floor shall only be used for maintenance purposes or for emergency escape access, and not for amenity or sitting out.

Reason: In order to protect the amenity of nearby residents.

13. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby premises and the area generally.

List of approved plans

14. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

LP.01 Location Plan, received 23 September 2016
 EX.01 Existing Basement Plan, received 23 September 2016
 EX.02 Existing Ground Floor Plan, received 23 September 2016
 EX.03 Existing First Floor, received 23 September 2016
 EX.04 Existing Second Floor Plan, received 23 September 2016
 EX.05 Existing Third Floor, received 23 September 2016
 EX.06 Existing Fourth Floor, received 23 September 2016
 EX.07 Existing Roof Plan, received 23 September 2016
 EX.08 Existing Front Elevation, received 23 September 2016
 EX.09 Section AA, received 23 September 2016
 EX.10 Existing Rear Elevation, received 23 September 2016
 EX.11 Existing Section B B, received 23 September 2016
 EX.12 Existing Side Elevation, received 23 September 2016
 PA.01 Proposed Lower ground floor plan, received 23 September 2016
 PA.02 Proposed Ground Floor, received 23 September 2016
 PA.03 Proposed First Floor, received 23 September 2016
 PA.04 Proposed Second Floor, received 23 September 2016
 PA.05 Proposed Third Floor, received 23 September 2016
 PA.06 Proposed Fourth Floor, received 23 September 2016
 PA.07 Proposed Roof Plan, received 23 September 2016
 PA.08 Proposed Front Elevation, received 23 September 2016
 PA.09 Proposed Section A A, received 23 September 2016
 PA.10 Proposed Rear Elevation, received 23 September 2016
 PA.11 Proposed Section BB, received 23 September 2016
 PA.12 Proposed Side Elevation, received 23 September 2016
 Unilateral Undertaking , received 21 May 2018
 Phasing Plan, received 2 August 2018
 P40-AHR-ZZ-00-S73-A-20-001-P1-P01 Ground floor plan, received 15 June 2018
 P40-AHR-ZZ-01-S73-A-20-001-P1-P01 First floor plan, received 15 June 2018
 P40-AHR-ZZ-02-S73-A-20-001-P1-P01 Second floor plan, received 15 June 2018
 P40-AHR-ZZ-03-S73-A-20-001-P1-P01 Third floor plan, received 15 June 2018
 P40-AHR-ZZ-04-S73-A-20-001-P1-P01 Fourth floor plan, received 15 June 2018

Development Control Committee B – 15 August 2018**Application No. 17/06959/X : 39 - 40 Berkeley Square Bristol BS8 1HP**

P40-AHR-ZZ-05-S73-A-20-001-P1-P01 roof plan, received 15 June 2018
P40-AHR-ZZ-B1-S73-A-20-001-P1-P01 Lower ground floor plan, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-100-P1-P01 Proposed north elevation, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-101-P1-P01 Proposed east elevation, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-102-P1-P01 Proposed south elevation, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-103-P1-P01 Proposed west elevation, received 15 June 2018
P40-AHR-B1-XX-P73-A-A3-RP02-S1-P02 Optimised Design and access statement, received 15 December 2017
P40-AHR-ZZ-ZZ-S73-A-20-201-P1-P01 Section B-B, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-205-P1-P01 THIRD FLOOR ROOF EXTENSION SECTION, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-300-P1-P01 3S PERSPECTIVES - ROOF EXTENSION, received 15 June 2018
P40-AHR-ZZ-ZZ-S73-A-20-301-P1-P01 3D PERSPECTIVES - ROOF EXTENSION 2, received 15 June 2018
P40-AHR-B1-XX-P73-A-A3-RP01A-S1-P01 DESIGN AND ACCESS STATEMENT (ADDENDUM 1), received 15 June 2018
P40-AHR-B1-XX-P73-A-A3-RP02A-S1-P02 DESIGN AND ACCESS STATEMENT (ADDENDUM 2), received 15 June 2018

Reason: For the avoidance of doubt.

Supporting Documents

4. 39-40 Berkeley Square

1. 4th Floor plan
2. Roof plan
3. South elevation
4. West elevation (From park)
5. Previous scheme Lower ground floor
6. Previous scheme proposed rear elevation
7. Previous scheme roof
8. Previous scheme section A-A

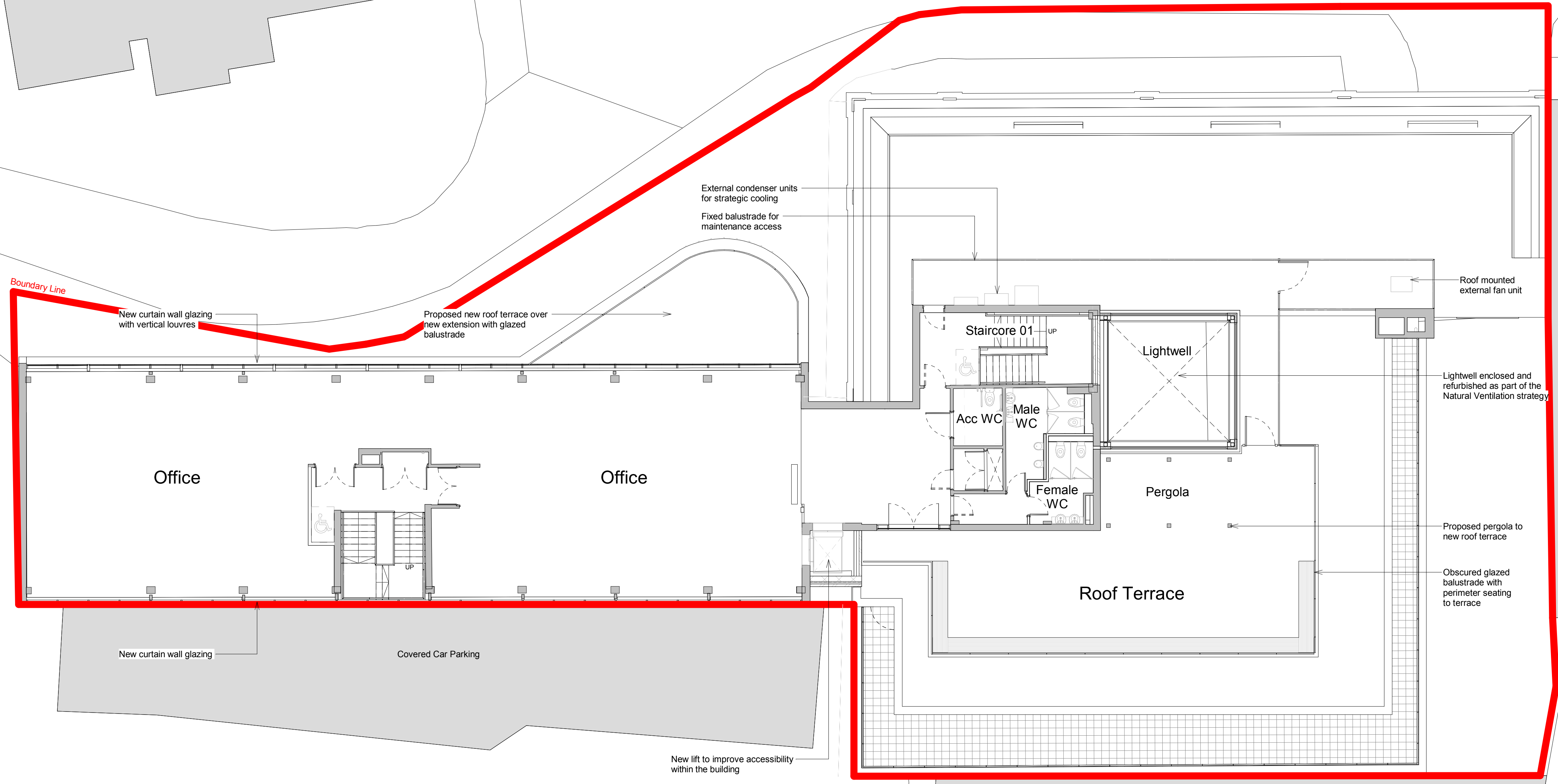
1 Berkeley Square

Berkeley Square

Wodehouse Lecture Theatre

1-36 Charlotte Street

Page 201



P01	First Issue	11.06.18	GE	SO
Rev	Description	Date	Dr	App
by			by	by
Author		06/01/18	approved by	Approver

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client name	Whiteoaks Capital		
project	Project 40		
drawing	Fourth Floor - Section 73		
computer file	C:\Rev\Projects\AHR-ZZ-2018-A-BLDG-CENTRAL_Garth Edwards.rvt		
project number	2018.00235.000	scale	1 : 100 @A1
drawing number	P40-AHR-ZZ-04-S73-A-20-001	rev	P01 P1
issue status			P1

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1 Berkeley Square

Berkeley Square

Wodehouse Lecture Theatre

1-36 Charlotte Street

Boundary Line

Annexe Total Roof Area = 280m²
Shaded Area 65m² = < 25% of roof area

External condenser units for strategic cooling
Fixed balustrade for maintenance access

Roof mounted external fan unit

Glazed lantern with louvre upstand for natural ventilation strategy

Pergola

PV Array

Lanyard Wire Safety System

UP

Covered Car Parking

Covered Car Parking

P01	First Issue	11.06.18	GE	SO
Rev	Description	Date	Dr	App
by			by	by
original by	date created	approved by		
Author	06/01/18	Approver		

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client name			
Whiteoaks Capital			
project			
Project 40			
drawing			
Roof - Section 73			
computer file	plot date		
C:\Rev Projects\40-AHR-ZZ-05-S73-A-20-001_CENTRAL_Garth Edwards.rvt			
project number	scale		
2018.00235.000	1 : 100	@A1	
drawing number	rev	issue status	
P40-AHR-ZZ-05-S73-A-20-001	P01	P1	

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No.40 - Annexe
 Obscure Glazing = 21m²
 Clear Glazing = 159m²
 Existing clear glazing = 200m² - 20% reduction in clear glazing

No.39
 Obscure Glazing = 15m²
 Clear Glazing = 135m²
 Existing clear glazing = 147m² - 9% reduction in clear glazing

Totals:
 Existing Clear Glazing = 347m²
 Proposed Clear Glazing = 294m²
 15% Reduction in clear glazing overall in reference to existing building

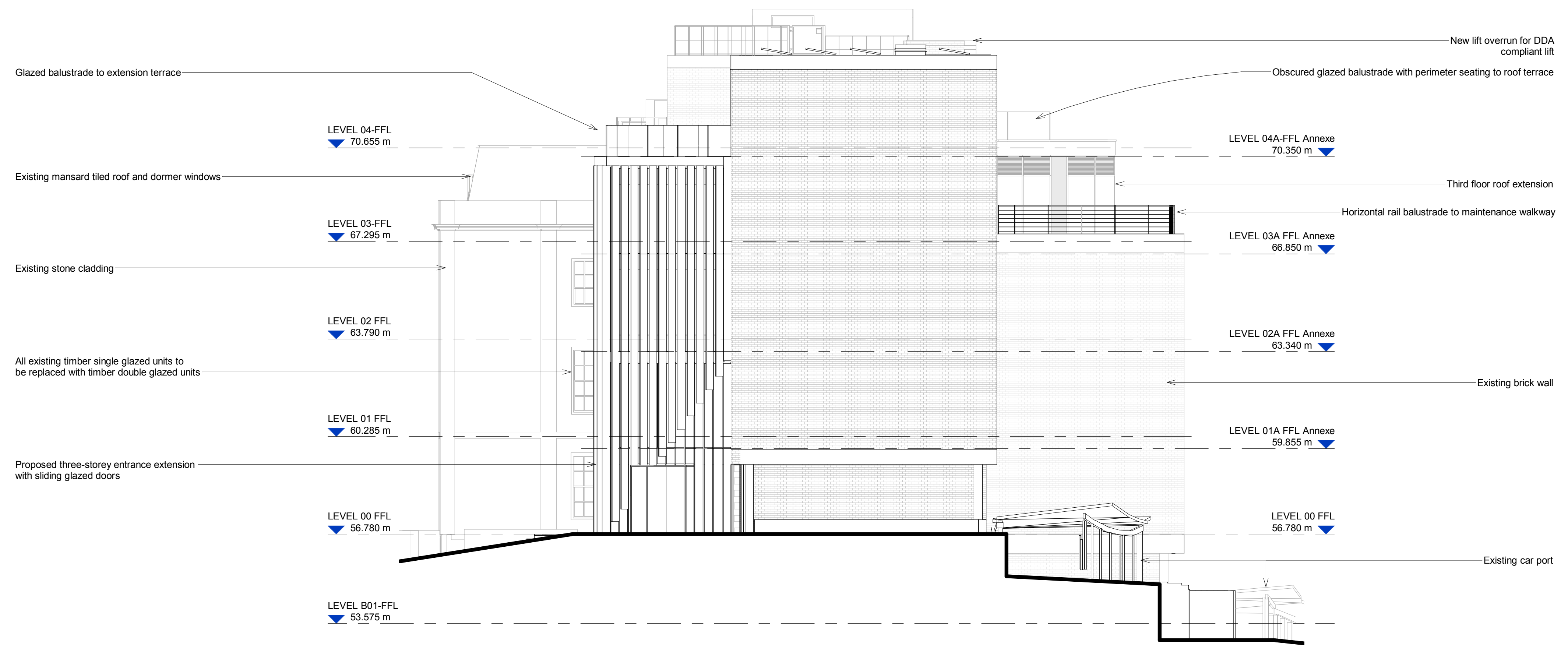
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P01	First Issue	11.06.18	GE		SO
original by	date created	approved by			
Author	06/04/18	Approver			

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client name	Whiteoaks Capital		
project	Project 40		
drawing	South Elevation - Section 73		
computer file	C:\Rev\Projects\40-AHR-ZZ-ZZ-MS-A-BLDG1-CENTRAL_Garth Edwards.rvt		
project number	2018.00235.000	scale	1 : 100 @A1
drawing number	P40-AHR-ZZ-ZZ-S73-A-20-102	rev	P01
		issue status	P1

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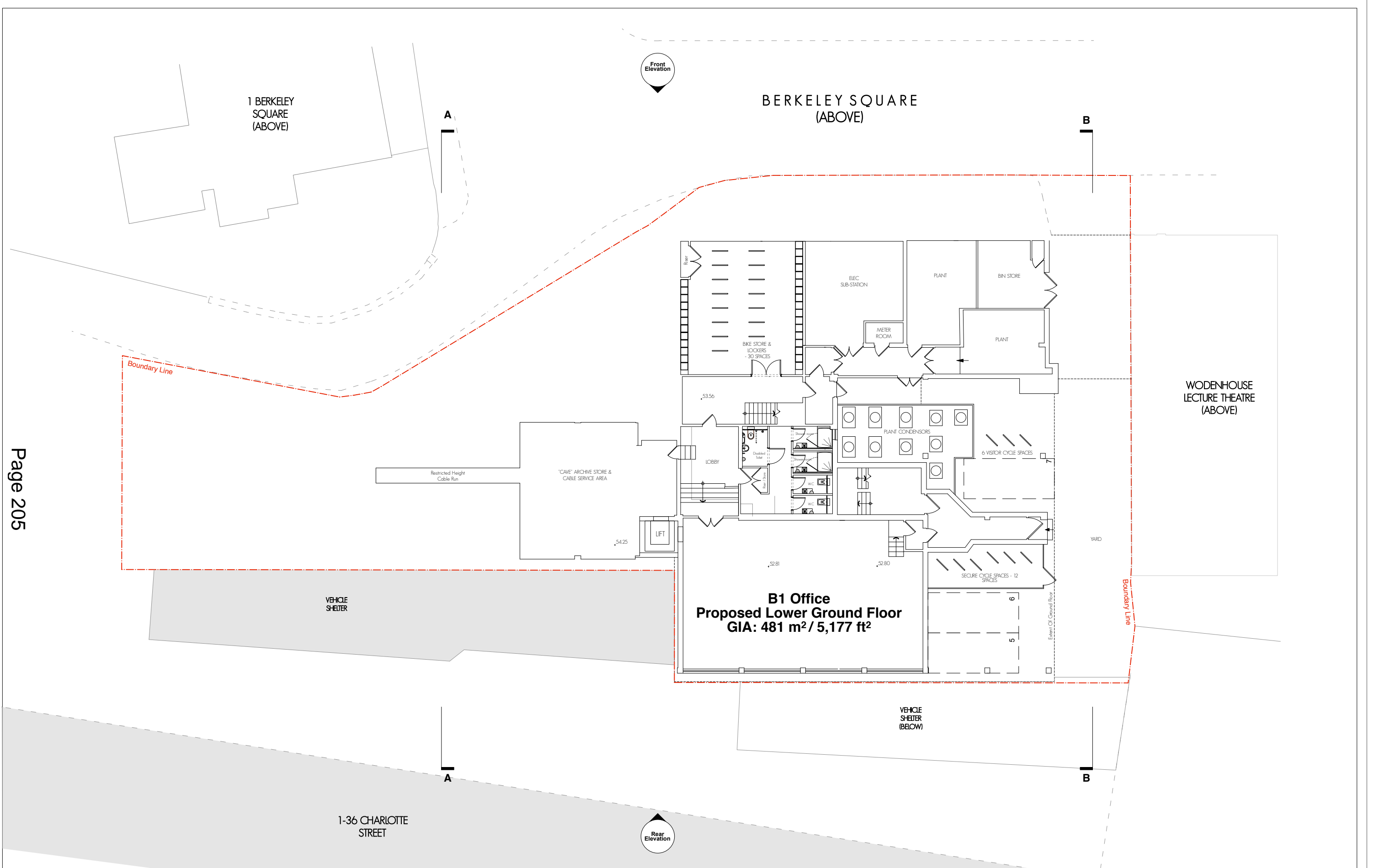
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Rev	Description	Date	Dr	App
original by	date created	06/04/18	approved by	Approver
Author				

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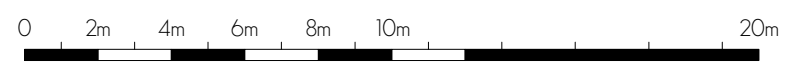
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client name	Whiteoaks Capital		
project	Project 40		
drawing	West Elevation - Section 73		
computer file	C:\Rev\Projects\40-AHR-ZZ-ZZ-MS-A-BLDG1-CENTRAL_Garth Edwards.rvt		
project number	2018.00235.000	scale	1 : 100 @A1
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		issue status	P1

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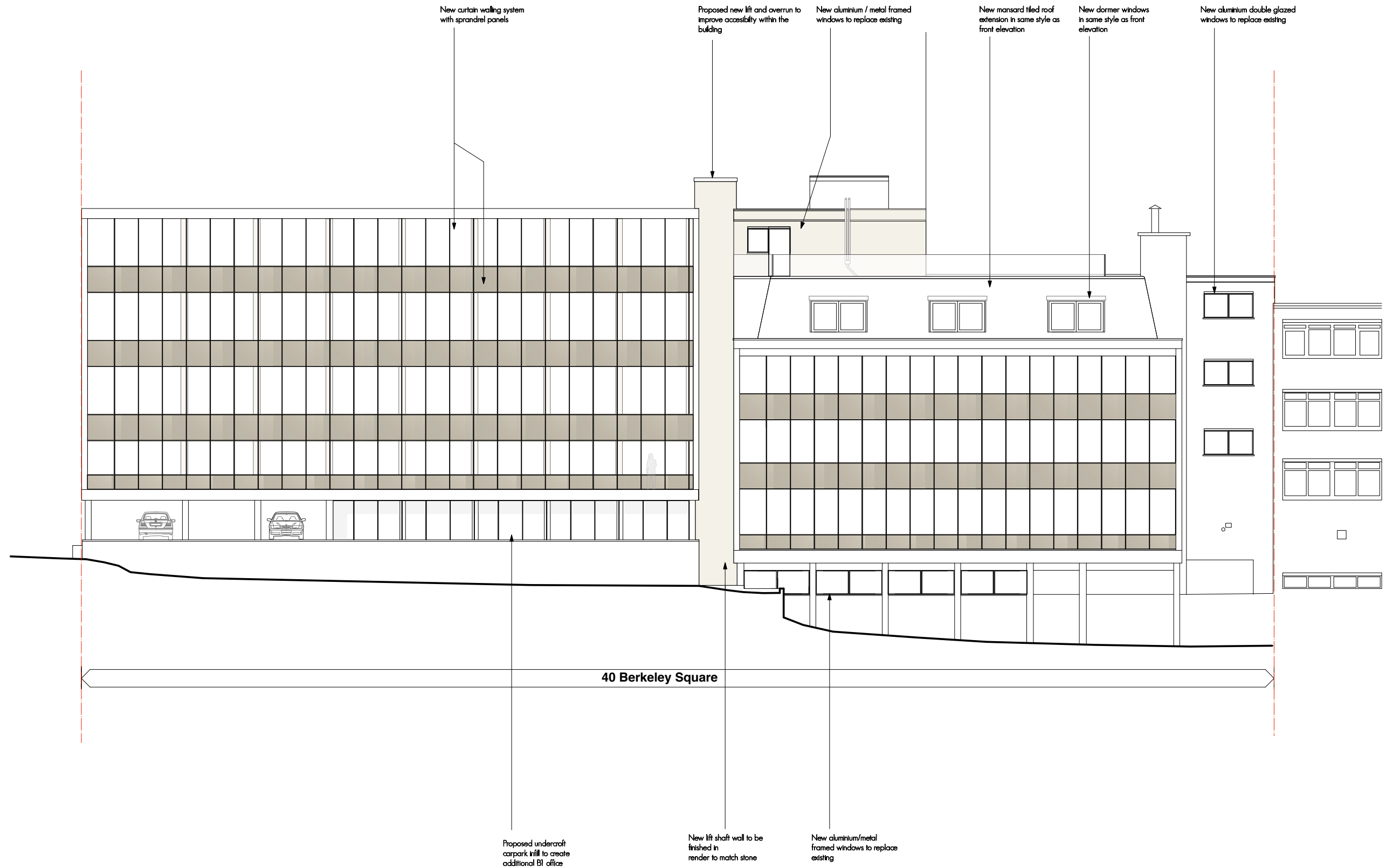
PROPOSED LOWER GROUND FLOOR



PLANNING

PROJECT 40 BERKELEY SQUARE, BRISTOL, BS8 1HU			DRAWING TITLE PROPOSED LOWER GROUND FLOOR PLAN	
CLIENT BOULTBEE BROOKS (BERKELEY SQUARE) LLP				
SCALE 1:100 @ A1		DATE SEPT 2016	DWG BY HBW	REV.
CHCD. DS	DWG NO. 525-PA.01	T: 020 7549 2133 F: 020 7549 2144 E: info@gpadlondonltd.com W: www.gpadlondonltd.com		
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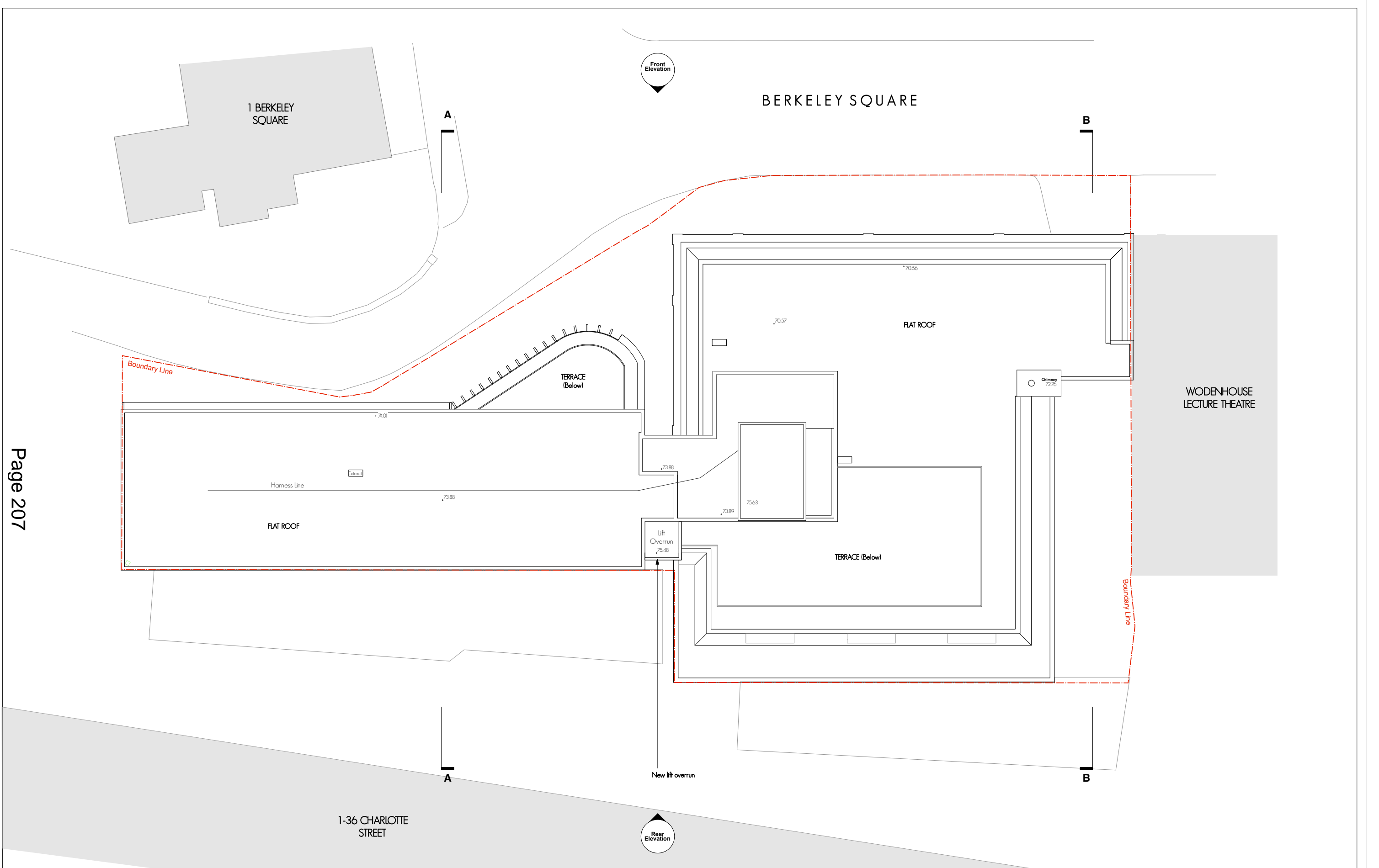
PROPOSED REAR ELEVATION



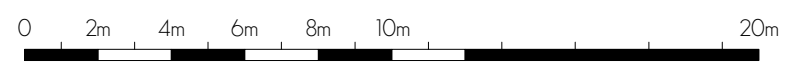
PLANNING

PROJECT 40 BERKELEY SQUARE, BRISTOL, BS8 1HU			DRAWING TITLE PROPOSED REAR ELEVATION		
CLIENT BOULTBEE BROOKS (BERKELEY SQUARE) LLP					
SCALE 1:100 @ A1	DATE SEPT 2016	DWG BY HBW	T: 020 7549 2133 F: 020 7549 2144 E: info@gpadlondonltd.com W: www.gpadlondonltd.com		
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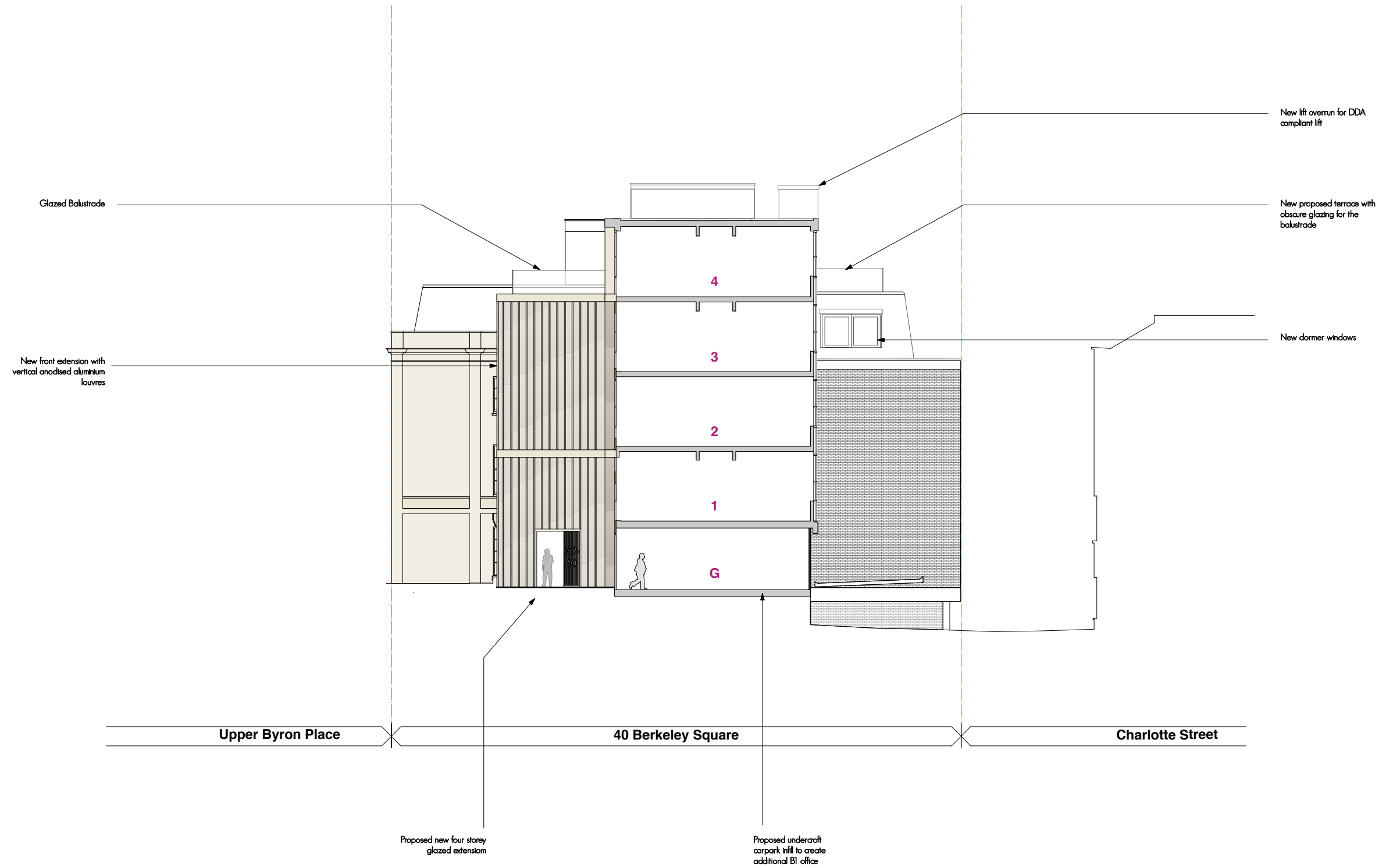


PROPOSED ROOF



PLANNING

PROJECT 40 BERKELEY SQUARE, BRISTOL, BS8 1HU			DRAWING TITLE PROPOSED ROOF FLOOR PLAN		
CLIENT BOULTBEE BROOKS (BERKELEY SQUARE) LLP					
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PROPOSED SECTION AA



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