

Development Control B Committee Agenda



Date: Wednesday, 4 December 2019

Time: 6.00 pm

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

Distribution:

Councillors: Richard Eddy (Vice-Chair), Carla Denyer, Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Olly Mead, Jo Sergeant, Nicola Bowden-Jones, Celia Phipps and Sultan Khan

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Date: Tuesday, 26 November 2019



Agenda

1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 4 - 5)

2. Apologies for Absence

3. Declarations of Interest

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

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

4. Minutes of the previous meeting

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

(Pages 6 - 11)

5. Appeals

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

(Pages 12 - 18)

6. Enforcement

To note enforcement notices.

(Page 19)

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 **28th November 2019**.

Petitions and statements:

Petitions and statements must be received by noon on the working day prior



to the meeting. For this meeting, this means that your submission must be received at the latest by 12.00 noon on **3rd December 2019**.

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 - **(Page 20)**

- a) **18/05823/F - Westbury Gardens Residential Home** **(Pages 21 - 60)**
Falcondale Road



Public Information Sheet

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

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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 under any circumstances after **12.00 noon deadline** unless there is clear evidence that it has been sent to Bristol City Council in advance of it but was not picked up by the Democratic Services Section at the time it was originally sent. 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:

- The Chair of the meeting will ask each public forum speaker to come forward in the order their statement has been received and the beginning of the discussion for each Planning Application that their statements relates to.
- You should speak into a fixed microphone for your allocated time.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- 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.
- **Development Control Committees are not interactive.** You may remain and listen to the debate but you will not be able to play any further part in the meeting including the Committee debate.
- 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 Committee

6 November 2019 at 6pm



Members Present:-

Councillors: Tom Brook (Chair) Richard Eddy (Vice Chair), Lesley Alexander, Harriet Bradley, Don Alexander (Substitute for Olly Mead), Mike Davies, Fi Hance, Harriet Bradley, Jo Sergeant

Officers in Attendance:-

Gary Collins – Head of Development Management, Allison Taylor – Democratic Services

2. Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting and explained arrangements for emergency access in the event of a fire.

3 Apologies for Absence.

These were received from Councillors Denyer, Khan and Mead and Bowden-Jones with Councillor Don Alexander substituting for Councillor Mead.

4. Declarations of Interest.

Councillor Bradley declared an interest in item 19/03253/F – 90-92, Wick Road, Brislington. She had submitted a statement on this item so would stand down from the meeting for this application.

The Chair declared that his ward neighboured the ward that item 19/01213/FB – Stoke Park, Park Road, Stapleton was in but he remained open minded.



5. Minutes of the previous meeting.

These were moved and seconded and it was:-

Resolved – that the Minutes be agreed as a correct record and signed by the Chair.

6. Appeals

The Head of Development Management highlighted Appeal No.4 – Trust Headquarters, Marlborough Street. This application had been refused by Committee on 13 March 2018 and the appeal against this decision would be considered at a two day hearing starting on 21 January 2020. There were no questions.

7. Enforcement

The Head of Development Management reported four enforcement notices since the last meeting. There were no questions.

8. Public forum

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

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

9. Planning and Development

The Committee considered the following Planning Applications:

19/01213/FB - Stoke Park, Park Road Stapleton.

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

1. This was an application for a formal, shared use (pedestrian and cyclist) access route through Stoke Park estate;
2. The estate was owned and managed by Bristol City Council (BCC) although the northern quarter was located within South Gloucestershire. BCC had therefore made an application to South Gloucestershire Council (SGC) for development of the path within their area. This would be subject of separate decision;
3. The path would be surfaced in gravel like the paths in Queen Square;



4. The development would require the removal of 9 trees in the SGC area and 2 in BCC area. These would be replaced by 15 trees;
5. There were 42 objections and 17 supporters in the first round of consultation and 8 objectors and 2 supporters in the second round. All internal and external consultees had supported the application;
6. Historic England supported the proposal following a reduction in the width of parts of the path;
7. Officers' view was that that public benefit of increasing access to the park and encouraging walking and cycling outweighed a low degree of harm which would result to the park as a heritage asset following development and recommended approval subject to conditions.

The following points arose from questions and discussion:-

1. K barriers would be installed in order to allow access to all including buggies and mobility vehicle users but prevented motorbikes and vehicles gaining access;
2. Officers were not unduly concerned regarding the shared use of the path with pedestrians and cyclists. The potential for cyclists to speed is reduced as the path was flat and has a gravel surface. There would also be good visibility of other users. There was also no history of accidents on paths elsewhere within the park;
3. Lighting the path had been ruled out by nature conservation on the basis of harm to wildlife habitat, specifically bats. It was noted that there were alternative routes with street lighting should users not wish to use at night. It was possible to use signage to inform users that there was no lighting. It was recommended that comments relating to use of signage to advertise the fact the path was un-lit would be forwarded to the applicant and BCC Parks team;
4. Councillor Hance observed that the area was very boggy so any improvements to drainage were to be welcomed and she would support the recommendation to approve;
5. Councillor Eddy noted equality relating to park accessibility within the city to be poor and any proposals to reverse this should be supported

Resolved (Unanimously) – That the application be approved subject to conditions as set out in the report.

19/02665/F - 66 Church Road Redfield Bristol and 19/02692/F - 68 Church Road Redfield Bristol.

The Committee agreed to consider both applications at the same time but to vote on them separately. The representative of the Head of Development Management made the following points:-

1. 66, Church Road was an application for the demolition of existing buildings and erection of a three storey building to contain 4 No. apartments and a ground floor retail unit and 3 No. three storey townhouses fronting Dove Lane;
2. The consultation attracted 5 objections;



3. This original application which came before Committee in January 2019 was refused for five reasons. This application was almost identical to the original application and overcame two of the reasons for refusal. However, it failed to mitigate the other three reasons;
 4. The impact of its height, scale and massing on the amenity and in particular on Cowper Street was considered unacceptable;
 5. The living environment was not compliant with policy as it was compromised and of poor quality and was therefore considered unacceptable;
 6. The application failed to overcome design related issues and was therefore considered unacceptable;
 7. Officers had maintained a consistent approach in assessing the application and concluded that it should be refused as it did not address the aforementioned reasons for refusal;
 8. 68, Church Road was an application for the demolition of existing buildings and the erection of a three storey building to contain 2No. three bedroom apartments on first and second floor and ground floor retail unit;
 8. The application was almost identical to the one refused by Committee in January 2019;
 9. Consultation had attracted four objections – 2 opposed, one mixed and one neutral;
 10. There were three reasons for refusal and officers' assessment was that this application only addressed the reason for refusal relating to the living environment of future occupiers by submitting a noise report. The reasons relating to height, mass, scale and design had not been overcome with this application;
- Officers had maintained a consistent approach in assessing the application and concluded that it should be recommended for refusal as it did not address the aforementioned reasons for refusal.

The following points arose from questions and discussion:-

1. It was not possible to be confident that both applications would come forward if approved as the applicants were different;
2. Councillor Shah had referred the original applications to Committee but had not commented on the current applications;
3. Councillor Hance would have preferred both proposals amalgamated together but was frustrated as the site needed to be developed. She would therefore support the officer recommendation. She was informed that an amalgamated application would have made it easier for officers to assess, would remove uncertainties as to whether one or the other would come forward and would make matters clearer for residents;
4. Councillor Bradley expressed disappointment that so little had been done to address the original reasons for refusal though felt conflicted as the site had been empty for so long;
5. Councillor Eddy expressed the same disappointment and would therefore endorse the officers' recommendation to refuse;
6. Councillor Sergeant agreed with previous comments;
7. Councillor Eddy moved the officer recommendation for 66, Church Road and it was seconded and on being put to the vote it was:-

66, Church Road – Resolved (7 for, 1 against) That the application be refused.



8. Councillor Eddy again expressed disappointment that too little had been done to mitigate reasons for refusal and moved the officer recommendation which was seconded. On being put to the vote it was:-

68, Church Road – Resolved (7 for, 1 against) That the application be refused.

Councillor Bradley stood down for the next item as she had submitted a Public Forum Statement on it.

19/03253/F - 90 - 92 Wick Road Bristol.

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. The application was for the extension and change of use from residential use to Sui Generis use to create a House in Multiple Occupation (HMO);
2. The application had been called-in by Councillor Bradley under the Councillor referral scheme;
3. There were currently eleven HMO's in the area;
4. A detailed parking survey had been submitted to address parking concerns;
5. All bedrooms met the licensing requirements for HMO accommodation;
6. The applicant had gone above and beyond necessary requirements for such a scheme;
7. Officers recommended the application for approval subject to conditions.

The following points arose from questions and discussion:-

1. Calculation on parking in the area did not take into account developments under construction:-
2. The parking problems were accepted but it was noted that the locations was sustainable with various bus routes nearby;
3. Councillor Don Alexander observed that there were lots of units for just one shared kitchen. However, it was reported that both the units and the kitchen exceeded licensing requirements for HMO's;
4. Councillor Sergeant would have preferred another communal room on the top floor. It was reported that the applicant's Management Statement stated that young professionals would occupy the HMO. This condition would have to be varied for students. The residents would have to stagger the times they ate with a shared kitchen;
5. Councillor Eddy was reassured by the parking survey and that young professionals would be more likely to occupy the HMO and he would vote in support of the officer recommendation;
6. Councillor Hance observed that working people found it difficult to find accommodation in Bristol and she would vote in support of the officer recommendation;



7. Councillor Eddy moved the recommendation and it was seconded and on being put to the vote it was:-

Resolved – (5 for, 2 abstentions) That the application be granted subject to conditions as set out in the report.

19/03847/H - 16 Berkeley Road Westbury Park Bristol.

This item was withdrawn from the agenda.

The meeting ended at 7.25pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

4th December 2019

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Lockleaze	657 Muller Road Bristol BS5 6XS Proposed dropped kerb, removal of front wall and creation of parking area. Appeal against refusal Delegated decision	02/09/2019
2	Cotham	16 Clare Road Cotham Bristol BS6 5TB Demolition of existing rear extension and replacement with new rear and side extension, replacement of existing roof materials with natural slate and internal alterations to existing dwelling including addition of first floor bathroom window. Appeal against refusal Delegated decision	10/10/2019
3	Westbury-on-Trym & Henleaze	11 Reedley Road Bristol BS9 3SR Double storey and single storey rear extension and single storey front and side extensions. Resubmission. Appeal against refusal Delegated decision	04/11/2019
4	Cotham	24 Cotham Grove Bristol BS6 6AN Traditional metal balcony, accessed from the new kitchen at ground floor level. Metal steps leading down to the back garden at basement level. Privacy screens to each end of the balcony. Alteration of ground floor rear window into French door to access balcony. Appeal against refusal Delegated decision	04/11/2019
5	Avonmouth & Lawrence Weston	66 Portview Road Bristol BS11 9JU Erection of two storey and single storey side extension. Appeal against refusal Delegated decision	04/11/2019

6	Avonmouth & Lawrence Weston	13 Hallen Drive Bristol BS9 2NU Application for a two storey side extension. Appeal against refusal Delegated decision	07/11/2019
7	Westbury-on-Trym & Henleaze	84 Falcondale Road Bristol BS9 3JZ Demolition of side garage and proposed two storey side and single storey rear extension including X5 front and rear roof lights. Appeal against refusal Delegated decision	08/11/2019
8	Southville	28 Stackpool Road Bristol BS3 1NQ Loft conversion. Appeal against refusal Delegated decision	18/11/2019
9	Hengrove & Whitchurch Park	6 Greenacre Road Bristol BS14 0HL Single storey front extension. Appeal against refusal Delegated decision	19/11/2019
10	Bishopsworth	6 Gardner Avenue Bristol BS13 8BG Two storey side and rear extension. Appeal against refusal Delegated decision	21/11/2019

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
11	Central	Trust Headquarters Marlborough Street City Centre Bristol BS2 8CC Outline planning application to consider Access and Scale (with Appearance, Landscaping and Layout reserved) for the demolition of all existing structures and the erection of a hospital transport hub, comprising a 400-space Cycle Centre, 820-space hospital-only car park, hospital bus drop-off point and associated works (Major). Appeal against refusal Committee	21/01/2020

Written representation

Item	Ward	Address, description and appeal type	Date lodged
12	Hengrove & Whitchurch Park	1 Swainswick Bristol BS14 0AH Proposed attached self-contained dwelling house. Appeal against refusal Delegated decision	19/07/2019
13	Westbury-on-Trym & Henleaze	1 Whytes Close Bristol BS9 3HU Erection of 1 detached dwelling house. Appeal against refusal Delegated decision	07/08/2019
14	Eastville	435 Fishponds Road Fishponds Bristol BS16 3AP Roof extension to existing garage to create gym and games room for household use. Appeal against non-determination	07/08/2019
15	Southmead	533 Southmead Road Bristol BS10 5NG Erection of two storey building to provide a 1 bedroom dwelling unit. Appeal against refusal Delegated decision	21/08/2019
16	St George West	Land To The Rear 324 Church Road, And Of Flats 1-3, 2 Beaconsfield Road St George Bristol BS5 8AJ Proposed residential unit. Appeal against refusal Delegated decision	27/08/2019
17	Ashley	First Floor Flat 17 Belmont Road Montpelier Bristol BS6 5AW Construction of a rear dormer roof extension, to provide a third bedroom and a en-suite for the first floor flat. Appeal against refusal Delegated decision	27/08/2019
18	Horfield	37 Wellington Hill Bristol BS7 8SP Two storey side and rear extension to create a new dwelling within the corner plot. Single storey rear extension to existing dwelling. The front garden to No.37 will be re modelled to provide a further off street parking space for the existing property (self build). Appeal against refusal Delegated decision	27/08/2019

19	Central	35 - 37 Stokes Croft Bristol BS1 3PY Enforcement notice appeal for the installation of external roller shutters and associated shutter housing structures to the front of the property. Appeal against an enforcement notice	30/08/2019
20	Eastville	140 Fishponds Road Eastville Bristol BS5 6PT Enforcement appeal for development to create and turn flat roofed rear extension to outdoor amenity area. Appeal against an enforcement notice	20/09/2019
21	Ashley	Mary Seacole Court 110 Mina Road Bristol BS2 9TP Extension to existing block of flats: to erect two new storeys on top of existing two storeys split in to two levels (additional 9 units, 7 in a third storey & 2 in a fourth storey, set back from the edge of the building (Resubmission of application 18/05704/F). Appeal against refusal Delegated decision	11/10/2019
22	Hengrove & Whitchurch Park	22 Gilda Parade Bristol BS14 9HY Outline application for proposed block of two flats - Approval sought for Layout. Appeal against refusal Delegated decision	14/10/2019
23	Westbury-on-Trym & Henleaze	22 Devonshire Road Bristol BS6 7NJ Conversion of an existing HMO back to a single dwelling house plus a gate and shed to the garden. Appeal against refusal Delegated decision	14/10/2019
24	Stoke Bishop	22 Julian Road Bristol BS9 1LB Application for a Lawful Development Certificate for a Proposed use or development. Single storey rear extension. Appeal against refusal Delegated decision	22/10/2019
25	Clifton	7A Richmond Hill Avenue Bristol BS8 1BG Proposed demolition of existing side extension and replacement with a one and a half storey side extension, and various external alterations to the building new/altered openings. Appeal against refusal Delegated decision	23/10/2019

26	Clifton	7A Richmond Hill Avenue Bristol BS8 1BG Proposed demolition of existing side extension and replacement with a one and a half storey side extension, and various external alterations to the building new/altered openings. Appeal against refusal Delegated decision	23/10/2019
27	Filwood	3 St Whytes Road Bristol BS4 1RX New 2 bedroom dwelling with off street parking, bin store and cycle storage. Appeal against refusal Delegated decision	24/10/2019
28	Lawrence Hill	Land Rear Of Temple Trading Estate Cole Road Bristol Erection of a structure to support 2no. 12m wide x 3m high LED digital displays. Appeal against refusal Delegated decision	30/10/2019
29	Hillfields	30 Hillfields Avenue Bristol BS16 4JR Full Planning Permission (Re-submission) for the construction of a single two-bedroom house with vehicular parking, refuse store and cycle racks on land to the side of 30 Hillfields Avenue (Self Build) Appeal against refusal Delegated decision	01/11/2019
30	Clifton Down	34 Oakfield Grove Bristol BS8 2BL Proposed side arched extension, providing additional living space to the existing first/second floor maisonette. Appeal against refusal Delegated decision	05/11/2019
31	Windmill Hill	17 Shepton Walk Bristol BS3 5NU Proposed conversion of double garage to a one bed dwelling house. Appeal against refusal Delegated decision	05/11/2019
32	St George West	Land To The Rear Of 1A Clouds Hill Avenue Bristol BS5 7JD Erection of a single dwelling on the land to the rear of 1A Cloud Hill Avenue, following the removal of the existing garage and outbuilding. Reconfiguration of the external space shared by numbers 1 - 5 Clouds Hill Road. Appeal against refusal Delegated decision	14/11/2019

33	Bedminster	Advertising Next To 267 West Street Bedminster Bristol BS3 3PZ Appeal against discontinuance notice for a 48 sheet internally illuminated advertising display.	14/11/2019
34	Easton	191 Whitehall Road Bristol BS5 9BT Upgrade of existing 48 sheet advert to support digital poster. Appeal against refusal Delegated decision	19/11/2019
35	St George Central	125 Two Mile Hill Road Bristol BS15 1BH To erect a two bedroom dwelling. Appeal against refusal Delegated decision	20/11/2019
36	Stoke Bishop	16 Hadrian Close Bristol BS9 1DZ Demolish the existing building (Use Class C3) and build a two-storey detached residential dwelling (Use Class C3) with secure bicycle store. (Self Build). Appeal against refusal Delegated decision	20/11/2019

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
37	Horfield	36 Filton Avenue Bristol BS7 0AG Proposed no.3 bed, detached two storey single dwelling house, with cycle and bin storage and vehicle access onto Beaufort Road. Appeal against refusal Delegated decision	Appeal dismissed 08/11/2019
38	Westbury-on-Trym & Henleaze	53 Fallodon Way Bristol BS9 4HT Proposed garage at side of house. Appeal against refusal Delegated decision	Appeal allowed 22/11/2019
39	Stockwood	12 Swane Road Bristol BS14 8NQ Proposed erection of 1 no 3 bedroom dwelling. Appeal against refusal Delegated decision	Appeal dismissed 21/11/2019

40 Lawrence Hill

16 Feeder Road Bristol BS2 0SB

Replacement of existing 1no illuminated 96-sheet advertisement with 1no illuminated digital LED display.

Appeal against refusal

Delegated decision

Appeal dismissed

20/11/2019

DEVELOPMENT CONTROL COMMITTEE B
4th December 2019

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

Item	Ward	Address, description and enforcement type	Date issued
1	Redland	Top Floor Flat 19 Dundonald Road Bristol BS6 7LN Erection of terrace/balcony without planning permission. Enforcement notice	30/10/2019

Development Control Committee B 4 December 2019

Report of the Director: Development of Place

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Westbury-on- Trym & Henleaze	Grant	18/05823/F - Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH Remodelling of the existing residential care home, resulting in an increased number of bedrooms and overall improvement to the existing care home facilities.

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Development Control Committee B – 4 December 2019

ITEM NO. 1

WARD: Westbury-on-Trym & Henleaze

SITE ADDRESS: Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH

APPLICATION NO: 18/05823/F Full Planning

DETERMINATION DEADLINE: 31 March 2019

Remodelling of the existing residential care home, resulting in an increased number of bedrooms and overall improvement to the existing care home facilities.

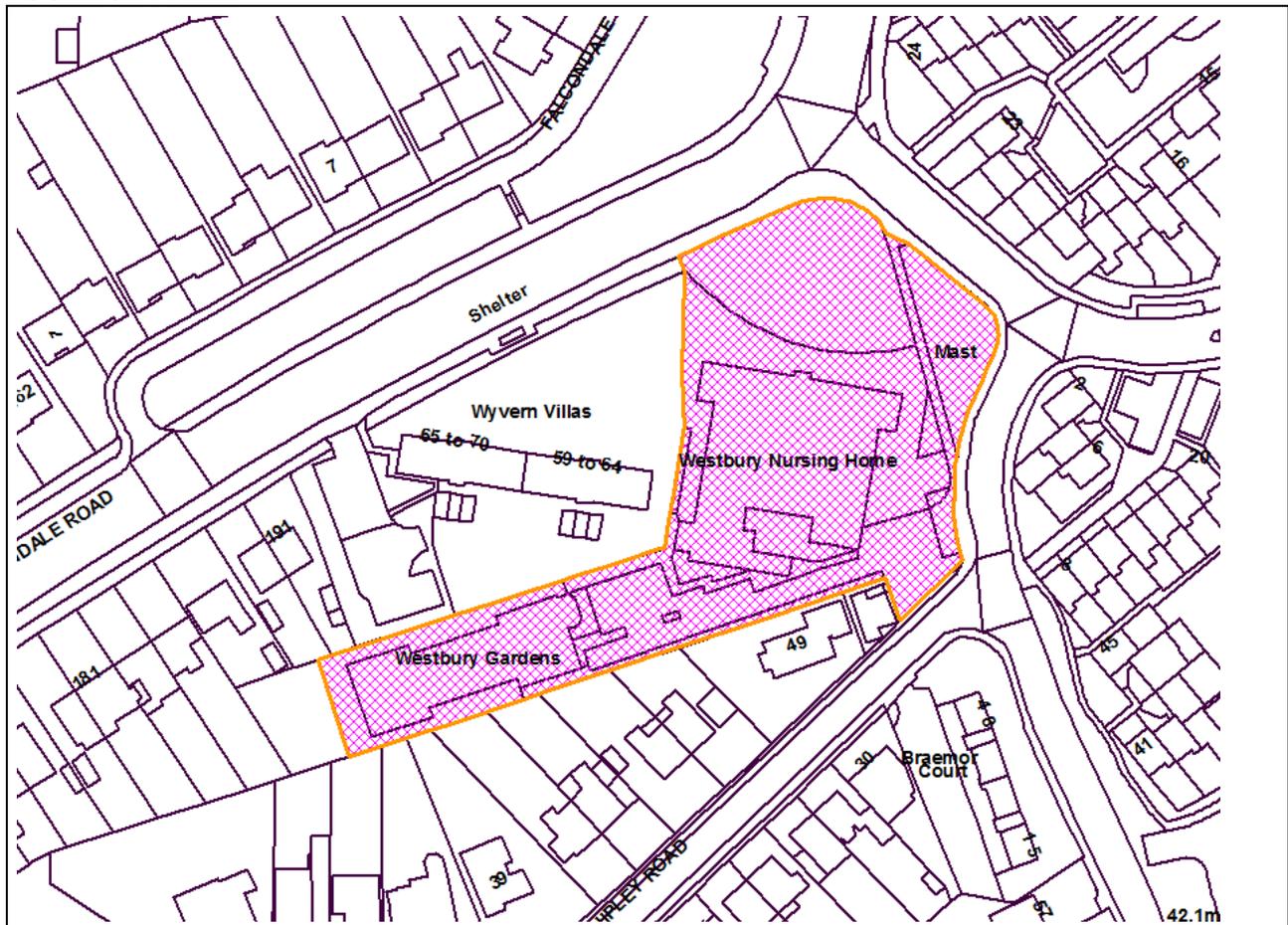
RECOMMENDATION: Grant subject to Condition(s)

AGENT: MOSS Design Ltd
Unit D, Moss Design Ltd
Baptist Mills Court
Easton
Bristol
BS5 0FJ

APPLICANT: Westbury Care Ltd.
Westbury Gardens Residential
Home
Falcondale Road
Bristol
BS9 3JH

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

LOCATION PLAN:



Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH**

SUMMARY

The application for planning permission, ref: 18/05823/F hereby brought before committee is for the remodelling and enlargement of the Westbury Gardens Residential Home, a single storey building which shares its grounds with the adjacent Westbury Nursing Home - a three storey refurbished former army barracks.

The proposed works to the Westbury Gardens building would include a flat-roofed first floor extension to the existing 19-room building and other associated alterations in order to facilitate a net addition of 5 rooms, arranged as 14 rooms to the ground floor and 10 rooms to the first floor.

The current application has undergone three rounds of consultation following various alterations to the proposal. The first round of consultation garnered twenty objections from the residents of 17 addresses, and one representation objecting to the scheme from the Westbury-on-Trym Society. The second round of consultation garnered twenty two objections from the residents of 18 addresses and another objection from the Westbury-on-Trym Society. Furthermore, the scheme was referred by Cllr. Gollop, a Ward Member for Westbury-on-Trym & Henleaze. The final round of consultation garnered 19 objections from 16 addresses, including an objection from the Westbury-on-Trym Society.

Although the application was not referred upon final consultation, it was referred during a previous consultation exercise and owing to the sustained level of public interest it is considered appropriate that the scheme be brought before Committee.

Officers initially maintained significant concerns in relation to the scale, massing and form of the development and its potential impact on the living conditions of surrounding residents, particularly in relation to overbearing, overlooking and loss of privacy. Following substantial officer advice and the submission of two rounds of revised plans, officers are now satisfied that the proposals would be acceptable (subject to a number of conditions set out below if permission were to be forthcoming). See Key Issues A and B for further details.

The proposal is also found to satisfactorily meet the following considerations:

- Impact on parking conditions and highways safety concerns
- Noise and odour issues relating to the building itself and associated plant;
- Impact on the character of the existing building and surrounding area;
- Other considerations including impact to trees and sustainability.

It should be noted that a particular area of concern for local residents is the potential for a more intensive use of the building to impact negatively on existing parking congestion along surrounding residential streets, however owing to the provision of adequate on-site parking provision in line with policy requirements, officers have concluded that this does not form a reason for refusal on planning grounds. See Key Issue C for further details on this matter.

It is therefore concluded that the amended scheme overall successfully overcomes all relevant planning issues and on this basis the application is brought to committee with a recommendation for approval.

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH**

SITE DESCRIPTION

The care home complex is situated to the southern side of the junction of Greystoke Avenue with Falcondale Road, and comprises of two buildings; the three storey Westbury Nursing Home situated adjacent to the junction of the aforementioned roads, and the single storey Westbury Gardens Residential Home, which is set behind the larger building and thus further back from the junction. The application site relates to the latter, single storey building.

The building adopts a long and narrow form broadly oriented on a NE-SW axis, with two hipped roofs to either end connected by a dual pitched roof section along an elongated central portion. Elevations are faced in red brick and the roof clad in concrete double roman style tiles.

Owing to the slope of the land the building is set-down relative to the main Nursing Home building to the east as well as the three storey 'Wyvern Villas' block of flats to the north. The building shares a similar albeit slightly higher ground level to the mixture of detached and semi-detached houses along Shipley Road to the south, and adjacent houses to Falcondale Road to the west.

Ahead of the principal elevation to the eastern end of the building is a parking area and access drive connecting the site to Passage Road, while a small garden area is sited ahead of the rear, western elevation adjacent to the boundary with houses along Falcondale Road and Shipley Road. The boundary treatment is largely formed of fences and hedges or trees, which are relatively substantial in scale, particularly along the northern and southern boundaries.

The site does not fall within any identified site designations.

APPLICATION

The proposal seeks the addition of a flat roofed first floor extension to the single storey Westbury Gardens building. The footprint would be approximately 365sqm and would create space for the internal remodelling of the existing ground floor and the net addition of 5 rooms to the building. The extension would be clad in larch timber with the roof clad in Trocal. The ground floor elevations would be faced in light render. A fire escape and lightwell bounded by a 2m solid wall would be situated set back from the southern elevation to the building.

A cycle store containing 6 spaces would be added and the existing refuse store for both Westbury Gardens and the adjacent Westbury Nursing Home would be used. Solar PV and air source heat pumps would be installed to meet sustainability targets. The overall height of the building would be increased by between 1.5m at the existing roof ridge to 3m along the northern elevation to the building.

OFFICER NOTE: A former roof terrace area has been removed from the scheme to be replaced by a shallower fire escape route with alterations to the arrangement of windows to the western elevation. The overall massing and scale of the first floor footprint has also been reduced significantly (Revisions B, C and D) since the original drawings were submitted.

RELEVANT HISTORY

18/02236/F Remodelling of the existing residential Care Home, resulting in an increased number of bedrooms and overall improvement to the existing Care Home facilities. 2 August 2018 WITHDRAWN

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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 refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

STATEMENT OF 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.

RESPONSE TO PUBLICITY AND CONSULTATION

Three rounds of consultation have been undertaken for this scheme; an initial round in November/December 2018, a second round in February/March 2019, and a final round in October/November 2019. Surrounding residents have raised significant concerns during all three consultation exercises. The key (materially relevant) issues raised have remained the same in spite of amendments to the scheme and these are summarised below (full representations can be found on the BCC website):

- o Exacerbation of a congested and dangerous parking situation on residential roads around the site
- o Overdevelopment of a constrained site
- o Additional noise nuisance
- o Loss of privacy to surrounding residents owing to overlooking (direct and perceived)
- o Overbearing impact of the second storey on surrounding residential dwellings
- o Uncharacteristic and incongruous design

OFFICER NOTE: There is an assertion in some public responses that the Council previously made assurances a second storey would not be added to the subject building. While there is no documented evidence of this, a former PREAPP response did conclude that some form of expansion of the building may be achievable so long as the living conditions of surrounding residents could be demonstrated to be adequately preserved.

CONSULTEE COMMENTS

BCC Arboriculture

An arboricultural officer was consulted under previous application 18/02236/F and following receipt of additional information commented as follows:

"I have reviewed the arboricultural report produced by Alan Engley June 2018 in support of this application.

The only trees proposed for removal are U category and so incur no liability under BTRS. I have no objection to the proposed tree pruning or tree protection measures.

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As tree protection has been specified in the event consent is granted could I advise that a condition is made in this regard."

Case Officer Note: As there have been no changes in this regard the same information has been resubmitted and there are no outstanding concerns. The recommended condition is added to as set out below. See Key Issue D for further details.

BCC Pollution Control

A pollution control officer was consulted under previously withdrawn application 18/02236/F and commented as follows:

"I have no objection to this application but would ask for the following conditions should the application be approved:

1. Construction Management Plan

No development shall take place until a site specific Construction Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

Advice

The Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- o Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- o Procedures for emergency deviation of the agreed working hours.
- o Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

2. Noise from plant & equipment affecting residential

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."

Case Officer Note: The scheme has since been reduced in terms of the scale and quantum of development and so these comments are considered to stand unchanged (a Pollution Control Officer reviewed these comments under the current application). The recommendations are considered to be appropriate and relevant to the current application and would be applied should approval be forthcoming. See Key Issue B for further details.

BCC Transport Development Management (TDM)

A TDM officer was consulted under previously withdrawn application 18/02236/F and commented as follows.

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"Principle

The application proposal seeks approval for the remodelling of the existing residential Care Home, resulting in an increased number of bedrooms and overall improvement to the existing Care Home facilities.

Disabled Bay

The disabled space measures approximately 5.1m by 4.1m. Whilst the width is able to accommodate for the 1.2m hatching the length is not. This must be amended to measure at least 3.6m x 6m.

Waste

All bins must be contained within a dedicated, suitably screened, suitably ventilated and secure area, which will prevent interference by any scavenging pests or any third party. This has not been provided.

Cycle Parking

TDM deem the cycle parking to be acceptable.

Recommendation

Before TDM can recommend approval the disabled bay must meet minimum requirements and a waste store must be provided.

The applicant submitted a proposed site plan demonstrating parking spaces and bin/cycle storage locations. This was found to be acceptable and adherence to this plan would form a part of any future approval."

Case Officer Note: TDM were approached to review previous comments in relation to the current application (noting that the scheme represents a reduction in bedrooms from the previous scheme which was found to be acceptable) and maintained no objection to the scheme on the basis of the additional evidence provided by the applicant and subject to relevant conditions as set out below. See Key Issue C for further details.

OTHER COMMENTS

The Westbury-On-Trym Society has upheld objection to the scheme since the submission of the previous application. Key points of concern raised include:

- o Poor quality living conditions for future occupiers, particularly in terms of outlook, views and access to outdoor space
- o Erosion of the original garden setting and over intensive development of the site
- o Overlooking of surrounding residents
- o Exacerbation of existing parking pressure

Case Officer Note: These concerns are addressed in the key issues below.

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RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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

KEY ISSUES

(A) IMPACT UPON THE DESIGN AND CHARACTER OF THE HOST BUILDING AND THE WIDER PUBLIC REALM.

Policy BCS21 'Quality Urban Design' of the Bristol Core Strategy (2011) states that new development should deliver high quality design and contribute positively to an area's character and identity by creating or reinforcing local distinctiveness.

Policy DM26 'Local Character & Distinctiveness' of the Site Allocations and Development Management Policies of the Local Plan outlines that development proposals should contribute to local character and distinctiveness by means of design. This will be achieved by responding to local patterns and the grain of historic development within the area. Policy DM27 'Layout and Form' provides consideration to factors such as layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes and how they contribute toward achieving high quality urban design. Policy DM29 'Design of New Buildings' states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm. Finally, as detailed in Policy DM30 'Alterations to Existing Buildings' of the Site Allocations and Development Management Policies of the Local Plan, the proposed side extension should respect siting, scale, form, proportions, materials, design and character of the host building.

The existing building does not sit prominently within the site and appears set down and set back in comparison to surrounding development. The single storey structure with hipped roof is only really publically visible via glimpsed views from Passage Road/Shipleigh Road Junction and from the access to Wyvern Villas. The relatively substantial vegetation along the boundaries of the site contribute to further reduce the visual impact from to the public realm.

It is noted that there is a variety of architectural styles to buildings surrounding the site and this is largely owing to the presence of Wyvern Villas and Westbury Gardens Nursing Home, both of which formerly comprised a post-war T.A army barracks. Wyvern Villas - a three storey rectangular block of residential flats with a pitched roof and gable ends, and Westbury Nursing Home, a three storey larger square block with a mixture of flat, pitched and hipped roofs contrasts with the mix of detached and semi-detached 1930's style housing that predominates along surrounding streets. Wyvern Villas to the north is faced in cream render with concrete roof tiles, while Westbury Nursing Home features a mixture of brick and white render facing. Surrounding residential houses are typically faced in white render with red tiled roofs.

The existing single storey building is of contemporary design and has been constructed in space between the 1930's style dwellings to the south and west along Shipleigh and Falcondale Roads and the former army buildings to the north and east. The plot is somewhat irregular and around the

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Westbury Gardens building it 'cuts' into the uniform pattern and layout of housing around it. Westbury Gardens is a red brick building with interlocking red concrete tiles to the roof and as with surrounding development it is not considered to have any notable architectural features of merit.

The scheme proposed within the previous planning application expanded vertically on the existing footprint across the full extent of the existing building and included - pitched roofs elements to either end. In pure architectural design terms this was not considered to be a harmful or unsympathetic approach to altering the building, however there was a degree of concern relating to the bulkiness of the flat roof sections above the southern elevation. In addition substantial concern regarding the additional bulk and mass of the building in relation to amenity issues resulted in the withdrawal of the previous application.

As a result the applicant has revised the scheme and brought about significant alterations to the scale and form of the extension under the current proposal, most notably the introduction of an entirely flat roof and the setting back of the extension away from southern and western elevations. This is discussed in more detail in Key Issue B which discusses residential amenity, however as a result of shared officer concerns regarding this amenity impact the design of the proposal has been negotiated and significantly changed as a result. Opposition to the scheme on design grounds has however been consistent from local residents, over concerns that the form and appearance of the extended building would be incongruous in its setting.

Following requested amendments for amenity and design reasons (reducing the roof form, height and bulk, drawing the extension back from western and southern elevations, removing the outdoor amenity space and some windows), officers are satisfied that the proposals no longer introduce significant harm in this regard. The prominence of the building would be increased somewhat and the form altered, but flat roof forms are visible within the context of the site (to the adjacent nursing home), and the height of the building would be increased only to the approximate eaves height of surrounding two storey residential dwellings. Following amendment it is considered the design would be less prominent overall than originally proposed and owing to its situation set away from surrounding streets its altered appearance would not be harmful to any established street scene or the public realm more generally, given that public views of the development are restricted.

The applicant proposes the use of light render to the ground floor and treated larch timber cladding to the first floor. While the use of larch timber has been raised as a point of concern, in this verdant green setting with substantial vegetation and tree cover along boundary treatments, there is less prospect of harm arising from the use of timber cladding, and owing to the relative lack of visibility to the structure from the public realm, there is less prospect of harm to established street scene. It is also considered that the introduction of timber cladding may assist to deliver a more lightweight extension in appearance, as opposed to solid masonry or render treatment, which would relieve the bulkiness of the addition when viewed from surrounding development. Samples and large scale details are secured via condition as set out below, to ensure the quality and appearance of the extension and cladding materials are of sufficient quality so as to avoid harm to the character and appearance to the host building and surrounding area.

Overall the proposed design is concluded to satisfactorily meet the requirements of adopted policies in relation to design, character and overall appearance, as well as impact to the public realm. It is accepted that there will be some change in outlook for surrounding residential properties, however the proposal is not found to be harmful in any of these regards and would not warrant refusal on this basis.

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH****(B) WOULD THE PROPOSAL HARM THE AMENITY OF THE LOCALITY AND SURROUNDING PROPERTIES?**

Policy BCS21 in the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM30 in the Site Allocations and Development Management Policies (2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers.

i. Impacts relating to overbearing, loss of privacy, direct and perceived overlooking

The building is surrounded to the north, south and west by residential dwellings along Falcondale and Shipley Roads and their associated gardens.

To the north, and set at a slightly raised level in comparison to the host building is the 3-storey 'Wyvern Villas' block of flats. The facing elevation to Wyvern Villas is closest to Westbury Gardens at its eastern end, with a minimum separation distance of approximately 18m, while the western end of the block of flats is set about 34m away from the host building. Existing and proposed section drawing 'A-A' reflects this relationship. There is generally less concern in relation to amenity impact on the residents of the flats facing the development site. Firstly, although the scale of the increase to the host building would be more pronounced along its northern elevation, this would be mitigated by the ground level difference of approximately 1.5m. The 3m increase in height would certainly be noticeable when viewed from the flats, however owing to the separation distances it is not considered that this effect would be overbearing on the occupiers of the flats, nor would it cause loss of light or any additional shadowing, despite the proposal site being situated to the south of the flats.

In terms of outlook from the more proximal ground floor flats to Wyvern Villas, the increased prominence of the adjacent building would be notable, and it is demonstrated in Section A-A that the height of the building would rise above the elevation of the ground floor windows. Nevertheless and owing to a combination of adequate separation distances and the general tapering away of the building, this is not considered to unduly prejudice the outlook from any of the habitable windows to the ground floor of Wyvern Villas. Windows to the southern elevation of Wyvern Villas face the adjacent elevation of Westbury Gardens at an oblique angle, and at their closest point (18m separation distance) they are only slightly closer than what may normally be expected on most residential streets, where houses often directly face each other as opposed to at an angle. It is therefore not considered there would be an unacceptable loss of privacy as a result of the proposed arrangement of windows. On this basis it is concluded that the proposal would not prejudice the amenity enjoyed by any of the flats to adjacent Wyvern Villas in terms of overbearing, overshadowing, loss of light, loss of outlook or overlooking.

The rear elevations to Nos. 191 and 189 Falcondale Road are situated approximately 20m from the building, while Nos. 43 to 47 Shipley Road are also sited relatively close to the building at a distance of approximately 18m. The rear elevations to other surrounding properties are generally further away - between 23m and 30m from the subject building.

The current application follows on from previously withdrawn application 18/02236/F, which was withdrawn specifically in response to concerns over the impact of the form, scale and massing of the building on the living conditions enjoyed by residents of adjacent Falcondale Road and Shipley Road. Of highest concern was the relatively more proximal properties listed above.

The introduction of a lower, flat roof form in the resubmitted and current application was an improvement in this regard, as was a slight reduction in overall floor area at first floor level (referred to by the applicant as Revision A in supporting documentation). In spite of this, concern was upheld in relation to the large first floor roof terrace along the Shipley Road elevation, as well as a bulky and prominent lift shaft/stairwell to the roof at the eastern end of the building, and the scale of the first floor

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at the western end. Additionally, the first floor level would still extend almost all the way to the western elevation of the building and would accommodate private balconies overlooking the garden area adjacent to the houses situated along Falcondale Road.

Following further discussion the applicant agreed to reduce the scale and massing of the first floor once more, bringing the first floor footprint away from the southern and western elevations completely, including a reduction in the bulky massing of the lift shaft/stairwell (see Revision C in supporting documentation). Windows were also removed from the western elevation. Following assessment of Revision C, it was concluded that the siting, scale, bulk and massing of the extension was sufficiently reduced so as to avoid harmful overbearing, loss of light, loss of outlook or overshadowing to surrounding residents. Likewise the removal of balconies and windows to the western elevation facing the properties along Falcondale Road would assist to remove concerns relating to direct or perceived overlooking to those dwellings.

The reduced outdoor terrace above the southern elevation had been retained throughout the process of amendments, and a degree of concern remained in relation to this feature throughout assessment. A site visit was conducted in April 2019 during which photographs were taken from the upper floors of several houses along Shipley Road. The current building is visible, however this is primarily by way of glimpsed views through boundary vegetation, and although the building does appear more clearly from a first floor viewpoint, the same effect wouldn't be as clear at ground floor level where it is considered the substantial boundary screening would remain dominant. Following the site visit the applicant was asked to resurvey the site to include surrounding properties and provide amended sections as concern was raised that the ground levels hadn't been accurately portrayed in previous section drawings. The updated sections (A-A, C-C and D-D in drawing package 'Revision D') show that houses along Shipley Road (to the western end especially) are at a slightly lower ground level to the Westbury Gardens building.

While this is still not considered significant enough to uphold concern on grounds of overbearing, this corrected information was considered significant in terms of support for a raised external amenity area in this sensitive location. For the avoidance of doubt and to reduce any risk of perceived overlooking or additional nuisance to surrounding residents as a result of this feature, it was requested that it be removed entirely. Accordingly, the final set of drawings (Revision D) show a reduced depth fire escape and light well instead of a roof terrace, which would be fully screened by way of a 2m wall and not accessible to occupiers of the residential home except in emergencies. This restriction is conditioned below.

It is accepted that the existing privacy screening along the southern and western boundaries is largely comprised of trees, shrubs and hedges, and concern has been raised that this method of screening is somewhat porous and non-permanent in the sense that it could be removed. This is a hypothetical situation that has not been put before officers as part of the proposal, however in consideration of this it is noted that for the most part the separation distances between surrounding houses and the host building is close to, or in excess of that of houses along typical residential roads, while the overall roof height of the building would be broadly equivalent to the eaves height of the buildings along Shipley Road. Furthermore there would be no windows along the southern or western elevations to overlook neighbouring gardens (NB. The windows along the southern elevation are screened by a 2m wall). There are no proposals to assess that include the removal of the verdant vegetation along these boundaries, however the nature of the boundary treatments to the south and the west are not considered to alter previous assessment of the scheme on amenity grounds.

In spite of the positive amendments made between the resubmission of the application and the most recent consultation exercise, objection from surrounding residents on amenity grounds has been sustained and relatively unchanged. It is nevertheless considered at this stage that the key points of objection have been satisfactorily addressed by the applicant to the extent that there is no longer sufficient cause to refuse the scheme when it is assessed against policies pertaining to preserving the

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living conditions of surrounding residents.

To conclude, the amended proposal owing to its siting, scale, form, massing and overall design would sufficiently preserve the living conditions of surrounding residents in terms of privacy, outlook and light and the building would not harmfully overbear any of the surrounding houses.

ii. Impacts owing to Noise from the Proposed Use of the Building, Associated Plant and Proposed Outdoor Areas

Policy DM35 of the Site Allocation and Development Management Policies (2014) advocates that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

Significant concern was raised by local residents in relation to the proposed first floor terrace above the southern elevation of the building and the impact this may have in terms of noise nuisance. A Pollution Control officer was consulted under previously withdrawn application 18/02236/F in this regard and did not object to the terrace. Nevertheless, and following receipt of additional information (section drawings) considered to raise concern over the feature in regard of perceived overlooking and detrimental impacts on residential amenity, the applicant agreed to remove this element from proposals. A walkway does remain for fire escape purposes; however give the restricted use of this walkway and its set back nature it is not considered that it would cause harmful impacts the residential properties on Shipley Road. A condition is added restricting the use of the walkway.

In terms of noise from existing plant it is not anticipated that this would increase as a result of the proposals and the pollution control officer did not object on this basis in principle either. However as there are no details submitted in respect of the air source heat pumps, conditions are added requiring further detail and restricting the noise level of plant.

To conclude, no objection was received in relation to the previously withdrawn scheme, and subsequent amendments to the current resubmitted scheme have reduced concern further owing to a reduced scale of development, lower quantum of additional development and the removal of external amenity areas. The officer recommended that a Construction Environment Management Plan be conditioned as part of any consent and this would also be added.

(C) DOES THE PROPOSAL SATISFACTORILY ADDRESS TRANSPORT, MOVEMENT AND ACCESSIBILITY ISSUES?

Policy BCS10 of the adopted Core Strategy and Policy DM23 in the Site Allocations and Development Management Policies set out the criteria development should satisfy in regard to parking, transport and highway safety matters.

Parking and Access

Significant concern was raised by local residents in relation to existing parking pressures on surrounding streets, and the impact of the proposed development in terms of exacerbating this.

Appendix 2 of Policy DM23 (Transport Development Management) of the Site Allocation and Development Management Policies (2014) states the following with regard to parking standards for C2 - Residential Institutions:

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- a) Staff: one space per 2 F/T duty staff
- b) Visitors: one space per 6 bed spaces
- c) For disabled people from a threshold of 500 m², 10% of the parking standard to be provided in addition - minimum of one space.
- d) At least one bay for ambulances, minibuses and general servicing

Issues pertaining to transport were initially raised under previously withdrawn application 18/02236/F. Transport Development Management (TDM) commented in respect of that application that policy compliant parking must be demonstrated, as well as policy compliant cycle and refuse storage. Supporting document Proposed Parking Site Plan (which has been amended and added to the current application as a supporting document) was submitted which showed 16 spaces for the nursing home and 6 spaces for the residential home, with a larger space for people with disabilities and a servicing space. This was considered acceptable by TDM.

The twenty four rooms in total for the Westbury Gardens building (i.e. 5 additional bedrooms) now proposed as part of this application would necessitate 4 spaces for visitors and for the 4 staff on site, another two spaces (6 in total for Westbury Gardens). The submitted parking plan shows 6 spaces in total for Westbury Gardens as existing and therefore provision does therefore exactly meet policy requirements for this building as extended without any further requirement for additional spaces. It is noted that the standards as set out above are a maximum provision, not a minimum provision.

Residents have expressed concern that the addition of rooms (which has been reduced from 7 (which was previously considered acceptable in parking terms) to 5 additional rooms over the course of successive amendments) will lead to greater parking pressures on residential roads surrounding the site.

The applicant has noted that across the site as a whole, owing to internal refurbishment in the nursing home, 15 rooms will be lost in the nursing home and 5 rooms gained in the residential home, meaning a net loss of 10 bedrooms on site overall.

The LPA has no control over internal rearrangements to the nursing home and so in spite of the above information, assessment is based solely on the net addition of 5 bedrooms only, and on this basis the proposal site does individually and cumulatively (when considered in conjunction with the nursing home), comply with recommended maximum provisions relating to on-site parking as set out above. On this basis the changes proposed cannot reasonably be expected to exacerbate conditions outside of the site to an unreasonable extent.

It is not in doubt that there is substantial parking pressure along the residential roads surrounding the site, however these roads do not fall within a designated residents' parking zone, and so there are no controls over rights to park along them. Therefore it is not reasonable to suggest that the issue of non-residents parking on these streets area can be resolved by way of refusing the subject development planning permission on this basis especially given the amount of parking on site meets policy requirements.

A TDM officer was asked to review the most recent set of amended drawings and the officer concurred with the conclusions reached to date regarding the parking issues raised.

Cycle Storage

Appendix 2 of Policy DM23 (Transport Development Management) of the Site Allocation and Development Management Policies (2014) states the following with regard to parking standards for C2 - Residential Institutions:

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- a) Staff - From a threshold of 250m², one space per 250m²
- b) Customer - From a threshold of 250m², one space per 250m²

The submitted Parking Plan Proposed rev. B shows a covered cycle store capable of securely storing 6 bikes, which would satisfy the requirement. The store would be accessible unobstructed. The provision of this store is conditioned accordingly.

Refuse

The existing refuse storage area would be used. It currently serves the nursing home and the residential home. Given the modest increase in rooms to one of the buildings the space allocated for this is sufficient.

Other Matters

In addition TDM recommended that a Construction Management Plan should be provided to the LPA prior to the commencement of any works to ensure minimal disturbance to surrounding residents during works. This is conditioned accordingly

Conclusion

In conclusion all Transport and Highways Safety issues have been demonstrated to be satisfactory and there are no further concerns that would warrant refusal of the scheme on this basis.

(D) WOULD THE IMPACT ON TREES BE 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."

An arboricultural officer was consulted under previously application 18/02236/F and further information was requested with regard to submission of an Arboricultural Impact Assessment. This was provided and the officer commented as follows:

"I have reviewed the arboricultural report produced by Alan Engley June 2018 in support of this application. The only trees proposed for removal are U category and so incur no liability under BTRS.

I have no objection to the proposed tree pruning or tree protection measures.

As tree protection has been specified in the event consent is granted could I advise that a condition is made in this regard."

There have been no alterations to the proposal subject of this application in this regard that would warrant additional assessment. The Arboricultural Impact Assessment would form part of approved documentation for this application and a condition is also ensuring evidence of adequate tree protection measures are provided and agreed prior to start of works on site.

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Policies BCS13-15 have significantly increased the requirements placed upon developers in respect of both the information required to support applications and give clear guidance on sustainability standards to be achieved in new development, setting a target of a 20% reduction in residual energy emissions.

The applicant submitted a Sustainability Statement in which it is proposed that air source heat pumps and approximately 70sqm of rooftop solar PV be installed on the southern roof slope to the extension to achieve the 20% reduction in residual energy emissions. While this is acceptable, no further details of the proposed ASHP system or solar PV layout has been provided and so additional information prior to commencement would be secured by condition along with conditions requiring the restriction of plant noise.

Surface Water Drainage and Flood Risk

Policy BCS16 states that 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).

There would be no significant increases in the ground floor footprint or overall roof area. Nevertheless there is a requirement for a reduction in surface water run-off and as such a SuDS compliant drainage strategy is secured by condition in order to confirm that sustainable drainage of the site would satisfactorily meet current standards.

In conclusion and subject to conditions there are no further concerns in this regard.

CONCLUSION

In conclusion and following substantial amendments to the scheme over the course of assessment, the proposal is found to adequately meet relevant policy requirements relating to design, character, residential amenity, transport and highways safety, arboriculture and sustainability. On this basis a recommendation to approve the application is brought to Members.

COMMUNITY INFRASTRUCTURE LEVY

Although buildings within the C2 use class are CIL liable, in accordance with the CIL charging schedule this C2 development is charged at nil.

RECOMMENDED GRANT subject to condition(s)**Time limit for commencement of development**

1. Full Planning Permission

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

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

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH****Pre commencement condition(s)**

2. Tree Protection

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown within the Tree Protection Plan and Tree Constraints Plan produced by Alan J. Engley And Associates July 2018. Once installed 5 photos should be electronically sent to the Local Planning Authority, to be verified by the Tree Officer and agreed in writing by the Local Planning Authority. 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 in line with Policy DM17.

3. Construction Management Plan

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

- o Parking of vehicles of site operatives and visitors.
- o Routes for construction traffic
- o Hours of operation.
- o Method of preventing mud being carried onto the highway.
- o Pedestrian and cyclist protection.
- o Proposed temporary traffic arrangements including hoardings and/or footway closures.
- o Arrangements for turning vehicles.
- o Arrangements to receive abnormal loads or unusually large vehicles.
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses

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

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH**

4. Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

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

5. 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.

6. Details of photovoltaics and air source heat pumps

Prior to the commencement of the relevant element, details (including the exact location, dimensions, design/ technical specification and method of fixing) relating to the PV panels and the Air Source Heat Pumps 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.

7. Samples

Prior to the commencement of relevant works sample panels of all the external materials and finishes to all new building elements including window and door frames and surrounds, any new boundary treatments and all landscaping surfaces, demonstrating coursing, jointing and pointing to the masonry, are to be erected on site and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the area would not be harmed.

8. Large scale Details

Notwithstanding notations of approved plans, prior to the commencement of relevant works drawings to a minimum 1:10 scale (also indicating materials, treatments, and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority:

Development Control Committee B – 4 December 2019

Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH

- (a) All new windows, doors, rooflights and screening walls and louvres (including sectional profiles, cills, surrounds and depth of external reveals)
- (b) Roof eaves, soffits, verges, parapets and all other walling junctions including rainwater goods and flues
- (c) All junctions between facing materials (including sectional profiles)
- (d) All vents and grilles
- (e) External Staircase

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the area would not be harmed.

Pre occupation condition(s)

9. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

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 that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

10. 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.

Post occupation management

11. Noise from plant & equipment affecting residential

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 the occupiers of neighbouring premises.

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH**

12. Sustainability

The development shall be carried out in complete accordance with the Sustainability Statement prepared by Sol Environment Ltd (ref: SOL1805MD01) dated May 2018 and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the development makes sufficient contribution towards mitigating and adapting to climate change.

13. Arboriculture

The development permitted by this planning permission shall be carried out in complete accordance with the 'Report On A BS5837:2012 Tree Survey, Land at Westbury Gardens Residential Care Home, Westbury-on-Trym' (AJE/AF/28323, dated June 2018) and Associated Tree Protection Plan and Tree Constraints Plan (dated July 2018) prepared by Alan Engley unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

14. The external lightwell and fire escape accessway shown on First Floor Plan -Proposed Rev D shall be used for emergency access and essential maintenance only and not be used as any form of balcony, accessible roof garden or similar amenity area in perpetuity

Reason: To safeguard the amenity of the occupiers of neighbouring premises.

List of approved plans

15. 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.

Site location plan, received 5 November 2018
 Site plan - existing, received 5 November 2018
 Roof Plan - Existing, received 28 October 2019
 REVISION D Roof plan - Proposed rev. C, received 28 October 2019
 REVISION D Ground Floor Plan - Existing, received 28 October 2019
 REVISION D Ground floor plan - Proposed rev. B, received 28 October 2019
 REVISION D First floor plan - Proposed rev. D, received 28 October 2019
 REVISION D Front elevation - Existing & Proposed Revision B, received 28 October 2019
 REVISION D Rear elevation - Existing & Proposed Revision D, received 28 October 2019
 REVISION D South elevation - Existing & Proposed Revision D, received 28 October 2019
 REVISION D North Elevation - Existing & Proposed Revision B, received 28 October 2019
 REVISION D Existing and Proposed Site Section A-A rev. C, received 28 October 2019
 REVISION D Existing and Proposed Site Section C-C rev. D, received 28 October 2019
 REVISION D Existing and Proposed Site Section D-D rev. D, received 28 October 2019
 Parking Plan - Proposed rev. B, received 22 November 2019
 Sustainability Statement, received 5 November 2018
 Tree survey, received 5 November 2018

Development Control Committee B – 4 December 2019**Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH**

Tree Protection Plan and Tree Constraints Plan, received 5 November 2018

Reason: For the avoidance of doubt.

Advices

- 1 The Site Specific Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time /on Sundays and Bank Holidays.
- o Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- o Procedures for emergency deviation of the agreed working hours.
- o Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

- 2 Noise Advice

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.

Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.

- 3 Right of Light Advice

Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

- 4 Tree Protection Advice

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.

- 5 Nesting Birds Advice

Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981

Development Control Committee B – 4 December 2019

Application No. 18/05823/F : Westbury Gardens Residential Home Falcondale Road Bristol BS9 3JH

and prior to commencing work you should ensure that no nesting birds will be affected

6 Sustainable Drainage System (SUDS) Advice

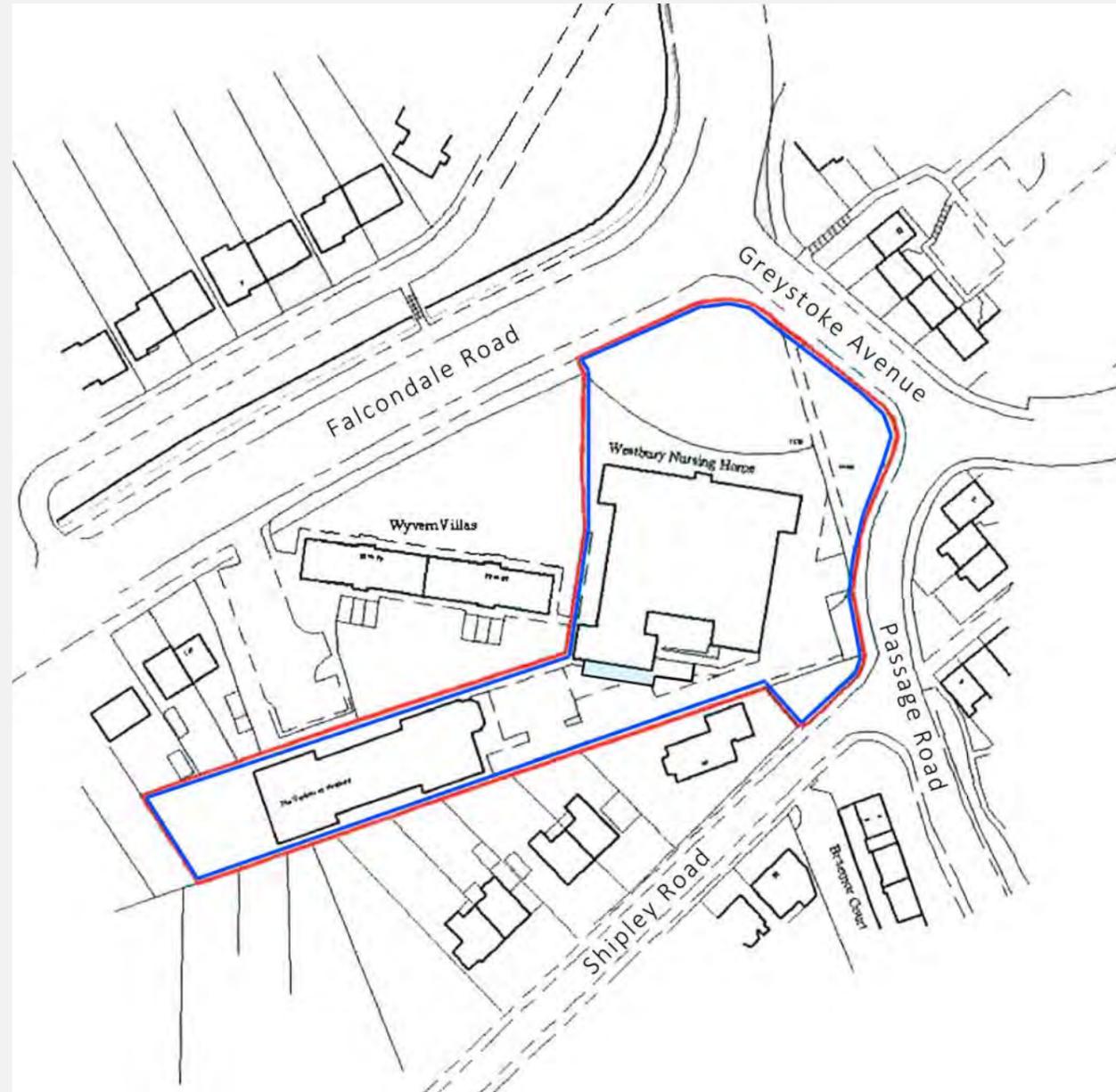
The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk before any works commence.

commdelgranted
V1.0211

Supporting Documents

1. Westbury Gardens Residential Home, Falcondale Road

1. Site Location Plan
2. Photos
3. South Elevation Design Development
4. Revision D Drawing Package – Proposed plans, elevations and sections



Site Location Plan of Existing Property 1:1250 scale @ A3

Area shaded in blue represents planning permission for a single storey timber extension yet to be built (Ref. 16/00908/F)

WESTBURY GARDENS FRONT #1



WESTBURY GARDENS FRONT #2







SHIPLEY ROAD GROUND FLOOR



SHIPLEY ROAD FIRST FLOOR





VERSION 1 Original design February 2018: Perspective of South Elevation of Care Home



VERSION 3 Revision B Design February 2019: Perspective of South Elevation of Care Home



VERSION 2 Revision A Design October 2018: Perspective of South Elevation of Care Home



VERSION 4 Revision C Design August 2019: Perspective of South Elevation of Care Home



**VERSION 5
Revision D Design October 2019:**
Perspective of South Elevation of Care Home



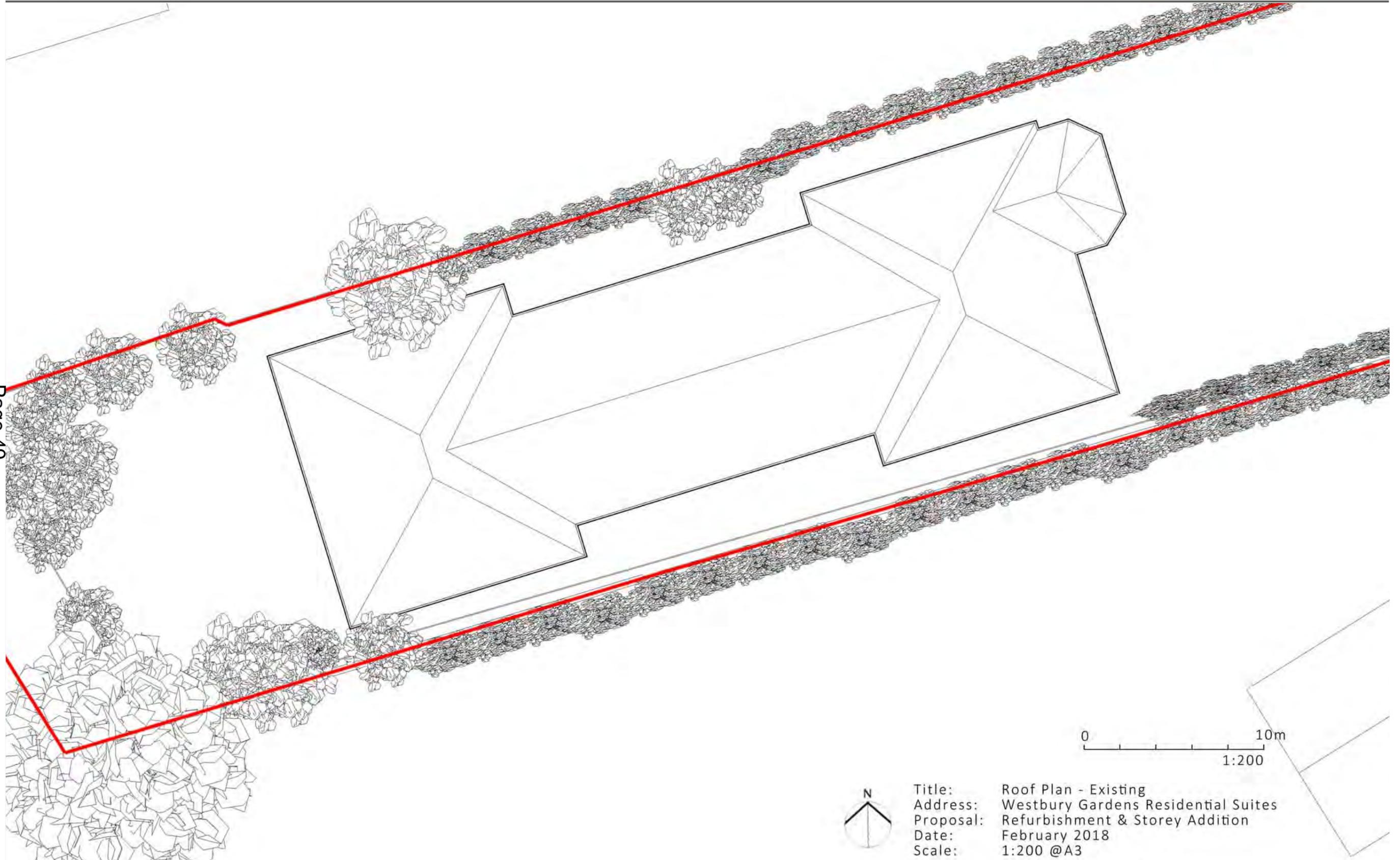
REVISION D Scaled Drawings and Imagery

Westbury Gardens Residential Suites 18/02236/F

October 2019



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Title: Roof Plan - Existing
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: February 2018
 Scale: 1:200 @A3

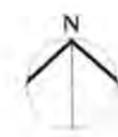
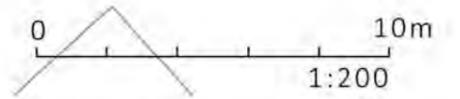
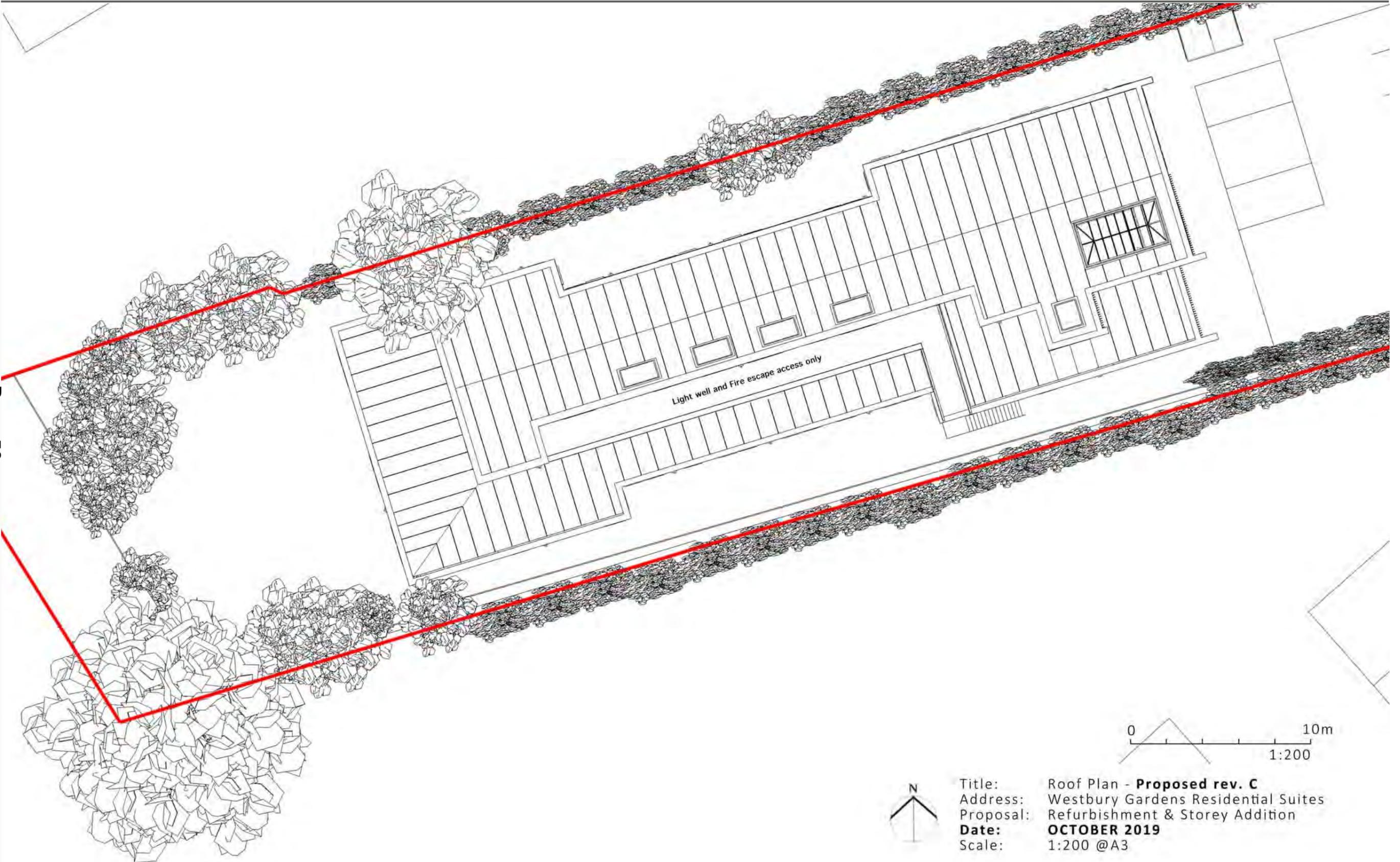
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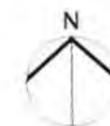
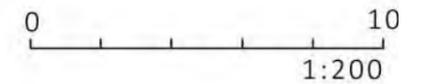


Title: Roof Plan - **Proposed rev. C**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **OCTOBER 2019**
 Scale: 1:200 @A3

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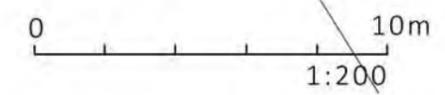


Title: Ground Floor Plan - Existing
Address: Westbury Gardens Residential Suite
Proposal: Refurbishment & Storey Addition
Date: February 2018
Scale: 1:200 @A3

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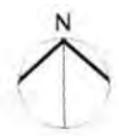
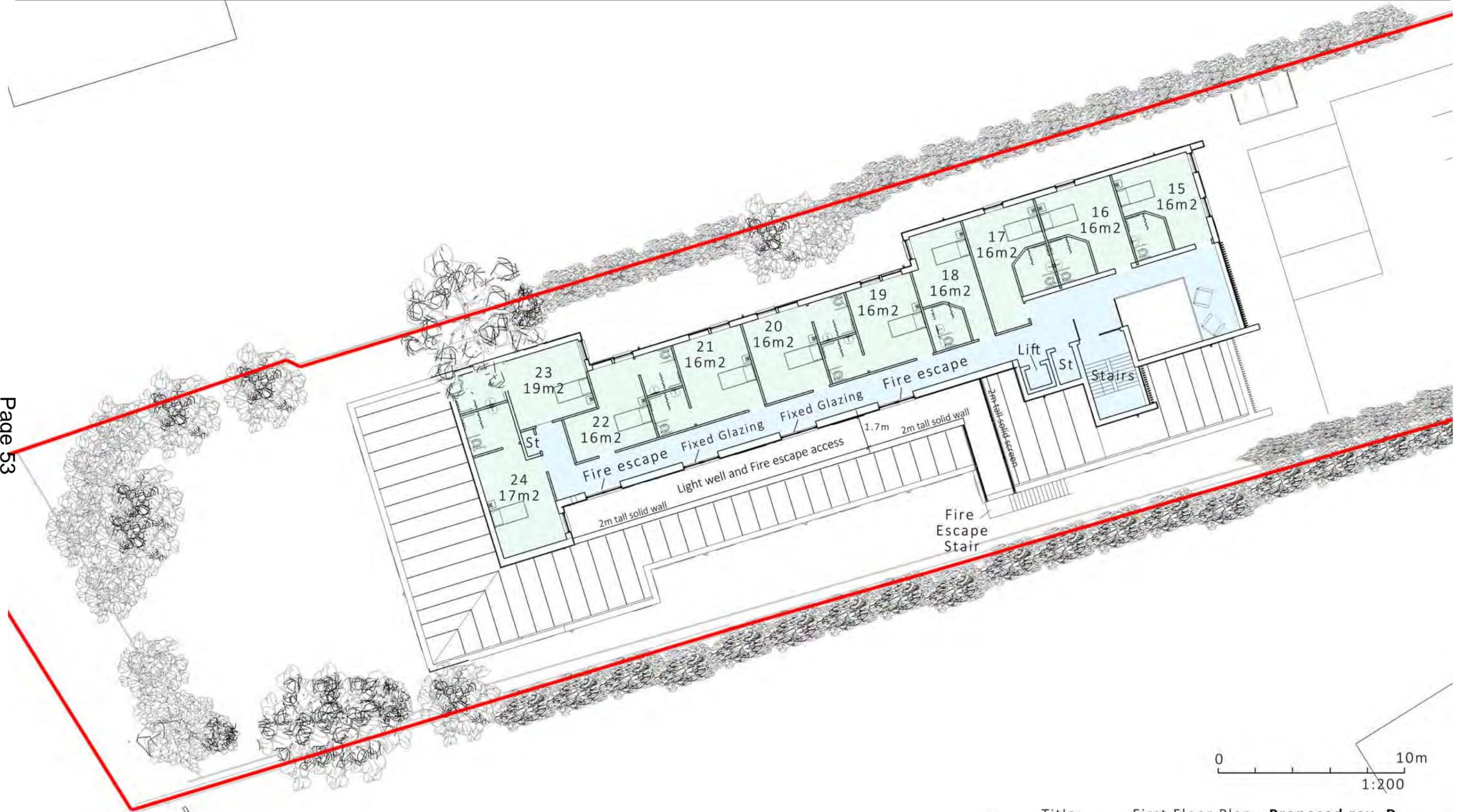


Title: Ground Floor Plan - **Proposed rev.B**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **February 2019**
 Scale: 1:200 @A3

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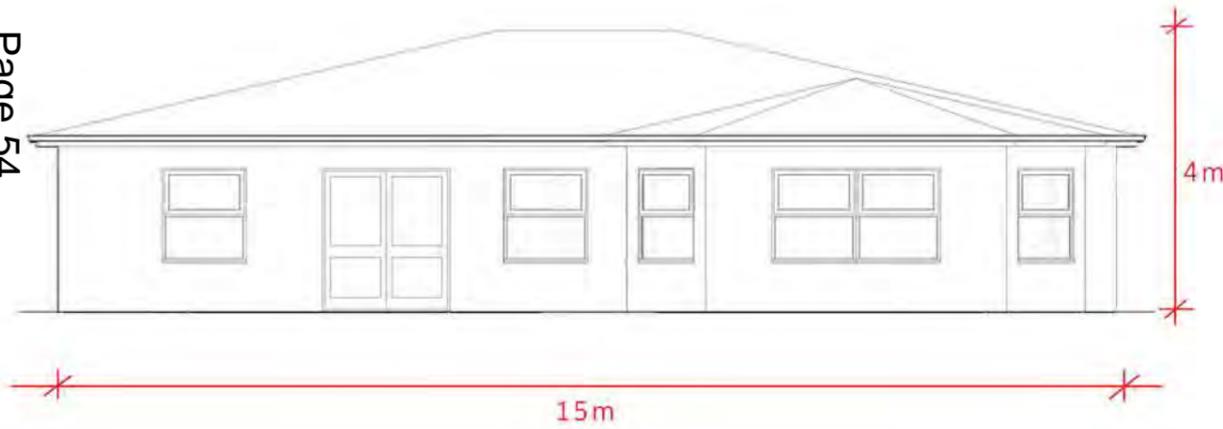


Title: First Floor Plan - **Proposed rev. D**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **October 2019**
 Scale: 1:200 @A3

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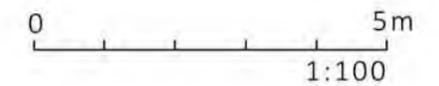
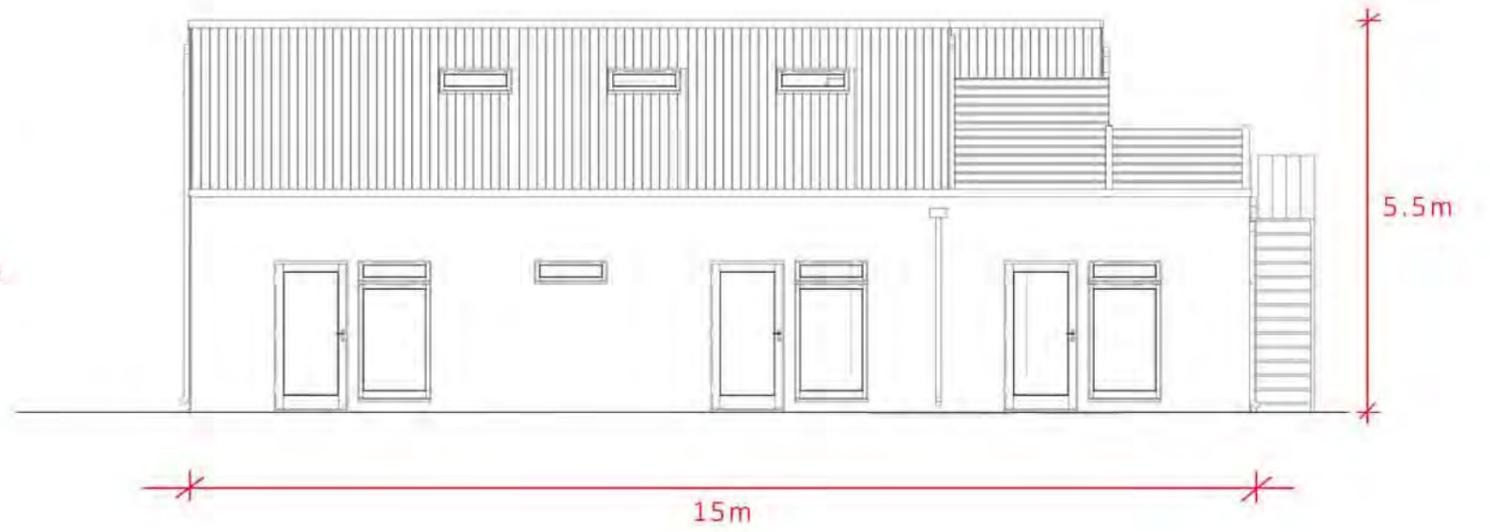


Title: **Front Elevation - Existing & Proposed Revision B**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **February 2019**
 Scale: 1:100 @A3

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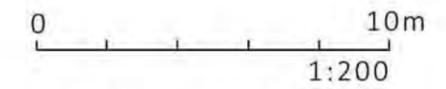
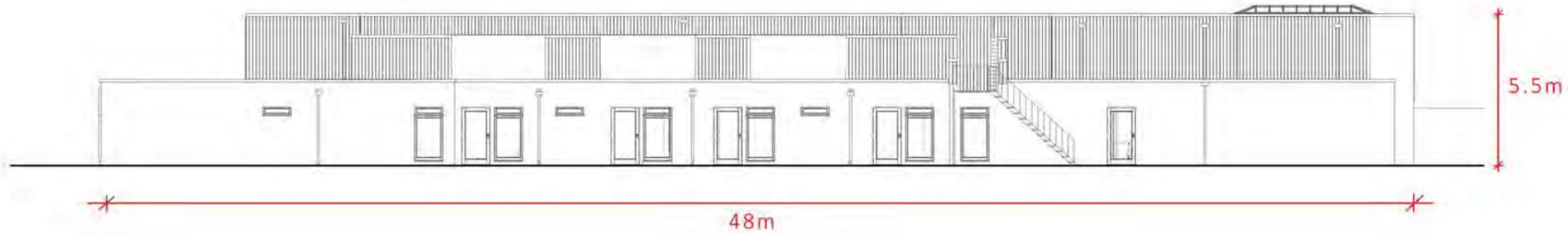
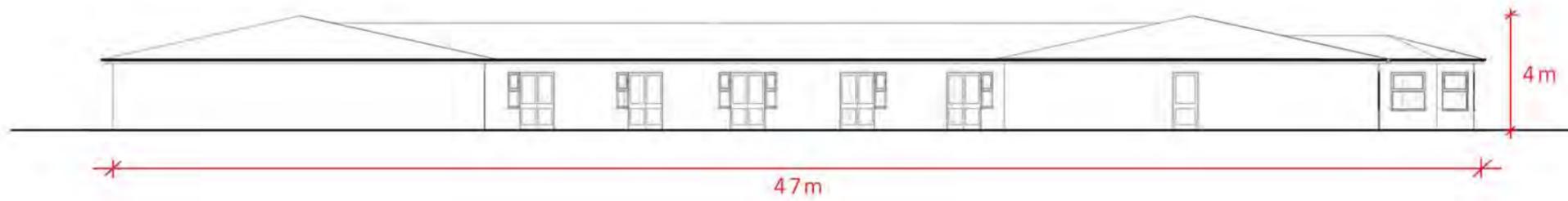


Title: **Rear Elevation - Existing & Proposed Revision D**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **October 2019**
 Scale: 1:100 @A3

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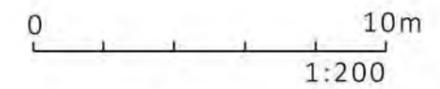
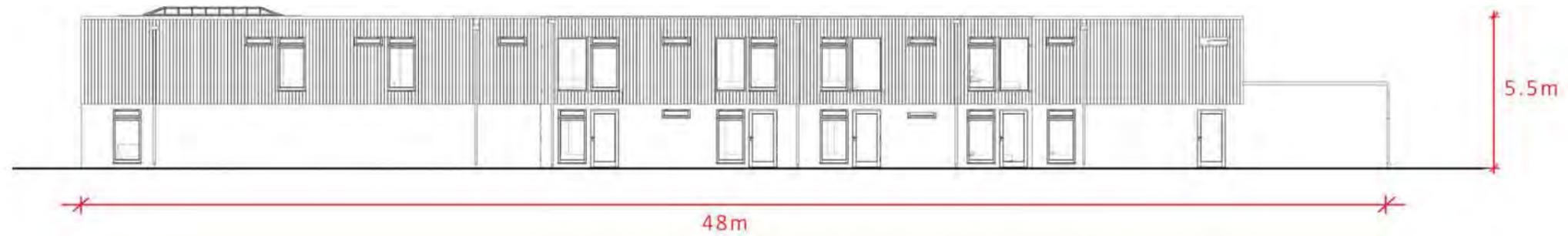
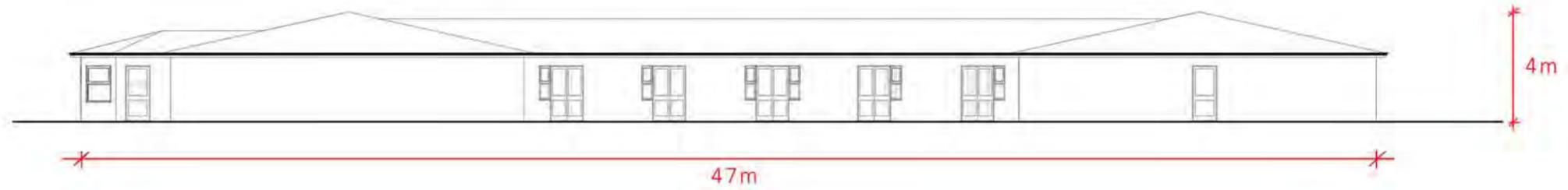
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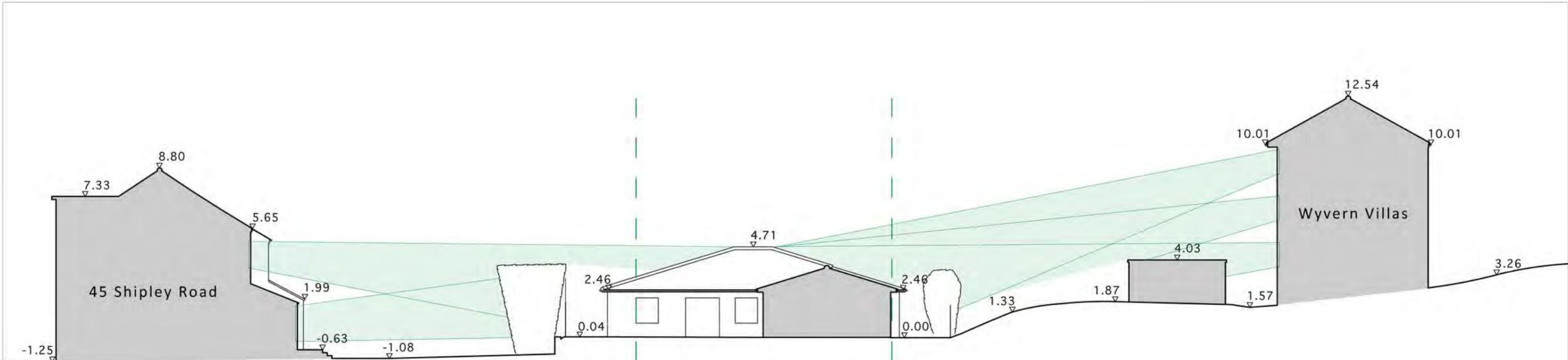
Title: **South Elevation - Existing & Proposed Revision D**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **October 2019**
 Scale: 1:200 @A3

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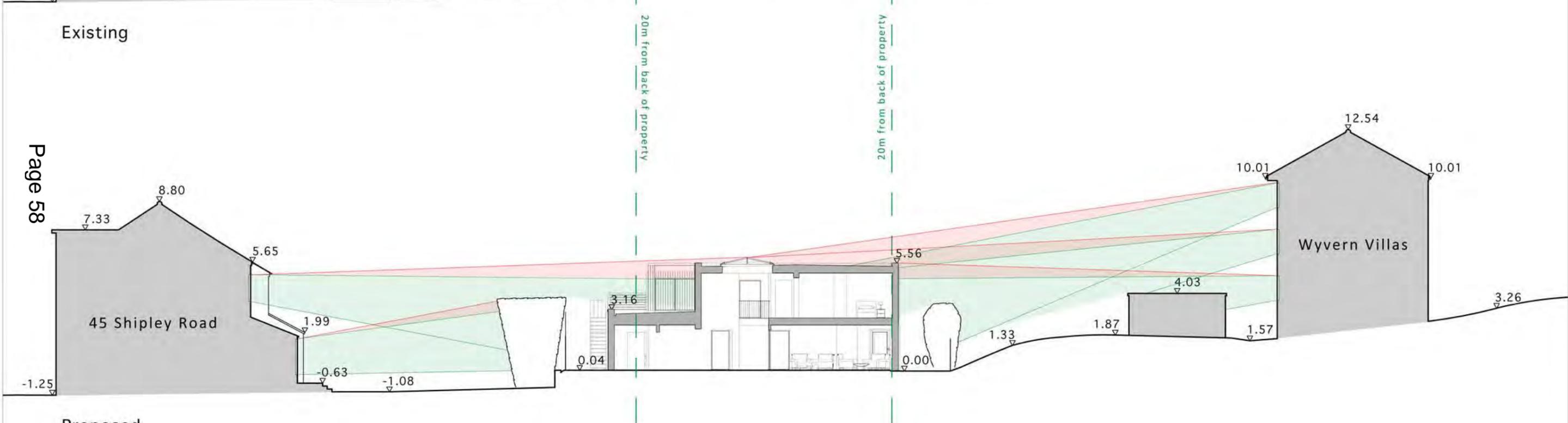


Title: **North Elevation - Existing & Proposed Revision B**
 Address: Westbury Gardens Residential Suites
 Proposal: Refurbishment & Storey Addition
 Date: **February 2019**
 Scale: 1:200 @A3

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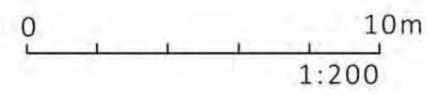


Existing



Proposed

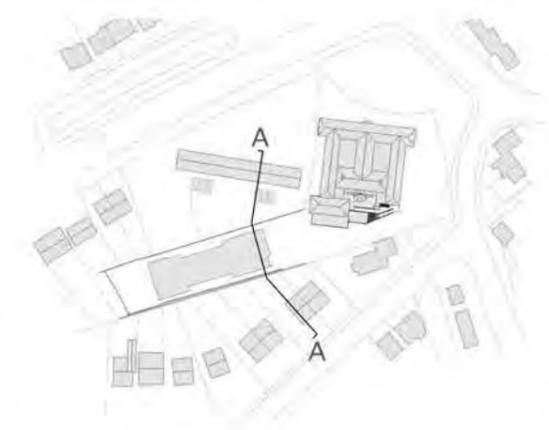
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Westbury Gardens Residential Suites - Remodelling
 Existing and Proposed Site Section A-A, 1:200 at A3 - rev. C
 June 2019

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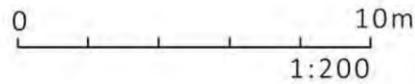
- Visibility of Existing Building
- Extent of additional visibility of Proposed Building



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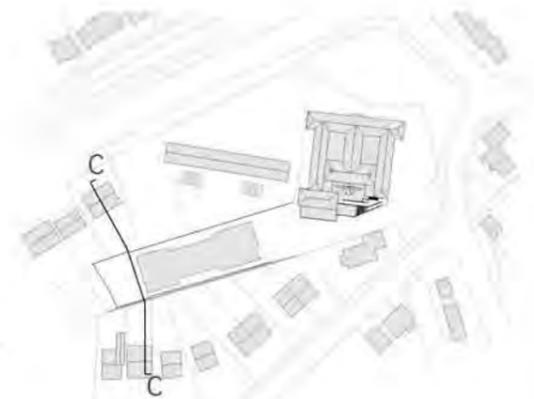
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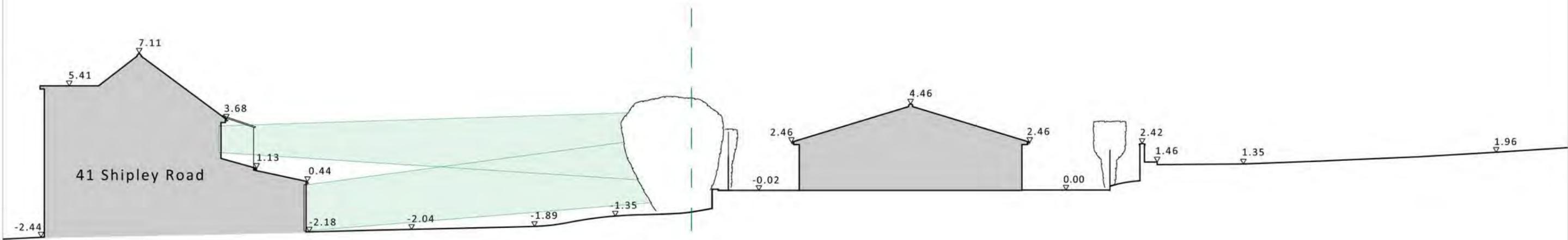
Westbury Gardens Residential Suites - Remodelling
 Existing and Proposed Site Section C-C, 1:200 at A3 - rev. D
 October 2019

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- Visibility of Existing Building
- Reduced visibility of Proposed Building
- Visibility of Proposed Elevation in the distance



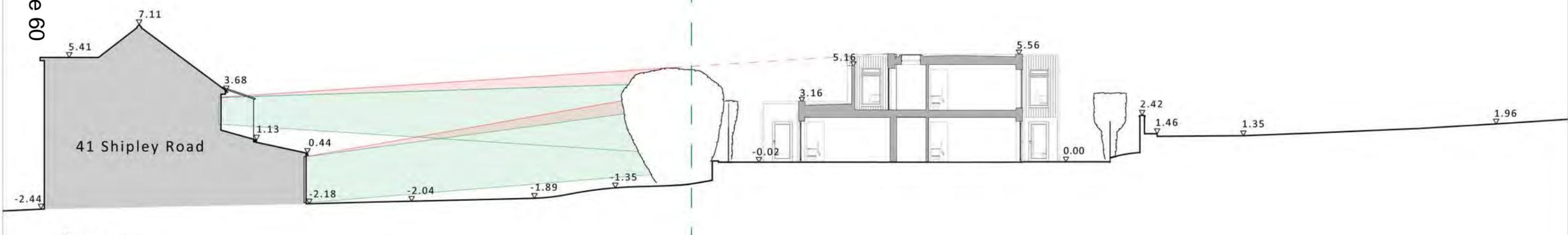
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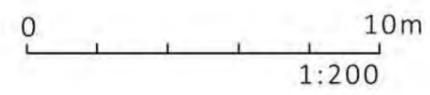
Existing

20m from back of property

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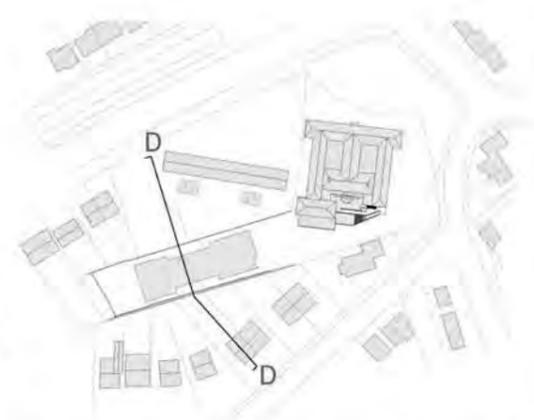
Proposed



Westbury Gardens Residential Suites - Remodelling
 Existing and Proposed Site Section D-D, 1:200 at A3 - rev. D
 October 2019

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- Visibility of Existing Building
- Extent of additional visibility of Proposed Building



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