

Development Control B Committee Agenda



Date: Wednesday, 9 December 2020

Time: 2.00 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via YouTube

Distribution:

Councillors: Richard Eddy (Vice-Chair), Lesley Alexander, Tom Brook (Chair), Mike Davies, Fi Hance, Chris Jackson, Olly Mead, Jo Sergeant, Clive Stevens, Nicola Bowden-Jones and Sultan Khan

Copies to: Gary Collins and Jeremy Livitt

Issued by: Jeremy Livitt, Democratic Services

City Hall, PO Box 3167, Bristol, BS3 9FS

E-mail: democratic.services@bristol.gov.uk

Date: Tuesday, 1 December 2020



Agenda

1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 4 - 6)

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 held on Wednesday 11th November 2020

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

(Pages 7 - 14)

5. Appeals

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

(Pages 15 - 25)

6. Enforcement

To note enforcement notices.

(Page 26)

7. Public Forum

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

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest **by 5pm on Thursday 3rd December 2020.**

Petitions and statements:

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



to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Tuesday 8th December 2020**.

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

Anyone who wishes to present their public forum statement, question or petition at the zoom meeting must register their interest by giving at least two clear working days' notice prior to the **meeting by 2pm on Monday 7th December 2020**.

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

Please note, your time allocated to speak may have to be strictly limited if there are a lot of submissions. This may be as short as one minute.

8. Planning and Development

To consider the following applications for Development Control Committee B - **(Page 27)**

- a) Grange Court Grange Court Road Bristol BS9 4DW (Pages 28 - 100)**
- b) Telephone Exchange St Johns Road Clifton Bristol BS8 2EU (Pages 101 - 133)**

9. Date of Next Meeting

The next meeting is scheduled for 2pm on Wednesday 27th January 2021 to be held as a remote zoom meeting.



Public Information Sheet

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

You can find papers for all our meetings on our website at <https://www.bristol.gov.uk/council-meetings>

Covid-19: changes to how we hold public meetings

Following changes to government rules, we will use video conferencing to hold all public meetings, including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny.

Councillors will take decisions remotely and the meetings will be broadcast live on YouTube.

Members of the public who wish to present their public forum in person during the video conference must register their interest by giving at least two clear working days' notice to Democratic Services of the request. To take part in the meeting, you will be required to register for a Zoom account, so that Democratic Services is able to match your named Zoom account to your public forum submission, and send you the password protected link and the instructions required to join the Zoom meeting to make your statement or ask your supplementary question(s).

As part of our security arrangements, please note that we will not permit access to the meeting if your Zoom credentials do not match your public forum submission credentials. This is in the interests of helping to ensure a safe meeting environment for all attending or observing proceedings via a live broadcast.

Please note: Members of the public will only be invited into the meeting for the duration of their submission and then be removed to permit the next public forum participant to speak.

Changes to Public Forum

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

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.
- Any statement submitted should be no longer than one side of A4 paper. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.
- **Your intention to attend the meeting must be received no later than two clear working days in advance. The meeting agenda will clearly state the relevant public forum deadlines.**



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, published on the website and within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

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

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- Public Forum will be circulated to the Committee members prior to the meeting and published on the website.
- If you have arranged with Democratic Services to attend the meeting to present your statement or ask a question(s), you should log into Zoom and use the meeting link provided which will admit you to the waiting room.
- The Chair will call each submission in turn and you will be invited into the meeting. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute, and you may need to be muted if you exceed your allotted time.**
- If there are a large number of submissions on one matter, a representative may be requested to speak on the group's behalf.
- If you do not attend the meeting at which your public forum submission is being taken your statement will be noted by Members.

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

Webcasting/ Recording of meetings

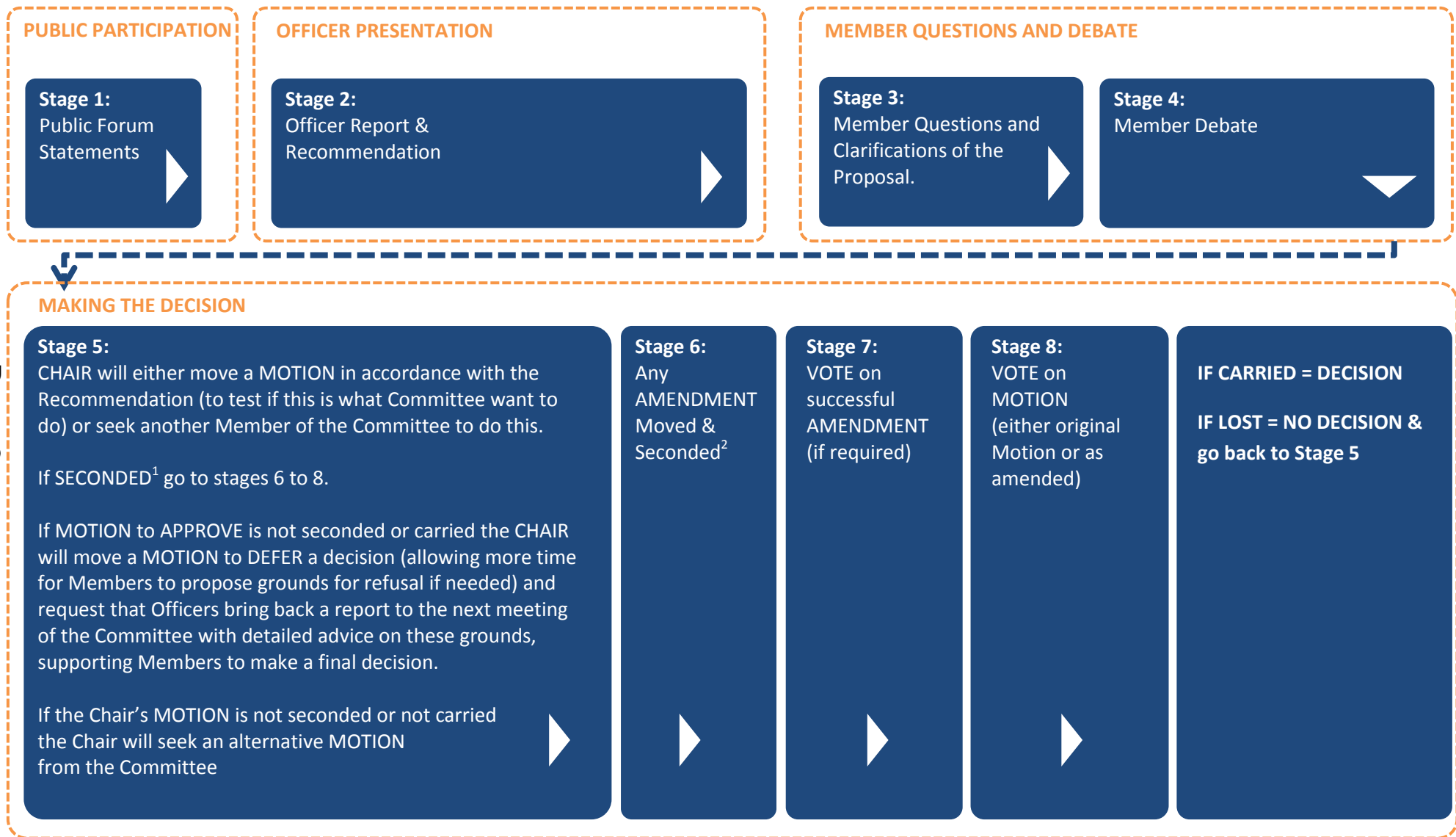
Members of the public attending meetings or taking part in Public forum are advised that all virtual public meetings including Full Council and Cabinet meetings are now broadcast live via the council's [webcasting pages](#). The whole of the meeting will be broadcast (except where there are confidential or exempt items).

Other formats and languages and assistance for those with hearing impairment

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



Development Control Committee Debate and Decision Process



Page 6

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

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



Bristol City Council Minutes of the Development Control B Committee

11 November 2020 at 2.00 pm



Members Present:-

Councillors: Tom Brook (Chair), Richard Eddy (Vice-Chair), Lesley Alexander, Nicola Bowden-Jones, Tony Carey (substitute for Sultan Khan) , Mike Davies, Fi Hance, Olly Mead, Jo Sergeant and Clive Stevens

Officers in Attendance:-

Gary Collins and Jeremy Livitt

1. Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting.

2. Apologies for Absence

Apologies for absence were received from Councillor Sultan Khan (substituted for by Councillor Tony Carey).

3. Declarations of Interest

Councillor Clive Stevens declared a general pecuniary interest in planning matters having co-written a book concerning this issue.

He confirmed that he had been advised by the Monitoring Officer that he had been advised to declare this interest at each Development Control Committee that he attended as a Committee Member with voting rights.

He stated that he did not have a predetermined view on either of the applications to be considered at the meeting and would therefore not need to withdraw from the meeting for either of them.



4. Minutes of the previous meeting held on 14th October 2020

It was moved by Councillor Tom Brook, seconded by Councillor Richard Eddy and upon being put to the vote it was

RESOLVED – that the minutes be approved as a correct record.

5. Appeals

Officers made the following comments concerning appeals:

- The previously cancelled hearing for a number of applications relating to Hamilton House in Stokes Croft had now been rearranged for 9th December 2020. These were subject to prior approval for Planning Development rights to allow conversion of Class B1 use to Class C3 Residential Use without planning permission. The original applications had all been refused as there was inadequate evidence that these properties were in Class B1a use on 29th May 2013.
- The Appeal relating to The Giant Goram PH had now been changed to a hearing process and was likely to commence in January 2021. In response to a member's question, officers confirmed that they would advise the Committee who had requested the change. However, it was likely that it was usually at the appellant's request. This was frequently more positive for the community as they could then express their views directly to the Inspector. These were usually held in public session, although the situation may be different for virtual meetings
- Officers noted members concerns that the process for the St Phillips LED advertisement appeal would not allow parties to write in with their views and would not therefore be a democratic process. They confirmed that they had made representations to the Inspectorate for the process to be reverted to a normal appeal process and would advise the Committee of the situation in due course

6. Enforcement

Officers reported that there had been no cases of enforcement since the last meeting.

7. Public Forum

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

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



8. Planning and Development

The Committee considered the following applications set out below:

9. Planning Application Number 20/03831/NB - Grange Court, Grange Road, Westbury-on-Trym

Officers introduced this report and made the following comments:

- This application would be considered under permitted development rights. Whilst officers had expressed concerns to the Government over the operation of these during the consultation process for their introduction, the legislation is now live and this application had to be assessed within these constraints
- This application could not be assessed against the Council's planning policies and were required by the Government to operate under a lighter touch process
- The current site consisted of a 3 storey detached block of 21 flats built in the 1970s with a flat roof and buff coloured brickwork
- It was an extensive site with a small parking area out front that was accessed from Grange Court Road in a typical suburban street. There was a Catholic Church opposite the property that was next to Redmaids School.
- Grange Court was outside the Downs Conservation Area which was indicated by a yellow line on presentation slides
- The development was for a two-storey extension with an increased height from 9 metres to 14 metres and with an extension that mirrors that existing building and including matching materials
- All proposed new flats would have three bedrooms and would be open plan with a kitchen and dining area. Existing bin storage and garages would be retained for the current flats. There would be additional space for 30 cycle places
- There were a large number of concerns about this application that was understandable. However, the Local Planning Authority could only consider impact to external appearance, impact to the amenity of existing residents and of adjacent properties, as well as highways issues. Officers believed the proposed development fell within the confines of the legislation as a purpose built detached block of flats
- Complaints received concerning this application related to fire safety, the effect on views of the building from the surrounding area, the fact that residents were not pre-informed properly of the proposal and the impact on the financial viability of existing properties. However these points are not included for assessment by the legislation
- There had been 268 objections and one letter of support
- The application had been referred to Committee by three Councillors. Concerns had also been raised by Darren Jones MP
- The proposed development complied with all criteria set out in the legislation for this type of development
- The Committee's attention was drawn to the criteria under which prior approval applications could be considered which included transport and highways, external appearance and the impact on amenity
- The development was approximately 600 metres to the Westbury on Trym Town Centre and 300 metres to Henleaze Town Centre with shops being easily accessible. It was also 400 metres from two bus stops with direct links to



the City Centre. It would also reduce reliance on car use since there would be a total of 30 cycle parking spaces with two per flat

- The development met the necessary transport criteria. There would be no additional car parking and any proposed parking would be on nearby streets. The parking survey had identified good car parking availability with approximately 70 parking spaces being available on the two evenings that the survey was undertaken. During the day, the nearby highways became busier reducing to 40 spaces available but there was parking capacity at other times. The assessment was that the 14 additional flats would not cause significant highways problems
- Officers' assessment was that the development met the criteria for extensions. This site does not include any protected views
- The development would include the same materials and the same width and depth of windows.

Alternative design approaches have been considered however the proposed route to mirror the existing building is found most appropriate. • Amenity of Existing Residents – Whilst officers sympathised with the construction being a disturbance and the resulting impact to living conditions during the time it took place, this impact would be temporary not permanent and so the application could not be refused on that basis

- Officers would insist on a Construction Management Plan and Construction Environmental Management Plan to ensure appropriate standards of construction and mitigation for impacts were secured
- Amenity of Residents in Neighbouring Properties – The site had a large existing curtilage and landscaped garden and there was quite a large separation from nearby properties. The assessment was that the extension would not have a significant impact on the dwellings surrounding the site. No windows were proposed in the eastern elevation. There would be no issues with overlooking or loss of privacy
- In summary, the application had been assessed on the basis of the type of development that it was categorised as and within the scope of the relevant legislation. On that basis, it would not warrant refusal subject to proposed safeguarding conditions and was recommended that prior approval was granted

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

- Officers had taken account of the public sector equality duty as required by the relevant legislation. The Government would argue that this had been considered at the time that the recent legislation concerning permitted development rights had been introduced
- Officers considered the end development in considering equality issues such as relevant age and disability legislation
 - The new prior approval regime did permit external changes to the building in comparison to the 2015 legislation. The new legislation also allows for strengthening of existing walls and foundations.
- However, no visible external structural changes were included in the current development. If they were, this would be considered as a new application on its own merits
- The amenity of residents could be considered in terms of existing residents once the development was completed including issues such as loss of light
- Since this was a private property matter, the issue of any potential conflicts between leaseholders and freeholders was a separate legal issue and was not a planning matter
- The parking survey was useful in confirming the views of transport officers about parking matters relating to the application



- Although close to it, the development was outside the Conservation Area and therefore accords with the relevant requirements.
- Any short term impact on parking caused by disruption during the development was not permanent
- The issue of structural safety was not included within the specific prior approval legislation but was considered as an aspect of Building Regulations and Control
- The dwellings had to be single family dwellings under the terms of the legislation and could not be multiple occupancy dwellings or student accommodation
- Any potential issue concerning the need for the provision of a lift would be dealt with as part of the building control regulations
- Car use had been assessed in respect of 16 cars. Officers were confident these could be accommodated with the parking survey providing evidence for this.
- A construction management plan could be secured by condition and enforcement action taken through serving breach of conditions notice if required
- The application was assessed in accordance with various Government criteria. Wellbeing was not included as one of these
- The Equality Act was considered as part of the assessment process
- The issue of the previous freehold owner was not a relevant factor in considering the application
- Whilst it was acknowledged that the 3:15-3:45pm assessment time for parking did not completely cover the school collection period, there was sufficient evidence from other sources for officers to form a judgement on this issue and to decide that the development would not make impact on highway safety
- Issues such as overlooking by future occupiers of the proposed flats who might cause harm to children as part of the impact on the amenity of the nearby school were not factors for this application but would be crimes for the Police to investigate
- Officers were not aware of the circumstances surrounding a recent application in Portishead that had been refused
- All requirements concerning Equalities Assessments had been carried out in accordance with the legislation
- The application had been publicised by letters sent on 10th September 2020 and the expiry date for comments was 1st October 2020

Committee members made the following comments in respect of this application:

- This application needed to be considered on planning grounds and on this basis, it should be refused as it did not improve the city and had a negative impact on parking and appearance
- Whilst there were many concerns about this development that were not covered by planning law, it should be refused on the grounds of impact on visual amenity and impact on existing residents of the proposed additional two stories
- The application should be refused on the grounds of appearance and on the grounds of parking (in view of the times that the parking assessment was made and the failure to take into account the recent impact of staggered school start times). There were sufficient doubts to oppose this application
- It was unacceptable that the freehold owner was notified of the development via a lamp post



- The traffic survey was flawed. Prior to COVID-19, it was much more difficult to find a place to park safely
- There was a steep hill from Westbury-on-Trym village which should have been taken account of as part of the assessment of the availability of nearby amenities
- The application was unsuitable on the grounds of external appearance and over viewing, as well as transport and highways grounds. Even if the Committee could not object to the application on any of these grounds, they could abstain
- The application should be opposed in terms of visual amenity and parking (since one afternoon's data was not valid).
- The Equality Act applies in respect of the old and disabled ie in relation to bike storage
- In relation to the statutory notice period, there was no need simply to stay with minimum requirements.
- The application should be opposed on the grounds of visual appearance.
- It was disappointing that the construction management plan could not be provided for consideration of members at this stage and was being sought via condition
- There seemed very little leeway to oppose the officer recommendations and therefore with a heavy heart the application should be approved
- It was very difficult for the Committee to make a decision on the basis of the information available. People who owned their own homes were being placed in a very unfair position. The Committee should consider deferring the application pending additional legal advice. Officers confirmed that their advice on this issue could not form part of the decision on this matter. Members' attention was drawn to the issues flagged concerning this which were mentioned in the report

Councillor Tom Brook moved and seconded by Councillor Mike Davies that the recommendations contained in the report be approved.

Upon being put to the vote, this was NOT CARRIED (1 for, 7 against, 2 abstentions).

Councillor Fi Hance then moved, seconded by Councillor Jo Sergeant and upon being put to the vote it was

RESOLVED (9 for, 1 against) – that the Committee is minded to refuse the application on the grounds of impact to visual amenity, impact to amenity to existing residents and parking impacts and that the application is deferred pending officers preparing a further report for consideration to a future Committee setting out proposed reasons for refusal based on these grounds.

In response to members' requests, officers agreed to provide further detail in the agreed future report on traffic information, together with the impact on leaseholders of the application as well as their rights in such situations. Officers also confirmed that, since the Committee had made a decision that could be deemed a refusal, the committee should not be concerned by the potential for non-determination appeal. This was on the basis that it would need to be confirmed what the reasons for refusal were for both a decision or to defend a non-determination appeal.

Officers further agreed to prepare a briefing note on the implications of this application for all Development Control Committee councillors.



10 Planning Application Number 20/02864/F - Windmill Pub, 14 Windmill Hill and 3 Eldon Terrace

Councillor Richard Eddy was not in attendance for this item.

Officers introduced this report and made the following comments:

- The proposed development was for a change of use from a pub to 5 flats including the reinstatement of the basement of Eldon Terrace
- Details of the site were shown to the Committee including where the 1st Floor extension would be added
- The proposal would include a single storey rear extension to Unit 2 with a subdivided rear garden and a bike store at the back
- The 1st Floor windows would now be obscure glazed with a vertical timber screen
- The basement would operate as a normal residential basement
- Since the original proposal for Unit 2 has not been deemed acceptable, it had been extended into a big full glazed door. Flat 6 would not be occupied until the visibility screen at first floor level was in place
- There were some concerns about the impact of the development on local parking
- Members' attention was drawn to Policy DM6 which stated that such a development should only be permitted if the former pub was no longer economically viable or there were a diverse range of public houses within the locality, as well as requiring any extensions or alterations to not create any harm to the amenity
- The pub had been unsuccessfully marketed since January 2019 and had been closed prior to the lockdown due to COVID-19 in March 2020
- The Rising Sun, Victoria Park and Windmill Hill Social Club, amongst other pubs, were already nearby the site
- The pub had been added as an asset to the Community Value Register for 2020/2021 and had been the subject of crowd funding but could not find anyone to take it on
- The applicant had met with a community group and had agreed to turn down a major offer for the site to allow them to raise funds for the pub but they had been unable to do so
- The Transport Team were satisfied that this was a car free development with on street parking available
- The refuse, recycling and cycle storage provision were considered acceptable
- All flats were considered a suitable size
- There would be no impact on trees
- There would be a construction management plan
- The development was considered sustainable
- The principle of conversion to flats was in accordance with the policy

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



- The basement would become part of Unit 1 as proposed
- No comparison was required against CAMRA's criteria (the Campaign Group for Real Ale)
-
- Since there were other offers available, there was no further financial requirement

Members made the following comments:

- The issue of loss of privacy now seemed to be solved with the introduction of a timber visibility screen which would allow the occupier to see out but not allow anyone to look in
- The applicant's actions had been reasonable in this matter. There were other pubs in the area. Therefore, the application should be approved
- Whilst it was disappointing that this pub was no longer viable, it had been closed prior to COVID-19 and the community had been given lots of opportunity to save it but had been unable to do so. Therefore, it should reluctantly be supported
- If it remained as a pub, it might in future become part of a chain and the Committee were not in a position to stop this. Therefore, with a heavy heart, the application should be supported.

Councillor Mike Davies moved, seconded by Councillor Tom Brook and upon being put to the vote, it was

RESOLVED: (5 for, 3 against, 1 abstention) that the application be approved.

11 Date of Next Meeting

It was noted that the next meeting is scheduled to be held at 6pm (later with the agreement of Spokespersons changed to 2pm) on Wednesday 9th December 2020.

Meeting ended at 5.10 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

9th December 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Bishopston & Ashley Down	11 Beloe Road Bristol BS7 8RB Demolition of existing garage and replacement with new double storey side extension. Appeal against refusal Delegated decision	01/10/2020
2	Bedminster	35 British Road Bristol BS3 3BS Proposed rear dormer window together with balcony and velux windows. Appeal against refusal Delegated decision	06/10/2020
3	St George Troopers Hill	42 Nicholas Lane Bristol BS5 8TL A single storey extension is proposed to the rear of the property with a roof terrace accessed from the rear bedroom. Appeal against refusal Delegated decision	12/10/2020
4	Lawrence Hill	1 Milsom Street Bristol BS5 0SS First floor extension to rear, with external staircase, and light well to front. Appeal against refusal Delegated decision	12/10/2020
5	Brislington West	2 Gotley Road Bristol BS4 5AS Demolition of existing garage and boundary wall and construction of new garage with loft annex and new boundary wall. Appeal against refusal Delegated decision	28/10/2020

6	Brislington East	20 Birchwood Road Bristol BS4 4QH New flat-topped mansard roof with dormer windows as a third storey set-back from existing parapet and single storey rear ground floor extension. Appeal against refusal Delegated decision	11/11/2020
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Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
7	Ashley	Block C Fifth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C5 - 5 Units. Appeal against refusal Delegated decision	09/12/2020
8	Ashley	Block B First Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B1 - 4 unit. Appeal against refusal Delegated decision	09/12/2020
9	Ashley	Block B Fourth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B4 - 3 Units Appeal against refusal Delegated decision	09/12/2020
10	Ashley	Block B Fifth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B5 - 4 Units Appeal against refusal Delegated decision	09/12/2020
11	Ashley	Block C First Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C1 - 5 units Appeal against refusal Delegated decision	09/12/2020

12	Ashley	Block C Fourth Floors Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C4 - 5 units. Appeal against refusal Delegated decision	09/12/2020
13	Ashley	Ground Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C, Ground Floor - 1 Unit. Appeal against refusal Delegated decision	09/12/2020
14	Avonmouth & Lawrence Weston	Giant Goram Barrowmead Drive Bristol BS11 0JT Demolition of the former Giant Goram public house and the development of 7 dwellings with associated private amenity space and parking. Appeal against refusal Delegated decision	TBA
15	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment of the site to provide 74 No. student cluster units and 40 No. affordable housing units (social rented), flexible ground floor community/commercial use (Use class A1-A5/D1/B1). Landscaping , access and public realm works and associated works to the Malago Road. (Major Application) Appeal against refusal Committee	15/12/2020
16	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment to provide student accommodation across four development blocks, landscaping, access, public realm works and associated works to the Malago River. Appeal against non-determination Delegated decision	15/12/2020

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
17	Southville	<p>St Catherines Place Shopping Centre East Street Bedminster Bristol BS3 4HG</p> <p>Full planning application for comprehensive redevelopment of the site to provide mixed use development comprising 205 residential dwellings (Class C3), 1288sqm of new retail, leisure and commercial space including a cinema (Class A1, A3, D2), refurbishment of existing retail facilities together with parking and amenity space, vehicular access, servicing arrangements, public realm, landscaping and associated works. (Major).</p> <p>Appeal against refusal Committee</p>	26/01/2021

Written representation

Item	Ward	Address, description and appeal type	Date lodged
18	Stoke Bishop	<p>Casa Mia Bramble Lane Bristol BS9 1RD</p> <p>Demolition of existing dwelling (Casa Mia) and erection of four detached residential dwellings with associated garages, refuse storage, internal access road and landscaping (resubmission of application 17/07096/F).</p> <p>Appeal against non-determination Delegated decision</p>	24/02/2020
19	Central	<p>Slug And Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB</p> <p>Refurbishment of existing customer external seating area to include provision of two wooden pergolas and a seating</p> <p>Appeal against refusal Delegated decision</p>	12/05/2020
20	Central	<p>Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB</p> <p>Replacement internally illuminated oval sign above passage way entrance from Corn Street and internally illuminated wall mounted menu box sign within passageway. New externally illuminated projecting sign to Corn Street frontage.</p> <p>Appeal against refusal Delegated decision</p>	12/05/2020
21	Central	<p>Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB</p> <p>Externally illuminated hanging sign adjacent to gated passageway from Corn Street and internally illuminated menu box within passageway. Internally illuminated oval sign, above metal entrance gate from Corn Street.</p> <p>Appeal against refusal Delegated decision</p>	12/05/2020

22	Easton	77 - 83 Church Road Redfield Bristol BS5 9JR Outline application for the erection of a four-storey building comprising 2no. ground floor retail units and 9no. self-contained flats at first, second and third floor levels, with matters of scale, layout and access to be considered (landscaping and design reserved). Appeal against refusal Delegated decision	12/05/2020
23	Frome Vale	67 Symington Road Bristol BS16 2LN One bedroom single storey dwelling in the rear garden of the existing property. Appeal against refusal Delegated decision	19/05/2020
24	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self build). Appeal against refusal Delegated decision	19/05/2020
25	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of 2-bed detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self Build). Appeal against refusal Delegated decision	19/05/2020
26	Brislington West	Wyevale Garden Centre Bath Road Brislington Bristol BS31 2AD Creation of hardstanding for the purpose of ancillary storage. Appeal against refusal Delegated decision	22/05/2020
27	Redland	44 - 46 Coldharbour Road Bristol BS6 7NA Conversion of existing buildings from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground and roof extensions, and roof terraces. Appeal against refusal Delegated decision	22/05/2020
28	Bishopston & Ashley Down	281 Gloucester Road Bishopston Bristol BS7 8NY Erection of canopy and metal glazed enclosure to the existing outdoor seating area to the front of the premises. Appeal against non-determination Delegated decision	12/06/2020

29	Central	9A Union Street Bristol BS1 2DD Change of use of first and second floors from a Class A1 use (Retail) to a House in Multiple Occupation, with 7no. bedrooms (sui generis). Proposed solar panel array at roof level. Appeal against non-determination	30/06/2020
30	Frome Vale	110 Oldbury Court Road Bristol BS16 2JQ Demolition of an existing garage and erection of 3 new houses within the garden of an existing end of terrace property. Appeal against refusal Delegated decision	11/08/2020
31	Clifton Down	41 Alma Vale Road Bristol BS8 2HL Enforcement notice appeal for use of ground floor and basement levels of building as domestic storage. Appeal against an enforcement notice	14/08/2020
32	Bishopston & Ashley Down	Land At 281A-D & 283A Gloucester Road Bishopston Bristol BS7 8NY Enforcement notice for the erection of canopy structure without planning permission. Appeal against an enforcement notice	28/08/2020
33	Redland	36 Woodstock Road Bristol BS6 7EP Erection of a structure on garage roof. Appeal against refusal Delegated decision	01/09/2020
34	Redland	36 Woodstock Road Bristol BS6 7EP Enforcement notice appeal for installation of timber/glazed structure at end of rear garden without planning permission. Appeal against an enforcement notice	01/09/2020
35	Ashley	79 Effingham Road Bristol BS6 5AY Enforcement notice appeal for formation and use of roof as outdoor amenity area/roof terrace including installation of railings. Appeal against an enforcement notice	03/09/2020

36	Ashley	79 Effingham Road Bristol BS6 5AY First floor balcony over flat roof rear extension, with part roofed area and privacy screening. Appeal against refusal Delegated decision	03/09/2020
37	Henbury & Brentry	The Lodge Carriage Drive Bristol BS10 6TE Sycamore Tree T3 - Crown reduce canopy by a maximum of 30%. TPO 1148 Appeal against refusal Delegated decision	07/09/2020
38	Avonmouth & Lawrence Weston	8 St Andrews Road Avonmouth Bristol BS11 9EU Change of use from single dwelling house, to two self-contained 2no. bed flats (Retrospective). Appeal against refusal Delegated decision	14/09/2020
39	Avonmouth & Lawrence Weston	26 Woodwell Road Bristol BS11 9UW Erection of extension to create a single dwellinghouse with associated works. Appeal against refusal Delegated decision	14/09/2020
40	Eastville	2 Welsford Road Bristol BS16 1BS Two storey side extension to form a 3 bedroom separate dwelling. Two storey rear extension and loft conversion and landscaping in the rear garden with log cabin. Appeal against refusal Delegated decision	15/09/2020
41	St George West	Land At Junction Of Church Road And Chalks Road Bristol Erection of a four-storey building comprising a cafe bar (A4) at ground floor level and 9no. self-contained flats at first, second and third floor level. Appeal against refusal Delegated decision	15/09/2020
42	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Retrospective application for removal of wall and formation of vehicular access and hardstanding. Appeal against refusal Delegated decision	16/09/2020
43	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Enforcement notice appeal for the removal of boundary wall and formation of parking space. Appeal against refusal	16/09/2020

44	Central	Telecoms Installation St Clements House Marsh Street City Centre Bristol Application to determine if prior approval is required for a proposed - Telecommunications equipment. Appeal against refusal Delegated decision	24/09/2020
45	Avonmouth & Lawrence Weston	6 Springfield Lawns Station Road Shirehampton Bristol BS11 9TY 6 x Lawson Cypress - Felling including stubbing out to the rear of 6 Springfield Lawns. TPO 097. Appeal against refusal Delegated decision	28/09/2020
46	Avonmouth & Lawrence Weston	122 Portview Road Bristol BS11 9JB Proposed demolition the existing buildings, erection of a three storey building to accommodate 6 no. flats. Appeal against refusal Delegated decision	30/09/2020
47	Avonmouth & Lawrence Weston	Telecommunications Mast Smoke Lane Bristol BS11 9BP Proposed Telecommunications upgrade. Proposed 20.0m AGL Phase 7 monopole c/w wraparound cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	06/10/2020
48	Eastville	12 Lodge Causeway Bristol BS16 3HY Change of use from existing family dwellinghouse (C3) to a House of Multiple Occupation (HMO) with 8 bed-spaces (sui generis), incorporating a single-storey rear extension and all associated works. Appeal against refusal Delegated decision	12/10/2020
49	Horfield	6 Filton Grove Bristol BS7 0AJ Proposed 2 bedroom house. Appeal against refusal Delegated decision	14/10/2020
50	Filwood	Inns Court Avenue Bristol Application to determine if prior approval is required for a proposed telecommunications upgrade. Proposed 20.0m AGL Phase 7 monopole c/w wraparound cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	16/10/2020

51	Cotham	24 Cotham Vale Bristol BS6 6HR Enforcement notice appeal without planning permission the change of use of the property to a HMO. Appeal against an enforcement notice	21/10/2020
52	Clifton Down	6-8 Belgrave Hill Bristol BS8 2UA Proposed development of a single dwelling (Use Class C3) with associated external works (Self Build). Appeal against refusal Committee	26/10/2020
53	Lawrence Hill	Unit 5 & 6 Marketside Industrial Site Albert Road Bristol BS2 0WA Upgrade of 1no. poster panel to digital LED display advertisement (single-sided). Appeal against refusal Committee	27/10/2020
54	Clifton	31 West Mall Bristol BS8 4BG Application for a Certificate of Existing Use/Development - use of upper floors as self contained maisonette. Appeal against refusal Delegated decision	02/11/2020
55	St George Central	61 Cecil Avenue Bristol BS5 7SE Extension of existing house to create 4no. self-contained flats and 1no. single-dwelling house, with associated works. Appeal against refusal Delegated decision	02/11/2020
56	Southmead	183 Ullswater Road Bristol BS10 6ED Two storey side extension to accommodate a 4no. bed dwelling. Appeal against refusal Delegated decision	09/11/2020
57	Hotwells & Harbourside	173 - 175 Hotwell Road Bristol BS8 4RY Demolition of existing lock-up garage and construction of residential apartment building containing 8 units over car park, refuse, recycling & bicycle storage. Appeal against refusal Delegated decision	10/11/2020
58	Windmill Hill	Telecoms Site Adj To Open Space Bushy Park Bristol Proposed Phase 7 monopole c/w wraparound cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	11/11/2020

59	Clifton Down	85 Whiteladies Road Bristol BS8 2NT Partial demolition of modern brick rear wall and construction of a 2-storey building for use as a 6 bedroom HMO (sui generis student use) with associated refuse and cycle storage. Appeal against refusal Committee	11/11/2020
60	Clifton Down	85 Whiteladies Road Bristol BS8 2NT Partial demolition of modern brick rear wall and construction of a 2-storey building for use as a 6 bedroom HMO (sui generis student use) with associated refuse and cycle storage. Appeal against refusal Committee	11/11/2020
61	Hengrove & Whitchurch Park	84 Westleigh Park Bristol BS14 9TQ First floor extension to form new 1 bed dwelling. Appeal against refusal Delegated decision	25/11/2020

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
62	Clifton Down	104 Pembroke Road Clifton Bristol BS8 3EQ Enforcement notice appeal for replacement windows without planning permission. Appeal against an enforcement notice	Appeal dismissed 05/11/2020
63	Hillfields	21 Moorlands Road Fishponds Bristol BS16 3LF Detached dwelling. Appeal against refusal Delegated decision	Appeal dismissed 17/11/2020
64	Southmead	533 Southmead Road Bristol BS10 5NG To extend and modify an existing structure to provide a new 1-bedroom house on a plot fronting Felstead Road. Appeal against refusal Delegated decision	Appeal dismissed 20/11/2020
65	Avonmouth & Lawrence Weston	50 Church Leaze Bristol BS11 9SZ Erection of one dwelling house, parking and associated development. Appeal against refusal Delegated decision	Appeal dismissed 26/11/2020 Costs not awarded

66	Ashley	Land Between 95 & 103 North Road Bishopston Bristol BS6 5AQ Retention of shipping container. Appeal against refusal Delegated decision	Appeal dismissed 25/11/2020
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DEVELOPMENT CONTROL COMMITTEE B
9th December 2020

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

Item	Ward	Address, description and enforcement type	Date issued
1	St George Central	420 Soundwell Road Bristol BS15 1JP Formation of vehicular access onto classified road. Enforcement notice	24/11/2020

Development Control Committee B 9th December 2020

Report of the Director: Development of Place

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Westbury-on-Trym & Henleaze	Other	20/03831/ND - Grange Court Grange Court Road Bristol BS9 4DW Application to determine if prior approval is required for proposed two storey upward extension to comprise 14 new dwellings on detached block of flats.
2	Clifton Down	Grant	19/04167/F - Telephone Exchange St Johns Road Clifton Bristol BS8 2EU Proposed installation 6no antennas on 3.5m high poles, 2no 0.3mm microwave dishes on the same poles, 3no equipment cabinets, 1no. additional meter cabinet and installation of ancillary equipment.

index
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Development Control Committee B – 9 December 2020

ITEM NO. 1

WARD: Westbury-on-Trym & Henleaze

SITE ADDRESS: Grange Court Grange Court Road Bristol BS9 4DW

APPLICATION NO: 20/03831/ND Prior Notification - New dwellings

DETERMINATION DEADLINE: 13 November 2020

DEADLINE:
Application to determine if prior approval is required for proposed two storey upward extension to comprise 14 new dwellings on detached block of flats.

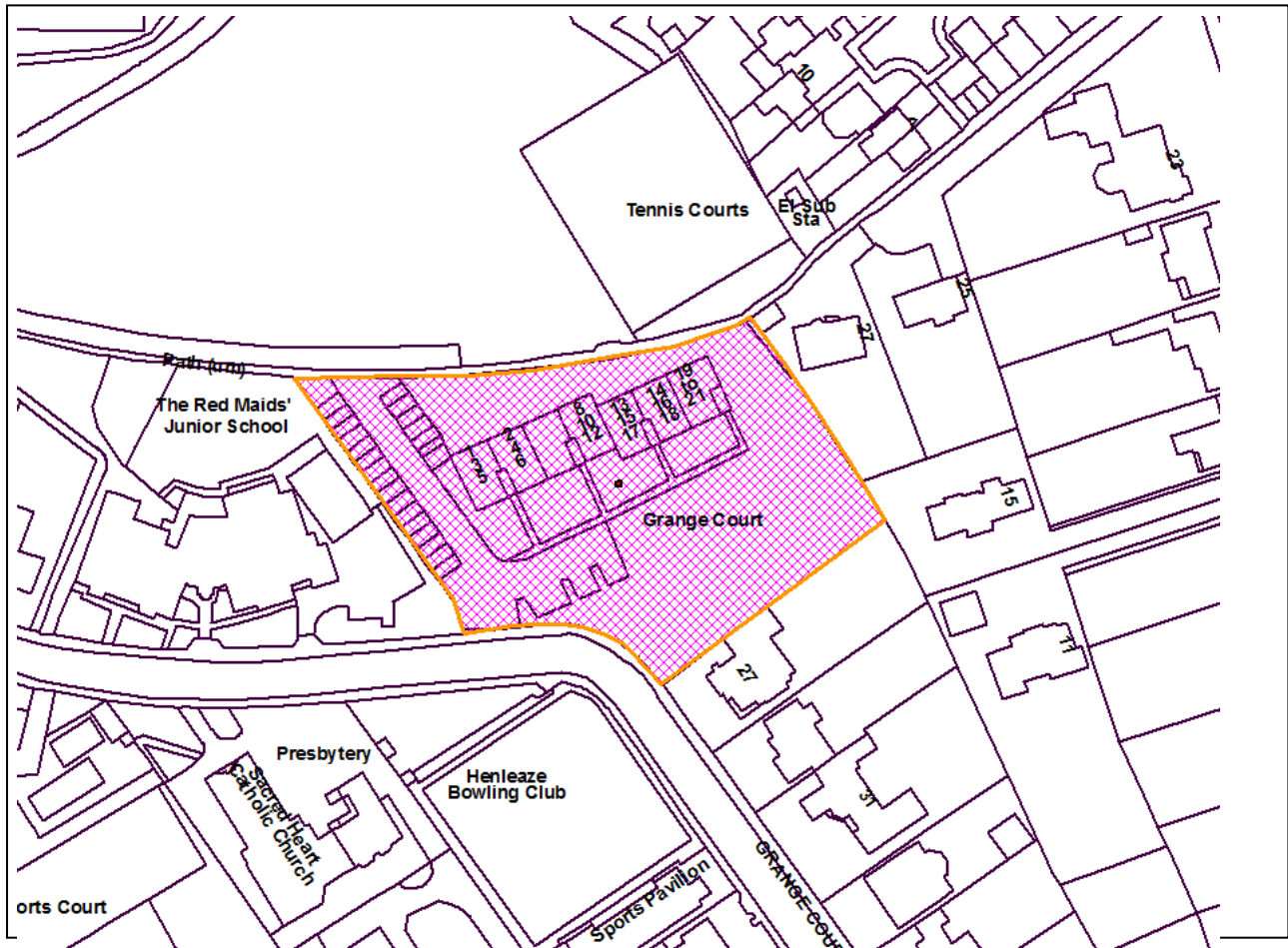
RECOMMENDATION: Prior Approval GIVEN

AGENT: CSJ Planning Consultants Ltd
 1 Host Street
 Bristol
 BS1 5BU

APPLICANT: ERE LLP
 133 Hammersmith Road
 London
 W14 0QL

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

LOCATION PLAN:



Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

UPDATE FOLLOWING DEVELOPMENT CONTROL COMMITTEE B – 11 November 2020

BACKGROUND

At Bristol City Council Development Control Committee B 11th November 2020 meeting, the Committee considered an application seeking prior approval for development of a two storey extension comprising 14 additional flats at Grange Court, Grange Court Road, Henleaze. At the meeting, members voted on a motion that the Committee was minded to refuse the application. This was on the grounds of harmful impact to visual amenity, harmful impact to amenity to existing residents and harmful impacts to highway safety resulting from a lack of car parking. The motion succeeded with 9 votes for, 1 against. The application was deferred to allow for preparation of formal reasons for refusal, with the application intended to return to the next meeting for determination. This update report will provide further information in relation to certain matters raised at the previous meeting as well as present the formal reasons for refusal for consideration by Committee. The update should be read in conjunction with the information provided within the [original report](#) to Committee.

UPDATED MATTERS

EQUALITIES ASSESSMENT

At the previous meeting members queried the relevance of the Equalities Act to the application and development. It was confirmed at the meeting that the public sector equalities duty was relevant to the application and any decision. It was highlighted this would also have been relevant to the Secretary of State and Parliament when consulting on and creating the legislation. Concerns were raised that the development would unduly impact upon certain groups, specifically age; disability and maternity were referenced within public forum statements.

The original report included a standard equalities assessment section which confirmed that during the determination of the application due regard had 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.

The Local Planning Authority would now add to this that following the previous Committee meeting, it has become clearer that groups including those with protected characteristics, namely age and disability, are concerned that they would be unduly impacted by this development more than other groups who do not share such protected characteristics.

Concerns raised reference disturbance and disruption to the lives of residents during construction which may be felt more significantly to residents due to age or disabilities. This includes any potential requirement to vacate their home during construction works although information is not available confirming whether this would be necessary. It is suggested that disabled residents would be more significantly impacted by construction works at the site given their access requirements. It is also suggested that increased parking in the local area would unduly impact on existing residents due to disabilities and age.

The Local Planning Authority acknowledges the presence of groups including protected characteristics at the site. The assessment presented within the original report was within the knowledge that groups including protected characteristics would be present at and surrounding the site. The conclusions that the impacts of development were acceptable included consideration for potential disadvantage to those who share a relevant protected characteristics as well as the requirement to meet the specific needs of those with protected characteristics. For example, it is not necessarily the case that age determines the amount of time people spend at home and therefore certain groups would not experience construction disturbance more than others strictly on the basis of age. Irrespective of this, it was found that construction impacts would be temporary in nature and not represent permanent harm to amenity, including amenity experienced by those with protected

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

characteristics. It was recommended disturbance and impact to amenity could be limited and managed via a Construction Environmental Management Plan. This would include measures to mitigate construction impacts to all residents, including specific measures as required to meet the needs of those within protected groups. All recommendations and conclusions were reached with regard to those who share protected characteristics.

It is noted that this equalities assessment has been undertaken on the basis of the level of information available and relevant to the prior approval application process. This assessment would also apply to subsequent submissions for approval of details required by conditions of any consent. In this case, the proposal was found to qualify as permitted development in accordance with the relevant legislation. As noted above, the public sector equalities duty would also have been required to be discharged by national government when introducing this legislation. The Local Planning Authority is satisfied it has also discharged its requirements under the public sector equalities duty and all other requirements of the Equalities Act 2010.

LEGAL IMPLICATIONS

At the previous meeting, there was discussion of legal implications of the development in terms of legal requirements for the freeholder and leaseholders respectively. Members were concerned that any legal requirements stipulated within freeholds or leaseholds would be prejudiced by a decision on the application. However, irrespective of the decision on this application; all other legislation, established legal rights and requirements would remain active. Prior approval being given would not supersede the contents of freeholds or leaseholds. All parties would still be bound by all relevant processes and limitations required by other legislation. The Local Planning Authority has no access to copies of the freehold or leaseholds for the site and therefore cannot comment on the content of these. Even if the Local Planning Authority was aware of other legal limitations or requirements, it is required to determine the application within the terms stipulated within The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. This includes no reference to the content of other legislation and these separate legal issues should be dealt with under the relevant legislative processes.

EXTERNAL APPEARANCE

Since the previous meeting, the Local Planning Authority has received guidance from a civil servant at the Ministry of Housing, Communities and Local Government in relation to how external appearance can be assessed under this legislation. It was recognised that it is down to the Local Planning Authority to interpret the regulations and use their planning judgement in considering applications for prior approval. A definitive interpretation of what the legislation means cannot be provided by Secretary of State. It was noted that emerging appeal decisions and case law will likely play a role in establishing correct interpretation of the legislation. However it was stated that *“the policy intention is that it is in the narrower sense, so how the additional stories fit in with the existing building. Rather than whether the proposal fits in with the local vernacular.”*

The final sentence implies that the intentions of the Ministry of Housing, Communities and Local Government in producing the legislation was that external appearance relates to the existing building, rather than the local area. This aligns with the assessment undertaken and presented by officers and contrasts with interpretations submitted in public forum for the previous meeting. Nevertheless, appeal decisions on this legislation are currently non-existent and case law has not been established. It is therefore open to members to interpret the legislation and exercise their own planning judgement.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW****REASONS FOR REFUSAL**

Officers have drafted the following reasons for refusal based on discussion at the previous meeting. These could be used if Members remain minded to refuse prior approval:

Highways impacts

1. The application is not supported by sufficiently robust evidence to demonstrate that there is adequate on-street parking capacity to accommodate parking arising from the development without safety and congestion issues. In addition to existing on street car parking relating to adjacent schools, bowling club, church and homes, car parking relating to the proposed flats would cause excessive congestion, increased complexity in navigation and manoeuvring as well as reduced visibility. This is of particular concern given movements of pupils accessing the adjacent schools. Increased conflict between pedestrians, cyclists and drivers would lead to a material decrease in highway safety. The development therefore fails to contribute to a safe environment which minimises conflicts between all highway users. The development also fails to address the needs of people with disabilities and reduced mobility through lack of any car parking provision. These factors would represent unacceptable transport and highways impacts and conditions which are contrary to policy outlined at Section 9 of the National Planning Policy Framework. The development therefore fails to pass the test outlined at Condition A.2 – (1) (a) of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

Impact to external appearance

2. The proposed extension would disproportionately increase the scale and mass of the building which would harmfully unbalance the external appearance of the building. The extension would cause the building to appear over scaled and excessively prominent within the context. This would relate to the external appearance of the building when viewed including surrounding buildings and trees. The proposed increase in scale would be of detriment to the visual attractiveness of the building and would be unsympathetic to local character and result in harm to the adjacent conservation area. The impact to the external appearance of the building is found to be unacceptable due to conflict with policy outlined at Section 12 of the National Planning Policy Framework. The development therefore fails to pass the test outlined at Condition A.2 – (1) (e) of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

Impact to amenity of existing residents

3. The proposed third and fourth floors would cause overlooking of adjacent existing dwellings. Specifically, windows within the south elevation of the extension would afford views towards 27 Grange Park as well as 27 Grange Court Road. This would materially reduce privacy experienced at these adjacent dwellings which would be harmful to quality of amenity. The development would also be harmful to the amenity of existing occupiers of Grange Court as a result of increased occupancy of the building and increased use of stairwells. As a result of these factors, the development would fail create an environment which promotes residents health and well-being, with a high standard of amenity for existing and future users. This is contrary to policy outlined at Section 12 of the National Planning Policy Framework. The

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

development therefore fails to pass the test outlined at Condition A.2 – (1) (g) of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

However, in light of the conclusions outlined within the original report to committee (beneath), the formal recommendation of officer's remains that prior approval should be given subject to the conditions beneath:

RECOMMENDED Prior Approval GIVEN

Time limit for commencement of development

1. Prior Approval Time Limit

The development hereby permitted under Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 must be completed within a period of 3 years starting with the date prior approval is granted.

Reason: As required by condition A.2. (2) of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

Pre commencement condition(s)

2. Construction Management Plan

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

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- 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.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

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

3. Site Specific Construction Environmental Management Plan

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

- * Procedures for maintaining good public relations including complaint management, public consultation and liaison
- * Arrangements for liaison with the Council's Pollution Control Team
- * All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- * Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- * Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- * Procedures for emergency deviation of the agreed working hours.
- * Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
- * Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- * Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- * Measures to ensure that demolition and construction works will not disadvantage those who share relevant protected characteristics more than those who do not, as well as measures to meet the specific needs of those with protected characteristics during demolition and construction

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

4. Further details: External materials

Prior to installation, full details of proposed external materials including manufacturers specification, product details and samples (if required) demonstrating finished appearance, colour, profile and texture shall be submitted to and approved by the Local Planning Authority. This will include details of bricks, render, roof cladding, roof fascia, windows, window sill coping, infill panels, cycle parking and bin store bricks, roofing and timber doors. The development shall then be completed in full accordance with the approved materials prior to occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

Reason: To ensure the impact of the extension to the external appearance of the building is satisfactory and materials used are sympathetic.

5. Further details: Cycle parking security

Prior to installation, further details of measures to secure the cycle parking shall be submitted to and approved by the Local Planning Authority. This will include details of access locks and illumination. The development shall then be completed in full accordance with the approved security measures prior to occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure cycle parking is adequately secured in order to encourage use of the facilities and deliver associated transport and highways benefits.

Pre occupation condition(s)

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

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

7. 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

8. Restriction of use of roof

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

Reason: To safeguard the amenities of the adjoining premises.

9. Restriction of parking level on site

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

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

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

10. Protection of parking and servicing provision

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

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

11. External Works to Match

All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

Reason: In the interests of visual amenity and the character of the area.

List of approved plans

12. 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.

Parking Survey Technical Note, received 9 October 2020
 A001 Site location plan, received 20 August 2020
 A101 (A1) Existing floor plans, received 4 November 2020
 A201 Existing elevations, received 20 August 2020
 A300 (A1) Proposed site plan, received 4 November 2020
 A301 (A1) Proposed floor plan, received 4 November 2020
 A401 Proposed elevations, received 20 August 2020
 A501 Existing and proposed roof plan, received 20 August 2020
 A601 Additional structures, received 20 August 2020
 Design note, received 20 August 2020
 Covering Statement, received 20 August 2020

Reason: For the avoidance of doubt.

Advices

1 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW****2 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme**

You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

3 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).**4 All species of bats and their roosts are legally protected. Prior to commencement of development, a bat building inspection survey should be undertaken by a suitably qualified ecological consultant. Any signs of other legally protected or priority species such as nesting birds should also be recorded during the survey in the form of a report which incorporates further recommendations including ecological mitigation proposals. In order to comply with Natural England's Standing Advice with respect to legally protected species, a bat building inspection survey is required which meets the latest Bat Conservation Trust survey guidelines. The bat inspection survey should be accompanied by the results of a data search from the Bristol Regional Environmental Records Centre. The bat building inspection survey is required to prevent the risk of a criminal offence being committed under the wildlife legislation.**

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

For information, this is a copy of the original report to Development Control Committee B 11th November 2020.

SUMMARY

The current application is made under permitted development rights introduced by national government on 1st August 2020. This legislation allows the upward extension of three storey blocks of flats by up to two additional storeys without requiring an application for full planning permission. An application seeking the prior approval of the Local Planning Authority is however required to be made prior to commencement. This report relates to such an application for prior approval.

The application relates to Grange Court which is a three storey flat block dating from the 1970s. It is located to the northern side of Grange Court Road in Henleaze. This is adjacent to Red Maids' High School Infant & Junior School and opposite Sacred Heart Catholic Church and Henleaze Bowling Club. The building presently comprises 21 flats. It is positioned back from the road within a large, landscaped site. It is constructed from buff brick and includes a flat roof.

The development seeks to utilise permitted development rights conveyed under Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 to extend the building upwards by two storeys to create 14 additional flats.

Following public consultation, a total of 233 objections have been received. The application has been referred for determination at Development Control Committee by Westbury-on-Trym and Henleaze ward councillors Geoff Gollop, Liz Radford and Steve Smith. The application has also been commented on by Darren Jones, Member of Parliament for Bristol North West. Significant concerns have been voiced by residents both at the site itself and in the surrounding area in relation to the impact of the development. Concerns include but are not limited to: construction noise and disturbance; increased parking on local streets and highway safety issues; the impact of the development to the character and appearance of the area; the impact to living conditions and amenity at and surrounding the site; and procedural matters relating to the application.

The Local Planning Authority can confirm that the site does qualify with the terms of the legislation and can utilise the permitted development rights. This is subject to prior approval of impacts relating to:

- (a) transport and highways impacts of the development;
- (b) air traffic and defence asset impacts of the development;
- (c) contamination risks in relation to the building;
- (d) flooding risks in relation to the building;
- (e) the external appearance of the building;
- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and
- (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(a) issued by the Secretary of State.

Following review, no concerns are raised either by the public or by the LPA relating to impacts of the development in terms of air traffic and defence asset impacts, contamination risks, flooding risks, natural light in the proposed flats or protected views. The key issues are therefore transport and highways impacts, the external appearance of the building and impact on the amenity of the existing

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

building and neighbouring premises. No other matters can be considered in determination of the application in accordance with guidance relating to the determination of prior approval applications.

Transport and Highways Impacts

The site is well located to provide access to local shops and services in both Henleaze and Westbury-on-Trym by foot and by bike. The site also has good public transport access via bus services. No additional car parking is proposed on site however. The LPA has considered the highways implications of the development carefully in collaboration with Transport Development Management. A site visit has been undertaken and parking survey commissioned and reviewed. Despite limitations associated with snapshot parking surveys, this indicated there is good availability of car parking in close proximity of the site, including around school collection time. Given these results, the extent of car parking likely associated with 14 flats and existing highways restrictions including double yellow lines and school keep clear zig zags, it is concluded that the development would not be directly associated with highways impacts which would be of sufficient harm to warrant the refusal of prior approval.

External Appearance

In relation to the external appearance of the building, the extension does represent a considerable increase in scale to the existing building. However on balance, the Local Planning Authority does not find that this would harm the external appearance of the existing building. It is noted that the legislation only requires assessment of the impact to the external appearance of the building itself and does not reference impact to the wider area. When assessed in this regard, it is not found that the extension would cause unacceptable impact to the external appearance of the building.

Amenity of the Existing Building and Neighbouring Premises

In terms of impact the amenity of the existing building and neighbouring premises, it is recognised that the development will have a substantial impact on the lives of residents during construction. The LPA sympathises with this and proposes to attach conditions requiring submission of Construction Management Plan and Construction Environmental Management Plan to any prior approval given. Due to the temporary nature of construction impacts, these would not warrant withholding prior approval however. Due to large separation distances from neighbouring properties, the extension is not found to result in loss of light, outlook or privacy which would be harmful to amenity and living conditions experienced at neighbouring sites.

In light of the preceding assessment, the application is found to accord with all criteria of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. The development qualifies as permitted development under the terms of this legislation. The Local Planning Authority has considered the issues which require its prior approval. Following review, it is found that subject to conditions, the impact of development would be acceptable. It is therefore officers' recommendation to Committee that prior approval is given subject to conditions.

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

SITE DESCRIPTION

The site is located to the northern side of Grange Court Road, Henleaze and relates to a residential site containing a detached three storey block of flats known as 'Grange Court'. The building is positioned approximately 20m from the road, with a parking forecourt and garages to the west and landscaped garden to the south and east. The site is accessed from dropped kerb located to the northern side of the street. The building dates from the 1970's and contains a total of 21 flats. These are accessed via four separate entrances and stairwells. The building is three storeys in height and has a flat roof. It is constructed with buff brickwork. The front and rear elevations include long horizontal bands of windows, with no windows within the side elevations. The site also includes 21 single storey garages located to the western side of the site.

The surrounding area is predominantly residential in use and character, with some institutional uses also. The site shares boundaries with Red Maids' High School with the Infant & Junior School located to the west and the High School situated to the north. To the eastern side, the site shares boundaries with dwellings including 27 Grange Park, 15 Grange Park and 27 Grange Court Road. These are all two storey houses. Henleaze Bowling Club and Sacred Heart Catholic Church are located opposite to the southern side of Grange Court Road. The site is adjacent to the boundary of The Downs Conservation Area which includes Red Maids' High School to the north. Henleaze Town Centre is approximately 300m south of site and Westbury-on-Trym Town Centre is 600m north of the site.

PLANNING HISTORY

70/00878/U_U 21 two-bedroom flats with 21 garages and parking spaces for visitors

GRANTED - 15.05.1970

APPLICATION

The application is made pursuant to Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. It seeks the prior approval of the Local Planning Authority for construction of new dwellinghouses, in this case a total of 14 flats which would be within a two storey extension to the roof of Grange Court.

The proposed extension would align with the existing external walls of the building, increasing the height by two storeys. The extension would be 54m in width, 12m in depth and 5m in height. It would be constructed with materials to match the existing building. This would include buff brickwork, brickwork banding details, white window frames with white spandrel panels.

The proposed flats would be accessed from extended versions of the existing four stairwells. All 14 proposed flats would all include three bedrooms. Two double bedrooms would be located to the northern side of the building and a single bedroom and living area to the southern side.

Two new cycle parking stores are proposed on site. A bin store is also proposed. The bin store would be located to the western side of the building along with one of the cycle parking stores. The further cycle parking store would be located in the north western corner of the site adjacent to the western bank of existing garages. The proposed stores would be constructed with brick and include timber access doors. Cycle parking for a total of 30 bikes is proposed in the form of 15 Sheffield stands. No on site car parking is proposed.

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

COMMUNITY INVOLVEMENT

The application has been advertised and public consultation undertaken in accordance with the requirements outlined at Paragraph B, Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. This outlines that the local planning authority must give notice of the proposed development—

"(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which—

- (i) describes the proposed development;*
- (ii) provides the address of the proposed development; and*
- (iii) specifies the date by which representations are to be received by the local planning authority;*

(b) by serving a notice in that form on all owners and occupiers of the flats within existing block of flats; and

(c) by serving a notice in that form on any adjoining owner or occupier".

The local planning authority has undertaken public consultation in full accordance with the requirements of the regulations above. No further community involvement is legally required in relation to this application type.

EQUALITIES ASSESSMENT

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

RESPONSE FROM PUBLICITY AND CONSULTATION

The 21 flats at the site plus 4 neighbouring properties with which the site shares boundaries were sent neighbour notification letters relating to the application. A site notice was also displayed at the site advertising the application.

The 21 day expiry date from issuing of letters was 1st October 2020. Public submissions have been accepted to the point of publication of this report however.

A total of 234 responses have been received in relation to the application, with 233 raising objections and 1 comment raising support for the development.

Grounds of objection are summarised as follows:

- o Residents and leaseholders were not informed of the application by the freeholder prior to submission
- o Impact to living conditions and lives of residents at the site during construction due to disruption and noise pollution

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

- o Impact of construction works to those currently shielding and isolating within the building due to COVID-19 pandemic
- o Increased traffic and parking on local streets which may cause highway safety issues
- o Impact of construction traffic including deliveries to highway safety with particular regard to adjacent schools
- o Traffic and parking issues exacerbated at certain times of day by schools, church and bowling club
- o Scale of extended building will be out of place with the surrounding area
- o The building will be an eyesore and will be higher than surrounding trees
- o Impact of taller building to the wider neighbourhood skyline, increased dominance of building will be overbearing
- o Additional massing disproportionate to original design
- o Impact to privacy experienced at adjacent properties including school to north
- o Loss of light and overshadowing of neighbouring properties
- o Impact of increased occupation and use of building in terms of fire safety through fire escape routes and fire services access
- o Costs associated with recent works for replacement of roof should be repaid to residents if works go ahead
- o Landscaping including trees may be damaged by construction works such as equipment and plant
- o Impact of light spill from the larger building effecting living conditions experienced at neighbouring properties
- o Impact to ecology at the site including protected species such as bats
- o Not clear whether the building can structurally accommodate two additional storeys
- o Potential for families, young people or students living above existing residents will be detrimental to social cohesion
- o Impact of increased occupancy to drainage and sewage infrastructure
- o Devaluing existing flats without compensation
- o Impact of works to mental health of existing occupiers
- o The application will set precedent for other similar developments locally
- o Building is not a single block of flats due to vertical physical divisions
- o Parking survey does not account for staggered collection of school children measure currently employed by school due to COVID-19
- o Parking associated with church and bowling club cannot be accommodated in addition to additional residents parking
- o Impact to adjacent heritage assets and their settings including The Downs Conservation Area and listed Old Tramways Depot and St Ursula's High School

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW****CASE OFFICER RESPONSES TO PUBLIC CONSULTATION**

1. The concerns in relation to communication between the applicant and existing residents are acknowledged and sympathised with. This is a matter of courtesy and there is no requirement within the relevant legislation for this to occur. The Local Planning Authority has no power to ensure this takes place and this matter would not represent a valid reason for refusal of prior approval. The application must be considered against the criteria outlined at Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 alone. As noted above, the Local Planning Authority has undertaken consultation in accordance with the aforementioned regulations.
2. The issue of works undertaken to the existing roof, funding and compensation for such works is a matter between leaseholders and freeholder. This is not an issue which the Council or Local Planning Authority have any power or responsibility. The current application cannot be refused on the basis of this issue.
3. Impact to the financial value of properties is not a material planning consideration and there is no requirement to consider this matter outlined within the relevant legislation.
4. It is highlighted that the legislation allows for:

"Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats, together with any or all—

- a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
- b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
- c) works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;
- d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

The legislation therefore allows for works to be undertaken to allow for the building to be made structurally sound via engineering operations as required. This does not appear to have necessitated any operations as shown on plans in this instance. However should further operations be required, the applicant would be required to seek prior approval for such operations. The development would be required to comply with all relevant Building Regulations which will ensure the structural soundness of construction. Building Regulations will also control fire safety issues. It is noted the legislation also allows alterations to the building to ensure it provides safe access and egress to the new and existing dwellinghouses, including means of escape from fire. It is the responsibility of the applicant to ensure compliance with Building Regulations. If it emerges at a later date that the development will not accord with Building Regulations, the applicant would be required to seek prior approval for operations required to make the building comply. Building Regulations approval is a separate legislative process however and is not relevant to the determination of the current application for prior approval.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

5. It is recognised that any development taking place at the site which includes existing residents has potential to be disruptive to the amenity and lives of inhabitants. The development proposed involving works to the roof of the building will undoubtedly be associated with some degree of increased noise and disturbance during construction. Significant extension of residential buildings whilst they remain occupied is not uncommon or unprecedented however. There are a range of examples of similar works including upward extension of occupied buildings, undertaken in Bristol in recent years. The eventual contractor will likely be aware of the sensitivity of this type of construction and would be expected to take measures in order to limit and reduce the effects to existing occupiers. The impact on the amenity of the existing building is a matter which is under consideration when determining if prior approval should be given. This will therefore be discussed later within this report. However it is raised that the impacts associated with construction works can be managed through requirement for submission of site specific Construction Management Plan and Construction Environmental Management Plan. These documents can be required as a condition of any prior approval given.
6. The Local Planning Authority notes the presence of trees and landscaping at the site. The application can only be considered against Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. There is no reference to assessing impact to landscaping or trees within this legislation. However, through submission of a Construction Management Plan, it will be possible to ensure construction impacts to landscaping and trees are limited. It will be required that deliveries and storage of equipment is outlined and is not sited in close proximity of trees and their root areas.
7. Similarly there is no requirement outlined within the relevant legislation for the application to be assessed for impacts to ecology. However the requirements of other legislation relating to ecology such as protected species remain relevant and the applicant must account for this. The same is true of impacts of development in terms of water and sewerage infrastructure. The applicant would be required to contact the relevant authorities to discuss connections to the networks further. An advisory note reminding the applicant of their responsibilities in relation to these issues would be applied to any eventual prior approval.
8. COVID-19 and associated restrictions and requirements for everyday living and working are recognised. Some of these restrictions are legal requirements and any eventual contractor would be required to follow current workplace legislation and guidance. Currently this relates to provision of a 'COVID secure' workplace. It is not clear whether construction work could commence on site at present in accordance with these requirements. Prior approval would be valid for three years from the date of permission however. Even if works were not to commence immediately, they may be able to commence in a safe and responsible manner in the future. This would be a matter for the contractor to determine. Any concerns that work was being undertaken in breach of COVID-19 restrictions should be reported to Avon & Somerset Police. This is not an issue which would warrant prior approval being withheld however.
9. The concerns cited by residents in relation to the impact of the application and construction to health and wellbeing of residents, particularly elderly residents is acknowledged and sympathised with. The Local Planning Authority is required by law to assess the application before it in accordance with the terms of the legislation. Beyond an assessment of impact to the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light, there is no avenue available for the Local Planning Authority to resist the application on the basis of human impacts.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

10. In terms of setting a precedent, the legislation can be utilised by any qualifying site which meets the terms set out within Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. An application for prior approval is required however and will be assessed on its impacts in accordance with the regulations. The impacts will vary site to site and case to case which will allow for a subjective approach. The outcome of the current application will therefore not directly influence the outcome of any subsequent application at other locations. A precedent will therefore not result.
11. In order to benefit from the permitted development rights set out within Schedule 2, Part 20, Class A, the building must be a 'a purpose-built, detached block of flats'. The concern that Grange Court does not fit this definition is noted but cannot be supported by the Local Planning Authority. The term 'block of flats' is defined within the legislation as meaning "a building which is divided horizontally and consists of separate and self-contained premises constructed for use for the purposes of a dwellinghouse, and any ancillary facilities constructed solely for use by occupiers of the building". Grange Court is a building divided horizontally and consists of separate and self-contained premises constructed for use for the purposes of a dwellinghouse. Concerns are raised that Grange Court is also divided vertically however vertical division does not necessarily mean the building is not a block of flats. It is not uncommon for flat blocks to include multiple entrances and stair wells. These features do not mark the presence of a separate block of flats. This is further clarified through the definition of "Detached" which means that the building does not share a party wall with a neighbouring building. A party wall relates to a wall which is owned by two or more parties however Grange Court has a single freeholder and does not adjoin a building in separate ownership. This is reflected by all flats sharing the same address, given the buildings detached nature. "Purpose-built" means a building that was built as and remains as a block of flats. Details of the planning permission for Grange Court are listed above. The building was built in unison as a block of flats and remains in use as a block of flats. The Local Planning Authority is satisfied that the building represents a purpose-built, detached block of flats as required by the legislation.
12. Concerns raised following public consultation relating to highways and parking issues, the appearance of the building and overlooking, loss of privacy and the loss of light to existing residents and neighbouring properties are noted. The legislation outlines that these are issues for which prior approval is required and the impacts must be assessed by the Local Planning Authority. An assessment of these impacts will follow within the forthcoming sections of this report.

ELECTED MEMEBERS & AMENITY GROUP RESPONSES

Member of Parliament for Bristol North West, Darren Jones has commented raising concerns in relation to the application.

The letter submitted outlines the view that the development proposed should be considered as a full planning application, rather than under the permitted development route presented. This is to allow consideration of further matters.

Concerns are specifically raised regarding traffic increase and parking capacity with particular regard to safety on local roads due to use by school children. Concerns are raised regarding the potential loss of amenity for existing residents following development. Loss of current levels of noise and activity due to construction work and further residents are cited. Concerns are also raised with regard to wellbeing and safety during construction. Further concerns are raised regarding updates to arrangements at the site for fire safety.

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

Westbury-on-Trym and Henleaze ward Councillors Geoff Gollop, Liz Radford and Steve Smith jointly referred the application for determination at Development Control Committee for the following reason:

"We understand that this is a prior approval application but we consider that it should be refused on three of the grounds available to the Council under the new legislation:

- 1) *Appearance - this would create a huge, monolithic five-storey block in an area which is predominantly low-rise residential buildings. The resultant building would dominate the area and would be ugly.*
- 2) *Impact on highways / transport - this proposal is for 14 x 3-bed flats to be added to the existing block without any provision for additional parking. Based on the existing demographics in the block the average age of residents is older and many own and rely upon cars. This is likely to significantly increase pressure on parking on Grange Court Rd, which is already often congested, especially at school times. We are concerned that it could also impact on congestions at junctions where Grange Court Rd meets Westbury Hill, and significantly the nearby junction of Westbury Hill with the A4018 which is already recognised as dangerous and in need of improvement.*
- 3) *Amenity of existing residents - the current residents of the block are extremely concerned about the impact that an additional 14 flats could have on their enjoyment of their properties. This includes noise and disturbance from many additional people coming and going through the same common areas, and increase in the volume of waste at the site, competition and congestion for parking, fire safety and overcrowding of common indoor and outdoor areas.*

INTERNAL CONSULTEE RESPONSES**Transport Development Management, Bristol City Council:***Car Parking*

The applicants have submitted a parking survey which indicates that there is ample on-street parking available. A refusal could not be sustained on the grounds of under-provision of parking on road safety grounds.

Cycle parking

Two separate cycle storage facilities are proposed. The proposals cater for the additional dwellings, not the existing dwellings. Cycle parking for the existing residents would be available in their garages.

One of the cycle stores is in the far corner of the site and is not overlooked, and is not an ideal solution for cycle parking. Further details of how this will be appropriately secured are sought by condition.

Refuse storage

The site is accessed for refuse collection and it is expected that this would continue.

No refuse must be left on the highway at any time and a condition to this effect would be expected on any planning permission.

Development Control Committee B – 9 December 2020

Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

Please add the following conditions and advices:

C5A Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on Approved Plans

C13 Completion and Maintenance of Cycle Provision - Shown

D19 Restriction of Parking Level on site

D20 Protection of Parking and Servicing Provision

I043A) Impact on the highway network during construction

I045A) Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

Contaminated Land Environmental Protection, Bristol City Council:

The development has been reviewed in relation to land contamination.

The applicants are referred to the following:

- o National Planning Policy Framework (2019) Paragraphs 118, 170, 178, 179, 180
- o Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>
- o <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>
- o Bristol Core Strategy - BCS23 Pollution
- o Local Plan DM34 Contaminated Land

As this is an upward extension there is no requirement for conditions relating to any land contamination.

Flood Risk Manager, Bristol City Council:

No comment as there is no change to the impermeable area of the site and thus no impact upon drainage considering they will be extending upwards.

RELEVANT POLICIES

The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020

National Planning Policy Framework – February 2019

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

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

ASSESSMENT

Legislative background

The current application seeks the prior approval of the Local Planning Authority to exercise permitted development rights outlined at Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

Prior approval means that a developer has to seek approval from the Local Planning Authority that specified elements of the development are acceptable before work can proceed. In this case, the specified elements are found at Condition A.2.—(1) (a) to (h) of the aforementioned legislation. These will be set out beneath. The 'National Planning Practice Guidance' (NPPG) states (paragraph 026) that local planning authorities cannot consider any other matters (beyond those referenced within the legislation) when determining a prior approval application.

Paragraph 028 of the NPPG outlines that "the statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established. Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion as to what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system".

Part B outlines the procedure which applications under this legislation must follow. Paragraph 15 outlines that the local planning authority must, when determining an application:

- (a) Take into account any representations made to them as a result of any consultation under sub-paragraph (5 – Highways England/Highways Authority), (6 – Environment Agency/Local Flood Authority), (7 – Civil Aviation Authority and the Secretary of State for Defence) or (10 – Historic England) and any notice given under sub-paragraph (12 – Notice Given of Development);
- (b) Have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and
- (c) in relation to the contamination risks on the site:
 - i. determine whether, as a result of the proposed development, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990(a), and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012(b), and
 - ii. if they determine that the site will be contaminated land, refuse to give prior approval.

Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 allows construction of new dwellinghouses on detached blocks of flats. Specifically, the legislation allows development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats, together with any or all of the following:

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
- (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
- (c) works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;
- (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

Development is not however permitted by Class A if:

- (a) the permission to use any building as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule;
- (b) above ground level, the building is less than 3 storeys in height;
- (c) the building was constructed before 1st July 1948, or after 5th March 2018;
- (d) the additional storeys are constructed other than on the principal part of the building;
- (e) the floor to ceiling height of any additional storey is—
 - i. more than 3 metres in height; or
 - ii. more than the floor to ceiling height of any of the existing storeys,
 whichever is the lesser, where such heights are measured internally;
- (f) the new dwellinghouses are not flats;
- (g) the overall height of the roof of the extended building would be greater than 7 metres higher than the highest part of the existing roof (not including existing plant);
- (h) the extended building (not including plant) would be greater than 30 metres in height;
- (i) development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;
- (j) development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—
 - i. strengthen existing walls;
 - ii. strengthen existing foundations; or
 - iii. install or replace water, drainage, electricity, gas or other services;
- (k) in the case of Class A.(b) development there is no existing plant on the building;
- (l) in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;
- (m) development under Class A.(c) would extend beyond the curtilage of the existing building;
- (n) development under Class A.(d) would—
 - i. extend beyond the curtilage of the existing building;

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

- ii. be situated on land forward of a wall forming the principal elevation of the existing building; or
 - iii. be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;
- (o) the land or site on which the building is located, is or forms part of—
- i. article 2(3) land;
 - ii. a site of special scientific interest;
 - iii. a listed building or land within its curtilage;
 - iv. a scheduled monument or land within its curtilage;
 - v. a safety hazard area;
 - vi. a military explosives storage area; or
 - vii. land within 3 kilometres of the perimeter of an aerodrome.

Assessment against Schedule 2, Part 20, Class A (a) to (o)

The development proposed is a two storey upward extension to Grange Court to construct 14 flats immediately above the existing topmost residential storey on the building. Grange Court is a purpose-built, detached block of flats. The Local Planning Authority is satisfied the building fits within the description permitted by Class A.

In relation to the qualifications set out at (a) to (o), permission for Grange Court was not granted by permitted development rights.

The building was given full planning permission in 1970. The building is not less than 3 storeys in height and was constructed in the 1970's, after 1st July 1948 and before 5th March 2018.

The proposed additional storeys would be located on the principal part of the building only.

The floor to ceiling height of both additional storeys would be less than 3m and would not exceed the floor to ceiling height of any of the existing storeys. The new dwellings proposed will be flats.

The overall height of the extended roof will be approximately 5m greater than the existing roof height, thus less than 7m maximum permitted. The extended building will reach a maximum height of approximately 13.5m, thus less than 30m maximum permitted.

The development would not include provision of visible support structures on or attached to the exterior of the building following completion of development. The development would not include engineering operations other than to strengthen walls, existing foundations and installation of utilities connections.

There is no existing roof top plant and the development does not propose the installation of any new plant.

No development relating to appropriate and safe access and egress would extend beyond the curtilage of the existing building.

Storage, waste or other ancillary facilities including cycle parking would all be located within the boundary of the site, behind the front wall of the building and would not front a highway.

Grange Court is not located within a conservation area (Article 2 (3) Land); a site of special scientific interest; a listed building, nor within the curtilage of a listed building; a scheduled monument, nor within the curtilage of a schedule monument; a safety hazard area; a military explosives storage area

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

and is not within 3 kilometres of the perimeter of any aerodrome.

In light of the assessment above, in this case Grange Court and the two storey upward extension to form 14 flats qualify as permitted development under the terms of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.

Condition A.2. – (1) then requires that where any development under Class A is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—

- (a) transport and highways impacts of the development;
 - (b) air traffic and defence asset impacts of the development;
 - (c) contamination risks in relation to the building;
 - (d) flooding risks in relation to the building;
 - (e) the external appearance of the building;
 - (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
 - (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and
 - (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(a) issued by the Secretary of State,
- and the provisions of paragraph B (prior approval procedure – listed above) of this Part apply in relation to that application.

The matters which the developer must seek the prior approval of the Local Planning Authority in relation to impacts will now be addressed in turn:

(a) *Transport and highways impacts of the development*

In considering the impacts of development, the Local Planning Authority must have regard to the National Planning Policy Framework (NPPF) issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval. In this case, the transport and highways impacts of the two storey extension and 14 additional flats are being assessed.

In relation to the transport and highways impacts of development, at paragraph 110 the NPPF states applications for development should:

In relation to the transport and highways impacts of development, at paragraph 110 the NPPF states applications for development should:

- a) “give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

The site is located in inner north Bristol. It is an established residential site within a predominantly residential area. The site is approximately 340m north of Henleaze town centre at Henleaze Road and 665m south of Westbury-on-Trym town centre at Westbury Hill. These adjacent local centres would offer residents a range of shops and services in close proximity of the site. These would be accessible within 5-8 minutes' walk of the site. The journey time would be less by bike. Such journey times would ensure the proposed flats are within convenient access of local facilities by active and sustainable modes. The location would therefore be enough sustainable and active travel.

In relation to public transport, there are multiple bus routes which run nearby the site. Route 1 can be accessed on Westbury Road, approximately 450m or 5 minutes' walk from the site. Route 2 can be accessed on Henleaze Road, approximately 410m, also 5 minutes' walk from the site. These services would offer future occupiers a viable public transport service to the City Centre and other parts of the city. The development would therefore be well located to encourage use of public transport.

Pedestrians and cyclists would utilise the existing entrance to the site from Grange Court Road. This would provide level access to the site, comparable to existing conditions. Cycle parking is proposed to be split between two stores. One would be located to the western side of the flat block. The other would be located to the north western corner of the site adjacent to the western bank of garages. Between these stores, cycle parking for a total of 30 bikes would be provided. This would allow for parking of two bikes per flat with some overflow capacity. Parking would comprise 15 Sheffield stands installed in brick built stores with timber doors. On consultation, Transport Development Management noted that the store to the rear of the site is not highly overlooked which may compromise security. Further details of security such as details of locking systems for the cycle parking stores will therefore be sought via condition in the event of prior approval being given. Subject to this measure, the development would include cycle parking facilities which would encourage cycling as a legitimate transport option for future residents. The development therefore prioritises cycling in accordance with national policy.

In relation to other highways issues, the development includes no on site provision for car parking for the proposed additional dwellings. Despite the accessibility of the location via walking, cycling and public transport, it is expected that some residents will own cars. There is no mechanism for a 'car-free' development to be secured in this instance as the site is not within a Residents Parking Zone. It is noted that the development is recommended for ineligibility for parking permits within any future Residents Parking Zone. This would not prevent residents parking adjacent to the site prior to implementation of any future parking restrictions. It is also noted that residents have raised concerns that parking resulting from the development may cause highway safety issues locally.

Grange Court Road includes a number of residential properties as well as institutions including Red Maids' Infant & Junior School, Henleaze Bowling Club and Sacred Heart Catholic Church. It is recognised that when community facilities are in use, local roads become busier and at times congested as reported in many representations. In order to inform an assessment of parking conditions surrounding the site, a Parking Survey was requested by the Local Planning Authority. This has been supplied as part of the application.

The supplied Parking Survey presents data recorded on 7-8th October 2020. Parking counts were

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

undertaken between 10 and 10:30pm on 7th October, 3:15 and 3:45pm on 8th October and again between 10 and 10:30pm on 8th October. It was undertaken in accordance with Bristol City Council Parking Survey Methodology. This requires a minimum of 5m length to represent one car parking space. Parking availability on roads within 150 metres walking distance of the site is included within the survey. In both 10pm surveys on 7th and 8th of October, a total of 76 parking spaces were recorded within 150 metres walking distance of the site. The 3:15 and 3:45pm parking survey was undertaken on Thursday 8th October which is understood to have been a normal school day. At this time, a total of 45 parking spaces were recorded within 150 metres walking distance of the site. Whilst this represents a significant decrease in parking availability, a good level on street parking remains available within a short walk of the site even at peak times.

It is only possible to estimate the likely parking demand associated with 14 flats. Census data relating to car ownership for privately rented flats of comparable size locally indicates that 18% have no car, 51% have one car and 31% have two or more cars. Based on these figures for the existing area, it is reasonably estimated the development would be associated with around 16 cars. As noted above, even at school collection time between 3:15 and 3:45pm, there were 45 parking spaces available within 150m walk of the site. This indicates that there is parking capacity available within the local area in addition to the existing uses. Whilst this is not an exact representation which will apply to every scenario, it provides a snapshot indication of conditions. The margin for error provided by this survey is such that a definitive conclusion can be reached. This conclusion has been confirmed by the Council's Transport Development Management team.

Concerns have been raised that the parking survey does not account for staggered collection time of school children currently employed by the adjacent school due to COVID-19. Concerns have also been raised that the survey was not undertaken during time when the adjacent church or bowling club were in use. The survey is clearly a snapshot survey which has some limitations however the survey demonstrates that the majority of the time, there is a good amount of parking available within a short walk of the site. It is unlikely that events at the church, bowling club and school would coincide given these are likely to take place at different points in the week and different times of day.

Given the availability of parking in close proximity of the site, it is not found that parking pressure is such that drivers would be forced to resort to dangerous or illegal parking. It is ultimately the responsibility of individual drivers to ensure they park legally, courteously and safely. The potential for around 16 additional cars related to Grange Court would not significantly change highways conditions locally. It is noted that there are existing highways restrictions including double yellow lines at corners and yellow zig zag restrictions which strictly prohibit parking outside the adjacent school. These measures are enforceable and sufficient to prevent dangerous parking on highways adjacent to the site. In light of these restrictions and parking capacity available locally, the Local Highway Authority have confirmed they are happy that the development would not be of detriment to the safe and free flow of the surrounding highway network.

With regards to refuse and recycling storage, an additional bin store is proposed to the western side of the building. This would be large enough to accommodate bins required for 14 flats. It is noted that this is in close proximity to the existing bin store at the site. It is understood that Bristol Waste operatives enter the existing site to collect bins. Therefore, this collection arrangement for the additional bins will not be problematic. The proposed bin store would ensure bins are suitable screened and are not left out on the public highway. The refuse and recycling arrangements for the proposed development would not result in detrimental highways impacts.

To conclude, the Local Planning Authority has reviewed the proposals and requested additional evidence relating to car parking conditions locally. Following scrutiny, the Local Planning Authority finds that the development would not be directly associated with a decrease in highway safety locally. The development is well located to prioritise walking, cycling and public transport use. No unacceptable highways issues will result from the development and therefore prior approval should be given on this ground.

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

(b) Air traffic and defence asset impacts of the development

The site is not within the safeguarding distance of any aerodrome or defence asset and therefore consultation of the Civil Aviation Authority or Secretary of State for Defence is not required. The proposed building would reach a maximum height of 13.5m above ground level. It would be highly unlikely for any aircraft to be flying at such a low level in this area given the distance from any aerodrome. There are no safeguarding allocations for defence assets within the City of Bristol. As such, the development poses no detrimental impact to air traffic and defence assets. It is concluded that prior approval should be given on this ground.

(c) Contamination risks in relation to the building

The Contaminated Land Environmental Protection team at Bristol City Council have been consulted on the application. Following review of the proposals, due to the nature of development involving construction on top of the existing building and no contact with land, the development poses no undue risk to human health through contamination exposure. No conditions are recommended and it is concluded that prior approval should be given on this ground.

(d) Flooding risks in relation to the building

The Flood Risk team at Bristol City Council have been consulted in relation to flood related impacts of development. Given that there is no change to the impermeable area of the site as the proposed development will be located on the same footprint as existing, it is advised that the development would not cause increased risk of flooding locally. The site is located within Flood Zone 1 and is at low risk of flooding in accordance with the Environment Agency flood map. The development will therefore not result in increased flood risk and will not be at risk of flooding. The impacts of the development are acceptable and it is concluded that prior approval should be given on this ground.

(e) The external appearance of the building

It has been established that an extension of up to two storeys to Grange Court would be permitted development as the proposals accord with the relevant legislation. This is subject to assessment of whether the extension would have an acceptable impact to the external appearance of the building. It is notable that the legislation only references impact to "the external appearance of the building". No reference is made to the impact to the surrounding area or adjacent heritage assets. It is important that prior approval applications are determined directly against the terms of the legislation and no other matters are taken into account.

In relation to the impact of the external appearance of buildings, at paragraph 127 the NPPF states decisions should ensure developments:

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

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

of development (including green and other public space) and support local facilities and transport networks; and

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

Grange Court is a three storey, detached flat block positioned within a generous, green, landscaped setting. The building dates from the 1970's and is typical of architectural of this period. The building has a long rectangular form and clear horizontal emphasis in elevational layout. This results from bands of grouped windows which run the full width of the building east to west. The building is predominantly constructed with buff brickwork, including vertical banded brick courses and render details. It includes a flat roof with white coloured parapet fascia.

The proposed development would involve an additional two storeys being added to the roof of the building. The building would essentially be converted from a three storey flat block to a five storey flat block. The extension would extend the existing external walls upwards and include a new flat roof. The design of the proposed extension would mirror the building beneath, like for like in terms of scale, proportions, form, layout, detailing, materials and overall design.

The proposals would undeniably represent a substantial change to the external appearance of the building. The additional storeys would represent a considerable increase in massing to the building. The existing building is approximately 9m tall and this would be increased by approximately 5m. The proposed two storey extension would remain subservient in scale to the overall scale of the three storey building. Consequently, the additional upward massing is not found to be disproportionately large in relation to the existing building. It is highlighted that the building sits set back within a large and spacious plot which is found to be an appropriate location for a larger, higher density building. The form of the building is presently very elongated and disproportionately wide in relation to its height. The additional two storeys would provide a more proportionate overall scale and form.

The proposed form would match the width and depth of the existing building. Any lesser form of extension would likely unbalance the building and would be of little value in terms of achieving reduced massing. No objection is therefore held to the architectural approach of mirroring the existing form. Use of a flat roof would reflect the existing form and style present at the site and is found to be most appropriate to the character of the existing building. The layout of windows and detailing as well as specification of materials would match those within the original building. A condition would be applied in the event of prior approval being given seeking details of external materials specifications and samples in order to confirm close matches to the original products. This would ensure the extension would appear in harmony with the original building.

Overall, whilst the extension does represent a considerable increase in scale to the existing building, the Local Planning Authority does not find that this would harm the external appearance of the building. It is noted that the legislation only requires assessment of the impact to the external appearance of the building and not the wider area. When assessed in this regard, it is not found that the extension would have an unacceptable impact to the external appearance of the building. The proposed extension is not found to conflict with national planning policy insofar as this relates to the external appearance of buildings. The impacts of the development are found to be acceptable and it is concluded that prior approval should be given on this ground.

(f) *The provision of adequate natural light in all habitable rooms of the new dwellinghouses*

Natural light in all habitable rooms of the new dwellinghouses has been reviewed based on the supplied proposed floor plans. The legislation defines "habitable rooms" to mean any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not

Development Control Committee B – 9 December 2020
Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW

include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.

The proposed layout includes 7 flats at both third and fourth floor level. The internal floor plans would be the same at both levels. All proposed flats would include windows within both the front (south) and rear (north) elevations. All bedrooms and the south facing open plan kitchen, living, dining area would include a window. It is noted that all windows would be large in size and given the elevation above ground level, would provide good access to natural light. The bathrooms and hallways would not include windows however these are not a habitable parts of the dwellings. It is concluded that all habitable rooms of dwellinghouses would allow for more than adequate access to natural light. The impacts of the development are acceptable and it is concluded that prior approval should be given on this ground.

(g) *Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light*

In relation to the impact of development to the amenity of existing buildings and neighbouring premises, at paragraph 127 the NPPF states decision should ensure developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

With regards to the amenity of the existing building and its residents, the proposed extension would not result in harmful overlooking or loss of privacy given its position on top of the existing building. In terms of impact to light within existing flats, the proposed extension would likely result in some reduction in light levels within upper floor flats on the northern side of the building. Light levels within these flats would remain comparable to current ground floor flats however and therefore this reduction is not found to cause significant harm to amenity. There would be four additional flats using each stair well. Residents would likely experience some increase in noise and disturbance from increased access, comings and goings. This would be typical domestic activity however and would not be out of character with the existing residential use of the site. This is not found to pose significant harm to living conditions and amenity.

It is recognised that there will likely be disruption to existing residents during the construction period. The works are to the roof of the existing building in close proximity of the top floor flats. This holds potential for noise and disturbance to existing residents which is likely to be inconvenient. This would be for a limited period however and would be permanent change. Due to the temporary nature, construction noise is not typically an issue which would warrant the refusal of planning permission. The eventual contractor will likely be aware of the sensitivity of this type of construction and would be expected to take measures in order to limit and reduce the effects to existing occupiers. Impacts associated with construction works can be managed through submission of site specific Construction Management Plan and Construction Environmental Management Plan. As examples, these documents will be expected to include details of proposed construction hours, mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites, control measures for dust and other air-borne pollutants taking into account any local resident who may have a particular susceptibility to air-borne pollutants, procedures for maintaining good public relations with neighbours, details of a complaints procedure, maintaining a complaints register and effective close out of all issues, Considerate Constructors Scheme status, regular meetings with local businesses and residents affected by works and details of timing of deliveries to and from the site.

The Local Planning Authority recognises the inconvenience of construction noise and activity and will seek to manage this by attaching conditions to any eventual prior approval. This is not a matter which would warrant prior approval being withheld however.

Turning to the impact to amenity at neighbouring properties, the nearest neighbouring property to the building is 27 Grange Park. This is a two storey house which is adjacent to the eastern end of the

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

building. Approximately 16m separates Grange Court from 27 Grange Park. The rear of this property faces south and Grange Court is located due west of the neighbouring property. The orientation is such that the extended building would only impact light late in the day. The neighbouring property does not include primary windows within this side of the building, with these located to the north and south of the building. The main aspects to the north and south would not be impacted by the extension to Grange Court. There would be sufficient separation (minimum 16m) to ensure the extension avoided unduly enclosing the neighbouring property. No windows are proposed within the eastern end elevation. Overlooking towards this property would therefore not be possible. Overall, it is found that the proposed extension would avoid significant change to amenity and living conditions experienced at 27 Grange Park. The impact to this neighbouring property is found to be acceptable.

15 Grange Park is adjacent to the south east of the building. This is a two storey house with the front facing south and the rear facing north. The extension to Grange Court would therefore be to the north west of the rear of this site. There is approximately 43m between the nearest point of Grange Court and 15 Grange Park. Due to the position of the extension to the north west of the neighbouring property and the large distance between the buildings, the proposed extension would not cause any material difference in daylight conditions or in terms of outlook. Some views towards this property would be possible from south facing windows however the angles would be oblique and views would not be direct. The separation distance is also very significant, around 40m which is double the minimum level typically acceptable between directly facing windows. In addition to the presence of large trees at the boundary, this would prevent overlooking and a harmful loss of privacy. The proposed extension would not result in significant harm to amenity and living conditions experience at 15 Grange Park. The impact to this neighbouring property is found to be acceptable.

27 Grange Court Road is located to the south of the site. There is a minimum of approximately 40m between Grange Court and the southern boundary with 27 Grange Court Road. The neighbouring house is situated perpendicular to Grange Court so the front of Grange Court faces the northern side of the neighbouring house. As the extension would be located to the north of 27 Grange Court Road, it would not cause any loss of daylight to this property. The separation distance is also high which would confirm this. Additional windows are proposed at third and fourth floor levels within Grange Court which would face 27 Grange Court Road. Again however, the separation distance (around 40m) is such that the neighbouring site including its rear garden would not experience a harmful loss of privacy. The proposed extension would not result in significant harm to amenity and living conditions experience at 27 Grange Court Road. The impact to this neighbouring property is found to be acceptable.

To the north and west, Grange Court is adjacent to Red Maids' High School with the Infant & Junior School located to the west and the High School situated to the north. As these are not residential, the impact to amenity of these neighbouring premises is less significant. The proposed extension would not harmfully impact use of these adjacent sites for educational purposes. Some concerns have been raised regarding the potential for overlooking of the playing fields and playgrounds of the adjacent schools. However under normal circumstances this would not be harmful. Any suspicious or sinister overlooking or activity should be reported to the police and is not a matter which the planning system exists to control. Prior approval cannot be withheld on this basis.

Overall, subject to conditions to manage the impact of construction, the impact of the proposed extension to the amenity of existing residents and neighbouring premises is found to be acceptable. Prior approval should be given on this ground.

(h) *Whether because of the siting of the building, the development will impact on a protected view*

This impact relates to protected views which are identified in the Directions Relating to Protected Vistas dated 15 March 2012(a) issued by the Secretary of State. This relates only to The London View Management Framework (LVMF) which legally protects key views of London from parks or other well-

Development Control Committee B – 9 December 2020**Application No. 20/03831/ND : Grange Court Grange Court Road Bristol BS9 4DW**

used public spaces that help define London. This does not include any protected views within the City of Bristol. Consequently, the impact of the development in this regard is acceptable and prior approval cannot be withheld on this ground.

COMMUNITY INFRASTRUCTURE LEVY

Some new developments granted planning permission will be liable to pay Community Infrastructure Levy (CIL) to Bristol City Council.

CIL is payable where development comprises 100m² or more of new build floorspace or results in the creation of one or more dwellings.

The proposed development is estimated to generate CIL liability totalling £84,980 (plus indexation). This is based on development comprising gross internal area of 1214m² within the inner CIL charging area (£70 per m²).

The applicant will be required to submit Notice of Chargeable Development to the Collecting Authority prior to the commencement of development. The Collecting Authority will confirm full liability at that point.

CONCLUSION

In light of the preceding assessment, the application is found to accord with all sections of Schedule 2, Part 20, Class A of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. The development qualifies as permitted development under the terms of this legislation. The Local Planning Authority has considered the issues which require its prior approval. Following review, it is found that subject to conditions, the impact of development would be acceptable. It is therefore recommended that prior approval is given, subject to the conditions beneath.

RECOMMENDED Prior Approval GIVEN

Supporting Documents

1. Grange Court, Grange Road

1. Site photos
2. Proposed site plan
3. Existing elevations
4. Proposed elevations
5. Proposed floor plans
6. Parking survey





PRIVATE RESIDENTS ONLY

Private Property
No Turning

Private Property
No Turning

GRANGE COURT



GRANGE COURT

PRIVATE RESIDENTS ONLY

Private Property
No Turning

Private Property
No Turning



EXCHANGE COURT

PRIVATE RESIDENTS ONLY

Private Property No Turning

Private Property No Turning



GRANGE COURT

Private
Property
No Turning

PRIVATE
PROPERTY
ONLY

WP57 BVG



GRANGE COURT

PRIVATE
RESIDENTS
ONLY

Private
Property
No Turning



PRIVATE
RESIDENTS
ONLY

Private
Property
No Turning

GRANGE COURT

WP57 BVG



Private Property
No Turning

PRIVATE RESIDENTS ONLY

WP57 BVC



Private
Property
No Turning

PRIVATE
RESIDENTS
ONLY



GRANGE COURT

PRIVATE
RESIDENTS
ONLY

VP57 EYG



Newman Hall
Church &
Car Park





REDMAIDS' HIGH SCHOOL
FOR GIRLS | BRISTOL
UNBORN & JUNIOR SCHOOLS
An independent day school for girls
MORNING TOURS AVAILABLE
Please enquire within

SCHOOL











HENLEAZE BOWLING CLUB

28

WM08 VPW





Proposed new apartments within additional floors
Grange Court, Grange Court Road, Henleaze
Bristol

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PRELIMINARY DRAWING NOT FOR CONSTRUCTION

Revision no.
Rev A 12.08.2020 - Revision

Project No. 1381

Cad File 1383_V0.3.dwg

Drawn

Checked

Date

Scale As shown @ A1
Title/No.

Proposed Site Plan

A300



Revision no.	

Project No. 1381

Cad File 1383_V0.2.dwg

Drawn

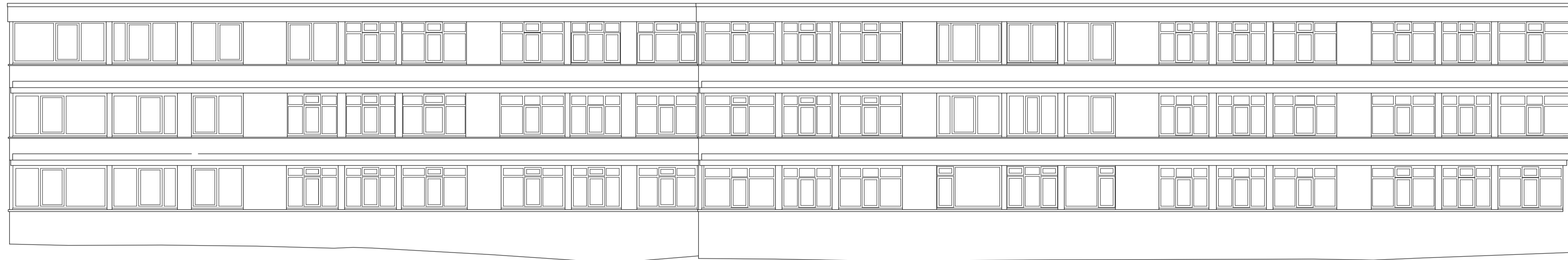
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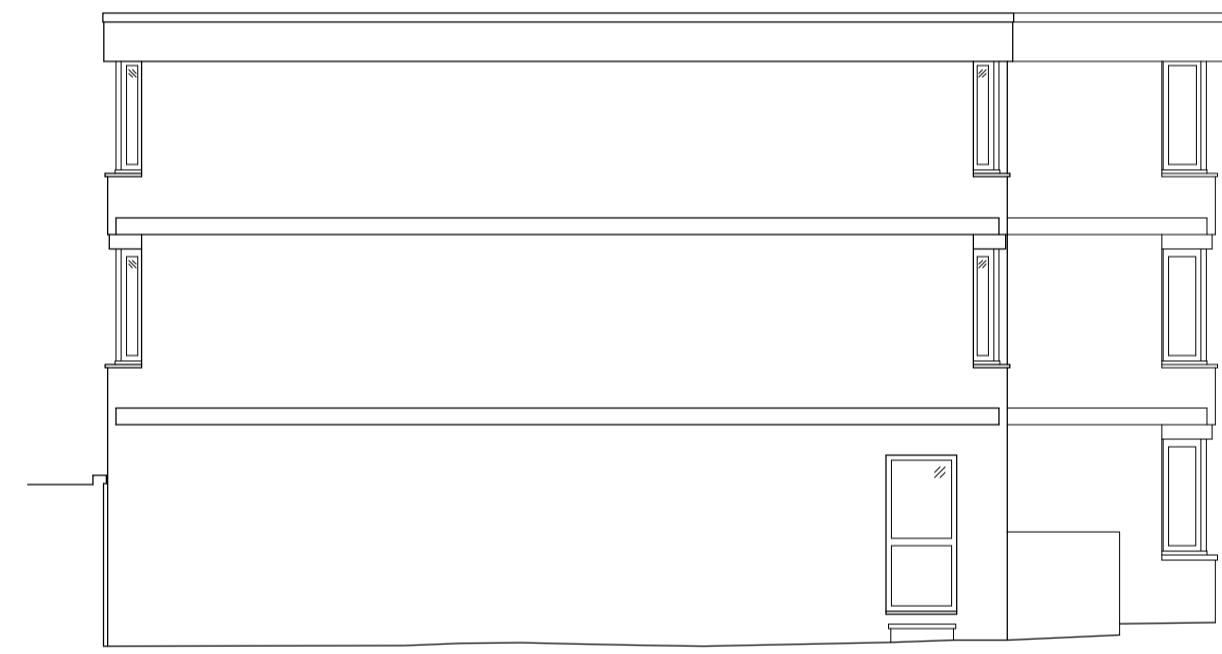
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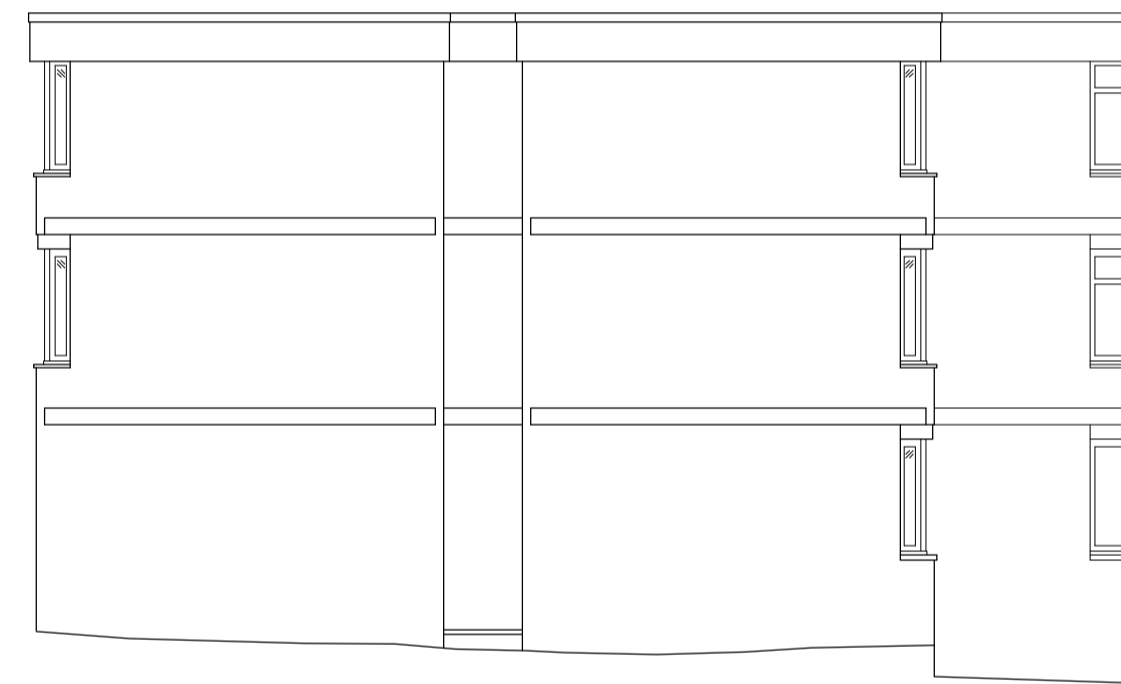
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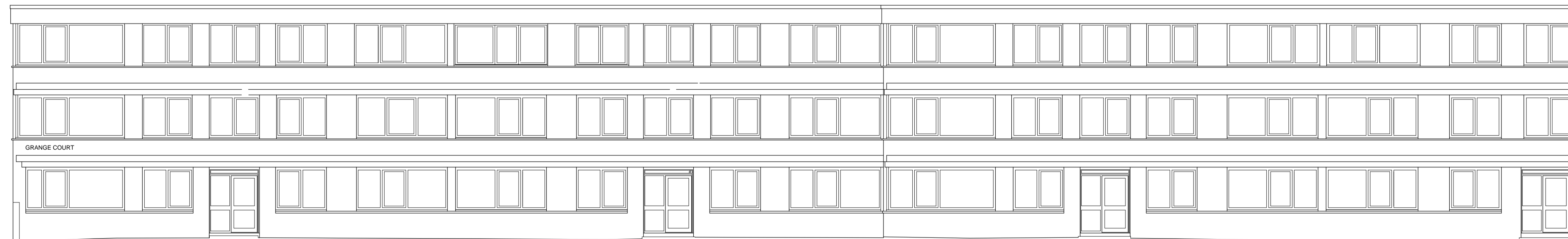
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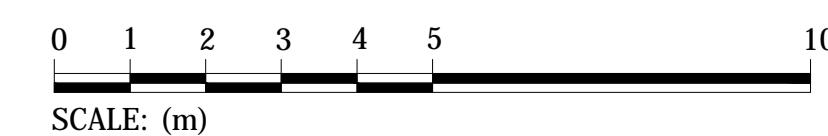
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Scale: 1:100



3 East Elevation
Scale: 1:100

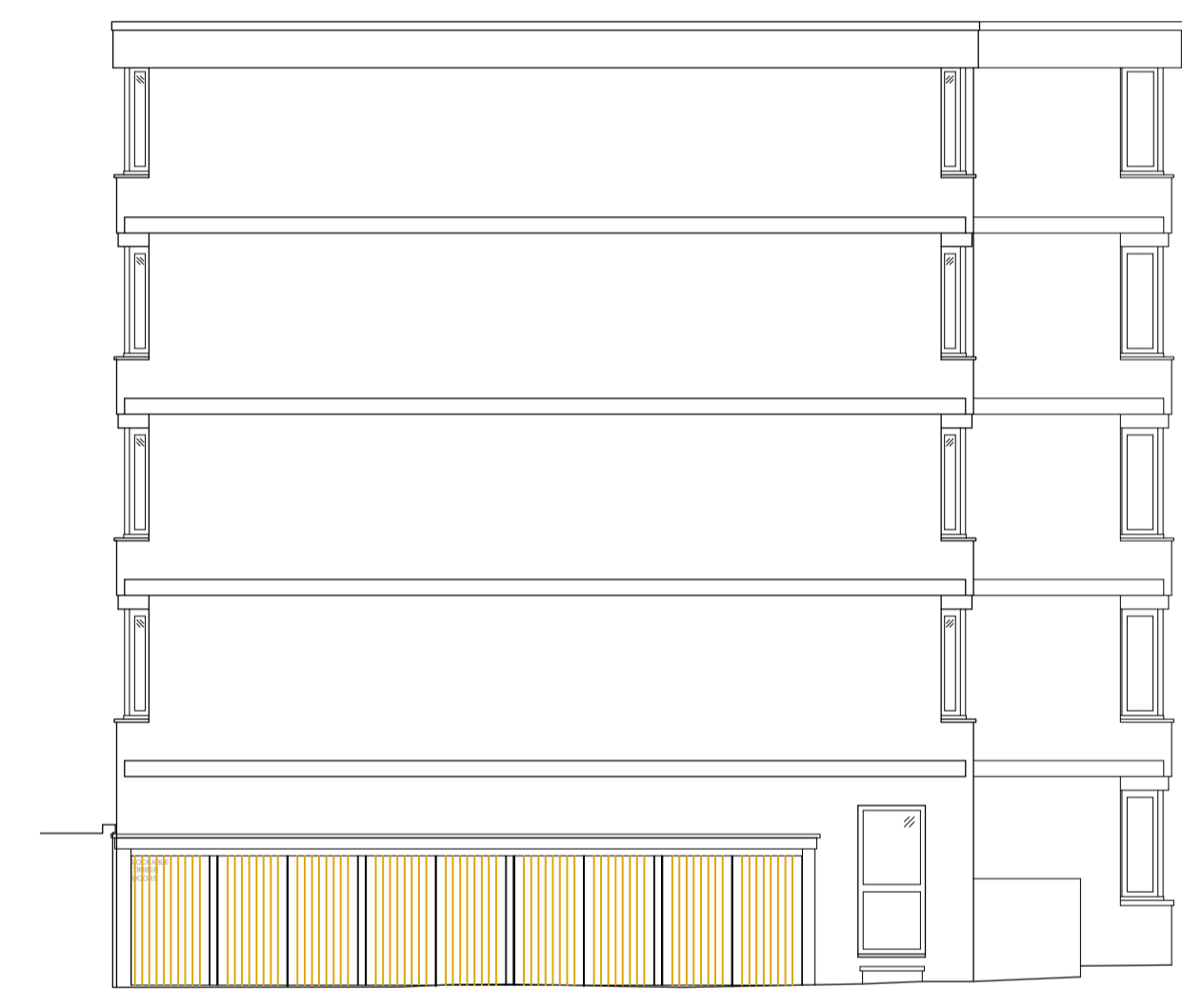


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Scale: 1:100

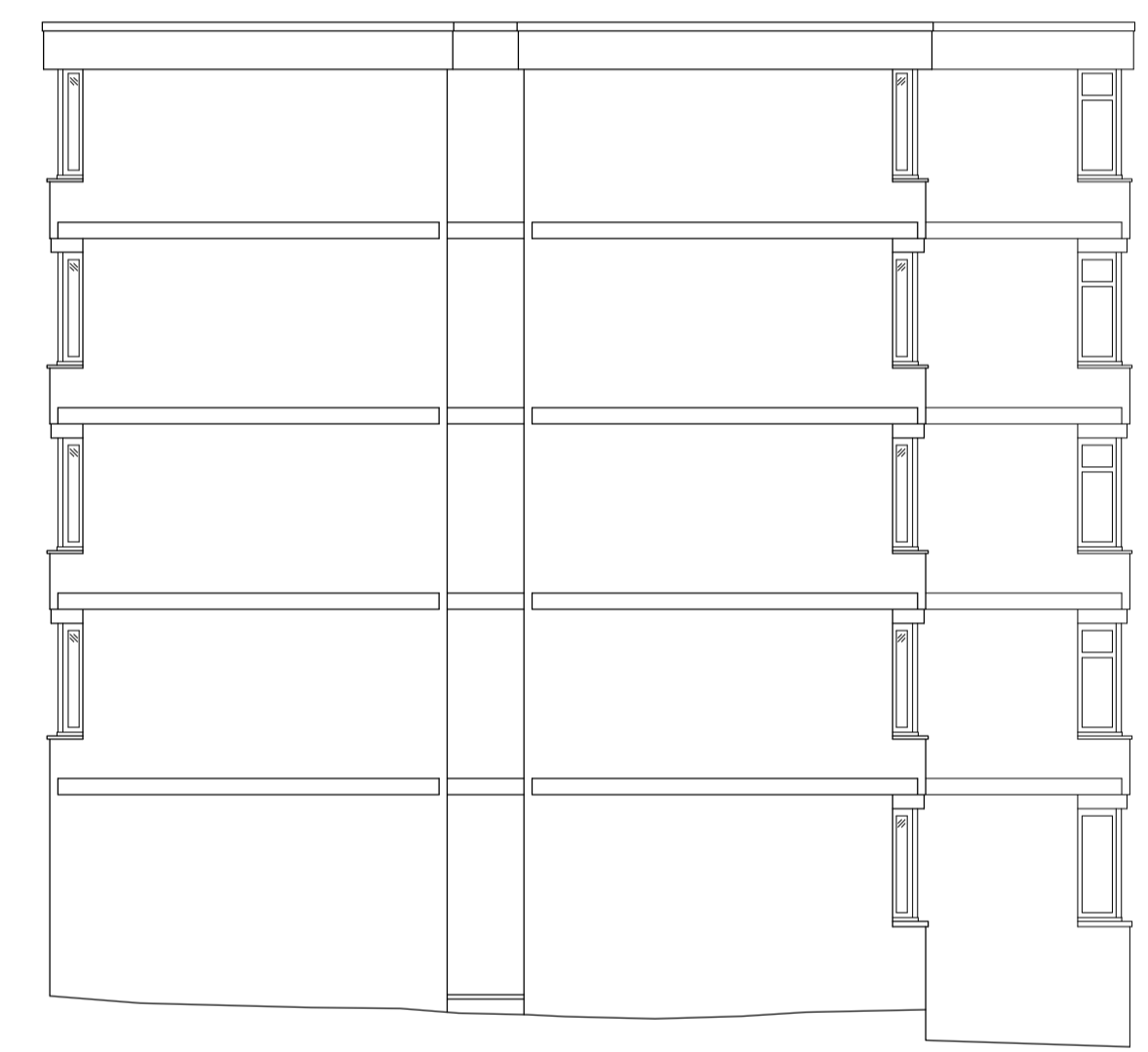




4 North Elevation
Scale: 1:100



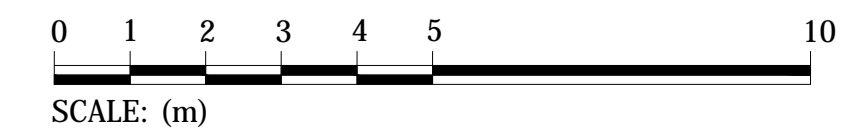
2 West Elevation
Scale: 1:100



3 East Elevation
Scale: 1:100



1 South Elevation
Scale: 1:100



Proposed new apartments within
additional floors
Grange Court, Grange Court Road, Henleaze
Bristol

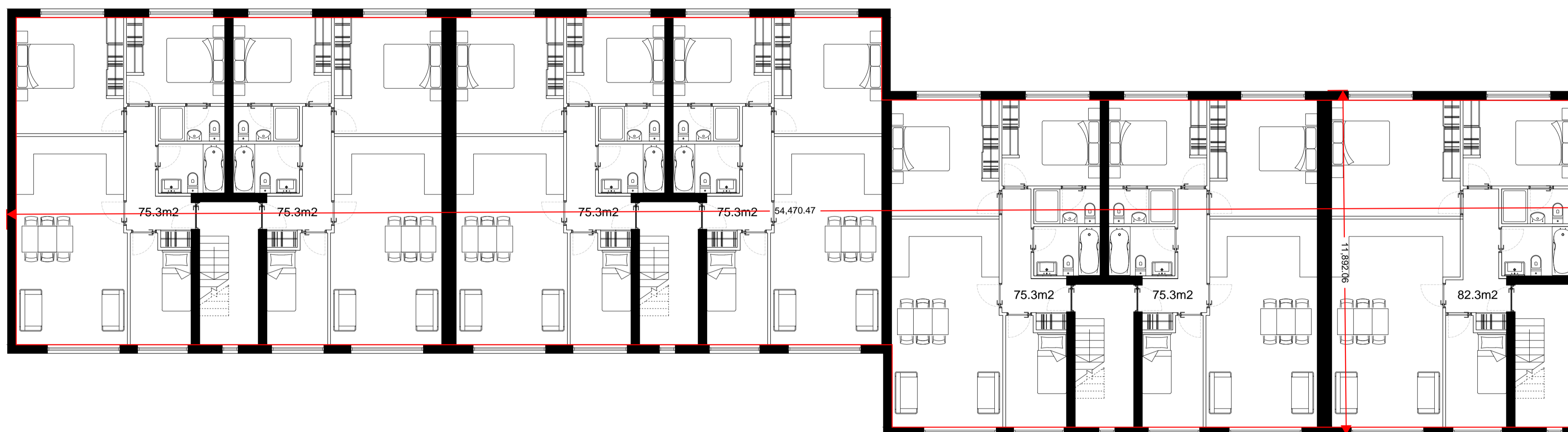
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Revision no.
Rev A 12 08 2020 - Revision

Project No. 1381
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Date

Scale As shown @ A1
Title/No.
Proposed Elevations



2 Fourth Floor Plan
Scale: 1:100



1 Third Floor Plan
Scale: 1:100

Proposed new apartments within
additional floors
Grange Court, Grange Court Road, Henleaze
Bristol

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Revision no.

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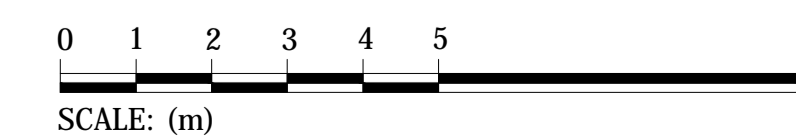
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Title/No.

Proposed Floor plans



A Planning Application by
ERE LLP

In respect of
**1-21 Grange Court, Grange Court Road,
WESTBURY ON TRYM**

Parking Survey Technical Note

October 2020



Document Management

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Document Review

	Status	Author	Checker	Approver	Date
01	Draft	WG	JD	JD	October 2020

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Contents		Page
1	Introduction	1
2	Parking Demand	2
3	Parking Survey	4
4	Conclusion	8

List of Appendices

- A Census 2011 – Car Ownership Data
- B Parking Survey Extent
- C Parking Survey Results Plans

1 Introduction

- 1.1 This Technical Note (TN) has been prepared by Transport Planning Associates (TPA) on behalf of ERE LLP in support of a proposed development at 1-21 Grange Court, Grange Court Road, Westbury on Trym.
- 1.2 The proposal comprises the provision of two additional floors to the existing residential flat complex in order to accommodate 14 three bed flats.
- 1.3 Bristol City Council (BCC) Transport Development Management (TDM) have requested in their response dated 7th October 2020 that a parking survey is undertaken at the site in accordance with BCC's adopted parking survey methodology. In addition, it has been requested that a parking survey is undertaken at school peak times, between 1515 and 1545.
- 1.4 The purpose of this TN is to summarise the results of the parking surveys undertaken by TPA. This TN also forecasts parking demand associated with the proposed development. It is concluded that the parking demand forecast to be generated by the proposed development can be accommodated on-street.

2 Parking Demand

- 2.1 The proposed redevelopment comprises 14 three bed residential flats.
- 2.2 In order to forecast parking demand associated with the development proposal, Census 2011 car ownership data (Dataset LC4416EW) for the MSOA (E02003017 : Bristol 006) within which the site is located has been analysed.
- 2.3 This approach to forecasting parking demand was used by TPA in support of a redevelopment at the Princess of Wales public house in Bedminster, Bristol, to provide private rental accommodation (Ref: 20/01272/F). The methodology was agreed with BCC.
- 2.4 A summary of Census 2011 car ownership data for privately rented accommodation within Bristol 006 is provided in **Table 2.1** below and a complete copy of the data is attached as **Appendix A**.

Table 2.1 – Census 2011 Car Ownership (Bristol 006)

Cars or Van Availability	Privately Rented Accommodation (Bristol 006)	
	Number of Dwellings	Percentage of Dwellings
No cars or vans in household	110	25%
1 car or van in household	232	52%
2 or more cars or vans in household	101	23%

- 2.5 **Table 2.1** demonstrates that the majority of privately rented accommodation in Bristol 006 is associated with one car or van, with a significant percentage operating as car-free.
- 2.6 The car ownership data presented in **Table 2.1** has been applied to the proposed development of 14 flats. The forecast parking demand is set out in **Table 2.2** below.

Table 2.2 – Forecast Parking Demand (14 flats)

Cars or Van Availability	Percentage of Dwellings in Bristol 006	Number of Units in Proposed Development (14 flats)	Parking Demand
No cars or vans in household	25%	4	0
1 car or van in household	52%	7	7
2 or more cars or vans in household	23%	3	6
Total	100%	14	13

2.7 **Table 2.2** demonstrates that the proposed development of 14 privately rented flats could generate a parking demand of 13 spaces.

3 Parking Survey

- 3.1 BCC's Parking Methodology guidance states that for residential developments a snapshot survey should be undertaken between 2200 and 0000 on two separate weeknight evenings, Monday to Thursday.
- 3.2 In addition, TDM have requested a parking survey is undertaken at school peak times, between 1515 and 1545 during term time, because the *"roads can get congested at school peak times"*.
- 3.3 Snapshot parking surveys were undertaken by TPA and covered a 150 metre walking distance along Grange Court Road, to the east and west of the site entrance. The surveys adhered to BCC's Parking Survey Methodology and were undertaken at the following times:
- 2200-2230 on Wednesday 7th October;
 - 1515-1545 on Thursday 8th October; and
 - 2200-2230 on Thursday 8th October.
- 3.4 The proposed development is located in a primarily residential area. Nearby significant land uses include Redmaid's High Junior School, St Ursula's School, Sacred Heart Catholic Church and Shine Community Sports Hall.
- 3.5 No unusual observations regarding on-street parking (i.e. suspended parking bays, skips etc.) were made in any of the three surveys. It was however noted that a campervan was parked in the same position during each of the surveys.
- 3.6 A plan of the survey area is attached as **Appendix B**. The plan demonstrates the extent of the survey area and all parking restrictions, including vehicular accesses. It is assumed that each vehicular access is three metres in width.
- 3.7 As the survey area comprised a single road, Grange Court Road, which is segmented by parking restrictions, each segment of available on-street parking has been colour coded on the plan attached as **Appendix B**.

Parking Survey Results

- 3.8 In accordance with BCC’s Parking Survey Methodology, a car parking space is defined as a five metre length of kerb space. In line with this, a surveyed parked car is also assumed to occupy a five metre length of kerb space.
- 3.9 The results of the evening parking survey undertaken on Wednesday 7th October 2020 between 2200 and 2230 is provided in **Table 3.1** below. The approximate location of parked vehicles is shown on a plan attached as **Appendix C**, supported by photographic evidence.

Table 3.1 – Wednesday 7th October 2020 (2200-2230) Parking Survey Results

Grange Court Road Segment	Total Length (m) of Kerb Space (Excluding Residential Accesses and Restrictions)	Number of Cars Parked	Number of Available Car Parking Spaces (5m Length)*
Blue	104	0	21
Purple	131	3	23
Green	58	4	8
Grey	28	0	6
Orange	95	0	19
Total	416	7	76

**Figures subject to rounding.*

- 3.10 **Table 3.1** demonstrates that during the survey undertaken on Wednesday 7th October 2020 between 2200 and 2230, a total of 76 on-street car parking spaces were available within 150 metre walking distance of the site.
- 3.11 The results of the school peak hour parking survey undertaken on Thursday 8th October 2020 between 1515 and 1545 is provided in **Table 3.2** below. The approximate location of parked vehicles is shown on a plan attached as **Appendix D**, supported by photographic evidence.

Table 3.2 – Thursday 8th October 2020 (1515-1545) Parking Survey Results

Grange Court Road Segment	Total Length (m) of Kerb Space (Excluding Residential Accesses and Restrictions)	Number of Cars Parked	Number of Available Car Parking Spaces (5m Length)*
Blue	104	11	10
Purple	131	12	14
Green	58	6	6
Grey	28	5	0
Orange	95	4	15
Total	416	38	45

**Figures subject to rounding.*

3.12 **Table 3.2** demonstrates that during the survey undertaken on Thursday 8th October 2020 between 1515 and 1545, a total of 45 on-street car parking spaces were available within 150 metre walking distance of the site.

3.13 The results of the evening parking survey undertaken on Thursday 8th October 2020 between 2200 and 2230 is provided in **Table 3.3** below. The approximate location of parked vehicles is shown on a plan attached as **Appendix E** supported by photographic evidence.

Table 3.3 – Thursday 8th October 2020 (2200-2230) Parking Survey Results

Grange Court Road Segment	Total Length (m) of Kerb Space (Excluding Residential Accesses and Restrictions)	Number of Cars Parked	Number of Available Car Parking Spaces (5m Length)*
Blue	104	0	21
Purple	131	3	23
Green	58	4	8
Grey	28	0	6
Orange	95	0	19
Total	416	7	76

**Figures subject to rounding.*

- 3.14 **Table 3.3** demonstrates that during the survey undertaken on Thursday 8th October between 2200 and 2230, a total of 76 on-street car parking spaces were available within 150 metre walking distance of the site.

Parking Survey Summary

- 3.15 The weeknight parking surveys undertaken between 2200 and 2230 demonstrated minimal on-street parking, with approximately 76 free spaces available. The survey undertaken between 1515 and 1545 during the school peak hour demonstrated higher on-street parking demand, however, approximately 45 on-street parking spaces were available. It is therefore concluded that the forecast parking demand generated by the proposed development can be accommodated on-street.

4 Conclusion

- 4.1 This TN has been prepared by TPA on behalf of ERE LLP Ltd in support of a proposed development at 1-21 Grange Court, Grange Court Road, Westbury on Trym.
- 4.2 This TN has summarised the results of parking surveys undertaken by TPA in the vicinity of the proposed development, as requested by BCC TDM. The parking surveys have adhered to BCC's Parking Survey Methodology guidance.
- 4.3 Through analysis of 2011 Census data, this TN has demonstrated that the proposed development, which will provide 14 private rental flats, could generate a parking demand of 13 spaces.
- 4.4 Parking surveys were undertaken on Wednesday 7th October 2020 and Thursday 8th October 2020 between 2200 and 2230. A parking survey was also undertaken on Thursday 8th October between 1515 and 1545. The surveys recorded an on-street parking availability of 76, 76 and 45 spaces respectively.
- 4.5 It is concluded that there is sufficient on-street parking availability to accommodate the parking demand generated by the proposed development.

APPENDIX A

LC4416EW - Tenure by car or van availability by number of usual residents aged 17 or over in household

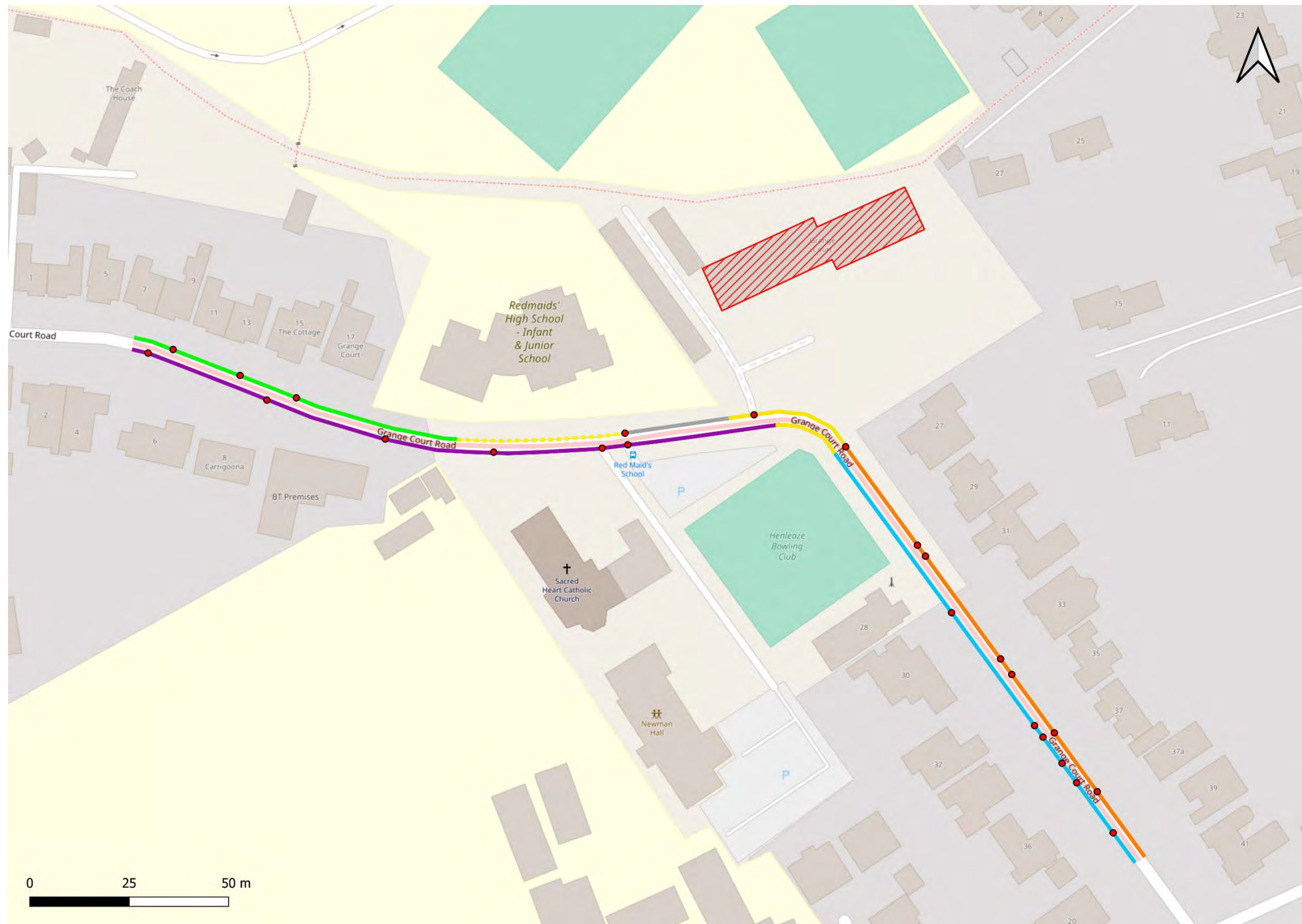
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population All households
units Households
date 2011
area type 2011 super output areas - middle layer
area name E02003017 : Bristol 006
no of usual residents in househ All categories: Number of usual residents aged 17 or over in household

Cars or Vans	Private rented or living rent free
All categories: Car or van avail:	443
No cars or vans in household	110
1 car or van in household	232
2 or more cars or vans in house	101

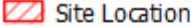
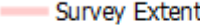

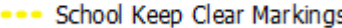
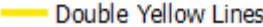
In order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, p:

APPENDIX B



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NOTES:

-  Site Location
-  Survey Extent
-  Vehicular Accesses
-  School Keep Clear Markings
-  Double Yellow Lines

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ERE LLP

PROJECT:
Grange Court Road

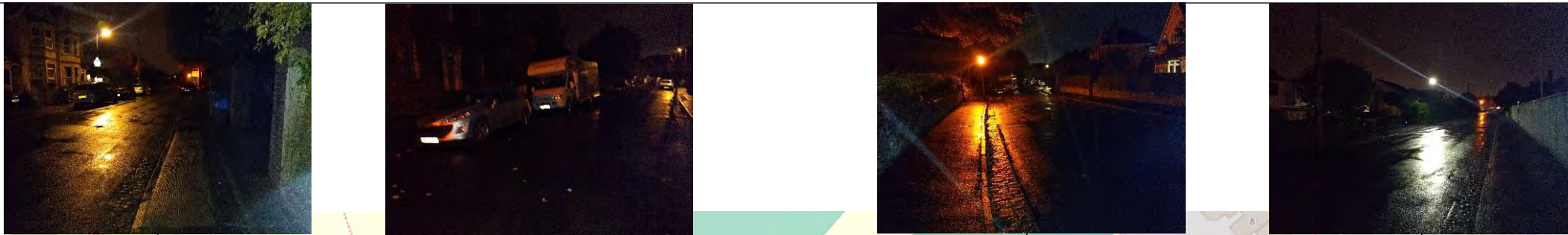
TITLE:
Parking Survey Extent

STATUS:
INFORMATION

SCALE: NTS	DATE: 09/10/20	DRAWN: WG	CHECKED: JD	APPROVED: JD
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JOB NO: 2010-014	DRAWING NO: Appendix B	REVISION:
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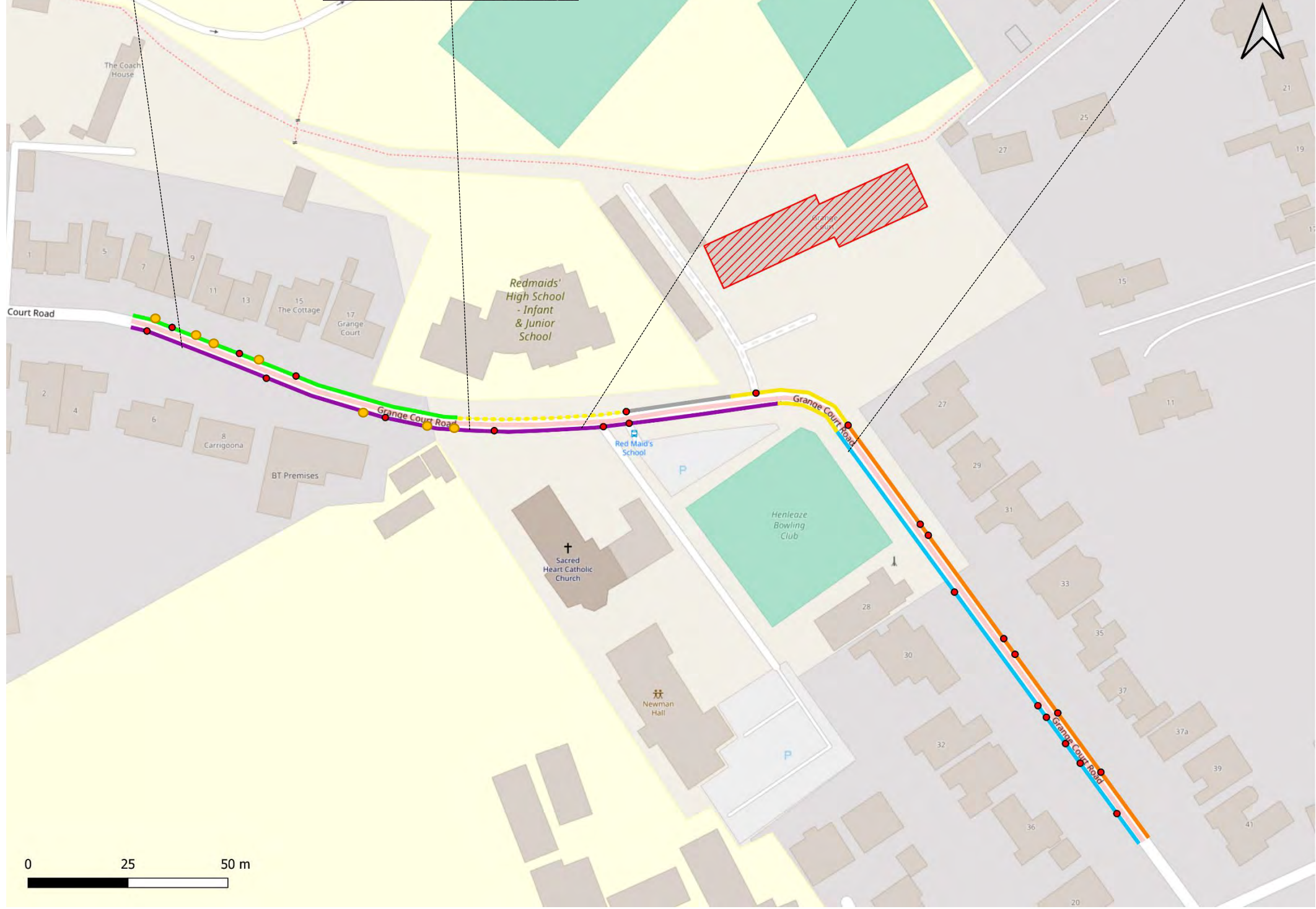
APPENDIX C



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NOTES:

-  Site Location
-  Survey Extent
-  Vehicular Accesses
-  School Keep Clear Markings
-  Double Yellow Lines
-  Parked Vehicle Approximate Location



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PROJECT:
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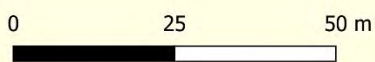
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STATUS:
INFORMATION

SCALE: NTS	DATE: 09/10/20	DRAWN: WG	CHECKED: JD	APPROVED: JD
JOB NO: 2010-014		DRAWING NO: Appendix C		REVISION:

NOTES:

-  Site Location
-  Survey Extent
-  Vehicular Accesses
-  School Keep Clear Markings
-  Double Yellow Lines
-  Parked Vehicle Approximate Location



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CLIENT:
ERE LLP







PROJECT:
Grange Court Road

TITLE:
Parking Survey Thursday 8th October 2020 (1515-1545)

STATUS:
INFORMATION

SCALE: NTS	DATE: 09/10/20	DRAWN: WG	CHECKED: JD	APPROVED: JD
JOB NO: 2010-014	DRAWING NO: Appendix C		REVISION:	

NOTES:

-  Site Location
-  Survey Extent
-  Vehicular Accesses
-  School Keep Clear Markings
-  Double Yellow Lines
-  Parked Vehicle Approximate Location



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CLIENT:
ERE LLP

PROJECT:
Grange Court Road

TITLE:
Parking Survey Thursday 8th October 2020 (2200-2230)

STATUS:
INFORMATION

SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:
NTS	09/10/20	WG	JD	JD

JOB NO:	DRAWING NO:	REVISION:
2010-014	Appendix C	

Development Control Committee B – 9 December 2020

ITEM NO. 2

WARD: Clifton Down

SITE ADDRESS: Telephone Exchange St Johns Road Clifton Bristol BS8 2EU

APPLICATION NO: 19/04167/F Full Planning

DETERMINATION DEADLINE: 17 December 2020

Proposed installation 6no antennas on 3.5m high poles, 2no 0.3mm microwave dishes on the same poles, 3no equipment cabinets, 1no. additional meter cabinet and installation of ancillary equipment.

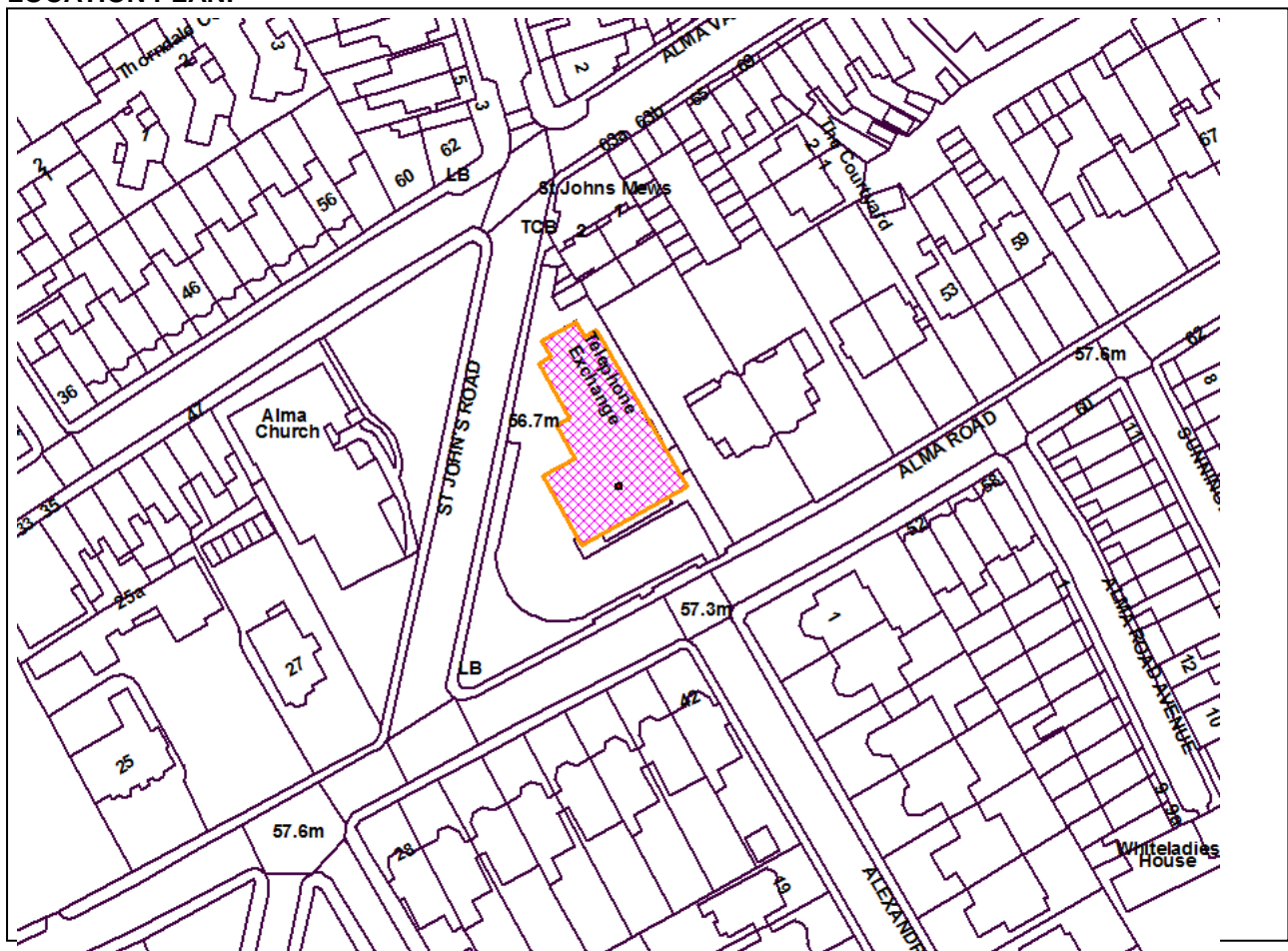
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Sinclair Dalby
Suite H, KBF House
55 Victoria Road
Burgess Hill
RH15 9LH

APPLICANT: Vodafone Limited
Vodafone House
The Connection
Newbury
RG14 2FN

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

LOCATION PLAN:



Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU****REASON FOR REFERRAL**

This application was referred to Development Control Committee by Cllr Clive Stevens, the reasons for the referral are included below:

I am objecting to this on grounds of loss of visual amenity and harm to the look of a conservation area. There is a particular view (looking south down St Johns Road) where those traveling south by foot, bike or car will have this proposed structure take up an increasing large portion of the view straight ahead. It is framed by trees either side and the eye will be drawn towards it and the telephone exchange building below. It is worse because the 6 antennas look like they are to be situated on the North end of the building. This damage to the view starts north of the railway and just gets worse and worse as you progress down St Johns Road towards Alma Vale Road.

I am not objecting on health risk as this is not valid planning grounds.

SUMMARY

The application seeks planning permission for an array of telecommunications equipment atop the Clifton BT Exchange building, within the Whiteladies Road Conservation Area. The primary motive for the application is to replace existing telecommunications equipment at Clifton Down Shopping Centre, which officers understand is planned for removal. This application would therefore ensure that 3G and 4G coverage in the area currently provided by the existing equipment is maintained.

Significant objection has been received from members of the public concerning, amongst other things, the proposal's impact on the Conservation Area, the principle of the location of the equipment, the proposal's need, the quality of the submission, and the health impacts of the proposal.

The submission provides clear and convincing justification for the location of the proposal in terms of Development Plan policy concerning telecommunications proposals. Specifically, it is not possible for the Applicant to share equipment/sites with other telecommunication providers, and alternative sites for the equipment are not available in the locality.

The health impacts of the proposal are considered to meet relevant planning policy and guidance thresholds, which largely refers to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines.

Officers agree with members of the public and Cllr Stevens that the proposed equipment is at odds with the general character of the Conservation Area, predominantly as its appearance reflects its function. In terms of the impact of the experience of the Conservation Area, there would be limited short term views of the proposal when adjacent to the site; short-to-medium views from the west-side of Alma Vale Road; and of most concern short and medium-distance views from St John's Road.

Where officers' assessment departs from the majority of the comments received from members of the public, is with regard to the proposal's degree of harm to the Conservation Area, and also the perceived benefits of the proposal. It is officers' opinion, that the proposal represents a low degree of less than substantial harm to Conservation Area, and whilst great weight has been afforded to the Conservation Area's conservation, in this case the proposal's perceived benefit of ensuring consistent 3G and 4G coverage tips the balance in favour of approving this application.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

The application is therefore recommended for approval subject to conditions. Delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

SITE DESCRIPTION AND APPLICATION

The site is addressed as the Clifton BT Exchange and is also known as the Telephone Exchange. BT operate telecommunications from the building, including Broadband. The site subject to this application is located on the northern side of St John's Road in Clifton. The current building is L-shaped and has a flat roof with a ranging height of 2 to 3 storeys. The site is within the Whiteladies Road Conservation Area.

The applicant is Vodafone Limited and according to the submission, they have a continued network improvement program, where there is a specific requirement for a radio base station at this location to maintain consistent and effective 3G and 4G coverage the Clifton and surrounding area. The submission goes onto explain that this application is necessitated as an existing Vodafone installation at Clifton Down Shopping Centre is to be removed and hence a new site is required.

The proposal includes the installation of 6No antennas on 3.5m high poles, 2No 0.3mm microwave dishes on the same poles, 3No equipment cabinets, 1No additional meter cabinet and installation of ancillary equipment on the rooftop of the building. The submission states that the existing building is 13 metres high, and the proposal would have a maximum height of 16.5 metres. All towers, masts and equipment housing will be finished in grey, with antennas finished in off-white. The application confirms that in all aspects of design, the smallest practical components have been utilised to minimise visual impact. The existing building already has some ancillary furniture on the roof, including a guard rail, AC units and a ladder.

The submitted Supporting Technical Information demonstrates that the proposal would mitigate any negative impact to coverage that would be incurred when Vodafone's equipment at Clifton Down Shopping Centre is removed. As well as this, Vodafone has confirmed that the proposed installation will also provide infrastructure capable of being upgraded for any future network demands of Vodafone.

The application confirms that the proposal would be configured to operate at radio frequency power outputs that are kept to the lowest levels commensurate with effective service provision. A ICNIRO Declaration has been submitted stating that the proposal is designed to be in full compliance with the requirements of the radio frequency (RF) guidelines of the ICNIRP for public exposure as expressed in the EU Council recommendation of July 1999. This ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed location.

The application is supported by a 'Supplementary Information' document that contains general information relating to the proposal and the process in which Vodafone Limited has taken to reach this point. Such information is summarised below for information:

- Pre-application advice was sought in July 2019 but no response was received. Officers would approach this assertion cautiously, there is no pre-application enquiry logged on the Council's

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

system, which would suggest that any enquiry from the applicant regarding this site was not submitted via the correct route.

- Cllr Denyer, Cllr Stevens, MP Thangam Debbonaire and Mama Bear's Day Nursery and Pre-School were notified of this proposal prior to the application being submitted, but it is reported that no response was received.
- The proposal is not within 3km of an aerodrome/airfield and the Civil Aviation Authority and the Secretary of State for Defence were not notified.

The Agent for the application is Sinclair Dalby Chartered Surveyors; the report refers to the Applicant and the Agent interchangeably as “the Applicant”. Over the course of the application, discussions have been ongoing with the Applicant, culminating in a Design Statement being submitted in July. This statement assesses if an alternative scheme could be designed that would have a lesser impact than the proposed development (a GRP shroud scheme). Further, a Photomontage Pack, which included a number of verified views to aid the Council’s assessment of the proposal, was included as an appendix to the design statement. In response to these details, a period of 14 days consultation occurred to enable interested parties to review and comment on this information accordingly. Importantly, these details did not materially change the proposal’s appearance. There is no relevant planning history that affects the assessment of this application.

RESPONSE TO PUBLICITY - MEMBERS OF THE PUBLIC

Nearby neighbours were notified by letter and the application was publicised by site and press notice.

In response to such consultation, 32 representations were received from 19 addresses; all representations were in objection, apart from a singular support comment. The support comment concerned the perceived benefits of ensuring the maintenance and improvement of essential services in Clifton, both from a personal and business standpoint. The objection comments are summarised below in the structure of the report:

i Character and Appearance of the Area, including the Conservation Area (see Key Issues B and C)

- The development would have a harmful impact on the Conservation Area
- The development would not be screened by trees
- The equipment would rise above nearby buildings
- The equipment would interrupt locally important views
- The equipment is not essential to the Conservation Area, hence any harm is unnecessary
- The equipment is close proximity to a nearby church
- The development would fail draft Policy DC3 of the Local Plan Review
- The equipment would make poor looking building worse
- The equipment would compete visually with church spires and domes
- Photomontage demonstrates that the apparatus would be unsightly and harmful to the Conservation Area – demonstrates an impact to a significant degree
- The photomontage is not a substitute for a site visit, as it fails to provide a fair and representative view of the proposed development in situ
- The photomontage only shows trees in full leaf

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU***ii Siting of the New Telecommunications Equipment (see Key Issue D)*

- There is no demonstrated need:
 - The presented coverage charts are misleading as the coverage in the area is already good for indoor mobile reception. This is also confirmed in the Ofcom assessment of coverage for Vodafone in the area.
 - The proposed mast location moves away from the area of perceived "poor coverage" rather than into its centre (ie. in Redland).
 - The proposal would only result in a minimal improvement to coverage
- Alternative sites should be utilised:
 - Industrial and commercial alternatives should be used
 - The proposal fails to demonstrate alternative sites are available
 - Clifton Down Shopping Centre is more appropriate than the development site.
 - Why have no other operators affected by removal of equipment at Clifton Down Shopping Centre not been affected in the same way as the applicant?
- There is no evidence to indicate that the current site is the optimum coverage site, or that the installed equipment even needs to be replaced:
 - No evidence has been provided to demonstrate that a notice to quit has been served, suggesting there is no imminent threat to the existing site and equipment. Further, Vodafone enjoys rights to keep its existing apparatus - 1954 Act or the new Electronic Communications Code.
 - There are no public plans for the demolition of Clifton Down Shopping Centre
 - General commercial area of Whiteladies Road would be a more suitable location.
 - The search area is too small and skewed. Insufficient justification for the chosen search area, including its size, and why it is not centred on the existing equipment's location.
 - It is not possible to assess the extent of the coverage that would be provided by the new site as there is not a plan showing the existing site switched off.
 - A range of sites, including the nearby HSBC Bank and those in Whiteladies Road, have the potential to offer a better solution.
- The applicant is unclear as to if the removal of the existing equipment would cause temporary or permanent disruption. A condition could limit a temporary use.

iii Perceived Health Impacts of the New Telecommunication Equipment (see Key Issue E)

- Policy DM36 of the Local Plan requires proposal to minimise any risk to public health, this suggests that there is a risk to health; the Council should eliminate health risks rather than minimising them
- Perceived health issues associated with 3G, 4G and 5G technologies
- Specific concern as to long term health risks of radiation from the resident at no. 45 Alma Road – Public Health England suggests health effects from such technologies from the general population is unlikely, it does not consider the long term effects on someone living within close proximity
- Scientific evidence has not been able to rule out a risk to health and there are residents who would be exposed 24/7
- Tree surgeons would likely need to go within 3 metres of the equipment to maintain the trees of no. 45, this would result in a health and safety risk
- This application could be "...a back door route to using 5G" which could be harmful

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

- Independent scientific resources available from groups such as 'Physicians Health Initiative for Radiation and Environment' should be reviewed
- Suggestion that the proposal will contribute to rumours concerning illnesses resulting from 5G

iv Balancing Perceived Benefits Against Perceived Harm (see Key Issue F and H)

- The preservation of the heritage asset is a factor which carries “great weight” irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (NPPF, para. 193). The applicant has not shown a clear and convincing technical case to justify this degree of harm (NPPF, para. 194). The public benefits do not outweigh the acknowledged harm to the Conservation Area, for example:
 - The site is a prominent corner of the Conservation Area, and is highly visible from surrounding residential properties and other communal open space
 - Development would only achieve a small improvement to existing coverage over a small area
- Suggestion that worsened network coverage would be preferable to the harm cause to the Conservation Area

v Other Matters (see Key Issue G)

- Perceived lack of consultation by letter from the Council
- Concern that received comments are from an address not in the vicinity of the development;
- The development would interrupt views from no. 45 Alma Road
- Objection on the grounds of factual inaccuracies within the application
- Without prejudice to the objections raised, if permission is granted, planning obligations should ensure: the site is not used for 5G services; the permission should not be used whilst the existing rooftop site (Clifton Down) is operational; and the existing equipment at Clifton Down shall be removed within 1 month of the permission becoming operational

Cllr Clive Stevens made comments in objection due to perceived harm to the Conservation Area, comments quoted verbatim below:

I object to this as I believe it will harm the look of the conservation area. If you walk (cycle or drive) down St John's Rd straight ahead of you is this building. It is not too high but an eyesore none the less. But if you add 6 x 3.5m antennas on the north end of that building it will be really detrimental to the appearance of the immediate area. As you get closer it will be "in yer face" and amplify the look of what is an eyesore already.

RESPONSE TO PUBLICITY – INTERNAL CONSULTTEES

Transport Development Management has commented as follows:-

We have considered this application and have no objection to it.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

Arboricultural Team has commented as follows:-

i Initial Comments:

The proposed telecommunications will require a crane to lift the equipment on the roof of the building. The supporting supplementary information document (Received November 2019) outlines the potential impact of retained trees in Query 2 – Impact on trees surrounding the site. This recommends a crane survey prior to the start of the development.

Due to the potential impact of crane operations in close proximity to trees we require the crane survey to be undertaken prior to consent. The details necessary are:

- Size of crane, length, width, out rigger length, boom length and the rear counter weight radius.
- Crane positioning for lifting operations and boom radius in close proximity to the retained trees.
- Storage and lifting point for telecommunication equipment.

We also require an arboricultural method statement for any operation within the red line of the development that has the potential to cause impact damage to the retained trees. This would include:

Tree protection which includes protective fencing, stem protection and ground protection where heavy vehicles can cause compaction or distortion of the existing hard surfacing.

No arboricultural documentation has been provided and therefore we would require details of access facilitation pruning and any tree removal and retention.

ii Final Comments:

At present we have not received supporting arboricultural documentation, therefore can you add the following condition as a pre-commencement condition.

Arboricultural Method Statement & Tree Protection Plan

Prior to the commencement of the development hereby approved (including all preparatory work), a scheme for the protection of retained trees, in accordance with BS5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a Details of construction within the Root Protection Area (RPA) or that may impact on the retained trees.
- b A specification for protective fencing to safeguard trees and a plan indicating the alignment of the protective fencing.
- c A specification for scaffolding and ground protection within tree protection zones.
- d Tree protection during construction on a TPP
 - Construction activities within the RPA of retained trees.
 - Crane specification, with details of crane movements, siting and boom and counter weight restrictions during lifting operations.
- e Methodology and detailed assessment of canopy or root pruning.
- f Arboricultural supervision and inspection by a suitably qualified tree specialist.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

The development thereafter shall be implemented in strict accordance with approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DM17 and pursuant to section 197 of the Town and country planning Act 1990.

City Design Group has commented as follows:-

These comments represent the combined comments of the City Design Group, including expertise from officers specialising in: the urban landscape, urban design and conservation architecture.

i Response to Initial Submission:

The development would be visible from long views, such as St John's Road and Alexandra Road; these views are likely to be filtered through the trees on these streets, albeit tree-tree canopies cannot be relied upon throughout the whole year. In terms of short views of the building, the roof is unlikely to be visible due to perspective, and there may be limited and filtered views from medium distances. Overall, the development would likely result in a low/minimal degree of less than substantial harm to the Whiteladies Road Conservation Area. The Senior Conservation Architect has confirmed that the development would have no further impact on listed buildings.

ii Response to Design Statement, including Views Montage/Assessment:

No change to overall comments, the equipment is noticeable, but the proposal does not result in significant intrusion to how the area is experienced. Whilst there is support to finishing the equipment in grey as it will be a neutral colour that would aid the structure in receding in most light conditions, the exact colour should be confirmed by condition.

The views assessment covers all of the available views. In terms of methodology, the correct lens has been used. With regard to how the image of the structure has been modelled upon the building, the applicant claims that this has been done by measuring from detail drawings; whether this is the most accurate means of modelling now available may be open to debate, but officers advise if done honestly, the images provided would have been constructed level of care proportionate to the scope of the application.

Pollution Control Team has commented as follows:-

The application is accompanied by a Declaration of Conformity with ICNIRP Public Exposure Guidelines which states that the proposed equipment at this site 'is in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP), as expressed in EU Council recommendation of 12 July 1999 (1999/519/EDC)'.

According to Government guidance on Mobile phone base stations: radio waves and health found at <https://www.gov.uk/government/publications/mobile-phone-base-stations-radio-waves-and-health/mobile-phone-base-stations-radio-waves-and-health>

'Independent expert groups in the UK and at international level have examined the accumulated body of research evidence. Their conclusions support the view that health effects are unlikely to occur if exposures are below international guideline levels'.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

No objection is raised to this application.

Nature Conservation Officer has commented as follows:-

The following advisory note is recommended: All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. If the installation of equipment is undertaken whilst birds are nesting, which is typically between 1st March and 30th September inclusive, then a check is recommended beforehand by a qualified ecological consultant. Where checks for nesting birds by a qualified ecological consultant are required they should be undertaken no more than 48 hours prior to works on buildings.

RELEVANT POLICIES AND GUIDANCE

- i National Planning Policy Framework – February 2019
- ii Planning Practice Guidance
- iii Bristol Local Plan comprising Core Strategy (Adopted June 2011),
- iv Site Allocations and Development Management Policies (Adopted July 2014)
- v Conservation Area Enhancement Statement 12. Whiteladies Road Conservation Area, 1993
- vi Policy Advice Note 15. Responding to Local Character – A Design Guide, 1998

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance (please note the above is not an exhaustive list).

The remaining report is arranged around the key issues relevant to the assessment of this planning application.

(A) Principle of Development

Policy DM36 'Telecommunications' is the key policy to be considered with regard to the application, and includes a presumption in favour of permitting new or upgraded telecommunications equipment and installations, provided that:

- i The telecommunications equipment and installation would respect the character and appearance of the area and would not be harmful to visual amenity by reason of its siting and design; and
- ii Opportunities have been sought to share masts or sites with other providers; and
- iii There are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other structures; and
- iv The proposal conforms to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators equipment located on the mast / site.

The principle of the proposed equipment is acceptable, albeit the development must meet a number of criteria, including: visual appearance, the opportunity to share equipment/sites, the availability of alternative sites, and ICNIRP guidelines. These matters are discussed in full within the remaining report. Specifically:

- Key Issue B and C review the development's impact on visual amenity (criterion i), including the proposal's heritage impact;
- Key Issue D will consider criterion ii and iii;

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

- Key Issue E will consider criterion iv;
- Key Issue F will consider the development's benefits in relation to the proposal's perceived heritage impact; and
- Key Issue G will consider outstanding issues not addressed by the other Key Issues, and Key Issue H will address the planning balance, and Key Issue I includes the recommendation.

When considering the proposal, Section 10 of the NPPF must be considered. This Section concerns high quality communications. Paragraph 112 requires decisions to support the expansion of electronic communications networks. Paragraph 113 supports the use of existing masts, buildings and other structures for new electronic communications capability. Paragraph 115 sets out a list of criteria that electronic communications development should evidence. The submission does provide evidence to meet the relevant criteria, and the development would use an existing building which is supported by the thrust of the paragraph.

(B) Heritage Policy and Guidance

The proposal is within the Whiteladies Road Conservation Area. Conservation areas are heritage assets. A 'heritage asset' is defined in the NPPF (Annex 2: Glossary) as: "*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).*" 'Significance' is defined (also in Annex 2) as "*The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*".

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) ("*Forge Field*") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

Section 16 of the national guidance within the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification.

Paragraph 194 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, paragraph 195 states that where a proposed development will lead to substantial harm to or total loss of significance of a

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Setting of a heritage asset is defined within the NPPF (Annex 2) as: *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral”*.

In addition, the adopted Bristol Core Strategy 2011, within Local Policy BCS22 of the Bristol Core Strategy (BCS) states that: *“Development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic buildings both nationally and locally listed... and conservation areas.”* Policy DM31 of the SADMP requires that *“proposals affecting locally important heritage assets should ensure they are conserved having regard to their significance and the degree of harm or loss of significance”*. It goes on to state that: *“Conserving heritage assets: Where a proposal would affect the significance of a heritage asset, including a locally listed heritage asset, or its wider historic setting, the applicant will be expected to:*

- *Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and*
- *Demonstrate that the works proposed are the minimum required to secure the long term use of the asset; and*
- *Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and*
- *Demonstrate how the local character of the area will be respected.”*

Further to this, there are also a range of design-related policies relevant to this development that all seek to achieve a high standard of urban design – Policies BCS21, DM26, DM27, DM28, DM29 and DM30. Further to these policies, the now dated Whiteladies Road Conservation Area Enhancement Statement (1993) is material to the assessment of the proposal in terms of heritage. Unsurprisingly, the Enhancement Statement is silent on telecommunication proposals. The Statement addresses the features of the Conservation Area that contribute to its significance. These predominantly include the series of irregular street grids, predominantly being composed of residential dwellings that are generally set back from the road behind medium-sized individual front gardens (one exception being Alma Vale Road). Further, the Statement suggests that a considerable extent of the Conservation Area *“...relies on the subtle combination of mainly domestic qualities: solidly built, substantial villas and terraces in local Brandon Hill, and Bathstone with interesting and varied elevational use of classical architectural motifs; well constructed boundary walls in local stone complementing the buildings and harmonising the ground level environment; attractive gardens; trees of good stature in streets and gardens”* (Page 45-46). The statement largely considers the key issues facing the Conservation Area to be those of: traffic and movement, both static and moving vehicles; the loss of retail uses in shopping frontages; and townscape issues, the statement highlights the importance of trees and front gardens.

Development Control Committee B – 9 December 2020
Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU

(C) Heritage and Design Assessment

The proposal is to locate the antennas on tripod mounts at the North-western edge of the building. The top of the antennas will be 3.5m above the roof level. The equipment cabinets will be mounted in the centre of the buildings and are unlikely to be visible from ground level views. In order to provide coverage the antennas must oversail the surrounding clutter and be located on a building of the same height as the surrounding buildings. The applicant suggests that the proposal represents a modest uplift in height that would not be a significant alteration to the appearance of the building or the area; and the development would not interrupt any existing views. Further, the applicant reports that the development would have less than substantial harm to the Conservation Area, but such harm would, in their opinion, be offset by the benefits that maintained connectivity in the area would provide. Further to this, the applicant states that:

“It is not possible to provide coverage to the target area from outside the conservation area and the site selected is a building of no particular merit at the same height as its neighbours that interrupt no important sight lines”.

Key Issue D discusses the siting of the equipment, and based on the information provided, concludes that applicant's assertion is reasonable; specifically that installation has to be in the Conservation Area in order to provide coverage to the target area. This is significant, as it suggests the equipment cannot be located outside of the Conservation Area, where it would likely have a lesser impact.

The design of the proposed equipment reflects its function and is not considered to preserve or enhance the character of the Conservation Area. The majority of the equipment will be finished in grey which will help to reduce its visual impact, a condition is recommended to ensure this. It is also important to consider that the equipment will not be seen in its entirety from one vantage point. The existing Telephone Exchange building is considered to have limited historic or architectural merit, and is composed of a series of connected predominantly three storey elements. The existing building therefore represents a more appropriate building to locate the equipment within this Conservation Area, than for example, buildings within the area of historic or architectural importance. The trees that provide generous screening to the western and southern boundaries of the site are considered to contribute positively to the character of the Conservation Area. Whilst officers appreciate that trees in the immediate area will affect the experience of views of the equipment, in some cases providing screening, officers have been careful to not rely on this in their assessment, largely as the trees' leaf coverage reduces significantly in autumn and winter months.

The assessment of how visually apparent the proposal would be is included below, this is necessary in order assess the degree of harm the development's impact on the Conservation Area, as how visible the proposal is, and from where, affects the degree of harm the development represents. The proposal is supported by a Photomontage, and officers have visited the site and the surrounding area, to undertake their own assessment. The City Design Group has confirmed that the Photomontage addresses all of the available views, and considers the methodology to be acceptable for this proposal. Officers note criticism from members of the public in relation to the Photomontage, which largely concern the images being taken in the summer, rather than in the winter where tree cover would be limited. To provide the most representative picture of the proposal, it would be helpful for a views assessment to occur in both autumn/winter and spring/summer months. Nevertheless, officers advise that despite the omission of an autumn/winter assessment, there is sufficient information

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

available to make a well-informed and sound decision as to the proposal's impact on the Conservation Area. Further, officers would advise interested parties, that the assessment of this application has benefited from visits to the site and surrounding area in late autumn, where trees were predominantly without their leaves.

Turning to the assessment of the proposal's visibility, the site sits on St John's Road between Alma Road to the south and Alma Vale Road to the north. Short range views of the proposal from the immediate area surrounding the site would be limited, largely as experience would suggest that when in the immediate of a three storey building; views would be drawn to the body of the building, rather than the proposed equipment on the roof. Members of the public have criticised the submitted Photomontage on the grounds of limited views from the immediate area adjacent to the site, but for the reasons discussed above, officers consider this omission to be acceptable.

Vantage points from St John's Road are likely to provide the clearest views of the proposal. Indeed, from the junction of Alma Vale Road, St Johns Road rises to the north, and as Cllr Steven's and members of the public have commented, when looking down St John's Road, clearer views of elements of the overall proposal would be achieved. For example, Images 2 and 3 of the Photomontage demonstrate that views would be achieved of the 6 antennas and their accompanying supports. The colour of the equipment combined with their relative slender profile does help to reduce the visual impact, as does other street scene and street scape features. Officers are aware that Images 3 a. and 3 b. have falsely changed the colour of the sky from presumably a blue, to grey, and this aids in reducing the visual apparentness of the equipment, officers would like to reassure interested parties, that officers' assessment has been adjusted accordingly.

The Photomontage does not include longer-range views from St John's Road, presumably as the proposal's equipment is likely to be at its most visible from where Images 2 and 3 are taken. However, officers have surveyed the site from further to the north of St John's Road, specifically from near the following junctions Whatley Road, Chantry Road and Beaufort Road. Long range views of the equipment would be possible, however the length of the distances combined with the street trees (even during winter months), would mean the proposed equipment would not be overly dominant or apparent when experiencing the Conservation Area as a pedestrian. It is true that proposed equipment would be more apparent for those driving down St John's Road, rather than pedestrians on the pavement, albeit these views would also be influenced by the street trees (at any time of the year), and such views do diminish with distance. To summarise, officers would advise that views of the proposal would be most visible, and thereby harmful, for a small but nevertheless important section of St John's Road, between the junctions of Alma Vale Road and All Saint's Road.

When walking from the west on Alma Vale Road, the existing building becomes visible just before the end of the terrace that includes the shopping frontage. From there, the proposed equipment would be very visible due to a break in street tree planting. This is clear from Image 1 of the Photomontage that provides a view from a pedestrian-perspective looking to the south east across the open grounds of Alma Church. However, from the visiting the site, it is relatively clear that where street trees are in situ, they would filter views, especially when approaching the junction with St John's Road, and this is irrespective of whether the trees are in leaf or not. From the eastern side of Alma Vale Road in relation to St John's Road and the site, views are unlikely, and this is reflected by Image 4 of the Photomontage.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

The development is less visible from the south. The Photomontage includes a view from the junction St John's Road and Alma Road, it is Image 8 within the body of the Photomontage Pack, but incorrectly labelled as Image 7 on the first page. From this position, the equipment would not be visible in the summer months due to tree cover, but would be more visible in the winter months, albeit such views would still be heavily disrupted by trees, and the bulk of the equipment is located further to the north of the existing building's roof (i.e. the antennas and their supports). These views would therefore have a minimal impact on the Conservation Area's setting, given they would be limited and disrupted glimpses only available in winter months. A similar conclusion is reached when viewing the development from the junction of Hanbury Road, Leigh Road and Alma Road. Images 6 and 7 of the Photomontage are views from Alexandra Road; these suggest the equipment would not be overly visible, largely due to its position on the roof toward the northern side of the building. Similarly, views from the junction of Alma Road and Alma Road Avenue would be unlikely. Overall, when viewing the site from the south, only in very limited positions would meaningful views of the equipment occur (largely from the junction of Alma Road and St John's Road). This is predominantly due to the position of the equipment on the roof of the building, and to a lesser degree, due to existing trees in the area that even without their leaves would filter views.

In summary, there would be limited short term views when adjacent to the site, short-to-medium views from the west-side of Alma Vale Road, and of most concern short and medium-distance views from St John's Road. These views would be of fairly unsightly equipment, which is not consistent with the wider character of the Conservation Area. Officers consider it necessary to consider policy DM31, which sets out a number of expectations for proposals that would affect the significance of a heritage asset. In such cases, the policy expects submissions to:

- i Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and*
- ii Demonstrate that the works proposed are the minimum required to secure the long term use of the asset; and*
- iii Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and*
- iv Demonstrate how the local character of the area will be respected."*

In respect of criteria i, the Applicant has demonstrated that reasonable efforts have been made to mitigate the extent of the proposal's harm to the Conservation Area. For example, a GRP shroud was considered to screen the equipment, but this was considered to be more harmful than the proposal itself (see Appendix 3 of the Design Statement). Further, the more offending equipment is grouped, rather than spread across the whole the building, limiting its impact on the Conservation Area to predominantly St John's Road / Alma Vale Road area. Criteria ii is not relevant to this proposal; given the asset in question is the Conservation Area. In terms of the significance of the Conservation Area, the proposal is located on top of a building that is not considered to contribute positively to the historic or architectural significance of the Conservation Area. The proposal does introduce antennas and associated structures that are fairly unsightly, and not overly in-keeping with the character of the area. However, by nature of the proposal's siting and relatively limited impact on the experience of the Conservation Area (as discussed above), officers would advise that the features of the Conservation Area that contribute to its historical, archaeological, social, artistic or architectural interest will be retained (criteria iii). Nevertheless, officers cannot conclude that the proposed equipment respects the local character of the area, as expected by criteria iv. As such, officers advise that the proposal would

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

result in limited harm to the significance of the Conservation Area, which is contrary to the expectations of policies BCS22 and DM31, including criteria i of policy DM36.

The City Design Group agrees with this assessment, but importantly considers that the development would likely result in a low degree of less than substantial harm to the Whiteladies Road Conservation Area. This is important, as whilst decision-takers must give that harm considerable importance and weight, the degree of negative weight to associate with the proposal's harmful impact on the Conservation Area, is influenced by the degree of harm.

As members are aware, when determining planning applications, decision-takers are required to determine application in accordance with adopted Development Plan policy, unless other material planning considerations indicate otherwise. In this case, officers do consider that other material planning considerations exist that must be taken into account, as whilst the proposal does not meet planning policy with regard to its heritage impact, the public benefits that would flow from the development must be considered – please see Key Issue F for this assessment.

Further to the Whiteladies Road Conservation Area, officers have also considered the proposal's impact on the adjacent Clifton and Hotwells Conservation Area, and consider that the development is unlikely to materially impact this heritage asset. The Council's Conservation Architect has advised that the proposal would not materially impact any listed building in the vicinity.

(D) Location of New Telecommunications Equipment

This Key Issue will consider criteria ii and iii of policy DM36, paragraphs 113, 114 and 115 of the NPPF.

ii Opportunities have been sought to share masts or sites with other providers.

When considering this criterion, it is vital to understand the coverage area for which the proposed equipment would serve, as this necessitates the area where the proposed equipment needs to be located in order to maintain existing network coverage, and hence the area in which alternative masts or sites could be used. The proposal is suggested to be required, as existing equipment at Clifton Down Shopping Centre is to be removed. The application submits within the 'Supplementary Information' document:

"In relocating this site within the immediate area, existing network coverage and capacity will be maintained, and there will be no coverage loss to be incurred by network users. The closer the new site is to the existing site which is proposed to be removed, the more precisely the existing coverage will be replicated and it will avoid creating coverage gaps where none currently exist." (Section 4).

This statement is reflected in the proposal's location, which is less than 200 metres to the south west of Clifton Down Shopping Centre. In response to officer requests, a map to demonstrate the search area was submitted (see appendices/supporting documents). Whilst this does appear fairly arbitrary, the Applicant has explained the methodology for the red circle on the maps. Specifically, that as explained above, the search area is largely determined by the coverage area of the existing equipment, as the proposal is to replace this. In this way, the red circle indicates that the search area is principally motivated by the need for the replacement equipment to be located close to the existing site, in order to prevent a loss of coverage within the network, given that the surrounding network has been designed around the existing equipment at the Shopping Centre. The search area map combined with the applicant's explanation, demonstrates that the search area is confined to the

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

Whiteladies Road Conservation Area only, meaning it is not possible to locate the proposed equipment in a less architecturally and historically sensitive area (e.g. outside of the Conservation Area) without compromising coverage.

Turning to whether alternative sites or masts within the search area could be shared, the Applicant has confirmed that there are no existing masts within the search area, apart from at Clifton Down Shopping Centre. The Applicant supported this assertion with an extract from the web resource, 'Mast Data', which demonstrates there are no other existing applicable telecommunication installations in the relevant area, apart from those at the Shopping Centre. Indeed, from reviewing the planning record, it is clear that the Shopping Centre accommodates equipment operated by other providers to Vodafone. For example, in 2017, planning permission was granted to upgrade existing telecommunications equipment at the Shopping Centre (ref. 17/04972/F); the applicant in this case was MBNL, on behalf of Hutchinson 3G (Three) and Everything Everywhere (EE). Officers have asked the agent if, other to their own equipment at the Shopping Centre, is there any other equipment that could be shared, such as the equipment operated by Three and EE. The applicant responded to this query, stating that the Managing Agent representing the Landlord for the Shopping Centre, has confirmed that notices to quit have been served on all Telecoms Operators in occupation of the Shopping Centre. This is the limit of evidence provided to support the Applicant's assertion that the existing equipment at Clifton Down Shopping Centre will be removed in future. However, officers advise members that it should be taken 'as read' that the equipment will be removed, as officers have no evidence to suggest otherwise. Further to this, paragraph 116 states that local planning authorities must not question the need for an electronic communications system.

In accordance with paragraph 113 and 115 of the NPPF, the proposal utilises an existing building, and it has been demonstrated that existing sites and equipment cannot be shared to meet the coverage need. In summary, officers recommend that on balance, criteria ii of policy DM36 is met.

iii There are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other structures.

The Applicant has followed the guidance within paragraph 115 of the NPPF so far as choosing to erect the antennas on an existing building, rather than proposing a new structure in itself. Turning to what type of building would be appropriate; the Supplementary Statement suggests that the height of the equipment needs to be as close to that of the existing masts on Clifton Down Shopping Centre: approximately 6 storeys. Further, the Applicant reports that the most suitable surface to mount the equipment is a flat roof, with sufficient load bearing capacity and structural integrity to enable the mounting equipment to be affixed without impacting on the stability of the structure. So in short, officers consider that a suitable building would need to be as close to 6 storeys in height with a flat roof of suitable structural integrity. The required location of the equipment has been discussed above, and officers understand that the equipment must be located in close proximity to the existing site in order to not detrimentally impact coverage.

Clifton Down Shopping Centre does not represent a suitable alternative site for telecommunications development available in the locality, as the applicant has informed officers the existing equipment will be removed in future. Specifically, the Applicant has advised that a Notice to Quit was served in 2018 with regard to the Applicant's equipment at the site, and their equipment only remains on the rooftop by rolling extension in order to hold off legal proceedings pending planning permission being granted for an alternative replacement site. Similarly, the Applicant advises that the Managing Agent representing the Landlord for the Shopping Centre has confirmed that notices have been served on all

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

Telecoms Operators at the Shopping Centre. In terms of the future removal of Vodafone's equipment, the only evidence provided by the Applicant has been confirmation in writing that a Notice to Quit has been served on Vodafone requiring the existing equipment to be removed. Given comments from members of the public, a copy of the Notice to Quit was requested by officers, but it was not provided due to confidentiality. Nevertheless, the applicant/agent for the planning application is a Chartered Surveyor and Registered Valuer, and hence it would be unreasonable to not consider such information to be factually correct, especially when officers have no evidence to the contrary.

The Applicant has advised that if planning consent for a replacement site cannot be secured, then there is a risk that the coverage in this part of Bristol may be lost. Further, officers are aware of the instructions included within paragraph 116 of the NPPF, where local planning authorities are advised to not "...question the need for an electronic communication system".

A member of the public has suggested that if permission is granted, planning obligations should be secured to ensure that the permission should not be used whilst the existing rooftop site (Clifton Down) is operational; and the existing equipment at Clifton Down Shopping Centre shall be removed within 1 month of the permission becoming operational. The PPG advises that planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms (paragraph 002, Ref. ID: 22b-002-20190901). Specifically, the paragraph states they must be:

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

It is officers' opinion that the suggested planning obligations are not necessary to make the development acceptable in planning terms. For example, paragraph 116 warns local planning authorities to not question the need for an electronic communication system. Further, officers would advise that members should take it 'as read' that the removal of the equipment at Clifton Down Shopping Centre is expected, given the applicant's advice that a Notice to Quit has been served on Vodafone. It is also reasonable to conclude that it would not be economically advantageous for the Applicant to retain the installation at Clifton Down Shopping Centre, as the installations would be providing coverage to the same areas, especially as the submitted coverage maps suggest that the proposal would not provide an increased quality of 4G coverage compared to the existing situation.

The supporting information includes a number of rooftop sites within the search area that were investigated and discounted. These rooftop sites include: Tynedale Baptist Church, Canynge Hall and Clifton Down Station. These sites were discounted for a number of reasons, including: building height not being sufficient to provide coverage and the suitability of the existing rooftop to house the proposed equipment. A member of the public has suggested that the installation would be less incongruous if it was erected somewhere on Whiteladies Road. Officers understand this assertion, and have put this to the Applicant, identifying, for example, 40 Whiteladies Road and 44 – 52 Whiteladies Road as potential alternative sites given they are in the search area, are taller buildings within the area, and have flat roofs. In response to this, the applicant has discounted no. 40 Whiteladies Road, as whilst the roof is flat, the top floor is a penthouse apartment, meaning in order to install the equipment, it would be necessary for steelwork to be provided to penetrate the fabric of the residential accommodation. Further to this, access to the building would be needed in order to build and maintain the equipment. As such, the agent for the application has advised that this roof is not

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

suitable for a commercial telecoms installation. The agent for the application has also discounted nos. 44-52 Whiteladies Road, as although the roof is flat, the buildings are of insufficient height as they are single storey. Further to these sites, a member of the public has suggested the HSBC Bank on Whiteladies Road at the corner of Redland Park Road, as it has a large, accessible flat roof. However, the Applicant has stated that this location is outside of the relevant search area, and fixing the equipment in this location would reduce coverage compared to the existing situation.

Without any evidence to the contrary, officers consider that the Applicant has demonstrated that within the search area, there are no suitable alternative sites for telecommunications development available in the locality, including the erection of antennae on existing buildings or other structures.

Regarding paragraph 114 of the NPPF, no evidence has been provided to suggest that the proposal would cause significant and irremediable interference with other electrical equipment (a), and criteria b is not relevant to the development.

Comments from members of the public question the development's proximity to existing residential development, however the NPPF is clear, in that local planning authorities should not impose a ban on new equipment, or insist on minimum distances between new electronic equipment and existing development (paragraph 114).

In summary, officers consider that on the basis of the provided information, the application meets criteria iii of policy DM36.

(E) Health Issues and Residential Amenity

Officers understand neighbours' concerns as to potential health impact from the development, and relevant planning policy and guidance exists to safeguard telecommunications impacts on health, for example, criteria iv of policy DM36 and paragraph 116 of the NPPF.

Criterion iv requires proposals to conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators equipment located on the mast / site.

Similarly, paragraph 116 of the NPPF states: *Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.*

The application is supported by a letter from a Project Manager at Cornerstone with regard to the proposal, and confirms that the proposal is designed to be in full compliance with the requirements if the radio frequency public exposure guidelines of the ICNIRP. The letter goes on to state that the ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed location. A comment from a neighbour questions whether the declaration takes into account the cumulative emissions of the equipment at Clifton Down Shopping Centre, the applicant responded to this by confirming the declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed location.

The Pollution Control Team raised no objection to the development on health and safety grounds given the submission of the ICNIRP declaration and Government guidance.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

Officers note comments from members of the public concerning health impact of the development further than the ICNIRP declaration, including scenarios regarding works to nearby trees. The NPPF makes clear that local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure. The applicant has demonstrated through the submission of an ICNIRP declaration that the proposal meets the health-related requirements as set out in planning policy and guidance. As such, officers recommend that no objections to this development should be held with regard to the proposal's health impact, given the development meets criterion iv of policy DM36 and paragraph 116 of the NPPF.

The proposal would not unacceptably prejudice the residential amenity of neighbours by nature of privacy, outlook or levels of light.

(F) Public Benefits vs. Perceived Harm to the Conservation Area

The proposal would result in limited harm to the significance of the Conservation Area, which is contrary to the expectations of policies BCS22 and DM31, including criteria i of policy DM36. Specifically, the City Design Group considers that the development would likely result in a low degree of less than substantial harm to the Whiteladies Road Conservation Area.

As required by paragraph 193 of the NPPF, great weight should be given to the Conservation Area's conservation, irrespective of the level of harm to its significance. Further, clear and convincing justification is required for any harm to the significance of the Conservation Area (paragraph 194). As per paragraph 196 of the NPPF, the harm posed to the Conservation Area by the development, must be weighed against proposal's benefits. The proposal would result in limited harm of a less than substantial nature to the Conservation Area. Whilst attributing great weight to the Conservation Area's conservation, clear and convincing justification has been provided, as per the expectations of criteria ii and iii of policy DM36.

When balancing the public benefits of a development against identified harm to a heritage asset, case law has made it clear that there is a strong presumption against planning permission being granted. This presumption is not just in planning policy and guidance, but also within the Planning (Listed Buildings and Conservation Areas) Act 1990. The presumption is therefore a statutory one. This is not to say, the presumption against approving is irrebuttable, it can be outweighed by material considerations powerful enough to do so. However, the local planning authority must when striking the balance between harm to a heritage asset on the one hand and planning benefits on the other, consciously consider the statutory presumption in favour of preservation, and this must be demonstrable in the balance.

Paragraph 112 of the NPPF considers high quality and reliable infrastructure to be essential to economic growth and social well-being. The paragraph continues, expecting planning decisions to support the expansion of electronic communication networks. The development is not the expansion of a network; rather it forms essential works to maintain an existing network. The Applicant advises that were the application refused, and the existing equipment removed at the Shopping Centre as planned, it is likely that high quality and reliable 3G and 4G coverage for the surrounding area would materially suffer, which paragraph 112 of the NPPF suggests would be to the detriment of economic growth and social well-being. Indeed, this loss of 4G coverage is evidenced by the submitted maps titled: 'Existing LTE 4G Coverage without [the Shopping Centre]' and 'Proposed LTE (4G) Coverage

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

with the new site. Further, paragraph 113 highlights the need for electronic communications masts, and the sites for such installations, to be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Opportunities to share with other providers is not possible, and alternative sites for the equipment outside of the Conservation Area are not applicable. Hence, as encouraged by paragraph 113 and 115 of the NPPF, an existing building is being utilised, rather than a stand-alone structure which would likely cause more harm to the Conservation Area. The Applicant's submission does suggest that the proposal would form an installation necessary to ensure network coverage, in a manner that is consistent with the needs of consumers and the efficient operation of the network, to which positive weight should be attached.

Officers advise members, that the proposal would cause limited harm to the significance of the Conservation Area, and whilst great weight has been afforded to the Conservation Area's conservation, in this case the proposal's perceived benefits associated with ensuring consistent 3G and 4G coverage tips the balance in favour of approving this application. In undertaking this balancing exercise, officers have attributed considerable importance and weight to the protection of the affected heritage asset, and this has been weighed against the identified public benefits. In this circumstance, officers consider the presumption against planning permission being granted has been overridden in favour of the development which is desirable on the grounds of the discussed public benefits. The same conclusion is reached with regards to the referenced design and heritage related Development Plan policies. In summary, the motivation for this application is to replace an existing telecommunications installation at Clifton Down Shopping Centre in order to ensure 3G and 4G coverage is not diminished. The location of the existing equipment means the installation has to be within the Conservation Area, and officers advise that on the hierarchy of harm, the proposal is likely to pose the least harm to the Conservation Area, whilst maintaining 3G and 4G coverage.

Overall, officers advise members, that on balance, the proposal's harm to the significance of the Conservation Area is materially outweighed by the public benefits that would flow from this development. Given the proposal's harmful impact, a condition is recommended to require the equipment to be removed at the end of its operational life.

(G) Other Issues

i Nature Conservation

The Council's Nature Conservation Officer has advised an informative note be appended to the decision notice regarding birds nesting on the roof of the site. If the development is approved, the informative note will be added to the decision notice.

ii Arboriculture

The construction associated with the development has the potential to harm a number of on-site trees. The Council's Arboricultural Officer has advised that details of tree protection are required to ensure that those trees are not harmed. Officers therefore recommend that the condition suggested within the Arboricultural Officer's comments is applied.

Development Control Committee B – 9 December 2020**Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU**

iii The Generation of the Technology

A number of comments from members of the public have expressed concerns as to the site being used for 5G technology. The submission suggests the equipment is capable of providing 3G and 4G coverage only, albeit the supporting documents confirms that the equipment would be capable of being upgraded in future. The Applicant has confirmed that it would be possible to upgrade the proposed equipment to provide 5G in future. To do so, the antennas would need revising, and given the context of the site and the different nature of the antennas, the Applicant advises a new planning application would likely be required. A member of the public has suggested that a condition should be imposed in the event of approval, to restrict the use of the site to provide 3G and 4G only, rather than 5G. Such a condition would be unnecessary, as the Local Planning Authority is assessing the proposed development, rather than the technology. Further, even if there was a planning reason to resist 5G technologies, which there is not, the Applicant's explanation suggests that a condition would not be necessary, given the likely requirement for planning permission.

iv Equalities Impact 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. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

v Community Infrastructure Levy

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

(H) Planning Balance

Officers acknowledge that when reaching a recommendation for this application, a balanced judgement is needed and has been taken. For example, the proposal represents less than substantial harm to the Whiteladies Road Conservation Area. Against these negative aspects it is necessary to consider the public benefits that will flow from the development; and these are significant enough to outweigh this identified harm – see Key Issue F for full explanation of public benefits. As such, officers consider that on balance, the application should be granted planning permission, subject to conditions.

(I) Recommendation

RECOMMENDED GRANT subject to condition(s)

Delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018. A summary of the likely conditions is included below, the list is not exhaustive.

Development Control Committee B – 9 December 2020

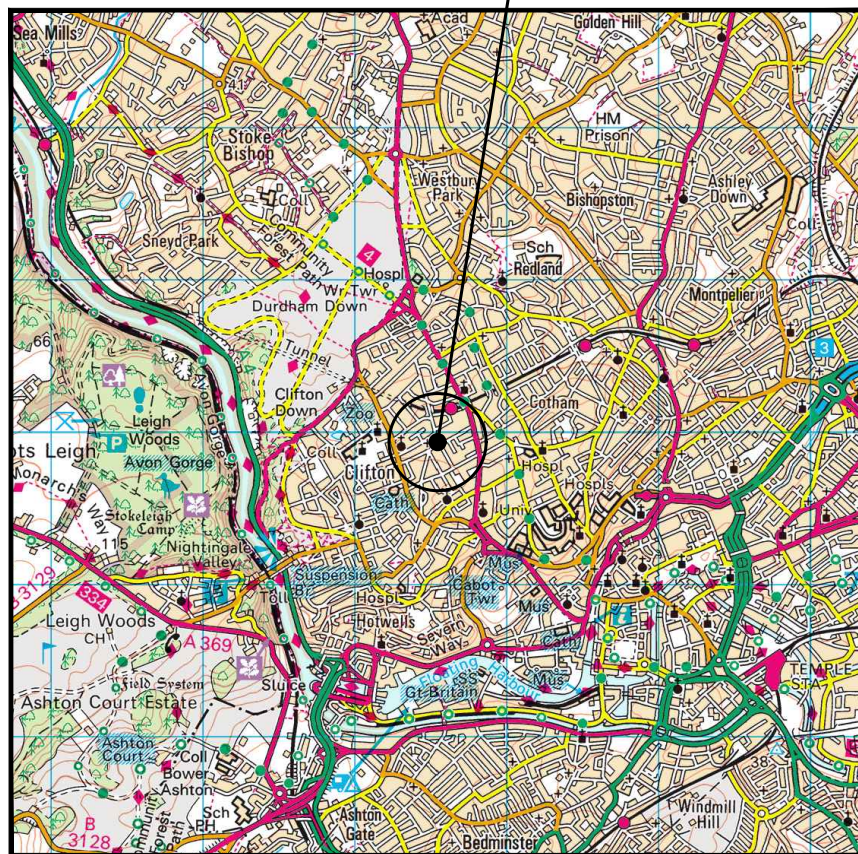
Application No. 19/04167/F : Telephone Exchange St Johns Road Clifton Bristol BS8 2EU

- A condition to require the development to commence within 3 years of the date of permission.
- A condition to require the development to be carried out in accordance with the approved plans.
- A condition to require/ensure the colour(s) of the antennas, mounting poles/frames, cabinets and handrail are acceptable.
- A condition to require the submission of an Arboricultural Method Statement & Tree Protection Plan prior to the commencement of development, and the implementation of such measures thereafter.
- A condition to ensure the approved equipment is removed when it is no longer operational.

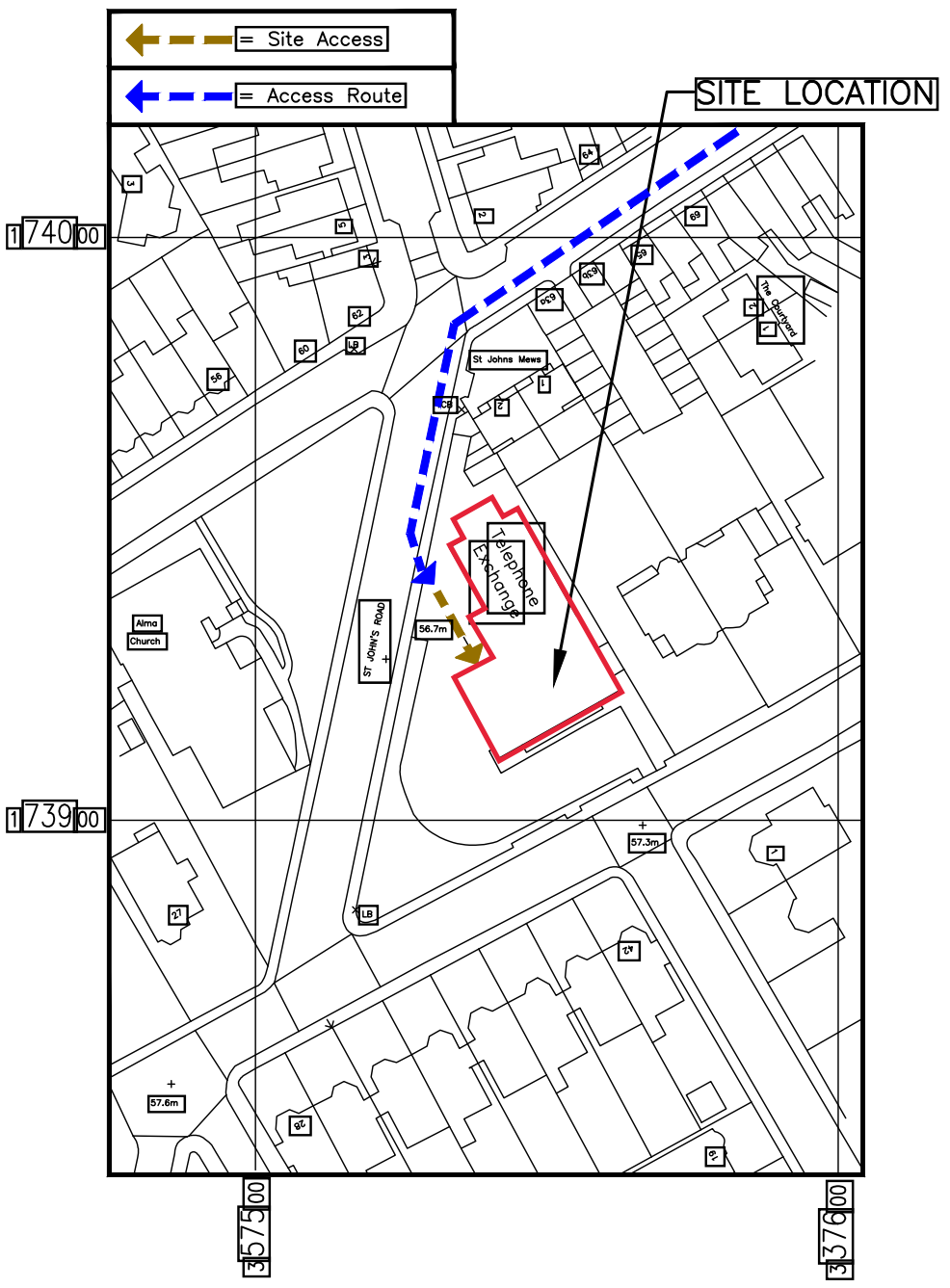
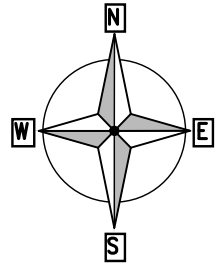
Supporting Documents

2. Telephone Exchange, St Johns Road

1. Site Location Plan
2. Proposed Site Plan, dwg no. 201 B
3. Proposed South West Elevation, dwg no. 301B
4. Proposed North West Elevation, dwg no. 303 A
5. Proposed South East Elevation, dwg no. 307 A
6. Proposed North East Elevation, dwg no. 305 A
7. Photomontage, Image 1 a. and b
8. Photomontage, Image 2 a. and b
9. Photomontage, Image 3 a. and b
10. Vodafone – Map of Search Area



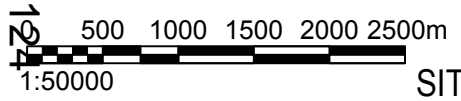
SITE LOCATION



DETAILED SITE LOCATION
(Scale 1:1250)

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Page 12

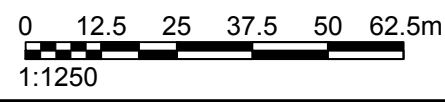


SITE LOCATION
(Scale 1:50000)

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SITE PHOTOGRAPH



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N.G.R E: 357550 N: 173926

CONCESSION REQUIRED NO

DIRECTIONS TO SITE:
HEADING NORTH ON M5 EXIT AT JUNCTION 18 TOWARD A4. AT THE ROUNDABOUT TAKE 2ND EXIT ONTO A4 AND FOLLOW FOR 4.8mi. TAKE SHARP LEFT ONTO A4176 (BRIDGE VALLEY ROAD) AFTER 0.8mi TURN RIGHT ONTO PEMBROKE ROAD (B4467). AFTER 0.4mi TURN LEFT ONTO ALMA ROAD. FOLLOW FOR 0.1mi AND TURN LEFT ONTO ST JOHN'S ROAD. SITE WILL BE ON THE LEFT HAND SIDE.

NOTES:

Issued for Approval	OG	RWB	21.03.19
REV	MODIFICATION	BY	CH DATE

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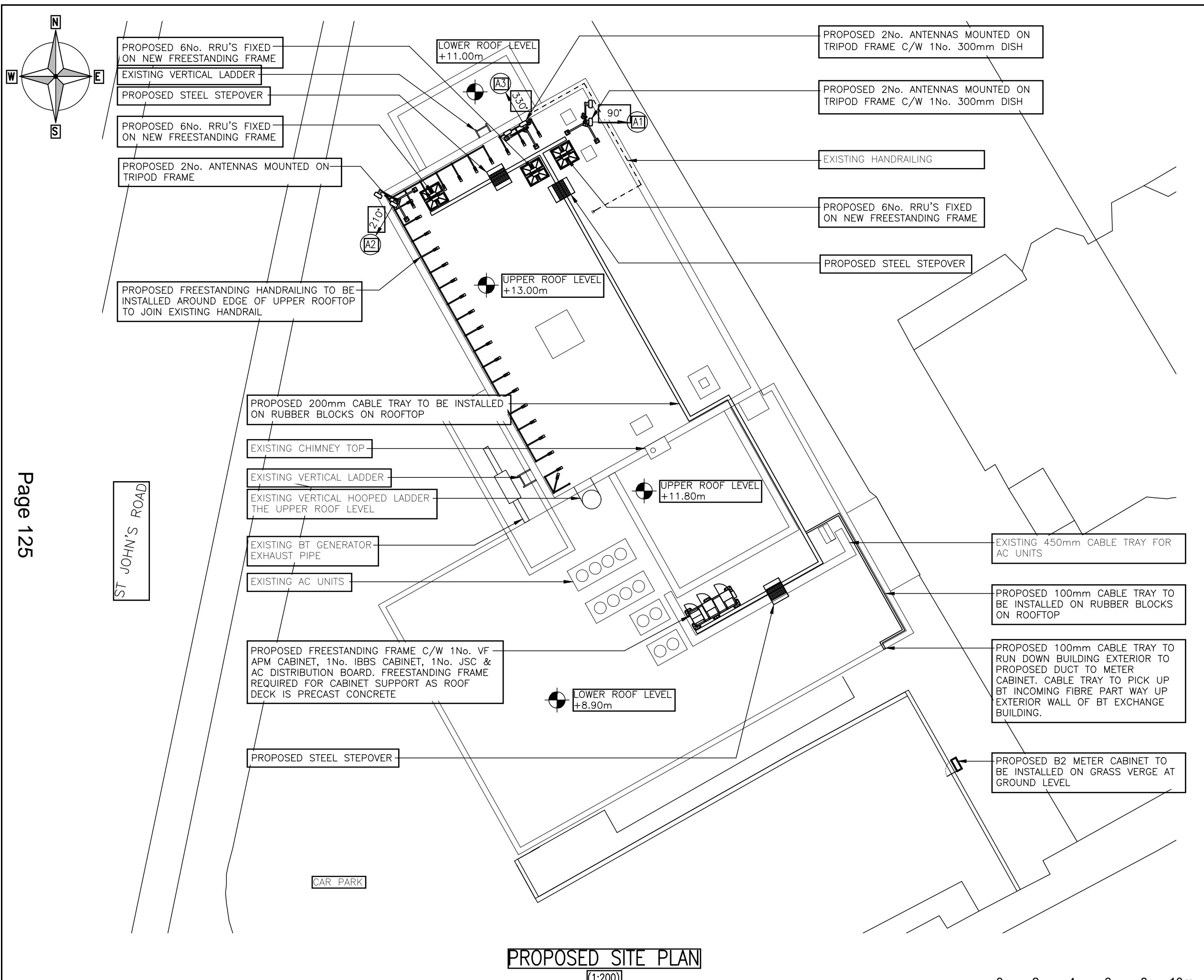
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Site Address / Contact Details
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ST JOHN'S ROAD
CLIFTON
BRISTOL
BS8 2ES

Drawing Title:		SITE LOCATION MAPS	
Purpose of issue:		PLANNING	
Drawing Number:		100	
Surveyed By:		Original Sheet Size: A3	
Drawn:		Pack Issue:	
OG	Date: 21.03.19	Checked: RWB	Date: 21.03.19

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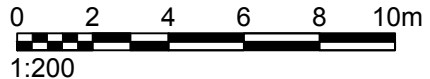


Page 125

ST JOHN'S ROAD

CAR PARK

PROPOSED SITE PLAN
(1:200)



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NOTES:

REV	MODIFICATION	BY	CH	DATE
B	Cabinets Changed, Antennas Added	MF	RWB	17.06.19
A	Issued for Approval	OG	RWB	21.03.19

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245080	<input type="checkbox"/>	17034

Site Address / Contact Details

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Drawing Title: **PROPOSED SITE PLAN**

Purpose of issue: **PLANNING** Dwg Rev:

Drawing Number: **201**

Surveyed By: **RB** Original Sheet Size: **A3** Pack Issue:

Drawn: **OG** Date: **21.03.19** Checked: **RWB** Date: **21.03.19**

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Designed in accordance with CTIL document: SDN0008

PROPOSED 6No. RRU'S FIXED ON NEW FREESTANDING FRAME

PROPOSED 2No. ANTENNAS MOUNTED ON TRIPOD FRAME C/W 1No. 300mm DISH

PROPOSED 6No. RRU'S FIXED ON NEW FREESTANDING FRAME

PROPOSED 2No. ANTENNAS MOUNTED ON TRIPOD FRAME

TOP OF PROPOSED ANTENNAS +16.50m AGL

U/S OF PROPOSED ANTENNAS +14.50m AGL

UPPER ROOF LEVEL +13.00m AGL

LOWER ROOF LEVEL +11.00m AGL

LOWER ROOF LEVEL +8.90m AGL

C.L.

PROPOSED FREESTANDING HANDRAILING TO BE INSTALLED AROUND EDGE OF UPPER ROOFTOP TO JOIN EXISTING HANDRAIL

C/L OF PROPOSED DISHES +15.50m AGL

EXISTING HOOPED VERTICAL LADDER TO UPPER ROOFTOP

EXISTING CHIMNEY POT

PROPOSED FREESTANDING FRAME C/W 1No. VF APM CABINET, 1No. IBBS CABINET, 1No. JSC & AC DISTRIBUTION BOARD. FREESTANDING FRAME REQUIRED FOR CABINET SUPPORT AS ROOF DECK IS PRECAST CONCRETE

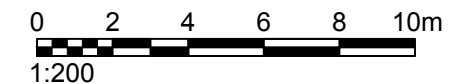
EXISTING PARAPET WALL

PROPOSED 100mm CABLE TRAY TO RUN DOWN BUILDING EXTERIOR TO PROPOSED DUCT TO METER CABINET. CABLE TRAY TO PICK UP BT INCOMING FIBRE PART WAY UP EXTERIOR WALL OF BT EXCHANGE BUILDING.

PROPOSED B2 METER CABINET TO BE INSTALLED ON GRASS VERGE AT GROUND LEVEL

PROPOSED SOUTH WEST ELEVATION

(1:200)



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B	Cabinets Changed, Antennas Added	MF	RWB	17.06.19
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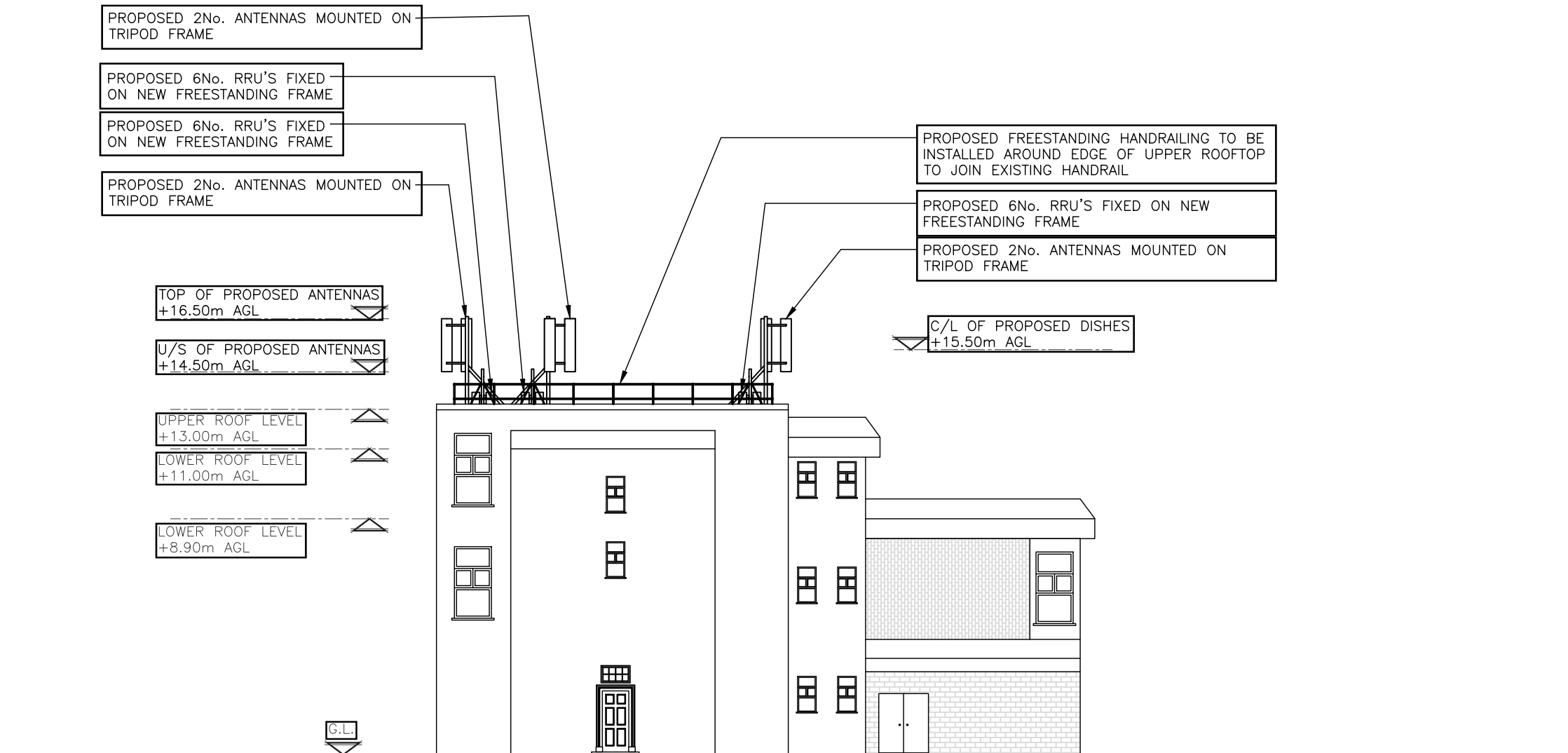
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BRISTOL
BS8 2ES

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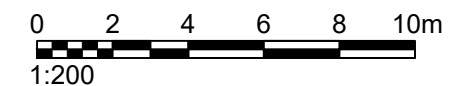
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PROPOSED NORTH WEST ELEVATION
(1:200)



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CONCESSION REQUIRED NO

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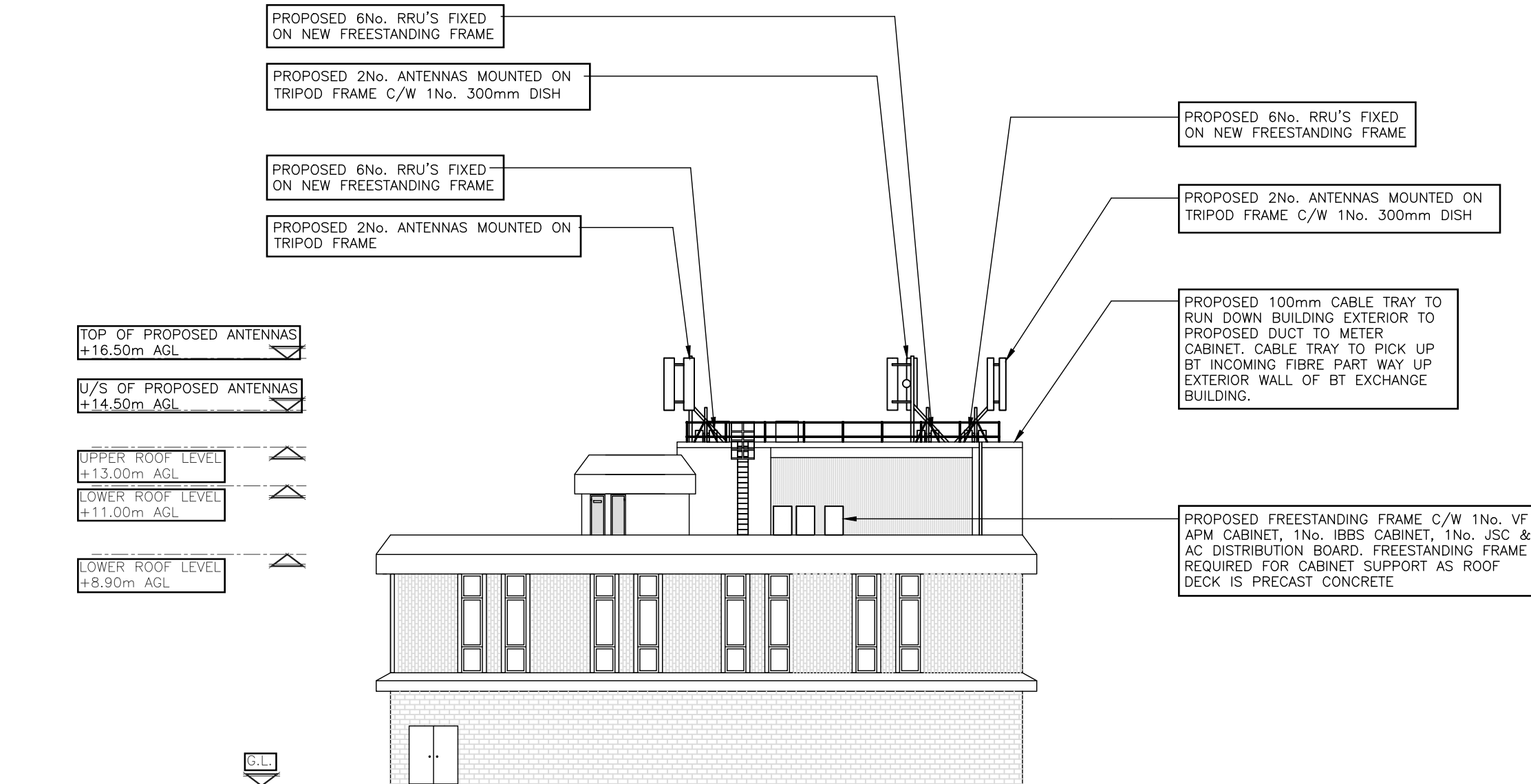
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CLIFTON
BRISTOL
BS8 2ES

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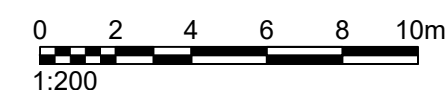
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PROPOSED SOUTH EAST ELEVATION
(1:200)



The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.
Designed in accordance with CTIL document: SDN0008

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N.G.R E: 357550 N: 173926

CONCESSION REQUIRED NO

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Cell ID No

CTIL	TEF	VF
245080	N/A	17034

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CLIFTON
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BS8 2ES

Drawing Title: **PROPOSED SE SITE ELEVATION**

Purpose of issue: **CONSTRUCTION**

Drawing Number: **307**

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PROPOSED 2No. ANTENNAS MOUNTED ON TRIPOD FRAME C/W 1No. 300mm DISH

PROPOSED 2No. ANTENNAS MOUNTED ON TRIPOD FRAME C/W 1No. 300mm DISH

PROPOSED 6No. RRU'S FIXED ON NEW FREESTANDING FRAME



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U/S OF PROPOSED ANTENNAS +14.50m AGL

UPPER ROOF LEVEL +13.00m AGL

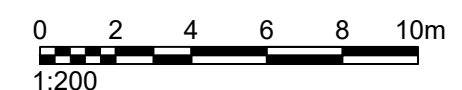
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LOWER ROOF LEVEL +8.90m AGL

G.L.

PROPOSED NORTH EAST ELEVATION

(1:200)



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N.G.R E: 357550 N: 173926

CONCESSION REQUIRED NO

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Image 1a
Existing view from Alma Vale Rd looking East.



Image 1b
Proposed view from Alma Vale Rd looking East.



Image 2a
Existing view from St John's Rd looking South.



Image 2b
Proposed view from St John's Rd looking South.



Image 3a
Existing view from St John's Rd looking South.



Image 3b
Proposed view from St John's Rd looking South.



Vodafone - Map of Search Area

