

Development Control A Committee Agenda



Date: Wednesday, 2 September 2020
Time: 2.00 pm
Venue: Remote Zoom Meeting

Distribution:

Councillors: Donald Alexander (Chair), Chris Windows (Vice-Chair), Clive Stevens, Mark Wright, Fabian Breckels, Paul Goggin, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead (Role Share), Afzal Shah (Role Share) and Steve Smith

Issued by: Jeremy Livitt, Democratic Services
City Hall, PO Box 3399, Bristol BS3 9FS
E-mail: democratic.services@bristol.gov.uk
Date: Monday, 24 August 2020



Agenda

1. Welcome, Introductions and Safety Information

(Pages 4 - 5)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

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

Please note that 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 5th August 2020

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

(Pages 6 - 11)

5. Appeals

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

(Pages 12 - 21)

6. Enforcement

To note recent enforcement notices.

(Page 22)

7. Public Forum

Up to 30 minutes is allowed for this item.

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. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office **at the latest by 5pm on Wednesday 26th August 2020.**

Petitions and Statements - Petitions and statements must be received on the



working day prior to the meeting. For this meeting this means that your submission must be received in this office **at the latest by 12 Noon on Tuesday 1st September 2020.**

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 Friday 28th August 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

The following Planning Applications are to be considered by the Committee: **(Page 23)**

- a) **Application Number 13/05023/F - 493 to 499 Bath Road, Brislington BS4 3JU** **(Pages 24 - 66)**
- b) **Application Number 20/01032/F and 20/01033/LA - Land To Rear of 85 Whiteladies Road BS8 2NT** **(Pages 67 - 113)**
- c) **Application Number 20/02205/F and 20/02206/LA - 8 Harley Place BS8 3JT** **(Pages 114 - 132)**

9. Date of Next Meeting

The next meeting is scheduled to be held at **2pm on Wednesday 30th September 2020** 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 www.bristol.gov.uk.

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

Other formats and languages and assistance
For those with hearing impairment

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

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

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. The following requirements apply:

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

Statements will not be accepted under any circumstances after **12.00 noon deadline** unless there is clear evidence that it has been sent to Bristol City Council in advance of it but was not picked up by the Democratic Services Section at the time it was originally sent. Anyone submitting multiple statements for an application should note that they will only be allowed to speak once at the meeting.

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

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will



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

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

Process during the meeting:

- The Chair of the meeting will ask each public forum speaker to come forward in the order their statement has been received and the beginning of the discussion for each Planning Application that their statements relates to.
- You should speak into a fixed microphone for your allocated time.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- **Development Control Committees are not interactive.** You may remain and listen to the debate but you will not be able to play any further part in the meeting including the Committee debate.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

Bristol City Council
Minutes of the Development Control A
Committee



5 August 2020 at 2.00 pm

Members Present:-

Councillors: Donald Alexander (Chair), Clive Stevens, Mark Wright, Fabian Breckels, Paul Goggin, Mike Davies, Richard Eddy (substitute for Steve Smith), Margaret Hickman and Afzal Shah

Officers: Peter Westbury and Jeremy Livitt

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting.

2. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Stephen Clarke and from Councillor Steve Smith (Councillor Richard Eddy substituting).

3. Declarations of Interest

Councillor Margaret Hickman stated that, although she had been in meetings concerning the applications that were both in her ward, she retained an open mind concerning them.

4. Minutes of the previous meeting held on 8th July 2020

The minutes were approved as a correct record.

5. Appeals

The appeals contained in the report were noted.



6. Enforcement

The enforcement notices contained in the report were noted.

7. Public Forum

The Committee received a number Public Forum Speakers for this meeting.

Details of all Public Forum Statements including Public Speakers at the meeting were published as a supplementary dispatch for this agenda on the Bristol City Council website.

The Statements were heard before the 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 planning applications:

a. 19/03867/P - Silverthorne Lane

Councillor Afzal Shah entered the meeting after the commencement of this item and therefore did not participate or vote on it.

Officers introduced this report and made the following comments:

- A number of errors in the report were corrected
- The issue of the listed building was deemed a delegated decision for officers
- Members' attention was drawn to Page 58 of the report where reference was made to section 16 of the NPPF 2018, where reference should have been made to the 2019 version of the document
- Page 74 of the report quotes the NPPF as stating that "Access considerations should include the voluntary and free movement of people during a 'design flood' should have quoted the NPPG instead.
- Page 78 of the report listed the Heads of Terms Legal Agreement. The principle of this was fully agreed although negotiations were still ongoing regarding the trigger points for the contributions
- Any resolution by the Committee to approve the application would be subject to referral to the Secretary of State
- Details of the hybrid application covering six plots were outlined. It was a long thin site along the north of the canal
- Plot 1 would include a new office/education building. No details had been provided as to exactly what the building would be used for.
- Plots 2 to 4 were Housing Units. Plot 4 involved the conversion of an existing building to be used as offices
- Plot 5 was for the school. 2 pictures showed how the retained listed building would be converted into sports facilities
- Plot 6 would provide student accommodation



- The Environmental Agency (EA) had raised 4 principle objections – the development was in a high risk flooding area, there were hazardous flood depths, there was no safe operational access to the canal side and the development failed to demonstrate that flood risk won't be increased elsewhere
- Officers believed that the proposed conditions would address these concerns
- It was acknowledged that there was a managed risk required at the site since action to defend one part of the site from flooding increased the risk of flooding elsewhere. Therefore, parts of the site would be allowed to flood. A slide showing the estimated flood depths for the site for a 1 in 200 years flood event in 100 years' time was displayed
- Design flood levels on the site had changed on at least three occasions. Whilst it did not represent the worst case scenario, the site was protected to a degree.
- The floor levels of all residential buildings would be above flood levels, but it was not possible to do this for the listed buildings. Safe walkways were indicated on the plan
- The modelling submitted by the applicant had indicated that the proposal would mitigate flood risk in the event of a flood event.
- There would be a flood gate to make it safe under the bridge
- The EA had raised concerns about the proposed flood mitigation. They were concerned that the flooding of plots under the school building could result in it becoming clogged by debris if there was a flood event. They had also expressed concern that given the raised access to the canal side would be difficult to carry out works to make the area secure if there was a flood event. However, officers believed that arrangements could be put in place to mitigate this
- It was noted that buildings on the site were listed and curtilage listed and these showed how the development of the industrial site had taken place
- The yellow buildings indicated at Plots 2 and 4 in the slige would be by the development but the proposed building would follow the footprint of these.
- A condition was recommended to retain further elements of the Hammer Forge
- It was intended to retain the riverside wall
- Part of Plot 4 would be retained and redeveloped into offices
- An assessment of the visual impact had been submitted with the application
- A view of the railway line was shown
- Officers did believe that this site caused a degree of harm to Heritage Assets. Any harm needed to pass two tests for the development to be approved – one is that the harm had a clear and convincing justification and the other is that harm would be outweighed by the public benefits of the development.
- The benefits of the scheme were that it provided new housing, including affordable housing, a new school and increased economic activity, as well as better revealing elements of the heritage assets on the site
- Details of the proposed highway works were shown to the Committee.
- On balance, officers supported the application although it was acknowledged that there were issues of concern such as flooding and the heritage risk
- It was noted that, if approved, the application would need to be referred to the Secretary of State

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



- The Committee needed to determine the application in front of them. Legal advice had been obtained to assess whether different elements of the scheme could be approved separately and had indicated that there would be a high risk to this approach. It was also noted that there was very little case law in this area. This would only be possible with Plot 6 as all the remaining plots were linked together
- In the event of flooding, the building would be closed and the car park would be evacuated
- Modelling based on a thorough understanding of how the water course operates indicated that the flood would last 3 to 5 hours during any tidal surge, although there was potential for standing water to remain. Officers were confident that the development had taken this into account
- Officers did not know whether lift shafts would be modelled to address any concerns about flooding
- Officers would request delegated powers to finalise the condition relating to the Deeds of Easement.
- There was substantial growth in this area that had been recognised in the station framework. The University Campus had been built since the framework had been developed
- The development would be subject to highway conditions and to a Section 278 agreement
- Public Transport was required through the area to reduce the current level of through traffic and peak hour congestion
- It was hoped to obtain a Ferry Stop although this could not be conditioned, as Ferry operators were not part to the application.
- The scheme would also allow coaches to turn on Plot 5

Councillors made the following comments concerning this application:

- The scheme should be supported. It would bring business, homes and a school to the area. The scheme could not be redesigned. The flood issues could be addressed pragmatically and the Heritage concerns had also been addressed
- The design of Plots 1 to 5 should be praised and could be used as a template for future schemes. Plot 6 was a bit disappointing particularly the tower. It was important that future developments did not package less desirable plots with others to get them approved
- This was a deprived area. It was good to see this development. It would bring a good school to the area
- The scheme should be supported despite Plot 6. It was important that this situation should not be allowed to happen again
- The development should be supported. The school was needed and the Heritage Issues had been addressed.
- Whilst the inclusion of Plot 6 was disappointing, this was overall a big gain for the area and should be supported. Supporting such a scheme might encourage the Government to support similar types of schemes in future

The Committee thanked Lewis Cook for the enormous amount of work he had put into preparing the relevant information for this application.



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

RESOLVED (unanimously)

(1) that the application together with responses to the publicity and consultations, the committee report and members comments be referred to the Secretary of State for Communities and Local Government.

If the Secretary of State makes no comment within the 21 day period from receipt of notification, then planning permission is granted subject to Planning Agreement and the revocation of the existing hazardous substance consent, and a suite of conditions to be drafted by Officers.

(2) the Chair will report back to the Committee to confirm that a condition securing a Deed of Easement has been attached to any permission.

Action: Councillor Don Alexander/Lewis Cook

b. 18/06186/F - 90 West Street, St Phillips, Bristol BS2 0BW

Officers introduced the report and made the following comments:

- Details of the outline of the site were provided, together with changes since the application had last been considered
- There was an additional staircase on the ground floor and a slight reduction to the retail unit
- Officers were recommending approval subject to conditions listed in the report

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

- Whilst the proposal from the Old Market Association was noted, Councillors were required to consider the application before them

Councillors made the following comments:

- The developer has listened to the Committee's concerns and adjusted it accordingly
- The developer should be thanked for the work he had put into improving the scheme
- The scheme should be supported. There was no difficulty with the height of the proposal
- The application was a great improvement
- The scheme should be supported. It was refreshing to see a developer who had listened to members concerns



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

RESOLVED (unanimously) – that the application be approved including the conditions listed in the report.

9. Date of Next Meeting

Members noted that the next meeting was scheduled for 2pm on Wednesday 2nd September 2020.

Meeting ended at 3.40 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A

2 September 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Stoke Bishop	22 Old Sneed Avenue Bristol BS9 1SE Alterations and extensions to the property on the north (rear), west and south (road) elevations to provide additional residential accommodation. Appeal against refusal Delegated decision	06/07/2020
2	Easton	122 Colston Road Bristol BS5 6AD Retrospective application for a rear dormer over a double storey extension. Appeal against refusal Delegated decision	14/07/2020
3	Windmill Hill	2 Haverstock Road Bristol BS4 2BZ Retrospective application for excavation works to front garden and creation of hardsurface and removal of boundary for creation of vehicular access. Appeal against refusal Delegated decision	14/07/2020
4	Southville	30 Greenbank Road Southville Bristol BS3 1RJ Removal of current roof and addition of one extra level of accommodation comprising of two bedrooms and one en-suite bathroom. Appeal against refusal Delegated decision	07/08/2020
5	Eastville	27 Baileys Mead Road Bristol BS16 1AE Erection of a two storey extension, roof alteration and rear dormers roof extension. Appeal against refusal Delegated decision	18/08/2020

6	Stoke Bishop	28 Old Sneed Park Bristol BS9 1RF Application for variation of a condition no.4 (Approved Plans) following grant of planning permission 17/05670/H - Extension to existing double garage - now proposed increased extension to garage. Appeal against refusal Delegated decision	19/08/2020
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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	TBA
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	TBA
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	TBA
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	TBA
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	TBA

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	TBA
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	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
14	Clifton	26 - 28 The Mall Bristol BS8 4DS Erection of mansard roof to facilitate provision of 1No. single bedroom (two bed space) C3 residential apartment. Appeal against refusal Delegated decision	20/02/2020
15	Clifton	26 - 28 The Mall Bristol BS8 4DS Erection of mansard roof to facilitate provision of 1No. single bedroom (two bed space) C3 residential apartment. Appeal against refusal Delegated decision	20/02/2020
16	Stoke Bishop	Casa Mia Bramble Lane Bristol BS9 1RD 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). Appeal against non-determination Delegated decision	24/02/2020
17	Central	Bristol General Hospital Guinea Street Bristol BS1 6SY Erection of two residential dwellings (Use Class C3) and a refuse store. Appeal against refusal Delegated decision	18/03/2020

18	Central	Bristol General Hospital Guinea Street Bristol BS1 6SY Replacement of refuse store with two residential dwellings (Use Class C3) and a refuse store. Appeal against refusal Delegated decision	18/03/2020
19	Central	Slug And Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB Refurbishment of existing customer external seating area to include provision of two wooden pergolas and a seating Appeal against refusal Delegated decision	12/05/2020
20	Central	Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB 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. Appeal against refusal Delegated decision	12/05/2020
21	Central	Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB 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. Appeal against refusal Delegated decision	12/05/2020
22	Lawrence Hill	15 Midland Road Bristol BS2 0JT Convert upper floor maisonette to form 2 No. flats including roof alterations. Appeal against refusal Delegated decision	12/05/2020
23	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
24	Clifton Down	104 Pembroke Road Clifton Bristol BS8 3EQ Enforcement notice appeal for replacement windows without planning permission. Appeal against an enforcement notice	14/05/2020

25	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
26	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
27	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
28	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
29	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
30	Brislington East	91 Wick Road Bristol BS4 4HE To erect a new dwelling. Appeal against refusal Delegated decision	22/05/2020
31	Hartcliffe & Witherwood	32 Hollisters Drive Bristol BS13 0EX Proposed first floor extension to existing house, demolition of garage and erection of one new dwelling. Appeal against refusal Delegated decision	26/05/2020
32	Hartcliffe & Witherwood	30 Honey Garston Road Bristol BS13 9LT Application for a Certificate of Proposed Development - New Garage / work area. Appeal against refusal Delegated decision	29/05/2020

33	Windmill Hill	Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown Bristol BS4 3EF Removal of the 3no. existing hoarding advertisement signs, and installation of 2no. illuminated digital advertisements on support legs. Appeal against refusal Committee	01/06/2020
34	Henbury & Brentry	2 Turnbridge Road Bristol BS10 6PA Demolition of outbuilding, construction of 1 residential dwelling and associated works. Appeal against non-determination Delegated decision	02/06/2020
35	Southmead	37 Ullswater Road Bristol BS10 6DH Proposed two storey extension to accommodate a 3no. bed single dwelling house. Appeal against refusal Delegated decision	02/06/2020
36	Hartcliffe & Withywood	Land Rear To Crosscombe Drive Bristol BS13 0DE Construction of two dwellings with associated parking, bike store and refuse storage. Appeal against refusal Delegated decision	05/06/2020
37	Cotham	Kingdom Hall Of Jehovahs Witnesses 64 Hampton Road Bristol BS6 6JA Change of use and internal conversion of No. 64 Hampton Road from a Jehovah's Witness Kingdom Hall in D1 use to 3no of self-contained houses in C3 use (1 x 1 bedroom, 1 x 3 bedroom and 1 x 4 bedroom units). Replacement and alteration of windows and doors and associated external alterations including creation of balconies. Appeal against conditions imposed Delegated decision	12/06/2020
38	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
39	Hartcliffe & Withywood	48 Gatehouse Avenue Bristol BS13 9AD Construction of a second storey over an existing single storey side extension to enable subdivision into two separate dwellings. Appeal against refusal Delegated decision	16/06/2020

40	Clifton	The Adam And Eve Hope Chapel Hill Bristol BS8 4ND Extension and conversion of former public house to create 4no. self-contained flats with associated refuse storage and cycle parking (re-submissions of 19/01605/F & 19/01606/LA). Appeal against refusal Delegated decision	24/06/2020
41	Clifton	The Adam And Eve Hope Chapel Hill Bristol BS8 4ND Extension and conversion of former public house to create 4no. self-contained flats with associated refuse storage and cycle parking (re-submissions of 19/01605F & 19/01606/LA). Appeal against refusal Delegated decision	24/06/2020
42	Knowle	Knowle Water Tower Talbot Road Bristol BS3 2NN The removal of 6 no. antennas and their replacement with 6 no. new antennas utilising existing support poles, the replacement of equipment cabinets within the existing internal equipment room and development works ancillary Appeal against refusal Delegated decision	25/06/2020
43	Knowle	Knowle Water Tower Talbot Road Bristol BS3 2NN The removal of 6 no. antennas and their replacement with 6 no. new antennas utilising existing support poles, the replacement of equipment cabinets within the existing internal equipment room and development works ancillary Appeal against refusal Delegated decision	25/06/2020
44	Clifton Down	Land To Side/rear Of 11 All Saints Road Bristol BS8 2JG Proposed detached two storey, 3no.bed single dwelling house with associated parking and amenity space. Demolition of walls and creation of access. Appeal against refusal Delegated decision	26/06/2020
45	Clifton Down	Land To Side/rear Of 11 All Saints Road Bristol BS8 2JG Proposed detached two storey, 3no.bed single dwelling house with associated parking and amenity space. Demolition of walls and creation of access. Appeal against refusal Delegated decision	26/06/2020
46	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

47	Eastville	83 Stonebridge Park Bristol BS5 6RN Retention of raised rear deck/terrace, steps and pergola (not built in accordance with the consent granted under app.no. 19/00076/H). Appeal against refusal Delegated decision	03/07/2020
48	Eastville	83 Stonebridge Park Bristol BS5 6RN Enforcement notice appeals for extension works to rear (balcony and access steps to rear garden) not in accordance with plans approved as part of planning permission 19/00076/H. Appeal against an enforcement notice	03/07/2020
49	Southville	145 - 147 East Street Bedminster Bristol BS3 4EJ Proposed roof extension, with linking external enclosed staircase from the first floor. Appeal against refusal Delegated decision	21/07/2020
50	Henbury & Brentry	30 Charlton Mead Drive Bristol BS10 6LG Construction of a new dwelling on the existing site at 30 Charlton Mead Drive. Appeal against refusal Delegated decision	21/07/2020
51	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
52	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
53	Hillfields	21 Moorlands Road Fishponds Bristol BS16 3LF Detached dwelling. Appeal against refusal Delegated decision	17/08/2020
54	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	18/08/2020

55	Avonmouth & Lawrence Weston	50 Church Leaze Bristol BS11 9SZ Erection of one dwelling house, parking and associated development. Appeal against refusal Delegated decision	20/08/2020
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List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
56	Frome Vale	15 Downend Road Fishponds Bristol BS16 5AS Erection of 3/4 bedroom house (Self Build). Appeal against refusal Delegated decision	Appeal dismissed 14/08/2020
57	Redland	145 Bishop Road Bristol BS7 8LX Erection 1 no. two bedroom Passivhaus dwelling with associated vehicular parking, bin and cycle storage, on land to the rear of 145 Bishop Road and access from Kings Drive. Appeal against refusal Delegated decision	Appeal dismissed 17/08/2020
58	Cotham	Land Adjacent To Kingsley House Kingsley Road Cotham Bristol BS6 6AF Erection of 1 no. garage with associated landscaping works. Appeal against refusal Delegated decision	Appeal dismissed 05/08/2020
59	Bishopston & Ashley Down	Flat 36 Muller House Ashley Down Road Bristol BS7 9DA Application for listed building consent for alterations, extension or demolition of a listed building - Internal works to construct a stud wall in lounge with a door to create a second bedroom. Moving of ceiling light. Appeal against refusal Delegated decision	Appeal allowed 13/08/2020
60	Central	3 Marsh Street City Centre Bristol BS1 1RT Conversion of the existing 2no. third floor flats into 3no. flats. Appeal against refusal Delegated decision	Appeal allowed 28/07/2020
61	Windmill Hill	172 St Johns Lane Bristol BS3 5AR Erection of extensions at first and second floor level and the change of use from retail (A1) to 4no. Self-contained flats, including alterations to existing shopfront. Appeal against refusal Delegated decision	Appeal dismissed 14/08/2020

62	Westbury-on-Trym & Henleaze	The Coach House Grange Court Road Bristol BS9 4DP New dwelling (Self build). Appeal against refusal Delegated decision	Appeal dismissed 29/07/2020
63	Lockleaze	373 - 375 Filton Avenue Bristol BS7 0LH Construction of 4 x 2 bed apartments over new retail unit and associated car parking following demolition of existing single storey to rear of shop. Appeal against non-determination Delegated decision	Appeal dismissed 10/08/2020
64	Hartcliffe & Withywood	48 Sampsons Road Bristol BS13 0EL Removal of existing garage / annex, erection of 2No 2 bed dwellings (Self Build). Appeal against refusal Delegated decision	Appeal dismissed 29/07/2020
65	Southmead	38 Lakewood Road Bristol BS10 5HH Single storey side extension and wrap-around front extension. Appeal against refusal Delegated decision	Appeal allowed 13/08/2020

DEVELOPMENT CONTROL COMMITTEE A
02 September 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Bishopston & Ashley Down	Unit 17 Merton Road Bristol External alterations and change of use of the building to residential without planning permission. Enforcement notice	06/08/2020
2	Clifton Down	17 Alexandra Road Clifton Bristol BS8 2DD Non-replacement of pillar and hardstanding that does not meet the permitted development criteria. Enforcement notice	06/08/2020

Development Control Committee A 2 September 2020

Report of the Director: Development of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Brislington West	Refuse	18/05023/F - 493 - 499 Bath Road Brislington Bristol BS4 3JU Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application).
2	Clifton Down	Grant	20/01032/F & 20/01033/LA - 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.
3	Clifton	Grant	20/02205/F & 20/02206/LA - 8 Harley Place Bristol BS8 3JT Convert existing living accommodation over the garage to be self contained.

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v5.0514

Development Control Committee A – 2 September 2020

ITEM NO. 1

WARD: Brislington West

SITE ADDRESS: 493 - 499 Bath Road Brislington Bristol BS4 3JU

APPLICATION NO: 18/05023/F Full Planning

DETERMINATION DEADLINE: 29 March 2019

Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application).

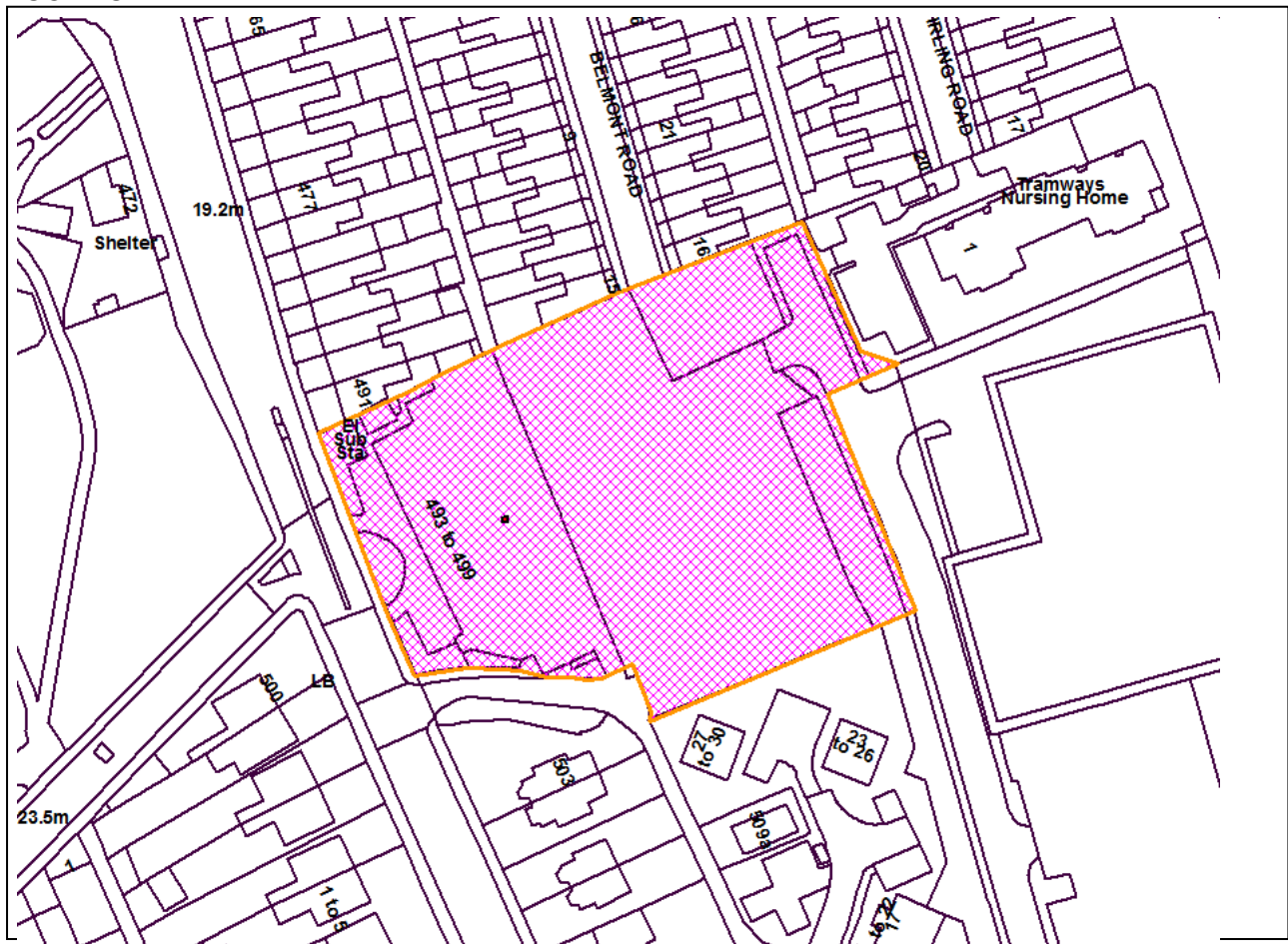
RECOMMENDATION: Refuse

AGENT: Savills (L&P) Plc
Embassy House
Queens Avenue
Bristol
BS8 1SB

APPLICANT: Sovereign Housing Association
C/o Savills

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

LOCATION PLAN:



Development Control Committee A – 2 September 2020**Application No. 18/05023/F : 493 - 499 Bath Road Brislington Bristol BS4 3JU**

SITE DESCRIPTION

This application relates to land to the east of Bath Road, south Bristol within the Brislington West ward of the city.

The western part of the site is currently occupied by a four-storey vacant building known as 493 – 499 Bath Road, formerly in use as a tailoring factory and occupied by the Russian Anglo Oil Company and the eastern part is hardstanding formerly occupied by Bristol Commercial Vehicles.

The site is bounded to the north and south by residential properties and to the east by Tramway Road which features a residential care home and business / retail units.

The surrounding area is characterised by two- and three-storey terraced residential properties.

The site is allocated for Housing (site reference: BSA1207) in the Bristol Local Plan Site Allocations and Development Management Policies.

On the western side of Bath Road is Arnos Court Park, a designated Conservation Area, Local Historic Park and Garden, and Important Open Space. A Grade II Listed former convent to the rear of Parkside Hotel is located approximately 180 metres to the north.

To the east of the site lies the Wildlife Corridor Site, known as 'Dismantled Railway near Tramway Road'. The site is located within an Air Quality Management Area.

RELEVANT HISTORY

17/01732/PREAPP – Demolition of existing building and redevelopment of the site to deliver a residential scheme of 121 units (market and affordable) including flats and houses, as well as associated parking and landscaping. Closed 15/08/2017.

16/04435/PREAPP – Demolition of existing building and redevelopment of circa 125 units, across 3 blocks. Closed 28/03/2017.

16/05401/A - Two aluminium advertisement hoardings on front of building. GRANTED subject to condition(s) 28/11/2016.

02/04106/A – Retention of unauthorised non-illuminated V advertising hoarding to front of building. Refused.

99/01983/CE – Certificate of Lawfulness: mixed retail/warehouse use (Use Class A1/B8) with ancillary office and manufacturing uses, and with associated car parking and servicing area at the rear of the existing building. Certificate of Lawfulness Issued 27/10/1999.

99/01051/F - Building operations comprising enhancement works to the external appearance of the building including alterations to the ground floor front elevation windows of the Bath Road elevation. GRANTED subject to condition(s) 25/05/1999.

97/00095/P - Demolition of warehouse/ showroom/office building and erection of houses and flats. GRANTED subject to condition(s) 23/05/1997.

94/01649/A - Erection of non-illuminated 'V' Sign. 2.1M X 9.6M. GRANTED subject to condition(s) 19/09/1994.

90/02678/Z - Appeal against Enforcement Notice issued 22 August 1990 for the unauthorised change of use of part of rear yard from car parking/servicing to a scaffolding yard, erection of associated

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structures and means of enclosure. Appeal dismissed 06/09/1991.

85/01936/F – Distribution warehouse, assembly and repair workshop. Showroom and office.
 GRANTED subject to condition(s) 25/11/1985.

APPLICATION

The application seeks full planning permission for the erection of 146no. dwellings, including flatted dwellings and dwellinghouses (use class C3) with associated car parking and landscaping. The existing buildings on site would be demolished to enable development.

The scheme proposes 5no. blocks of varied heights:

- Block A: 4 - 5 storeys
- Block B: 6 storeys
- Block C: 7 storeys
- Block D: 2 – 4 storeys
- Block E: 2 storeys

The housing mix is:

- 143no. self-contained apartments:
 - o Block A: 21 apartments
 - o Block B: 53 apartments
 - o Block C: 60 apartments
 - o Block D: 9 apartments
- Block E: 3no. three-bedroom terraced dwellinghouses

The application proposes 32 affordable units (22%) for social rent to be secured by a s106 planning obligation, with the remaining 114 units (78%) to be provided as affordable housing.

The bed space mix is:

Type of dwelling	No. of dwellings
1 bed, 2 person	63
2 bed, 3 person	80
3 bed, 5 person dwellinghouse	2
3 bed, 6 person dwellinghouse	1
Total	146

The proposed blocks would be constructed in brick, render and metal cladding with stone capping and would have glass balconies, windows and doors.

The proposed cycle and car parking would be:

Block	Cycle Parking	Car Parking
A	130	44
B	0	0
C	94	35
D	8	9
E	6	6
Total	280	97

PRE-APPLICATION COMMUNITY CONSULTATION

The applicant submitted a Statement of Community Involvement with the application, which states that pre-application consultation with the local community was carried out between December 2016 and July 2018. This consisted of; letters sent to councillors and community groups in December 2016; a presentation to the Greater Brislington Neighbourhood Planning Partnership in March 2017; and, a

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community consultation event held in July 2017. Leaflets were distributed to approximately 2,000 local residents and the event had an estimated attendance of 46 people. The feedback received from the event is provided in the Statement of Community Involvement submitted by the applicant.

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. In this case the design and access to the development have been assessed with particular regard to disability, age and pregnancy and maternity issues.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was submitted and validated in October 2018. In response to the proposals as submitted, 13no. comments were received from interested parties to the application. All 13 comments received were in objection.

Revised plans were submitted in March 2019 comprising the following changes: amendments to the car parking design and layout; creation of additional amenity spaces; amendments to main entrances to the buildings and façade detailing.

Neighbours were reconsulted in April 2019. In response to the revised plans, 11 comments were received from interested parties. Of the 11 comments, 10 comments were in objection and 1 neutral comment was received in response to the revised plans.

Further revised plans were submitted in February 2020 comprising the following changes: removal of top floor of Block A and re-distribution of 3no. flats to Block B; internal re-ordering of Blocks A, B and C to achieve increased dual aspect and relocate the stair cores. Neighbours were re-consulted in February 2020. In response to the revised plans, 10 comments were received all in objection to the proposed development.

Issues raised were consistent at each stage and included the following concerns:

- Lack of parking and impacts on traffic and access;
- Over development of the site;
- Building heights, particularly Building A fronting Bath Road and Building C to the rear;
- Massing and scale of the scheme not considered in keeping with the local architecture;
- Design quality and living environment for future residents;
- Opening of access at the top of Belmont Road for pedestrians and cyclists;
- Impact on privacy, amenity, light/air pollution for existing residents;
- Demolition of existing building and lack of mixed uses proposed; and
- Insufficient number of affordable homes.

EXTERNAL CONSULTEES

BRISTOL WASTE COMPANY – No objection

Following submission of revised plans in February 2020, Bristol Waste made the following comments:

“The only change we would make would be to add an additional 1100 or 660 refuse bin to Block B where the number of flats has been increased from 50 to 53 units.

It is noted vehicle access to the site is from the rear on Tramway Road. All domestic properties on

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adjacent Roman Walk are on container rounds with communal bins similar to the rounds serving blocks A,B & C.

Blocks D - 9 hh & block E- 3 hh would be the only ones on domestic kerbside rounds similar to those on Bath Road and could be easily missed as the location would be relatively remote from the rest of the rounds. It would be worth checking if collections from these two blocks could be combined and the collection put on a weekly refuse collection with 1 x 1100 bin and a linked small Mini Recycling Centre with 5 containers for various materials. Bristol Waste would be willing to liaise with the developer regarding this option as there were questions about the previous design submitted.”

THE AVON FIRE AND RESCUE – No objection

Avon Fire and Rescue commented on the proposed development as submitted in October 2018. Detailed comments are provided online, however in summary they requested 2no. Fire Hydrants to be installed and appropriately sized water mains to be provided which will be secured by a s106 obligation.

CRIME PREVENTION DESIGN ADVISOR – No objection

The Crime Prevention Design Advisor made comments on the proposed development as submitted in October 2018. Detailed comments are available online.

NATURAL ENGLAND – No comment

INTERNAL CONSULTEES

SUSTAINABLE CITY AND CLIMATE CHANGE TEAM – Objection

Bristol City Council Sustainable Cities and Climate Change Team made the following final comments on the proposed development following submission of revised plans in February 2020 and discussions with the applicant’s legal team.

“These comments are provided in response to the draft legal opinion prepared on behalf of the applicant by Thea Osmund-Smith of No5 Chambers. They pertain to the concern raised in the legal opinion that Bristol City Council sustainability officers had not engaged with the applicant in consideration of what is feasible or viable, clarifications related to that opinion, grant funding offered by BCC to reduce the costs of policy compliant heating systems, financial viability and technical feasibility.

1. Engagement on what is feasible and viable

It is the view of sustainability officers that it should be possible to achieve a solution which is acceptable to all parties as has been the case with other recent schemes where the initial energy strategy was not policy compliant. So, it is also regrettable that the offer of further discussions between the BCC Sustainability Team and the applicant regarding the energy strategy were declined by the applicant.

We consider that the evidence does not support the assertion, in the legal opinion provided to the applicant, that Sustainability Officers have not engaged with what is feasible or viable. The feasibility and viability of the scheme has been the subject of discussions between the applicant and other BCC officers as follows:

- 31st March 2017: Pre-app comments prepared by Amy Harvey – Bristol City Council.
- 16th April 2018: Pre-app meeting with the applicant’s team and Amy Harvey and Mark Letcher – BCC Sustainable City, Paul Barker – BCC Energy Services, Jess Leigh – BCC Development Management. Lee Evans – Sustainable Energy Ltd (providing consultancy services for BCC

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on the development of the heat network) at 100 Temple Street to discuss the Energy Strategy and communal heating.

- 26th April 2018: Meeting notes and actions from meeting above circulated by Amy Harvey.
- 27th April 2018: E-mail from Amy Harvey – BCC to Mark Tunstall - Tremain Powell Partnership Ltd, copied to Mark Somerville – Savills, and Corinne Moore – Sovereign, providing further clarification on communal heating.
- 9th May 2018, 14th May 2018, 15th May 2018, 14th June 2018, further correspondence between BCC and applicant's team providing clarification and assistance with respect to BCS14.
- 26th October 2018: Initial comments from Amy Harvey – BCC provided on the full application by e-mail.
- 27th November 2018: Full sustainability comments provided by Amy Harvey - BCC
- 18th October 2018: Offer from David White – BCC Energy Services to provide metering and billing services for a communal heating solution.
- 26th March 2019: Response from applicant to sustainability comments received.
- 29th March 2019: Meeting with applicant, with Amy Harvey – BCC and David Grattan- BCC Development Management in attendance.
- 8th April 2019: Follow-up comments sent by Amy Harvey – BCC to applicant.
- 29th April 2019: Further sustainability comments provided by Amy Harvey – BCC in response to additional information from the applicant received in March 2019.
- 9th May 2019: Additional information received from the applicant on viability and the energy strategy.
- 12th March 2020: Further sustainability comments submitted to David Grattan – BCC in response to further submissions by the applicant 'Bath Road Planning Statement Addendum (Feb 2020)', and 'Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps'.

Further, Sustainability officers worked with colleagues in BCC Energy Services to identify a solution to concerns raised by the applicant about the technical and administrative requirements of metering and billing for communal heating and hot water solutions.

Sustainability officers also asked a company which the city council has used for its own housing schemes, to provide an initial assessment of whether a ground source heat pump with shared ground array was technically feasible on this site. Their conclusion was that a system of this type could provide space heating and hot water to the scheme as a whole, with a proportion of the boreholes located under the car park and basement areas. An alternative configuration excluding carpark and basement areas was also considered possible subject to further design work to confirm technical details. In both these instances we were not recommending a particular provider or approach but seeking to assist the applicant in finding feasible and viable solutions.

2. Clarifications

Discussions with Bristol City Council Energy Services

Paragraph 17(ii), Site Specific Information - The Technical and Financial Appraisal of the legal opinion suggests, with reference to Communal systems, that 'Whilst the Council did wish Sovereign to consider engaging Bristol Energy to provide metering and billing services, the Council accepted at a meeting in April 2019 that Bristol Energy had not been able to provide an adequate quote and scope of services in order for them to be seriously considered.' 18/05023/F – further comments following draft legal opinion provided to the applicants do not consider the suggestion (above) that the Council wanted Sovereign to engage with BCC Energy Services to be an accurate reflection of discussions at the time. The discussions about metering and billing services related to an offer made proactively by BCC Energy Services to provide and undertake metering and billing on behalf of Sovereign, to address concerns raised by them about the technical and administrative requirements of providing such services. This offer was made with the intention of achieving a policy compliant scheme which would be acceptable to the applicant. (Note: engagement was with Bristol City Council officers in the

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Energy Services team, not Bristol Energy Company).

Interpretation of policy BCS14 – Sustainable Energy

Policy BCS14 – Sustainable Energy sets out a requirement for development to minimise its energy requirements and incorporate renewable and low-carbon energy supplies to reduce its carbon dioxide (CO₂) emissions. This can be achieved by reducing energy demand through improvements in energy efficiency, the incorporation of on-site renewables and providing heating and hot water systems in accordance with the heat hierarchy. Each of these elements are important in their own right to meeting this policy objective. The requirement to provide heat hierarchy compliant heating and hot water systems is not solely intended as a means of achieving a 20% reduction in residual emissions through on-site renewables, though where renewable heating and hot water systems are specified, they will contribute to this. Thus, for the units in this scheme, in which the applicant is proposing to install air source heat pumps, their use would comply with the heat hierarchy and contribute to the reduction in residual emissions.

3. Grant funding for Housing Associations under Bristol City Council's Housing Delivery Plan

In recognition of Bristol's need for new and affordable housing and the Mayor's objective of building 2,000 new homes a year (of which 800 are 'affordable') the council established a Housing Delivery Plan which was approved in March 2017 and included a major affordable housing funding programme of £52m. In the first eighteen months of operation the funding programme allocated £13.1m to Housing Associations in Bristol. Under Supplementary Grant Arrangements to delivery corporate objectives, up to £10,000 per unit is available (subject to a grant application) for rented or shared ownership units on schemes delivered principally on private land to assist Housing Associations to deliver BCC policy requirements through the heat hierarchy. We regard this grant funding as indicative of the council's desire to assist housing associations in delivering affordable housing which is compliant with the heat hierarchy. This provides a very significant contribution to the capital costs of the project's heating system.

4. Viability of this scheme

It is our understanding that viability of the scheme was assessed on behalf of BCC by BNP Paribas, and agreement reached with the applicant in February 2020 that, setting aside compliance with BCS14, the scheme could provide 32 affordable units (22%) whilst remaining viable. Compliance with BCS14 using a ground source heat pump system would reduce the number of affordable units to 7-10 units (5-7%). This suggests that achieving a scheme compliant with BCS14 is viable, albeit with a reduced number of affordable units. The viability assessment did not take account of the potential grant funding under the Housing Delivery Plan for compliance with policy BCS14, as referred to in previous comments provided to the applicant. This would, make a very significant contribution to the capital costs of the policy compliant heating system and thereby allow the applicant to increase the number of affordable units that could be achieved as part of this scheme. 18/05023/F – further comments following draft legal opinion provided to the applicant

5. Technical feasibility

As outlined above, since the submission of the pre-application in 2017 Bristol City Council has engaged extensively with the applicant in writing and face to face on the technical elements of this scheme and on compliance with BCS14 in particular. It remains our view that to date, the applicant has not demonstrated adequately either that it is not viable or not feasible to meet policy BCS14 on this scheme.

With respect to the question of whether it is technically feasible to design a development of this type which is policy compliant, our view is that it is, based on our assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at

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numerous sites in Bristol.

Communal systems – gas fired or connected to a heat network: The fact that large developments are being designed and constructed in Bristol with communal heating and hot water systems suggests to BCC that there are no inherent technical reasons why this scheme could not be designed to use a communal system. This includes communal systems with a centralised gas boiler, and communal systems where the gas boiler is replaced by a plate heat exchanger connected to the heat network. In either case heat for space heating and domestic hot water are distributed to individual dwellings from a central plant-room/energy centre.

Communal systems – using ground source heat pumps with shared ground array. The technical opinion and initial estimate obtained by Bristol City Council (see Engagement on what is feasible and viable above) suggests that a ground source heat pump system is technically feasible, and that there would be sufficient space for the ground array if partially located under the carpark and basements, and that it may be possible to design such a system without the need to locate the ground array beneath the carpark or building footprints. Bristol City Council's view is that systems of this type are sufficiently developed and mature, to be considered for a scheme of this type. (Prior to installing a ground source heat pump system in one of its own new housing developments (Ashton Rise – see below) Bristol City Council and the lead contractor undertook separate due-diligence exercises to assess the risks associated with this approach, and based on the findings of these has procured and installed this type of system). The ground source heat pump in each dwelling is normally located beneath the domestic hot water cylinder. Given that a domestic hot water cylinder will be required anyway under the applicant's preferred approach we do not regard this as a technical constraint as stated by the applicant. If designed, specified and installed correctly ground source heat pump systems do not require additional heating to provide domestic hot water as stated by the applicant.

Individual air source heat pumps: The aesthetic impact of externally mounted air source heat pumps could be addressed through the use of communal air source heat pump systems, or hybrid air and water to water source heat pump systems, or internal air source heat pumps in which air is transferred to and from the heat pump via a wall duct.

Examples of policy compliant schemes using communal (gas) boilers or connection to a heat network: Bristol City Council Sustainable City officers consider the number and type of recent developments in Bristol which meet BCS14 and provide heating and hot water systems which comply with the heat hierarchy as further evidence that it is technically feasible to design this scheme to be policy compliant. [Full comments from Sustainable City and Climate Change Officer are appended to the Committee Report to see the list of examples provided].

CITY DESIGN GROUP – Objection

Detailed comments and an assessment against the Urban Living SPD were provided on the proposed development in January 2019. Final comments on the revised plans submitted in February 2020 are set out below:

The revised application and the detailed explanation on the DAS dated 31st January 2020 for February re-submission are welcome. The design work taken to address outstanding issues is acknowledged and improvements of some aspects are evident. However, the proposal has not reduced the excessive intensity of development. Therefore, it is considered that the fundamental issue of unacceptable height, scale and massing of blocks A, B and C is still unresolved. Together with the lack of response to address the recommendations given on the Urban Living SPD, the scheme cannot be supported on design grounds.

The following comments are focused on the design issues headlines:

1. Bath Road Elevation
2. Building A/B Courtyard

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3. Liveability

Bath Road Elevation

The reduction of a top floor and the rationalised stepping of the façade to a single step are considered positive. However, even with these improvements, the proposed block does not positively contribute to the local character and distinctiveness of this area along Bath Road as established in DM26. The height is still excessive and incongruous; the design still fails to harmoniously blend with the neighbouring properties; and the block still obstructs the south west sunlight penetration to the courtyard behind it. Report on DLSL and Shadow Analysis have not been submitted.

Building A/B courtyard

The amenity value of this courtyard space is still compromised. Considerations expressed on DAS page 27 give no comfort to compliance of DM29. In the absence of following advice given and no further amendments, previous comments remain.

Liveability

Dual aspects - Swapping stair cores with adjacent flats to increase the number of corner flats is welcome. However, the missed opportunity of increasing dual aspect units on the first and second floor of Block A and on Block B is disappointing. Having more than half of the units as single aspect is still not acceptable and does not allow the support of such intense development.

Internal circulations – Although repositioning of stair cores works well for increasing number of corner flats there is no change in the fact they serve more than six flats per core. We disagree with the assertions on DAS page 25. There would not be light infiltration to the long internal corridors.

A recommendation is given in the UL SPD:

Avoiding long, narrow internal corridors - each core should be accessible to generally no more than six dwellings on each floor. Where numbers exceed this, 'dwell' spaces should be designed in which are naturally lit, perhaps with bay window seating, access to a communal balcony or enlarged areas of circulation with the introduction of daylight and views.

This has not been followed.

LANDSCAPE – No objection subject to conditions

Bristol City Council Landscape Officer raised the following comments on the revised scheme submitted in April 2019:

“Generally, the hard and soft landscape proposals can be approved. With regard to detail, the applicant is advised to place knee rails around some of the more vulnerable planting areas adjacent to vehicular highway or parking bays to prevent damage from overrun - to the north and south of blocks D and E in particular.

Given the importance of the soft landscape to the overall appearance of the scheme full planting plans at an appropriate scale should be provided to show plant species, numbers, size at planting and topsoil treatments for all planted areas. Tree pit details are required for trees in hard and soft landscape areas. The landscape masterplan should also be accompanied by a management plan describing operation to ensure the upkeep of the site beyond the initial contract maintenance period. These requirements can be covered by condition but should be supplied prior to construction of works on site.”

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NATURE CONSERVATION OFFICER – No objection subject to conditions

FLOOD RISK MANAGER – No objection subject to conditions

Bristol City Council Flood Risk Officer commented on the proposed development as originally submitted in October 2018 and requested further details. Following the submission of a revised Drainage Strategy, the Flood Risk Officer noted the approach is acceptable and achievable therefore raised no further comments subject to conditions.

CONTAMINATED LAND – No objection subject to conditions

Following submission of revised plans and clarifications in April 2019, officers raised no further objections subject conditions for the implementation of a remediation scheme and reporting of unexpected contamination.

HOUSING OFFICER – Support

See Key Issue B.

TRANSPORT DEVELOPMENT MANAGEMENT – No objection subject to conditions

Bristol City Council Transport Development Management (TDM) were consulted on the proposed development as submitted and as revised in April 2019 and February 2020.

See Key Issue F.

TREE OFFICER – No objection subject to conditions

POLLUTION CONTROL (ENVIRONMENTAL HEALTH) – No objection subject to conditions

RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016, Lawrence Weston Neighbourhood Development Plan 2017, Urban Living SPD (November 2018) and Bedminster Green Framework (March 2019).

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

KEY ISSUES

A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE AND IS THE HOUSING TYPE AND MIX APPROPRIATE?

Section 5 of the NPPF sets out the approach to 'Delivering a sufficient supply of homes'. It states the importance of having a sufficient amount and variety of land coming forward to meet housing requirements.

Policy BCS5 sets out that the Core Strategy (2011) aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in

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the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents.

Policy BCS20 of the Core Strategy states that development should maximise opportunities to re-use previously developed land.

The Bristol Local Plan – Site Allocations and Development Management Policies - Adopted July 2014 allocates this site (Site reference: BSA1207) for housing, with an estimated number of homes of 85.

In providing 146no. residential units, the proposed development would contribute to meeting the Core Strategy minimum target of providing 26,400 new homes in the period 2006-2026 and reflects the Core Strategy approach to the location of new housing by developing new homes on previously developed sites. The principle of residential development is therefore found acceptable in land use terms and would contribute positively to the stock of housing in Bristol in accordance with policies BCS5.

The surrounding area has a largely residential context and the proposed development would be situated on a brownfield site, of which the existing buildings on site are vacant and underused. Therefore, the proposed development represents a good use of land in line with Core Strategy Policy BCS20 Effective and Efficient Use of Land.

The site is in a sustainable location approximately 300m from the shops and services of Sandy Park Road Local Centre and close to the supermarket at Castle Court and bus routes along Bath Road.

The site is situated within both the Kensington Park and Bath Road Local Super Output Areas (LSOA). Within the Bath Road LSOA, 76% of dwellings are houses; with the remaining 23% are flats, maisonettes or apartments; versus 77% houses and 22% flats in Kensington Park. In terms of dwelling size; 19% of dwellings in the Bath Road LSOA have one 1 bedroom, 9% of dwellings have 2 bedrooms, 47% of dwellings have 3 bedrooms. Whilst 12.5% of dwellings in Kensington Park have 1 bedroom, 13.8% have 2 bedrooms and 60% have 3 bedrooms.

The proposed development would provide 63no. one-bedroom dwellings, 80no. two-bedroom dwellings and 3no. three-bedroom dwellings. This demonstrates that the prevailing dwelling-type would be smaller residences, rather than family-sized accommodation. It is considered that the proposed development would provide a diverse housing mix to cater to a variety of needs within the local area and would contribute to creating a mixed community.

Therefore, the development of the site for housing is considered to be acceptable and complies with the NPPF, BCS5, BCS18 and BCS20.

B. IS THE PROPOSED DEVELOPMENT VIABLE, AND DOES IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 146 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which seeks the provision of up to 30% affordable housing (44 affordable dwellings) subject to scheme viability.

The National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG) were revised in 2019, and these revisions are pertinent to the assessment of scheme viability.

In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Benchmark Land Value (BLV).

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The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (e.g. build costs, professional fees, legal costs, financing costs etc.) and the developers profit. All inputs are based on present day costs and values.

The revised PPG includes the following statements about BLV:

To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner.

The Applicant had originally claimed that, to remain viable in planning terms, the proposed scheme was unable to provide any affordable housing. A detailed viability appraisal and supporting commentary was submitted by Savills on behalf of the Applicant in support of the claimed viability position. This was undertaken on the basis that the scheme would comprise 86 open market dwellings, and a block comprising 60 Private Rented Sector (PRS) dwellings. It should be noted that the Description of Development as set out by the Applicant, does not differentiate between open market and PRS dwellings, it merely states that 146 residential units are being applied for.

The viability of PRS is assessed differently from open market dwellings, and will result in a different result, and therefore a different level of affordable housing provision. As the viability undertaken by Savills on behalf of the Applicant has been based on a PRS / open market mix, officers are of the view that should a consent be granted, a condition should be applied requiring the housing mix to be as per that submitted for viability testing.

As set out elsewhere in this report, the Council and the Applicant have not been able to reach agreement on issues relating to the provision of Heat Hierarchy measures, and this has been the case since the application was first submitted. The provision of Heat Hierarchy measures will have a significant impact on the viability of the scheme. Based on the information provided by the applicant, Heat Hierarchy measures over and above those preferred by the applicant would increase costs by £968,000 (Communal Heating), £845,000 (Communal Air Source Heat Pumps), or £963,000 (Ground Source Heat Pumps). In addition, renewable energy costs in the form of PV cells would cost a further £577,931. The Applicant has agreed that the PV cells will be provided.

Officers commissioned BNP Paribas to assess the viability information and advise the Council as to whether the Applicant's claim that no affordable housing could be provided was reasonable. However, due to the Heat Hierarchy issue, BNP Paribas were asked to exclude the costs of Heat Hierarchy measures from their assessment. This would enable an assessment to be made of the level of affordable housing that could be provided (excluding Heat Hierarchy measures), with the intention that once Heat Hierarchy measures were agreed; the relevant costs could be input to identify what impact this had on the level of affordable housing.

BNP Paribas disagreed with a number of the inputs used by Savills including key elements such as development values, build costs and the Benchmark Land Value. Following significant levels of correspondence and discussions between Savills and BNP Paribas, in November 2019, BNP Paribas concluded that (excluding Heat Hierarchy measures) the scheme could provide 32 affordable dwellings (22%), and that is the position that officers have taken.

In February 2020, the applicant submitted a Planning Statement Addendum, in which they reiterated their view that they disagreed with the conclusions reached by BNP Paribas. However, in the Planning Statement Addendum they stated the following:

"... Sovereign have recently discussed the proposals with Homes England and BCC's Housing Enabling Team. As a result of these discussions and to seek to find a positive resolution to this situation, Sovereign are offering to enter in to a S106 that would secure 22% affordable housing ..."

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The applicant has requested that all of the affordable dwellings secured via the Section 106 Agreement are to be for Social Rent, and the Council's Housing Enabling Team are agreeable to this request.

Consequently, if no additional Heat Hierarchy measures are to be incorporated, officers are satisfied that the provision of 32 affordable dwellings (22%) for Social Rent is an appropriate level of affordable housing, and is in compliance with Core Strategy Policy BCS17.

As part of the viability process, BNP Paribas undertook sensitivity testing including Heat Hierarchy costs at £950,000, and the PV cells. At the time of writing this report it is understood that the applicant is not offering to provide the Heat Hierarchy measures. However, if this position were to change, the sensitivity testing indicated that by incorporating Heat Hierarchy measures, the level of affordable housing would drop to in the region of 6% (approximately 9 affordable dwellings). The exact level of reduction would not be known until the cost of the relevant Heat Hierarchy measures was clarified.

Conclusion:

Assuming Heat Hierarchy measures are not included, the provision of 32 affordable dwellings (22%) for Social Rent is an appropriate level of affordable housing, and is in compliance with Core Strategy Policy BCS17. This should be secured through a Section 106 Agreement.

If Heat Hierarchy measures are offered and subsequently prioritised by committee, then a lower level of affordable housing would be appropriate. The level would need to be identified through further viability testing which would need to be undertaken after this committee meeting. The resulting amount should be secured through a Section 106 Agreement.

Should committee be minded to refuse the application, then one of the reasons must be due to a lack of affordable housing provision. This is because there is currently not a Section 106 Agreement in place to secure the affordable housing. However, if the applicant wished to appeal the refusal, the lack of affordable housing reason could be overcome by the applicant and the Council concluding a Section 106 Agreement to secure the affordable housing, and presenting it to the inspector prior to the subsequent appeal.

C. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF SUSTAINABLE DESIGN AND CONSTRUCTION?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaptation, material consumption and biodiversity should be included as part of a sustainability or energy statement.

As noted by the comments from the Sustainable City and Climate Change Team there has been a series of discussions with the Applicant on the proposed energy strategy since 2017. Matters relating to sustainable design and BREAM have largely been resolved by way of further information provided or subject to details that could be resolved by way of condition. Compliance with BCS14 and the proposed energy strategy for the scheme has been the principal matter not agreed between both

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parties.

Set out below is a summary of the compliance of the proposed energy strategy with Policy BCS14 as a whole.

Policy BCS14

“Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy, including large-scale freestanding installations, will be encouraged. In assessing such proposals the environmental and economic benefits of the proposed development will be afforded significant weight, alongside considerations of public health and safety and impacts on biodiversity, landscape character, the historic environment and the residential amenity of the surrounding area.

Development in Bristol should include measures to reduce carbon dioxide emissions from energy use in accordance with the following energy hierarchy:

- 1. Minimising energy requirements;*
- 2. Incorporating renewable energy sources;*
- 3. Incorporating low-carbon energy sources.*

Consistent with stage two of the above energy hierarchy, development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable....”

The energy strategy in the Planning Application as originally submitted in 2018 proposed an electric heating and hot water system serving the apartments (Blocks A – D) and gas boilers serving the houses (Block E) supported by photovoltaics to achieve a 20% reduction in carbon dioxide emissions.

The revised energy strategy submitted in February 2020 proposes an electric heating and hot water system serving Blocks A, B and C (132 dwellings), with air source heat pumps serving Blocks D and E (12 dwellings) supported by photovoltaics to achieve a 20% reduction in carbon dioxide emissions. In terms of the requirement of the first part of BCS14 regarding the incorporation of renewable energy to reduce residual energy use by 20%, the proposed energy strategy would achieve this.

Policy BCS14 continued

“... The use of combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating will be encouraged. Within Heat Priority Areas, major development will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available.

New development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:

- 1. Connection to existing CHP/CCHP distribution networks*
- 2. Site-wide renewable CHP/CCHP*
- 3. Site-wide gas-fired CHP/CCHP*
- 4. Site-wide renewable community heating/cooling*
- 5. Site-wide gas-fired community heating/cooling*
- 6. Individual building renewable heating”*

In terms of the heating and cooling systems proposed Blocks D and E (12 dwellings) would use air source heat pumps. The energy strategy for this part of the proposed development would be in accordance with BCS14.

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In relation to the proposed electric heating and hot water system for Blocks A, B and C (132 dwellings) the proposed system is not on the hierarchy set out above. Whilst the policy does not exclude alternative solutions systems outside of the Heat Hierarchy, the alternative proposed in this instance is not considered to comply with BCS14 and, the Sustainable City Team in their comments consider that it is technically feasible to design a development of this type which is policy compliant – see below.

Considering the Policy as a whole, it is stated that:

“An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable.”

Similar to this, Section 14 of the NPPF, which deals with Planning for Climate Change, Paragraph 153 at part a) advises that in determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable

With regards to technical feasibility, as noted in the comments from the Sustainable City and Climate Change Team they remain of the view that to date, the Applicant has not demonstrated adequately either that it is not feasible or not viable to meet policy BCS14 on this scheme. Based on an assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at numerous sites in Bristol, the Sustainable City and Climate Change Team consider that it is technically feasible to design a development of this type which is policy compliant.

A number of examples of applications are cited within the Sustainable City and Climate Change Team comments whereby a policy compliant solution has been achieved on other recent schemes where the initial energy strategy was not policy compliant.

In terms of viability, this has been considered within Key Issue B of this Report. As part of the viability process, sensitivity testing was undertaken including Heat Hierarchy costs. The sensitivity testing indicated that by incorporating Heat Hierarchy measures, the level of affordable housing would drop to in the region of 6% (by approximately 9 affordable dwellings). The exact level of reduction would not be known until the cost of the relevant Heat Hierarchy measures was clarified, however this has not been forthcoming from the applicant.

Summary:

On review of the justification as to why electric heating and hot water system should be allowable in this case, the Sustainable City Team is not persuaded that there is sufficient justification to set aside the provisions of BCS14 for this development, and therefore, in the absence of further amendments to the Energy Strategy, their recommendation is to refuse this application.

D. WOULD THE PROPOSED DEVELOPMENT BE OF A SUFFICIENTLY HIGH-QUALITY DESIGN?

Policy BCS20 sets out that an appropriate density should be informed by the characteristics of the site and the local context.

Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public

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realm and building design.

The Urban Living SPD requires all major developments to respond positively to its context. This should identify the prevailing height, scale and mass of surrounding buildings, streets and spaces. It further outlines that for tall buildings proposed in sensitive locations particular consideration should be given.

Detailed comments and an assessment of the application proposals against the Urban Living SPD by City Design Group (CDG) was provided to the applicant in January 2019. In those comments it was noted that:

It is acknowledged that density is only a measure. It is a product of design, not a determinant of it.

Allocated for housing in the Sites Allocation and Development Management Local Plan, the site was marked with an estimated number of 85 units. Although the increase of estimated residential units is not uncommon when a scheme is worked in more detail, expanding from 85 to 146 dwellings in this site means 208 dwellings per hectare. This is 3.4 times higher than the prevailing density in the area which is approximately 60dph.

A design-led approach will face serious challenges managing this kind of density if the trade-off is a high quality of life, excellent urban quality and outstanding architecture design in a sustainable location.

A series of revisions were made to the application proposals to address CDG comments. The work taken to address outstanding issues is acknowledged and improvements of some aspects are evident. However, the proposal has not reduced the excessive intensity of development. Therefore, CDG consider that the fundamental issue of height, scale and massing of blocks A, B and C is still unresolved. Together with the lack of response to address the recommendations given on the Urban Living SPD, the scheme cannot be supported on design grounds.

The outstanding design issues relate to the following aspects of the proposals.

i) Height, scale and massing

Bath Road Elevation

The reduction of a top floor and the rationalised stepping of the façade of Block A to a single step are considered positive. However, even with these improvements, the proposed block does not positively contribute to the local character and distinctiveness of this area along Bath Road as established in DM26. The height is still excessive and incongruous; the design still fails to harmoniously blend with the neighbouring properties; and the block still obstructs the south west sunlight penetration to the courtyard behind it.

Height of Blocks B and C

At six and seven storeys respectively, Blocks B and C are considered to be out of character with the surrounding area. The buildings would be between 40 and 50 metres in width and more than 15 metres in depth. This, coupled with the height, would result in a development of excessive massing compared to the immediate context and the character of the area, contrary to Policy BCS21, DM26 and DM27.

ii) Liveability/Amenity for Future Occupiers

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Space standards

The Urban Living Assessment indicates that each of the proposed dwellings would meet the nationally described space standards in terms of total floorspace, bedroom sizes and built-in storage.

Single aspect/dual aspect

City Design Group raised concerns that proposed development as submitted included 77% of the proposed apartments (110 out of the total 143 apartments) which were single aspect. Following CDG advice, revised plans were submitted re-ordering the internal layout and making changes to stair cores to increase the number of corner flats to provide 66 apartments out of 143 as dual aspect (ca. 46%), with 77 out of 143 apartments as single aspect (ca. 54%).

CDG consider there was a missed opportunity of increasing dual aspect units on the first and second floors of Block A and on Block B. The proposals still include a majority of units as single aspect, this is still not considered to be acceptable and would not support the case for such an intense development.

Block A / Block B and Courtyard

'Proposed Site Plan Rev 11' 'demonstrates that Block B would be located between 2 and 13 metres from the rear elevation of Block A of which both elevations feature windows. The proposed distance between flats would be unacceptable and would result in unacceptable levels of overlooking for future occupiers.

The amenity value of the courtyard space between Block A and Block B is still considered to be compromised. The close proximity of the two blocks would likely result in this space being frequently in shadow, with limited levels of daylight and sunlight, and the buildings would create an unpleasant sense of enclosure. Considerations expressed on DAS page 27 give no comfort to compliance of DM29 (and no Daylight and Sunlight Assessment or Shadow Study has been provided). In the absence of following the advice given by CDG and no further amendments, previous concerns remain.

Block B / Block C

Windows on Block C would be located approximately 17 metres from the rear elevation of Block B. Whilst less than ideal, a distance of ca. 17 metres could be considered acceptable given the urban nature of the surrounding area. However, the separation distances are worsened by the fact that 60% of the flatted dwellings would be single aspect and would therefore not create high quality living environments for future occupiers.

In terms of daylight and sunlight; a 45-degree shadow assessment was carried out and the proposed development would not cross the 45-degree line on plan or elevation.

Internal circulation

Although repositioning of stair cores has increased the number of corner flats, there is no change to the number of flats served by each core. CDG also consider that there would be limited light infiltration to the long internal corridors proposed.

Summary:

It is considered that the application proposals do not comply with BCC Core Strategy BCS21; and Site Allocations and Development Management Plan DM26, DM27 and DM29.

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The proposed development would result in an unacceptable impact upon residential amenity in terms of overlooking and overbearing and would fail to create a high-quality living environment for future occupiers, contrary to Policies BCS21 and DM29.

E. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY FOR NEIGHBOURING PROPERTIES?

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

BRE Fact Sheet 1 sets out that if new development falls beneath a line drawn at 25° from the horizontal, then there is unlikely to be a substantial effect on daylight and sunlight.

Whilst 'SPD2: A guide to house alterations and extensions' main focus is householder development, the supplementary planning document sets out principles such as an indicative separation distance of 21 metres between habitable rooms is required when windows directly face each other, which are relevant to this application.

A number of comments in objection to this application were in relation to the impacts on those living nearby to the application site. A review of the proposed development has been undertaken against the potential impacts on the amenity of neighbouring occupiers using the information submitted with the application against the guidance above.

The existing building on site is approximately four storeys in height and positioned adjacent to 491 Bath Road to the north. Block A would be located on the site of the existing building and would be of a similar height on the boundary with no. 491 Bath Road and would be approximately 22 metres from no. 503 Bath Road to the south. Therefore, the development is not considered to result in an adverse impact on the amenity of the neighbouring properties on Bath Road, beyond the existing situation.

Likewise, Blocks D and E would be between two and four storeys and positioned in line with the gable end of terraces on Belmont Road to the north of the site. This would ensure that the proposed development would not result in adverse impacts by way of overlooking, overshadowing or loss of daylight.

Block C would be positioned approximately 13 metres from no's 27 to 30 Roman Walk and 20 metres from no's 23 to 26 Roman Walk to the south. Side facing windows would be located on the southern elevation of Block C however due to the orientation of the proposed building and properties on Roman Walk, it is not considered that any overlooking would occur. The proposed building would be set a sufficient distance from the existing properties.

Summary:

Overall, it is considered that the proposed new buildings will ensure that existing neighbouring properties would retain appropriate levels of privacy, outlook and daylight.

Development Control Committee A – 2 September 2020**Application No. 18/05023/F : 493 - 499 Bath Road Brislington Bristol BS4 3JU****F. IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?**

Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

The application site is bounded by the A4 Bath Road to the west, Roman Walk to the south and Tramway Road to the east. Belmont Road runs adjacent to the site to the north.

The proposed development would be accessed by vehicles via Tramway Road to the east of the site, this would lead to designated car parking at each block. Pedestrian access would be provided from Bath Road.

The proposed scheme would provide 97no. car parking spaces split between Block A, C, D and E. In total, 280no. cycle spaces would be provided on the site.

Transport Development Management (TDM) were consulted on the proposed development and, following submission of revised plans and information raised no objection.

Traffic Impact

The proposed development is considered to be in a sustainable location on a high frequency bus route on Bath Road and close to shops and services.

To assess the impact of the proposal on the surrounding highway network, the applicant submitted a Transport Assessment (TA). The applicant has provided trip rates for the existing and proposed development. These industry standard rates, known as 'TRICS', outline that the proposal would generate approximately 17 more movements in the AM peak hour and in the PM they would generate 8 movements less than the existing use. When compared to the level of movement on the existing highway it is unlikely that the proposed development would result in a significant impact and therefore it would not be considered to be severe.

Travel Plan

It was noted that the applicant requested that Bristol City Council implements the Travel Plan on the applicant's behalf. The applicant would be required to pay an implementation fee of £19,710 based on £135 per dwelling. By paying this fee the applicant will be released from the travel planning obligations over a 5 year period. This would be secured via s.106 Agreement.

Car Parking

The TDM response details that based on the Bristol City Council Car Parking Standards in Appendix 2 of the Site Allocations and Development Management Policies document, the applicant would be required to provide a maximum of 167 vehicle spaces. The proposed development would include a total of 97 spaces therefore below the standard set out by the guidelines. However, it should be noted that the standards are based on maximums and do allow for departures. The site is considered to be in sustainable location therefore this is acceptable.

To compensate for the below standard level of car parking the applicant has proposed a total of 280 cycle spaces. This is compared to the 226 cycle spaces, which would be required by the BCC cycle parking standards.

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A parking survey was carried out to demonstrate levels of car parking capacity within the vicinity of the site. Which identifies spaces on Tramway Road and Roman Walk. However due to the cul-de-sac nature of Roman Walk, TDM would not wish to advocate parking in this location as it would cause obstruction to residents. Additionally, Tramway Road does serve the retail units and therefore it is not clear whether this would be an attractive option for residents.

During pre-application discussions, TDM agreed with the applicant that there is no current need to provide electric charging points, however, the applicant would deliver the base infrastructure so that the site is future proofed for when demand arises.

Access and Internal Layout

Vehicle access into the site would be from Tramway Road and the existing access from Bath Road would be removed which was welcomed by TDM. Following TDM advice, vehicle tracking drawings were submitted to determine that all cars, servicing and emergency vehicles can be utilised within the site which were considered to be acceptable.

It was requested that the applicant provide details of the pallet of materials which proposed for the layout, which has been provided on the Landscape Masterplan. TDM were broadly satisfied with the proposed materials however requested that York Stone paving slabs be removed as diagonal paving across the main access road would be likely to be damaged by large vehicles when manoeuvring over it. This point of detail was considered to be capable of being resolved by way of condition.

Recycling and Waste Provision

Policy DM32 of the Site Allocations and Development Management Policies document (2014) sets out the expectations for development with regards to refuse and recycling storage and collection.

Bristol Waste requested that following the change in number of flats to Block B, an additional 1100 or 660 refuse bin should be added to Block B. Details of this should be secured by way of a condition.

Bristol Waste also noted that vehicle access to the site is from the rear on Tramway Road. All domestic properties on adjacent Roman Walk are on container rounds with communal bins similar to the rounds serving blocks A,B & C. Blocks D- 9 hh & block E- 3 hh would be the only ones on domestic kerbside rounds similar to those on Bath Road and could be easily missed as the location would be relatively remote from the rest of the rounds. It would be worth checking if collections from these two blocks could be combined and the collection put on a weekly refuse collection with 1 x 1100 bin and a linked small Mini Recycling Centre with 5 containers for various materials. The applicant should liaise with Bristol Waste regarding this option.

The proposed bin storage is sufficiently large enough to accommodate the required refuse and recycling provision. A condition should be attached to any permission requiring the submission of a Waste Management Strategy to ensure waste is not left to the front of the building and stored appropriately.

Fire Hydrants

Avon Fire and Rescue commented on the proposed development and requested 2no. Fire Hydrants to be installed and appropriately sized water mains to be provided which will be secured by a s106 obligation.

Approval in Principle

Due to the basement under Blocks A and B, this would require Approval in Principle (AiP) as any excavation/works has the potential to undermine the highway. This would be secured by way of a condition.

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Summary:

In summary, the proposed development is considered to sufficiently address transport and highway impacts in accordance with BCS10, DM23 and DM32.

G. WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE WITH REGARDS TO CONTAMINATION, FLOOD RISK, DRAINAGE AND AIR QUALITY?

The Bristol Local Plan – Site Allocations and Development Management Policies - Adopted July 2014 allocates this site (Site reference: BSA1207) for housing. In terms of ‘development considerations’ the Annex to SADMP ‘Site Allocations information’ outlines that development on this site should address noise and pollution issues from Bath Road.

i) Contaminated land

Policy DM34 sets out that new development should demonstrate that any existing contamination on a site would be addressed by appropriate mitigation measures and that there is no unacceptable risk of pollution within the site or surrounding area. The policy also requires that the development will not cause land to become contaminated.

The applicant submitted a desk study, ground investigation report and remediation strategy.

The Public Protection (Contaminated Land) initially raised queries with the results provided. However following submission of additional information, the officer raised no further queries subject to conditions requiring carrying out the approved remediation scheme and reporting of any unexpected contamination.

ii) Flood risk and drainage

Regarding flood risk, Policy BCS16 of the Core Strategy states that developments need to be resilient to flooding through design and layout and incorporate sensitively designed mitigation measures to ensure the proposed development remains safe from flooding over its lifetime. The requirement to incorporate Sustainable Drainage Systems (SuDS) into new development is highlighted, as is the expectation that new development would incorporate water management measures to reduce surface water run-off and ensure flood risk is not increased elsewhere.

The original drainage strategy was submitted in October 2018 which was considered unacceptable. The Flood Risk Officer raised concern with the proposed surface water drainage strategy. Following this, an updated drainage strategy was submitted. The approach was considered acceptable and achievable, with further details to be secured by way of a condition.

iii) Air quality and noise

Policy DM23 states that development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible.

The application site is located within a designated Air Quality Management Area. The applicant submitted an air quality assessment with the application which concludes that the effects of local traffic on the air quality for future residents would be acceptable and the overall operational air quality effects are judged to be not significant.

Bristol City Council Air Quality officer was consulted on the application during pre-application and recommended that any development be set back at least 10m from Bath Road. It is proposed to set the development back from Bath Road by approximately 8m. Whilst this does not meet the 10m

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guidance, it is considered sufficient to ensure the future residents would be adequately protected.

The Environmental Health Officer was consulted as part of the application reviewing matters relating to noise, they raised no objection subject to noise levels/mitigation measures of the air source heat pumps being provided by way of a condition.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

This is an allocated site for housing in the development plan. It is in a sustainable location, re-uses previously developed land, provides a housing mix and affordable housing for which there is a significant need. The Applicant is proposing to enter into a s.106 Agreement that would secure 22% affordable housing of the revised and updated scheme (all social rent) with the remaining 78% to be delivered as (unsecured) affordable housing. Blocks A and B are proposed as shared ownership and C, D and E are proposed as a mixture of affordable and social rent. This approach is supported by Council's Housing Enabling Team.

Whilst this is an application for an allocated site, and substantial weight has been afforded to this and the policy compliant aspects of application (affordable housing provision; residential amenity for existing neighbouring properties; transport; contamination; flood risk/drainage; and air quality), it is not considered to outweigh the impacts associated with the proposed energy strategy, the concerns relating to the quality of the design proposals and the quality of the accommodation/amenity for future occupiers.

As Members will be aware, a proposal can be in conflict with a policy of the development plan, but still be in accordance with the development plan taken as a whole. This application has been carefully considered and assessed by Officers against the Development Plan, taking into account the material considerations detailed in the Key Issues of this report. Overall, this application is not considered to be in accordance with the development plan, and as such, it is recommended for refusal.

COMMUNITY INFRASTRUCTURE LEVY

This development is liable for CIL totalling £747,662.73.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

The following reason(s) for refusal are associated with this decision:

1. The proposed development would not provide an energy solution which sits within the Heat Hierarchy set out in Policy BCS14 of the Bristol Core Strategy and the submitted Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps (Updated Strategy and Consolidated Report), has not demonstrated adequately that it is not viable or not feasible to meet the heat hierarchy. This is contrary to Policy BCS14 of the Core Strategy, as well as guidance within Section 14 of the National Planning Policy Framework.

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2. The proposed development by reason of its height, scale, massing, public realm and overall design quality, would be unacceptable in design terms and the impact on the amenity of future occupiers. This would be contrary to Section 12 of the National Planning Policy Framework (February 2019); Policy BCS21 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28 and DM29 of the Site Allocations and Development Management Policies (July 2014); and Urban Living SPD (November 2018).

Supporting Documents

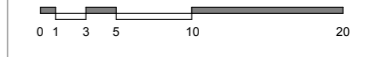
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1. Proposed site plan
2. Proposed site elevations
3. Proposed ground floor layout
4. Proposed lower ground floor layout
5. Proposed first floor layout
6. Proposed second floor layout
7. Proposed third floor layout
8. Proposed fourth floor layout
9. Proposed fifth floor layout
10. Proposed sixth floor layout
11. Perspective from Arnos Vale Park
12. Perspective looking down Bath Road
13. Perspective looking up Bath Road from Arnos Manor Hotel
14. Latest Sustainability comments



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 Prior to commencement of works on the site, the contractor should check all dimensions on the drawings and check against actual site dimensions, and report and discrepancies immediately to the Architect.

Written dimensions are to take precedence over scaled dimensions.



1:500 @ A3



- 11 2020.01.29 TH February re-submission issue
- 10 2020.01.27 TH Added ASHP to Blocks D&E. Draft issue to design team.
- 09 2020.01.14 TH Minor changes
- 08 2019.11.04 TH Minor changes.
- 07 2019.11.04 TH Draft issue. Changes as per beneath and other minor changes.
- 06 2019.09.24 TH Changes based on BCC comments, Stepping removed from Block A. Flats removed from Block A to reduce height, added to Block B. Changed Block A corridor to walkway on top floor. Relocated stair cores in Block C to more central position. Landscaping updated.
- 05 2019.09.16 DC Site plan amended
- 04 2019.03.07 TH Dashed road line removed
- 03 2019.03.06 TH March re-submission, see drawing for full revision notes
- 02 2018.08.15 TJH Landscape Amended & Redline Corrected
- 01 2018.06.29 TJH Planning Submission

Rev	Date	By	Description
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noma architects

14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Proposed Site Plan

Drawing Number	1801	2108	11
Project	Number	Revision	

Planning
 Purpose of Issue

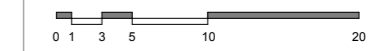
1:500
Scale

TJH Drawn	SD Checked	2018.06.29 Issue Date	A3 Size
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1801 NOMA Project No	Noma Owner	00 Zone	00 Level	00 Type	A Role	S0 Status
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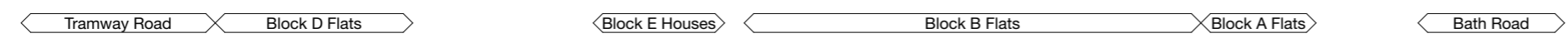
Written dimensions are to take precedence over scaled dimensions.



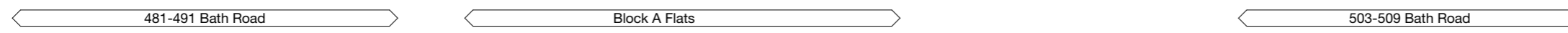
1:500 @ A3



Section D-D Site Section Along North Boundary



Section A-A Elevation to Bath Road



Section C-C Elevation to Tramway Road



Page 49

09	2020.01.31	TH	February re-submission issue
08	2020.01.14	TH	Draft issue to design team
07	2019.11.04	TH	Minor changes
06	2019.09.23	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats, Stairwells on Block B south and Block C relocated and cladding changed to brick.
05	2019.03.08	TH	Amended fence graphic
04	2019.03.07	TH	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor, PV size and layout amended, stair core windows amended, AOVs added to Blocks B and C
03	2018.08.17	TJH	Hedge Shown
02	2018.08.15	TJH	Landscape Amended
01	2018.06.29	TJH	Planning Submission
Rev	Date	By	Description

noma architects
 14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

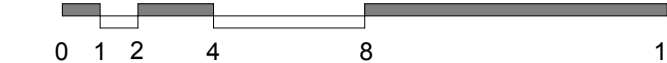
Client
Sovereign HA

Drawing Title
Site Elevations As Proposed

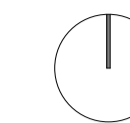
Drawing Number	1801	2200	09
Project	Number	Revision	
Planning		1:500	Scale
Purpose of Issue			
TJH	SD	2018.06.29	A3
Drawn	Checked	Issue Date	Size
1801	Noma	00 00 00	A S0
NOMA Project No	Owner	Zone	Level Type Role Status

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1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A

- 15 X 1B Flats
- 6 X 2B Flats
- TOTAL 21 Units
- 44 Underground Car Parking Spaces
- 130 Cycle parking spaces

BLOCK B

- 18 X 1B Flats
- 35 X 2B Flats
- TOTAL 53 Units
- (Parking shared with Block A)
- (Cycle parking shared with Block A)

BLOCK C

- 24 X 1B Flats
- 36 X 2B Flats
- TOTAL 60 Units
- 35 Covered Car Parking Spaces
- 94 Cycle Parking Spaces

BLOCK D

- 6 X 1B Flats
- 3 X 2B Flats
- TOTAL 9 Units
- 9 Car Parking Spaces
- 8 Cycle Parking Spaces

BLOCK E

- 3 X 3B Houses
- TOTAL 3 Units
- 6 Car Parking Spaces
- 6 Cycle Parking Spaces

- + 3 Visitors Car Parking Spaces
- + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

15	2020.01.31	TH	February re-submission issue
14	2020.01.29	TH	Corrected parking space numbers. Moved car positions.
13	2020.01.28	TH	Corrected cycle space numbers.
12	2020.01.27	TH	Added ASHP to Block E units.
11	2020.01.14	TH	Minor amendments
10	2020.01.28	TH	Minor amendments
09	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
08	2019.10.08	TH	Amended accommodation schedule
07	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed, corridor removed to create dual aspect flats. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated to improve corridors on upper floors, parking amended to facilitate this.
06	2019.09.16	DC	Amended floor plan
Rev	Date	By	Description

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
**493-499 Bath Road
Brislington
Bristol**

Client
Sovereign HA

Drawing Title
Proposed Ground Floor Layout

Drawing Number
1801 2102 15

Project Number Revision

Planning **1:200**

Purpose of issue Scale

TJH **SD** **2018.06.29** **A1**

Drawn Checked Issue Date Size

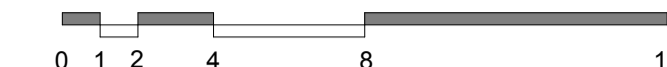
1801 **Noma** **00** **00** **00** **A** **S0**

NOMA Project No Owner Zone Level Type Role Status

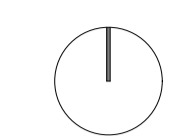


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1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

- + 3 Visitors Car Parking Spaces
- + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers. Moved car positions.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block B south stair relocated to improve corridors, entrance lobby, bike/ bins stores and parking amended to accommodate.
05	2019.09.16	DC	Amended floor plan
04	2019.03.06	TH	March re-submission, see drawing for full revision notes
03	2018.08.17	TJH	Water Tank Wall Adjusted
02	2018.08.15	TJH	Landscape Amended & Redline Corrected
01	2018.06.29	TJH	Planning Submission
Rev	Date	By	Description

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
**493-499 Bath Road
Brislington
Bristol**

Client
Sovereign HA

Drawing Title
**Proposed Lower Ground Floor
Layout**

Drawing Number
1801 2101 13

Project Number Revision

Planning **1:200**

Purpose of issue Scale

TJH **SD** **2018.06.29** **A1**

Drawn Checked Issue Date Size

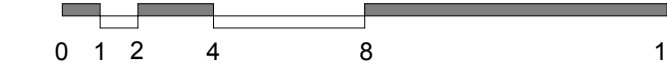
1801 **Noma** **00** **00** **00** **A** **S0**

NOMA Project No Owner Zone Level Type Role Status

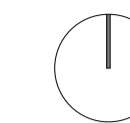


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Written dimensions are to take precedence over scaled dimensions.



1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

- + 3 Visitors Car Parking Spaces
- + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Revised drawings submission to planning
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added an ensuite to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated with adjacent flat to improve corridors.

Rev	Date	By	Description
-----	------	----	-------------

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
**493-499 Bath Road
Brislington
Bristol**

Client
Sovereign HA

Drawing Title
Proposed First Floor Layout

Drawing Number
1801 2103 13

Project Number Revision

Planning **1:200**

Purpose of Issue Scale

TJH **SD** **2018.06.29** **A1**

Drawn Checked Issue Date Size

1801 **Noma** **00** **00** **00** **A** **S0**

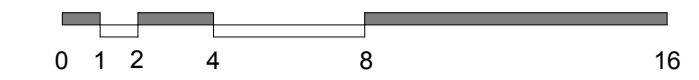
NOMA Project No Owner Zone Level Type Role Status



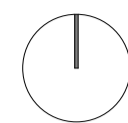


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1:200 @ A1
 1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
 15 X 1B Flats
 6 X 2B Flats
 TOTAL 21 Units
 44 Underground Car Parking Spaces
 130 Cycle parking spaces

BLOCK B
 18 X 1B Flats
 35 X 2B Flats
 TOTAL 53 Units
 (Parking shared with Block A)
 (Cycle parking shared with Block A)

BLOCK C
 24 X 1B Flats
 36 X 2B Flats
 TOTAL 60 Units
 35 Covered Car Parking Spaces
 94 Cycle Parking Spaces

BLOCK D
 6 X 1B Flats
 3 X 2B Flats
 TOTAL 9 Units
 9 Car Parking Spaces
 8 Cycle Parking Spaces

BLOCK E
 3 X 3B Houses
 TOTAL 3 Units
 6 Car Parking Spaces
 6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
 + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
 97 TOTAL CAR PARKING SPACES
 280 TOTAL CYCLE PARKING SPACES

12	2020.01.31	TH	February re-submission issue
11	2020.01.29	TH	Corrected parking space numbers.
10	2020.01.28	TH	Corrected cycle space numbers.
09	2020.01.14	TH	Revised drawings submission to planning
08	2019.11.08	TH	November re-submission, minor amendments
07	2019.11.04	TH	November re-submission, changes made as per revisions below, added on suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

noma architects

14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Proposed Second Floor Layout

Drawing Number	1801	2104	12
Project	Number	Revision	

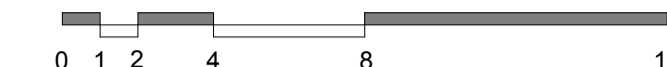
Purpose of issue	1:200
	Scale

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date	Size
1801	Noma	00 00 00	A S0
NOMA Project No	Owner	Zone	Level
		Type	Role
			Status

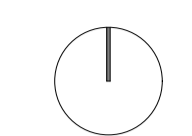


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1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Revised drawings submission to planning
09	2019.11.08	TH	November re-submission, minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step, corridor changed to deck access. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan
Rev	Date	By	Description

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Proposed Third Floor Layout

Drawing Number
1801 2105 13

Project Number Revision

Planning **1:200**

Purpose of issue Scale

TJH **SD** **2018.06.29** **A1**

Drawn Checked Issue Date Size

1801 **Noma** **00** **00** **00** **A** **S0**

NOMA Project No Owner Zone Level Type Role Status

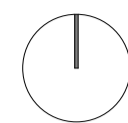


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1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

14	2020.01.31	TH	February re-submission issue
13	2020.01.29	TH	Corrected parking space numbers.
12	2020.01.28	TH	Corrected cycle space numbers.
11	2020.01.27	TH	Added ASHP to Block D.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
**493-499 Bath Road
Brislington
Bristol**

Client
Sovereign HA

Drawing Title
Proposed Fourth Floor Layout

Drawing Number
1801 2106 14

Project Number Revision

Planning **1:200**

Purpose of issue Scale

TJH **SD** **2018.06.29** **A1**

Drawn Checked Issue Date Size

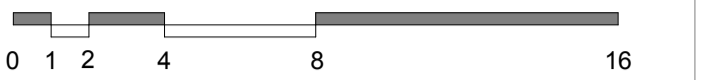
1801 **Noma** **00** **00** **00** **A** **S0**

NOMA Project No Owner Zone Level Type Role Status

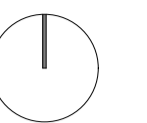


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Written dimensions are to take precedence over scaled dimensions.



1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

- + 3 Visitors Car Parking Spaces
- + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Removed 6th floor block C drawing, added to new sheet, minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Flats removed from Block A to reduce height. Block B south stair core relocated with adjacent flat to improve corridor. Plots B51, 52, 53 added to Block C (replacing units removed from Block A). Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan
Rev	Date	By	Description

noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Proposed Fifth Floor Layout

Drawing Number
1801 **2107** **13**

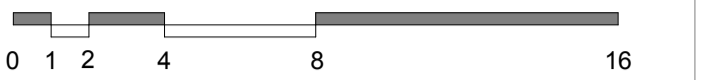
Project Number Revision
Planning **1:200**

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date	Scale
1801	Noma	00 00 00	A S0
NOMA Project No	Owner	Zone	Level
			Type
			Role
			Status

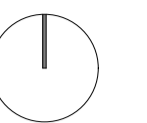


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Written dimensions are to take precedence over scaled dimensions.



1:200 @ A1
1:200 @ A1



Accommodation Schedule:

- 1 Bed Flat - 50-51m²
- 2 Bed Flat - 61-70m²
- 3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

- + 3 Visitors Car Parking Spaces
- + 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

05	2020.01.31	TH	February re-submission issue
04	2020.01.29	TH	Corrected parking space numbers.
03	2020.01.28	TH	Corrected cycle space numbers.
02	2020.01.14	TH	Minor amendments
01	2019.11.08	TH	Plan moved from drawing 2107 drawing for clarity

Rev	Date	By	Description
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noma architects
14 Guinea Street
Redcliffe, Bristol BS1 6SX
T 0117 929 2041
E mail@noma-uk.com
www.noma-uk.com

Job
**493-499 Bath Road
Brislington
Bristol**

Client
Sovereign HA

Drawing Title
Proposed Sixth Floor Layout

Drawing Number	1801	2109	05
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Project	Number	Revision
Planning		1:200
Purpose of issue		Scale

TJH/ TH	SD	2019.11.08	A1
Drawn	Checked	Issue Date	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status



View From Arnos Vale Park

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07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats, Stairwells on Block B south and Block C relocated and cladding changed to brick.
03	2019.03.14	TH/JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor. Block B flats in corner amended to have angled bays
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

Rev	Date	By	Description
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noma architects
 14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Perspective from Arnos Vale Park

Drawing Number
1801 **2503** **07**
 Project Number Revision

Planning
 Purpose of Issue Scale

TJH Drawn	SD Checked	2018.06.29 Issue Date	A3 Size
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1801 NOMA Project No	Noma Owner	00 Zone	00 Level	00 Type	A Role	S0 Status
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View Down Bath Road

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Written dimensions are to take precedence over scaled dimensions.

Rev	Date	By	Description
07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change.
03	2019.03.14	TH/JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor.
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

noma architects
 14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Perspective looking down Bath Road

Project	Number	Revision
1801	2502	07

Planning
 Purpose of Issue

Drawn	Checked	Issue Date	Scale
TJH	SD	2018.06.29	A3

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0



View Up Bath Road

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Written dimensions are to take precedence over scaled dimensions.

Rev	Date	By	Description
07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats
03	2019.03.14	TH/JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor.
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

noma architects
 14 Guinea Street
 Redcliffe, Bristol BS1 6SX
 T 0117 929 2041
 E mail@noma-uk.com
 www.noma-uk.com

Job
493-499 Bath Road
Brislington
Bristol

Client
Sovereign HA

Drawing Title
Perspective looking up Bath Road from Arnos Manor Hotel

Drawing Number
1801 2501 07

Project Number Revision
Planning

Purpose of Issue Scale
TJH SD 2018.06.29 A3
Drawn Checked Issue Date Size

1801 Noma 00 00 00 A S0
NOMA Project No Owner Zone Level Type Role Status



Bristol City Council

Sustainable City Team

To: David Grattan

From: Mark Letcher and Amy Harvey Sustainable City Team

Subject: Further sustainability comments following draft legal opinion provided to the applicant

Planning ref: 18/05023/F

Introduction

These comments are provided in response to the draft legal opinion prepared on behalf of the applicant by Thea Osmund-Smith of No5 Chambers. They pertain to the concern raised in the legal opinion that Bristol City Council sustainability officers had not engaged with the applicant in consideration of what is feasible or viable, clarifications related to that opinion, grant funding offered by BCC to reduce the costs of policy compliant heating systems, financial viability and technical feasibility.

1. Engagement on what is feasible and viable

It is the view of sustainability officers that it should be possible to achieve a solution which is acceptable to all parties as has been the case with other recent schemes where the initial energy strategy was not policy compliant. So it is also regrettable that the offer of further discussions between the BCC Sustainability Team and the applicant regarding the energy strategy were declined by the applicant.

We consider that the evidence does not support the assertion, in the legal opinion provided to the applicant, that Sustainability Officers have not engaged with what is feasible or viable. The feasibility and viability of the scheme has been the subject of discussions between the applicant and other BCC officers as follows:

- 31st March 2017: Pre-app comments prepared by Amy Harvey – Bristol City Council.
- 16th April 2018: Pre-app meeting with the applicant's team and Amy Harvey and Mark Letcher – BCC Sustainable City, Paul Barker – BCC Energy Services, Jess Leigh – BCC Development Management. Lee Evans – Sustainable Energy Ltd (providing consultancy services for BCC on the development of the heat network) at 100 Temple Street to discuss the Energy Strategy and communal heating.
- 26th April 2018: Meeting notes and actions from meeting above circulated by Amy Harvey.
- 27th April 2018: E-mail from Amy Harvey – BCC to Mark Tunstall - Tremain Powell Partnership Ltd, copied to Mark Somerville – Savills, and Corinne Moore – Sovereign, providing further clarification on communal heating.

- 9th May 2018, 14th May 2018, 15th May 2018, 14th June 2018, further correspondence between BCC and applicant's team providing clarification and assistance with respect to BCS14.
- 26th October 2018: Initial comments from Amy Harvey – BCC provided on the full application by e-mail.
- 27th November 2018: Full sustainability comments provided by Amy Harvey - BCC
- 18th October 2018: Offer from David White – BCC Energy Services to provide metering and billing services for a communal heating solution.
- 26th March 2019: Response from applicant to sustainability comments received.
- 29th March 2019: Meeting with applicant, with Amy Harvey – BCC and David Grattan- BCC Development Management in attendance.
- 8th April 2019: Follow-up comments sent by Amy Harvey – BCC to applicant.
- 29th April 2019: Further sustainability comments provided by Amy Harvey – BCC in response to additional information from the applicant received in March 2019.
- 9th May 2019: Additional information received from the applicant on viability and the energy strategy.
- 12th March 2020: Further sustainability comments submitted to David Grattan – BCC in response to further submissions by the applicant '*Bath Road Planning Statement Addendum (Feb 2020)*', and '*Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps*'.

Further, Sustainability officers worked with colleagues in BCC Energy Services to identify a solution to concerns raised by the applicant about the technical and administrative requirements of metering and billing for communal heating and hot water solutions.

Sustainability officers also asked a company which the city council has used for its own housing schemes, to provide an initial assessment of whether a ground source heat pump with shared ground array was technically feasible on this site. Their conclusion was that a system of this type could provide space heating and hot water to the scheme as a whole, with a proportion of the bore-holes located under the car-park and basement areas. An alternative configuration excluding carpark and basement areas was also considered possible subject to further design work to confirm technical details.

In both these instances we were not recommending a particular provider or approach but seeking to assist the applicant in finding feasible and viable solutions.

2. Clarifications

Discussions with Bristol City Council Energy Services

Paragraph 17(ii), Site Specific Information - *The Technical and Financial Appraisal* of the legal opinion suggests, with reference to Communal systems, that '*Whilst the Council did wish Sovereign to consider engaging Bristol Energy to provide metering and billing services, the Council accepted at a meeting in April 2019 that Bristol Energy had not been able to provide an adequate quote and scope of services in order for them to be seriously considered.*'

We do not consider the suggestion (above) that the Council wanted Sovereign to engage with BCC Energy Services to be an accurate reflection of discussions at the time. The discussions about metering and billing services related to an offer made proactively by BCC Energy Services to provide and undertake metering and billing on behalf of Sovereign, to address concerns raised by them about the technical and administrative requirements of providing such services. This offer was made with the intention of achieving a policy compliant scheme which would be acceptable to the applicant. (Note: engagement was with Bristol City Council officers in the Energy Services team, not Bristol Energy Company).

Interpretation of policy BCS14 – Sustainable Energy

Policy BCS14 – Sustainable Energy sets out a requirement for development to minimise its energy requirements and incorporate renewable and low-carbon energy supplies to reduce its carbon dioxide (CO₂) emissions. This can be achieved by reducing energy demand through improvements in energy efficiency, the incorporation of on-site renewables and providing heating and hot water systems in accordance with the heat hierarchy.

Each of these elements are important in their own right to meeting this policy objective. The requirement to provide heat hierarchy compliant heating and hot water systems is not solely intended as a means of achieving a 20% reduction in residual emissions through on-site renewables, though where renewable heating and hot water systems are specified they will contribute to this. Thus, for the units in this scheme, in which the applicant is proposing to install air source heat pumps, their use would comply with the heat hierarchy and contribute to the reduction in residual emissions.

3. Grant funding for Housing Associations under Bristol City Council’s Housing Delivery Plan

In recognition of Bristol’s need for new and affordable housing and the Mayor’s objective of building 2,000 new homes a year (of which 800 are ‘affordable’) the council established a Housing Delivery Plan which was approved in March 2017, and included a major affordable housing funding programme of £52m. In the first eighteen months of operation the funding programme allocated £13.1m to Housing Associations in Bristol.

Under Supplementary Grant Arrangements to delivery corporate objectives, up to £10,000 per unit is available (subject to a grant application) for rented or shared ownership units on schemes delivered principally on private land to assist Housing Associations to deliver BCC policy requirements through the heat hierarchy.

We regard this grant funding as indicative of the council’s desire to assist housing associations in delivering affordable housing which is compliant with the heat hierarchy. This provides a very significant contribution to the capital costs of the project’s heating system.

4. Viability of this scheme

It is our understanding that viability of the scheme was assessed on behalf of BCC by BNP Paribas, and agreement reached with the applicant in February 2020 that, setting aside compliance with BCS14, the scheme could provide 32 affordable units (22%) whilst remaining viable. Compliance with BCS14 using a ground source heat pump system would reduce the number of affordable units to 7-10 units (5-7%). This suggests that achieving a scheme compliant with BCS14 is viable, albeit with a reduced number of affordable units.

The viability assessment did not take account of the potential grant funding under the Housing Delivery Plan for compliance with policy BCS14, as referred to in previous comments provided to the applicant. This would, make a very significant contribution to the capital costs of the policy compliant heating system and thereby allow the applicant to increase the number of affordable units that could be achieved as part of this scheme.

5. Technical feasibility

As outlined above, since the submission of the pre-application in 2017 Bristol City Council has engaged extensively with the applicant in writing and face to face on the technical elements of this scheme and on compliance with BCS14 in particular. It remains our view that to date, the applicant has not demonstrated adequately either that it is not viable or not feasible to meet policy BCS14 on this scheme.

With respect to the question of whether it is *technically* feasible to design a development of this type which is policy compliant, our view is that it is, based on our assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at numerous sites in Bristol.

Communal systems – gas fired or connected to a heat network: The fact that large developments are being designed and constructed in Bristol with communal heating and hot water systems suggests to BCC that there are no inherent technical reasons why this scheme could not be designed to use a communal system. This includes communal systems with a centralised gas boiler, and communal systems where the gas boiler is replaced by a plate heat exchanger connected to the heat network. In either case heat for space heating and domestic hot water are distributed to individual dwellings from a central plant-room/energy centre.

Communal systems – using ground source heat pumps with shared ground array. The technical opinion and initial estimate obtained by Bristol City Council (see *Engagement on what is feasible and viable* above) suggests that a ground source heat pump system is technically feasible, and that there would be sufficient space for the ground array if partially located under the carpark and basements, and that it may be possible to design such a system without the need to locate the ground array beneath the carpark or building footprints.

Bristol City Council's view is that systems of this type are sufficiently developed and mature, to be considered for a scheme of this type. (Prior to installing a ground source heat pump system in one of its own new housing developments (Ashton Rise – see below) Bristol City Council and the lead contractor undertook separate due-diligence exercises to assess the risks associated with this approach, and based on the findings of these has procured and installed this type of system).

The ground source heat pump in each dwelling is normally located beneath the domestic hot water cylinder. Given that a domestic hot water cylinder will be required anyway under the applicant's preferred approach we do not regard this as a technical constraint as stated by the applicant.

If designed, specified and installed correctly ground source heat pump systems do not require additional heating to provide domestic hot water as stated by the applicant.

Individual air source heat pumps: The aesthetic impact of externally mounted air source heat pumps could be addressed through the use of communal air source heat pump systems, or hybrid air and water to water source heat pump systems¹, or internal air source heat pumps in which air is transferred to and from the heat pump via a wall duct.

¹ Hybrid air and water to water source heat pumps systems use a communal air source heat pump/pumps to produce low temperature water (20 to 25 deg C) which is piped to each dwelling via an 'ambient loop'. In each dwelling a separate heat pump extracts heat from the ambient loop, increasing the temperature of the heat for space heating and hot water. Hot water is stored in a domestic hot water cylinder prior to use.

Examples of policy compliant schemes using communal (gas) boilers or connection to a heat network

Bristol City Council Sustainable City officers consider the number and type of recent developments in Bristol which meet BCS14 and provide heating and hot water systems which comply with the heat hierarchy as further evidence that it is technically feasible to design this scheme to be policy compliant.

Examples, of compliant schemes (which are not exhaustive), include:

6 Upper York Street, Bristol, BS2 8QN. Planning ref: 19/00066/F. Conversion and extension of 6 Upper York Street and the former Coroner's Court and erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping.

Approved energy strategy is for communal gas boiler to provide space heating and hot water.

McArthurs Warehouse, Gas Ferry Road, Bristol. Planning ref: 17/03139/F Demolition of existing warehouse and associated buildings and structures. Redevelopment to provide a mixed-use development of 147 residential units, workspace and a cafe with ancillary gallery space (Use Classes C3, B1 and A3) and associated car parking, servicing, landscaping works, provision of utilities and other supporting infrastructures.

Approved energy strategy is for communal gas boiler to provide heating and hot water.

Former Central Ambulance Station (Castle Park View). Planning ref: 17/04267/F Residential redevelopment comprising 375 flats (with a tall building element) including communal facilities, amenity space and car parking, together with vehicular access, servicing arrangements, public realm works and landscaping.

Approved energy strategy is for domestic heating and hot water to be provided by connection to Bristol City Council heat network.

Paintworks, Land To North Paintworks Bristol. Planning ref: 15/04217/F Demolition of Endemol building and partial demolition of Building Six; erection of new buildings of 4-8 storeys with underground car parking to provide up to 1769 sqm of employment floor space (Use Class B1), including 188sqm of flexible floor space (Use Classes A1, A3 and B1); 92no dwellings (Use Class C3); new open car park, public open space and associated landscaping.

Approved energy strategy was for space heating and hot water to be provided using communal gas boiler system.

Examples of policy compliant schemes using individual air source heat pumps

Kings Weston Reservoir, Tufton Avenue, Bristol. Planning ref: 17/05700/F. 33 Dwellings on former reservoir site.

Approved energy strategy is for space heating and hot water to be provided using individual air source heat pumps.

Land At Astry Close, Bristol, BS11 0RB. Planning ref: 19/03660/F. Proposal (currently under consideration) is for the construction of 36 new dwellings, a mixture of one, two and three bedroom houses and flats of two and three storeys with associated landscaping and parking.

Energy strategy is for individual air source heat pumps to provide space heating and hot water.

Examples of policy compliant schemes using communal air source heat pump systems

Former Esso Garage, Bath Road, Totterdown. (Ref: 18/04620/F). Construction of 152 new residential dwellings contained in three buildings comprising of a 15+2 storey tower, a central block ranging between 6 and 7 storeys and eastern block at 3 storeys. Additional uses include ground and lower ground floor commercial (B1 Use Class) office space, car and cycle parking, refuse and recycling storage and associated landscaping.

Space heating and hot water to be supplied via communal air source heat pump system with option for future connection to the heat network if required.

Land To The South Of Morris Road, Morris Road, Bristol. Planning ref: 17/01920/F. Mixed tenure, sustainable community development of 49 dwellings and two common houses.

Approved energy strategy is for space heating and domestic hot water to be provided via Central Air Source Heat Pump system with thermal storage; heat distributed using district heating network; heat Interface units within each building providing heat and hot water.

Examples of policy compliant schemes using ground source heat pumps with shared ground arrays

Alderman Moores Land To Rear Of Silbury Road (Ashton Rise), Alderman Moores, Bristol. Planning ref: 17/06559/FB. Erection of 133no. dwellings with associated access, landscaping and services.

Approved energy strategy is for space heating and domestic hot water to be provided using ground source heat pumps using shared ground arrays.

Hartcliffe Campus, Hawkfield Road, Bristol. Planning ref: 19/02242/M Application for approval of reserved matters following outline approval 18/02055/P - Reserved matters (appearance, landscaping, layout and scale) for 350 residential dwellings, along with associated open space and landscaping, including information pursuant to outline planning permission (ref. 18/02044/P).

Approved energy strategy is for space heating and domestic hot water to be provided using ground source heat pumps with shared ground arrays.

Brandon Trust, 185 Passage Road, Henbury. Planning ref: 16/06016/F. Demolition of existing building and erection of 2-storey supported housing development, comprising 8 self-contained flats and supporting accommodation.

Approved energy strategy was for ground source heat pumps to provide space heating and domestic hot water.

Example of policy compliant scheme combining two policy compliant heating and domestic hot water solutions

Open Space, Glencoyne Square, Bristol. Planning ref: 19/04705/F Development of site for up to 120 residential units, a health centre, library, live-work accommodation and other uses potentially including offices, activity space and a launderette, together with associated landscaping, parking and infrastructure.

Approved energy strategy: In 62 units heating and domestic hot water to be provided using ground source heat pumps with shared ground array. The remaining 58 units to be served by individual air source heat pumps.

Development Control Committee A – 2 September 2020

ITEM NO. 2

WARD: Clifton Down

SITE ADDRESS: 85 Whiteladies Road Bristol BS8 2NT

APPLICATION NO: 20/01032/F Full Planning
20/01033/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 4 September 2020

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.

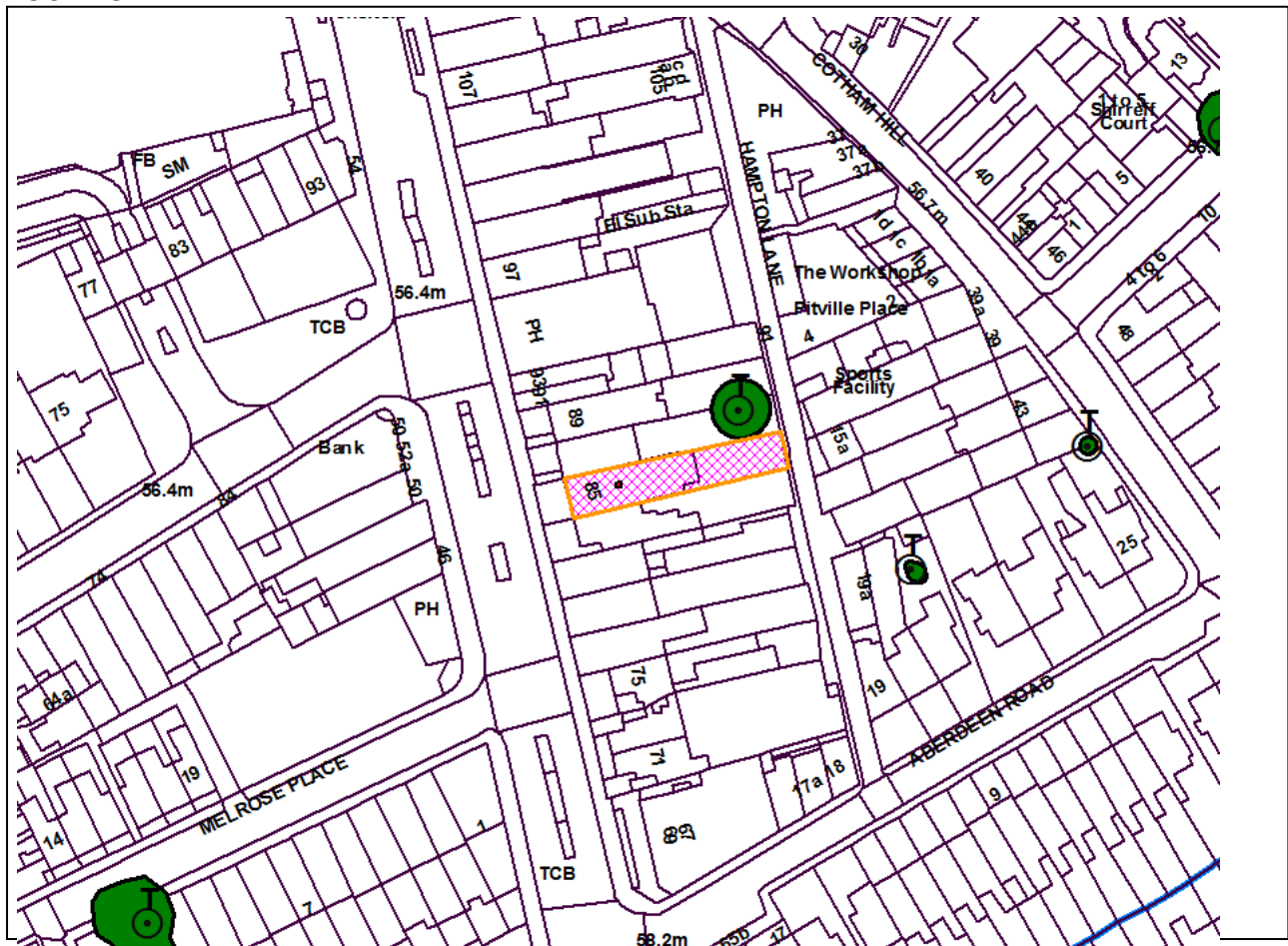
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Aspect360 Ltd
45 Oakfield Road
Clifton
Bristol
BS8 2AX

APPLICANT: Eastman Estates Ltd
C/o Agent

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

LOCATION PLAN:



Development Control Committee A – 2 September 2020
Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT

SUMMARY

The current applications seek planning permission and listed building consent for development of a two storey building for use as a multiple occupancy student dwelling for 6 occupants on land to the rear of 85 Whiteladies Road.

The site is located to the rear of a three storey grade II listed terrace in Clifton Down ward. The site fronts Hampton Lane. The site is within the Whiteladies Road Conservation Area. It is also within the designated Whiteladies Road Town Centre.

The application has been referred to committee for determination by Councillor Clive Stevens following an officer recommendation for approval. Concerns relate to the emerging HMO SPD and the proportion of existing HMO accommodation in the immediate area.

The application received 14 objections. It is noted that the majority of these were received prior to amendments being made to reduce the scale of development from three storeys and 9 bedrooms, to two storeys and 6 bedrooms as now under consideration. A summary of the main grounds of objection includes; extent of HMO accommodation locally and impact to housing availability, impact to appearance and character, impact to amenity through noise and waste, impact to amenity through loss of light and privacy, impact of additional car parking on local streets and concerns regarding waste and recycling.

Officers have scrutinised these proposals closely through an earlier application (withdrawn in November 2019) and the current application process which has extended over several months. Following revisions to overcome design concerns, officers are now supportive of the scheme. A key area of concern both to the ward member and raised in public consultation responses relates to the proportion of multiple occupancy accommodation present within the local area. Officers do not believe that a harmful concentration as defined by Policy DM2 would occur. The scheme does not result in the loss of any existing housing and in the view of officers, the site is ill suited to development for traditional residential use. It is highlighted that the emerging HMO SPD remains subject of public consultation and the guidance therefore remains unadopted. This should be of limited weight in decision making. Irrespective, Officers believe the site is well suited to the proposed use in this instance and undue harmful impact would not occur.

The site represents an acceptable location for the proposed use based on the town centre location in close proximity of a major public transport route. This is a location where higher density development is supported in principle. The use and building are not found to result in unacceptable harm to neighbouring amenity and living conditions. The proposed design presents an acceptable response to the appearance and character of the area and would avoid harm to heritage assets. The development is sustainably located, provides acceptable access and all highways issues can adequately be managed via condition. All other planning matters are found to be acceptable and can be dealt with by condition. It is therefore the recommendation of Officers that permission is granted subject to conditions recommended at the foot of the report.

Development Control Committee A – 2 September 2020**Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT****SITE DESCRIPTION**

The site is located to the eastern side of Whiteladies Road, Cotham and contains a three storey plus lower ground level, mid-terrace, mixed use building. The site is long and rectangular, set back from the street by a small front yard area which is hard surfaced and used for outdoor seating. This relates to the lower and upper ground floor use which is presently a restaurant/bar (use class A3). The first and second floors are understood to be in use as offices (use class B1a). The building forms a pair with the neighbouring building to the south (83 Whiteladies Road) and includes a double height shopfront at lower and upper ground levels. The entrance to the office is offset to the outer (northern side). The façade is faced with limestone ashlar and the roof is hipped and positioned behind a raised parapet. The building includes a large 20th century two storey extension to the rear before a hard surfaced yard area used for car parking. This area includes access from Hampton Lane which runs perpendicular to the rear of the site. The current application relates to the hard surfaced rear yard area fronting Hampton Lane. The existing building and the neighbouring building to the south (83 Whiteladies Road) date from approximately 1850 are listed for historic significance at grade II level. The adjacent buildings to the north (87-91 Whiteladies Road) are also grade II listed. The site is located within the Whiteladies Road Conservation Area. The site is also located within Whiteladies Road Town Centre and is designated part of the Secondary Shopping Frontage as defined by adopted policy.

PLANNING HISTORY

19/04587/F & 19/04588/LA Partial demolition of modern brick rear wall and construction of a 3-storey building with 2no. sui generis student cluster flats with associated refuse and cycle storage.
WITHDRAWN - 20.11.2019

03/01105/A Installation of non illuminated sign on front boundary wall
WITHDRAWN - 02.07.2003

99/03731/F & 99/03732/LA Internal alterations in connection with use of rear ground floor as ancillary accommodation to existing restaurant use and external alterations to provide two new windows to rear elevation and relocate extract duct GRANTED - 10.03.2000

88/03472/F Installation of new shopfront GRANTED - 07.11.1988

88/03179/L Proposed new wine bar at ground floor. New gallery, shop front and external steps & complete internal fit out GRANTED - 21.10.1988

APPLICATION

The current applications seek both planning permission and listed building consent for the proposed development of a two storey building on land to the rear of the site. The proposed building would comprise a 6 bedroom house in multiple occupation providing student accommodation (sui generis).

The building would be located adjacent to the rear boundary with Hampton Lane. It would have a footprint measuring 15.5m in depth by 6m in width. The building would be positioned level with the southern side boundary adjacent to 83 Whiteladies Road. It would be separated by 1.1m from the northern boundary and this area would remain undeveloped, providing access to the building as well as the existing building at the site.

The building would be 5.7m high to the eaves and 7.7m high to the ridge. The roof would include a gable facing Hampton Lane and be hipped to the sides and rear. The front and rear elevations would be stepped by virtue of projecting two storey elements. These would terminate at eaves level with flat roofs. The building would be constructed with a blue brick plinth and buff brick walls. The roof would be clad with natural slate. A low natural stone wall is proposed adjacent to Hampton Lane. Solar

Development Control Committee A – 2 September 2020
Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT

panels are proposed to be installed to the south facing pitched roof face.

The proposed entrance would be located within the northern side elevation. Four bedrooms are proposed at ground floor level. Two further bedrooms are proposed at first floor level along with a communal kitchen and living area. The bedrooms all include ensuite bathrooms.

Refuse storage and cycle parking facilities are proposed to the rear of the building adjacent to the rear extension to the existing building. These would include a dedicated area for bins and recycling receptacles relating to the proposed accommodation. A supplied waste management plan indicates that these would be collected by a private waste collection company who would enter the site, manoeuvre bins to waste collection vehicle then return them to the storage area. Cycle parking for three bicycles is proposed within a storage shelter with doors and Sheffield stands at this location area. This would be accessed via the northern side of the building.

COMMUNITY INVOLVEMENT

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

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

47 neighbouring properties were directly notified of the application via neighbour notification letter. The proposed development was also advertised via site notice and a local press advert.

The deadline for responses was 8th April 2020.

Following this, a total of 14 objections were received.

Grounds of objection are summarised as follows:

- o Impact of building in terms of appearance/character, too big for site and out of character
- o Lacks of amenity space
- o Inadequate waste/recycling facilities
- o Building does not allow future adaption into non-student accommodation
- o Too many students already in this area and resulting negative impact on amenity through noise and waste
- o High concentrations of students decrease housing options and increase prices
- o Further HMOs will negatively impact the community mix and balance and social cohesion

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- o Additional car parking related to development causing local highways issues
- o Loss of light and privacy to neighbouring properties
- o HMO concentration negatively impacts local economy with off seasons due to university term times
- o Over 10% of homes within 100m of site are HMOs contrary to HMO SPD
- o Potential for sandwiching for future development of adjacent sites
- o Lack of green space provision within development

ELECTED MEMEBERS & AMENITY GROUP RESPONSES

Clifton Down Ward Councillor Clive Stevens referred the application to Committee for determination and commented on the application as follows:

"It is proposed to be an HMO. With the emerging HMO SPD it should be evaluated against that to see if this type of property has reached harmful concentrations:

1) Whether 10% of the properties in the area (100m radius) are HMOs. Given that many of the flats above the shops on Whiteladies Road are HMOs then it is possible it fails this test.

2) Sandwich effect. My cursory check is that about 30% of the properties within 50m of this development are HMOs. Residents living nearby which include those at 15a Hampton Lane and 41 Cotham Hill are surrounded by HMOs.

And finally the consultation responses for the draft Local Plan were all against this type of use and scale for Hampton Lane".

The Conservation Advisory Panel commented in support of the application stating the following:

"The Panel is disappointed with this application. Not only is the architectural design considered poor and regressive, but it would not accurately reflect its description as 'semi industrial'. The massing and detail of the scheme is considered bulky, overbearing and totally inappropriate for its context. The windows on the south and especially on the north elevation would prejudice any future development of these sites. The use of materials does not reflect the palette of the area. There would be no amenity space, which taking into account current circumstances and lessons to be learned from Covid-19 this needs to be addressed. The proposed 9 bedrooms is over-intensive for this location. This proposal does not accord with the Local Plan's relevant heritage and design policies, nor does it meet the requirements of the relevant paragraphs of the NPPF".

The Redland and Cotham Amenities Society (RCAS) commented on the application as follows:

"RCAS objects to this proposal on the following grounds:

Overdevelopment. The proposal is for an overlarge building and number of proposed residents. We object to the proposed use of the building for student residence as there is already an overconcentration of student accommodation in this area.

RCAS considers that there is insufficient bike storage and waste storage for 9 adult residents and that the location of waste storage will lead to bins being left on streets. A store for bins and bikes needs to be provided at ground floor level opening directly onto the street.

This cluster unit development will be self-managing; poor waste and recycling management from

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similar properties already creates problems in the area for the community and council. Access to the waste and recycling storage is down a long side corridor to a store behind the building. The location of the exit door from stairs to the residential accommodation means it is not convenient for flat occupants to access the waste and cycle store to deposit rubbish or to deal with putting bins and boxes out for collection. This is highly likely to lead to bins and boxes being left on streets all week.

This could be much improved by relocating the waste and bike store directly opening onto Hampton Lane with an additional access from the side passage near the entrance door. Bedrooms at ground floor level fronting onto the street are inappropriate and will lead to low level of amenity for occupants on the street front at ground floor level, who will suffer from significant passing pedestrian and vehicular traffic as the lane is used as a cut-through and gives access to street residents.

Overlooking. The distance between back of existing restaurant on Whiteladies Road and the ground floor bedrooms in the proposed building is too small and will lead to issues with overlooking and noise.

A significant element of outdoor amenity space should be provided for all residents which should include a contribution to green infrastructure to help with addressing issues of climate change and flood prevention. This area is all hard landscape so there is no mitigation of the Heat Sink effect nor opportunity to delay the run off of rainwater.

RCAS objects to the proposed design. A Mansard roof behind a parapet is not appropriate in this area. Pitched roofs and flat roofs with parapets are more in keeping. The proposed roof will be a significantly alien element in the view along Hampton Lane so the design will fail to preserve and enhance conservation area.

Building materials should be chosen that address the local issue of street tagging/ graffiti. Tagging on masonry is extremely difficult to remove. Even specifying a harder brick does not solve the problem of the porosity of cement joints, where tagging materials will persist. A building which fails to address this issue will fail to preserve or enhance the conservation area.

The layout does not 'allow for future adaptation' (DM29) as the flats would not be suitable for conversion to family housing. The design as it currently stands is unacceptable.

We ask that any planning approval should include a condition requiring bins to be stored off the street in the store, to enable enforcement action when a breach occurs".

The Clifton & Hotwells Improvement Society commented on the application as follows:

The proposed building is much too big for the site and architecturally out of context with its surroundings. It would constitute over intensive development.

It lacks both amenity space and also proper waste and recycling facilities.

The design fails to comply with current regulations in that it does not facilitate future adaptation into non-student accommodation.

There are already far too many students living in the area which always has a negative impact on families in respect of house prices, shopping facilities and general amenities.

CASE OFFICER RESPONSES TO PUBLIC CONSULTATION

It is highlighted that following public consultation on the original application, the development was revised from three storeys and nine bedrooms, to two storeys and six bedrooms. As the amended scheme was within the parameters of the original development, further neighbour consultation was

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not required.

In relation to car parking, it is highlighted that Transport Development Management have recommended that the development is treated as car free and residents would be ineligible for parking permits in the surrounding residents' parking schemes (Cotham). This measure will ensure that the development does not significantly increase on street parking pressure in the local area. Existing parking controls are sufficient to manage any highways impacts associated with the development. Any breaches of parking regulations would be dealt with by parking enforcement.

A full assessment of the impact of the development in terms of suitability of the site for HMO accommodation, heritage assets, appearance and character, neighbouring amenity including noise, light and privacy as well as bin storage will follow within the subsequent assessment section of this report.

INTERNAL & EXTERNAL CONSULTTEES

City Design Group, Bristol City Council:

Following the reduction in scale, no objection is held to the current design. The two storey form is appropriate for the position on Hampton Lane. The gabled roof form ties into the semi-industrial character present elsewhere on Hampton Lane. Conditions should be applied securing construction details and materials quality.

Transport Development Management, Bristol City Council:

Highway Network

The site is located to the rear of Whiteladies Road on Hampton Lane. It is extremely narrow with double yellow lines on both sides of the carriageway, is subject to a 20mph speed limit and is within Cotham Residents Parking Scheme. It is within a short walk/cycle ride of Whiteladies Road (A4018) upon which there are several bus routes, Clifton Down railway station and the Downs Way. There have been no recorded accidents within the vicinity of the site.

Travel Information Pack

Whilst the size of the site does not require the production of a Travel Plan Statement the applicant should be required to produce a Travel Information Pack for the benefit of future residents should permission be granted.

Footway / Footpath

As the existing vehicle crossover will no longer be required the footway must be reinstated to full kerb height in order to protect pedestrians. The applicant will need to obtain a Section 171 Licence available online at www.bristol.gov.uk/highwaylicences in order to undertake this work.

The footpath to the side of the building must be suitably illuminated and a gate constructed to Secured By Design standards provided to prevent unauthorised access.

Car Parking / Cycle Parking

The site currently has rear parking which obviously will be lost if permission were to be granted. As the site is within Cotham Residents Parking Scheme and there is limited on-street parking within the surrounding streets, the site must be deemed zero car and Advice I044A Restriction of parking permits - existing controlled parking zone/residents parking scheme must be applied. In respect of cycle storage the applicant proposes to provide storage for three cycles. Whilst this is acceptable the

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store must be fully enclosed and given the fact that parking will not be permitted additional storage should be provided.

Waste

The applicant has submitted a Waste Management Plan which states that the collection of waste will be managed by the buildings management company. Appropriate waste storage must be provided in line with Waste and Recycling: Collection and Storage Facilities - Guidance for Developers, Owners and Occupiers as waste collection, unless the building has a commercial usage, would be undertaken by Bristol Waste. They have advised that in the case of an HMO one full set of bin/boxes/sacks (refuse bin, 44ltr and 55ltr dry recycling boxes, kitchen waste bin and cardboard sack) must be provided for every three bedrooms. Details of waste management relating to the adjacent commercial uses must also be clarified.

Construction Management

Due to the confined nature of the site and the narrowness of Hampton Lane a Construction Management Plan and a Highway Condition Survey will be required.

Pollution Control, Bristol City Council:

Due to the proximity of the site to adjacent commercial uses, an acoustic report will be required prior to commencement to confirm that the noise environment at the site will not detrimentally affect the residents of the proposed development. Subject to this measure and associated mitigation as required, a suitable living environment can be achieved and the viability of adjacent commercial uses shall not be hindered. The following condition is recommended:

Noise Sensitive Premises Assessment

No commencement of use shall take place until a noise risk assessment, in accordance with ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development (May 2017), has been submitted to and approved in writing by the Council.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and if necessary shall include a scheme of noise insulation measures. Any approved scheme of insulation measures shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Subject to this, no objection is held to the development.

RELEVANT POLICIES

PAN 2 Conservation Area Enhancement Statements (November 1993)

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

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

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

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PRINCIPLE OF DEVELOPMENT

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

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

Policy BCS5 (Housing Provision) of the Core Strategy outlines that delivery of housing to meet the Council's housing targets will primarily be focused on previously developed sites however some open space will be utilised for housing development. The strategy by which the Council will allow development of open space is set out within the Site Allocations & Development Management Policies (SADMP) Local Plan.

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

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

Policy BCS20 (Effective and Efficient Use of Land) states that new development will maximise opportunities to re-use previously developed land. Where development is planned opportunities will be sought to use land more efficiently across the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the use of land is achieved. Higher densities of development will be sought:

- i. In and around the city centre;
- ii. In or close to other centres;
- iii. Along or close to main public transport routes.

For residential development a minimum indicative net density of 50 dwellings per hectare will be sought. Net densities below 50 dwelling per hectare should only occur where it is essential to safeguard the special interest and character of the area.

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

Policy DM2 (Residential Sub-Divisions & Specialist Housing) of the SADMP outlines that the sub-division of existing accommodation provides an important contribution to Bristol's housing choice. The

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policy aims to ensure that sub-divisions preserve the residential amenity and character of an area and that harmful concentrations do not arise. Specifically, subdivision of existing dwellings to flats, houses in multiple occupation and creation of shared housing will not be permitted where excessive noise or disturbance, unacceptable pressure on car parking, harmful physical alterations to buildings or inadequate cycle/bin provisions would result. Development which reduces the choice of homes in an area by changing the housing mix will not be permitted.

The Council is in the process of producing an emerging Houses in Multiple Occupation Supplementary Planning Document (herein HMO SPD). Initial consultation ran between February and March 2020. A second public consultation period is currently taking place and due to close 11th September 2020. This document is intended to directly support Policy DM2 (above), relating specifically to houses in multiple occupation, providing further guidance on particular aspects of the policy. Whilst the document remains subject of ongoing public consultation and consequently currently is afforded very limited weight in decision making, the principles discussed remain relevant given they are directly linked to interpretation of adopted policy.

The document recognises that HMOs form part of the city's private rented housing stock and contribute positively to people's housing choice. This form of accommodation is generally more affordable and flexible and therefore suitable for younger people, including students, and other households that are not living as families. It is however recognised that HMOs are more intensive form of accommodation than traditional flats or dwellings. Typically this increases dependent on the level of occupancy.

General issues associated with HMOs include:

- o Noise and disturbance
- o Detriment to visual amenity (through external alterations and poor waste management)
- o Reduced community facilities
- o Highway safety concerns (from increased parking)
- o Reduced housing choice
- o Reduced community engagement
- o Reduced social cohesion

The HMO SPD expands on DM2 to provide a definition of what represents a 'harmful concentration' in the wording of the policy. This relates to two principles; local level and area level. At local level, a harmful concentration is found to exist where 'sandwiching' occurs. This is where a single family dwelling (use class C3) becomes sandwiched with HMOs at both adjacent sites. This can happen within a flatted building with HMOs above and below also. With regards to the wider area, a harmful concentration is found to exist where a threshold proportion of 10% HMOs within a 100m radius of the site occurs. This is generally identified as a tipping point, beyond which negative impacts to residential amenity and character are likely to be experienced and housing choice and community cohesion start to weaken.

Sustainability of location for residential use

In the case of 85 Whiteladies Road, it is noted that the site is located within Whiteladies Road Town Centre. As such, the site is within an area where Core Strategy policy (above) indicates that higher density mixed use development shall be supported. This includes residential accommodation (including that for specialist groups including students) in order to encourage sustainable transit patterns. By virtue of location, future residents would have a good range of shops and services within a short walk of the site.

Whiteladies Road is a major transit route to/from the city centre and served by a multitude of buses including services 1, 2, 3 and 4. These can be accessed via stops approximately 200m or 3 minutes' walk north of the site near Clifton Down Shopping Centre. This would provide future users of the site a

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high frequency public transport service to the site from a range of areas of the city. The location is also a short walk (300m or 4 minutes) from Clifton Down Railway Station, offering additional access to the site by rail services. The sites BrisTAL (Bristol Transport Accessibility Level) rating is 6a which is the second highest rating, reflective of the high level of public transport accessibility to the site. The site is therefore very well connected to the Whiteladies Road town centre and wider city. Residential development at this location would successfully encourage use of active and low carbon transport including walking, cycling and public transport, minimising the need to travel, especially by private car. Policy BCS20 encourages development which achieves higher densities in and around the city centre; in or close to other centres; and along or close to main public transport routes. The site in this case is close to the city centre, within a town centre and adjacent to a main public transport route. The site therefore represents a location where higher densities should be supported. This part of the site is currently used for car parking and service access. The proposals would make more efficient use of the site to achieve higher densities at a town centre location in close proximity of public transport where policy indicates these should be achieved. The principle of development of the site to achieve higher densities is therefore acceptable.

Acceptability of multiple occupancy student accommodation

Concerns have been raised by neighbours in relation to the impact of the proposed creation of student accommodation to housing mix and availability. Specifically it is noted that there is currently an insufficient supply of family homes and it is stated this has a negative impact to the mix and balance of the community and is reducing social cohesion. Some concerns have been raised in relation to impact of student accommodation to housing affordability however it is noted that this is not a material planning consideration.

Local policy as listed above does encourage all new residential development to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

In this case, the site is of such a scale and constrained by the prevailing context that realistically it can only deliver one type of development as opposed to a mix of types and tenures. The LPA is tasked with determining the application before it in terms of establishing the acceptability of a multiple occupancy student accommodation development.

In this regard, it is initially noted that the proposed development would not result in the loss of any existing housing including family housing. The development would be located on undeveloped land and consequently the proposed student housing would only be further to the current housing stock. As such, the proposals would not reduce the availability of any other type of accommodation locally including single family housing. It is possible that creation of additional student housing may free up single family accommodation elsewhere. The LPA's ability of control the proposed development at this site would only be based upon the use currently being proposed (student accommodation) being established as unacceptable.

Census data (2011) provides background in relation to the existing housing stock within the area. At ward level, Clifton Down includes 11,121 total residents of which 3080 are indicated to be full time students (aged 18 and over living at term time address). According to census data, students therefore represent approximately 28% of the population within the ward.

With regards to housing types, census data for the ward indicates there are 1933 one person households, 1915 one family households, 512 multiple person households (all full time students) and 647 multiple person households (other). Therefore, based on census data 77% of households within the ward are single family households and 23% are shared or multiple occupancy households including student housing.

It is recognised that census data is now 9 years old with the next census due in 2021. This is an issue

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with the frequency of census data gathering which is unfortunately outside the control of the Council. It is recognised that the profile of the area may have changed in the intervening period and the LPA will consider other forms of more up to date which it holds. Nevertheless, the census data for the overall Clifton Down ward does not indicate a particular over proliferation of students or significant bias towards shared or student housing. The area is in close proximity of University of Bristol and a high proportion of students have historically gravitated towards this area. Furthermore, the area includes historic building types which are well suited to use as flats, for shared or student occupancy, particularly where over commercial uses and lacking garden space.

At a local level, the census data can be reviewed at Lower Super Output Area (LSOA) level to provide an idea of demography more immediately surrounding the site. The site is located within the Cotham Hill LSOA. This area includes a total resident population of 1875 of which 762 are indicated to be full time students (aged 18 and over living at term time address). Students therefore represent approximately 41% of the population within the local area. Non-students therefore remain in the majority of people who live within the immediate area. As noted above, this would also be expected in close proximity of Whiteladies Road and Cotham Hill which include historic building types, including commercial uses, with no outdoor area and higher background noise levels which makes such locations less desirable to non-students.

With regard to housing types within the Cotham Hill LSOA, census data indicates there are 284 one person households, 253 one family households, 127 multiple person households (all full time students) and 111 multiple person households (other). Therefore, based on census data 69% of households within the ward are single family households and 31% are shared or multiple occupancy households including student housing.

As such, whilst higher than the ward average, single family households remain the prevailing type within the immediate area and student or shared housing is not disproportionately represented.

The LPA also has access to licensing data. Licenses are now a legal requirement under the Housing Act for HMOs (more than 2 unrelated occupants) within Clifton Down ward. Licensing data (as of 4th August 2020) indicates that within 100m of 85 Whiteladies Road, there are a total of 226 residential properties of which 29 are associated with an HMO license. This indicates that approximately 13% of total residential properties within a 100m radius surrounding the site are HMOs. Again this is higher than the wider Clifton Down ward which includes a total of 5636 residential properties and a current total of 531 HMOs (9%). It is highlighted that based on census data for the ward and LSOA, less than half of these are expected to be occupied entirely by students.

As noted above, the Council is currently undertaking public consultation on a forthcoming Supplementary Planning Document related to HMOs (HMO SPD). The Council is consulting on the potential introduction of new guidance that would include "Proposals for the introduction of new HMOs which would result in more than 10% of the total dwelling stock being occupied as HMOs within a 100 metre radius of the application property or site are unlikely to be consistent with Local Plan policy". The current public consultation period closes 11th September. Given that public consultation remains ongoing and it is not confirmed whether this guidance will be formally adopted at all or in the current state, very limited weight can currently be attached to this guidance. Substantiating a refusal of planning permission on the basis of emerging guidance is very challenging. The application must primarily be assessed against adopted policy.

Policy DM2 outlines that a harmful concentration of particular types of accommodation may occur where development would result in:

- o Levels of activity that cause excessive noise and disturbance to residents; or
- o Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- o Cumulative detrimental impact of physical alterations to buildings and structures; or

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- o Inadequate storage for recycling/refuse and cycles
- o Reducing the choice of homes in the area by changing the housing mix

In relation to the points above, as discussed above, the development would not result in loss of any existing housing and therefore would not reduce the choice of homes in the area by changing the housing mix. The other impacts will be discussed in more detail within the forthcoming sections of this report. However in terms of establishing whether the proposed student accommodation would represent a harmful concentration, it is noted that the proposed development would include accommodation for a maximum of 6 residents. This is not found to represent an overly intensive scale residence. Activity relating to this level of occupancy is not found to be significantly different to that of a large family dwelling or number of smaller flats. This would also be within the context of adjacent commercial uses. The site itself includes a restaurant and bar, with adjacent sites to the north and south also including restaurants. On Hampton Lane there is a martial arts centre, gym, car repair garage, screen printing works, public house to the northern end and other student accommodation buildings. Within this context, the proposed 6 occupant student accommodation building is not found to exacerbate existing noise and activity beyond current levels. The site is within the Cotham Residents Parking Scheme and future occupiers of the site would be ineligible for parking permits if permission was granted. Existing highways controls are therefore sufficient to regulate on street parking. No physical alterations are proposed to the existing building at the site. The development would not degrade the quality of the existing building. The proposed building is also found acceptable in terms of appearance and character. Adequate and policy compliant dedicated facilities for bin and cycle storage are also allocated on site. These issues will be discussed in more detail later. However in terms of establishing acceptability of the use, the development does not trigger any of the criteria specified within Policy DM2 to represent harmful and unacceptable conditions for such use.

On the basis of adopted planning policy, the site is found to represent an acceptable location for student accommodation. It is recognised that the immediate area does exceed the 10% threshold for this type of accommodation as stipulated within the emerging guidance document. This document is not yet adopted and therefore should not be afforded significant weight in decision making. Irrespective of this, this particular site and its characteristics are found to be well suited to this style of accommodation. Due to proximity to commercial uses, a requirement to maintain commercial servicing access, proximity to the major arterial route (Whiteladies Road) and associated noise and pollution as well as lack of amenity space, the site will not represent an appropriate site for a single family dwelling. Due to characteristics of the site and its surroundings, the proposal would not cause harmful impacts as defined by policy and consequently is found to represent a policy compliant location for student accommodation. The various impacts of development will be discussed further beneath however in principle, the proposed use is deemed acceptable in this instance.

NEIGHBOURING AMENITY & RESIDENTIAL MANAGEMENT

Section 12 (Achieving well-designed places), paragraph 127 of the NPPF outlines that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Policy BCS21 (Quality Urban Design) of the Core Strategy outlines that all new development within Bristol will be expected to strive to achieve high standards of urban design. With regards to amenity it is outlined, that new development is expected to safeguard the amenity of existing development.

Policy DM2 (Residential Sub-divisions, Shared and Specialist Housing) of the SADMP requires that where the conversion of existing dwellings is proposed for use as houses in multiple occupation, development will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of activity that cause excessive noise and disturbance to residents.

Policy DM30 (Alterations to Existing Buildings) of the SADMP states extensions and alterations to

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existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers.

Policy DM35 (Noise Mitigation) of the SADMP states that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation.

In assessing such a scheme of mitigation, account will be taken of:

- i. The location, design and layout of the proposed development; and
- ii. Existing levels of background noise; and
- iii. Measures to reduce or contain generated noise; and
- iv. Hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

The emerging HMO SPD (2020) recognises that high numbers of multiple occupancy properties have the potential to cause harm to residential amenity. This is as a result of noise and disturbance resulting from intensification of the residential use and/or the potential lifestyle of occupants of such accommodation. Recommendations are outlined in relation to levels of HMOs which are likely to cause harmful impacts to amenity as well as principles such as sandwiching. This is where a single family dwelling was located between a pair of HMOs either within a terrace or in a flatted scenario above/below.

With regards to impact to residential amenity at nearby sites, the nearest dwelling to the development would be 15A Hampton Lane which is located to the opposite eastern side of Hampton Lane over a garage. A new dwelling has also recently been given planning permission on land to the rear of 43 Cotham Hill, also to the eastern side of Hampton Lane. There is also a large maisonette flat over the restaurant at 83 Whiteladies Road to the south of the site.

In terms of proposed use, the application is for a shared multiple occupancy dwelling which would house a maximum of 6 occupants, specifically students. In terms of use, it is recognised that this is more intensive than most single family dwellings and holds a greater degree of potential for generating noise and disturbance. This is based upon the degree of occupancy, unrelated nature of residents and communal facilities. There will likely be more comings and goings by occupiers as they go about independent lives. Fundamentally however, the proposed use is residential and the building will be used for everyday living. This would typically include sleeping, studying, eating, relaxing etc. Everyday living related to 6 occupants should not result in excessive noise and disturbance to neighbouring occupiers under normal circumstances.

The LPA is considering the proposed use on the basis of typical characteristics of normal living. Exceptional circumstances or possible anti-social behaviour by eventual individual occupiers cannot be accounted for given that this may not occur. If such scenarios do arise and become a regular issue, this can be reported to the Pollution Control team who will investigate further. The property will also require an Additional HMO License. If granted, this will include conditions which require the landlord "must take all reasonable steps to deal with anti-social behaviour perpetrated by occupiers and/or visitors to the property". They also "must ensure that the property is inspected on a regular basis to assess if there is evidence of anti-social behaviour; this should be at least quarterly, but more frequently if anti-social behaviour has been established". If there are regular issues with the site, the terms of the license may be reviewed or alternatively a renewed license may not be granted. Consequently, there are courses available to manage the situation if disruptive noise does occur however the proposed use itself is not found to cause undue risk of harmful noise and disturbance. The refusal of planning permission on this ground would therefore be unwarranted.

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Concerns have been raised through public consultation in relation to potential sandwiching. However the development would not qualify as sandwiching as defined by the HMO SPD. This relates to an existing single family dwelling being located between an existing and proposed HMO. Both sites adjacent to the proposed development are vacant to the rear and consequently no existing dwellings would be sandwiched. No development has been consented at the immediately adjacent sites. As discussed above, the appropriateness of these for residential use is questioned due to the proximity to commercial uses, requirement to retain service access and lack of outdoor amenity area. It is noted that there are no other single family dwellings built or consented on land to the western side of Hampton Lane. Sandwiching does not apply to the opposite side of a highway and therefore dwellings adjacent to the eastern side of Hampton Lane would not be sandwiched.

The nearest dwelling to the site is situated opposite to the eastern side of Hampton Lane (15A). This has been constructed on rear garden to 41 Cotham Hill. It is noted that consent has recently been given for a new single family dwelling adjacent to this on land to the rear of 43 Cotham Hill (application: 20/00420/F). Hampton Lane would offer some (minimum 5.5m) separation between the proposed development and these dwellings. With regards to daylight and sunlight to the first floor windows at 15A Hampton Lane, a 25 degree angle will be retained in accordance with BRE Site Layout Planning for Daylight and Sunlight guidance. This means that the development will be unlikely to have a substantial effect on diffuse skylight enjoyed by the existing building. The proposed building would be of similar height to this adjacent dwelling. This would be a typical relationship expected between facing developments of similar height to the opposite sides of a tight, urban, mews style street. In relation to privacy, it is noted that 15A Hampton Lane is situated slightly south of the development site. To the southern side of the proposed building, a projecting element is proposed which would contain only a vertical slot window, positioned to the far north of this element. The scale and positioning of this window would therefore not afford significant views towards windows in 15A Hampton Lane. The projecting element itself would block views from further windows within the front of the main body of the building towards the neighbouring dwelling. Consequently, overlooking which would harm the amenity and living conditions of the neighbouring property would not occur. The consented development to the rear of 43 Cotham Hill would be further south still and therefore a lesser degree of overlooking and therefore acceptable amenity would be preserved here.

In relation to the maisonette flat at 83 Whiteladies Road, this is located at upper ground floor level and above. It is therefore elevated comparable to first floor level at the proposed building. A distance of 15m would separate the rear of this adjacent flat and the proposed building. The separation and the elevated position would be sufficient to ensure that the development avoids any harmful impact to amenity at this property. This includes loss of light, overshadowing or loss of outlook. In relation to privacy, windows are proposed within the rear of the building. However these would be vertical slot windows which would not afford significant overlooking. Furthermore, the angle of overlooking towards 83 Whiteladies Road would be indirect which would reduce impact to privacy. It is found that an acceptable standard of amenity would be retained at this adjacent property.

There is likelihood that the adjacent sites to the north and south may seek permission for development on land to the rear of the respective sites in the future. It is therefore important that the current development avoids prejudicing potential development of these sites. It is noted that no windows are proposed within the southern elevation. The building would be separated from the northern boundary ensuring windows on this side would retain light following development. Rooms to the northern side include windows both to the side and front or rear. Due to dual aspect, rooms should retain acceptable amenity following reasonable development to the north.

Overall, the development would preserve an acceptable standard of amenity for all neighbouring occupiers, accords with policy objectives in this regard and is deemed acceptable.

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APPEARANCE, CHARACTER & HERITAGE ASSETS

The Authority is required (under Sections 66 and 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 as well as the setting and significance of Listed buildings or structures. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight".

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

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

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

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

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

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

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

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

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

Policy BCS22 (Conservation and the Historic Environment) of the Core Strategy states that new development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including:

- o Scheduled ancient monuments;
- o Historic buildings both nationally and locally listed;
- o Historic parks and gardens both nationally and locally listed;
- o Conservation areas;
- o Archaeological remains

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

- i. Responding appropriately to and incorporating existing land forms, green infrastructure assets and historic assets and features; and
- ii. Respecting, building upon or restoring the local pattern and grain of development, including the historical development of the area; and
- iii. Responding appropriately to local patterns of movement and the scale, character and function of streets and public spaces; and
- iv. Retaining, enhancing and creating important views into, out of and through the site; and
- v. Making appropriate use of landmarks and focal features, and preserving or enhancing the setting of existing landmarks and focal features; and
- vi. Responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes;

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and

- vii. Reflecting locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion; and
- viii. Reflecting the predominant materials, colours, textures, landscape treatments and boundary treatments in the area.

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

Policy DM31 (Heritage Assets) of the SADMP outlines that where development has an impact upon a heritage asset, it will be expected to conserve and, where appropriate, enhance the asset or its setting.

The site is located within the Whiteladies Road Conservation Area. The existing building at the site and those adjacent are statutorily listed for historic significance. These represent designated heritage assets.

The Whiteladies Road Conservation Area Enhancement Statement provides further context with regard to the historic significance of the area which has warranted conservation status. The document outlines "The layout of the area is a series of irregular street grids, based on Whiteladies Road, a principal shopping street and route to the north out of the city centre. They are three district areas. In the main the buildings run parallel to the streets, and for the most part are regularly spaced in relation to each other. The residential dwellings are generally set back behind medium-sized or generously proportioned individual front gardens. This area falls either side of Whiteladies Road". The Enhancement Statement raises concerns in relation to the impacts of additional office development at the expense of shopping and residential use. This is particularly with regards to fragmentation of the shopping frontages, eroding the character both of the buildings themselves and their surroundings, generating more pressure on local car parking in the area and downgrading the existing environment.

The listing entry describes the historic significance for which the building was listed:

"Pair of attached houses, now shops and offices. Mid C19. Limestone ashlar, roof not visible. Double-depth plan. Late Georgian style. Each of 3 storeys and basement; 2-window range. Symmetrical pair with a projecting centre, cornice and parapet with a raised centre, left-hand entrance set back and right-hand entrance further back and modelled on No.81 to the right (qv). Ground-floor dentil cornice, upper recessed panels containing the windows separated by a wide sill band. Steps up to outer doorways with impost mouldings, overlights with margin panes and 2-panel doors. No.85 has a glazed basement and ground-floor shop front, tripartite first-floor window with 4/4-pane flanked by 2/2-pane sashes, and 8/8-pane second-floor sash, with 4/4-pane sashes in shallow recessed surround above the door. No.83 has a later 2-storey bay with tripartite windows and a bracketed cornice, and plate-glass sashes. INTERIOR not inspected."

In light of the listing description above, it is clear the historic significance which has warranted listing lies in the buildings Georgian front elevation, particularly in combination with the neighbouring building (83 Whiteladies Road). This is based upon the traditional detailing and high quality materials. There is no reference to the rear elevation or wider site. It is therefore fair to infer that these parts of the site are of lesser significance. It is highlighted that the building includes an existing 20th century large two storey extension to the rear.

The development would be located to the rear of the site directly adjacent to Hampton Lane. Hampton Lane is a narrow rear service lane with the historic primary function of providing access to the rear of sites on Whiteladies Road and Cotham Hill. It is a single carriage width road with small footway to the

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western side. There is now an existing context for development to the rear of sites fronting Whiteladies Road and Cotham Hill. Many include 1-2 storey subservient buildings, some of which have gained separate uses including commercial purposes. This provides a semi-industrial character. There is also some context for mews style residential development as well as larger student housing accommodation found to the northern end. Buildings are typically positioned level with the highway, which in combination with the narrow width provides an intimate character.

Following revisions during the course of the application, permission is sought for development of a two storey building on land to the rear of the site level with Hampton Lane. The building would be positioned to the southern boundary with a separation retained to the northern side for access. The footprint would be rectangular, 15m in depth but include a separation to the existing rear extension. The roof would include a gable facing Hampton Lane and be hipped to the sides and rear. The front and rear elevations would be stepped by virtue of projecting two storey elements. These would terminate at eaves level with flat roofs. The building would be constructed with a blue brick plinth and buff brick walls. The roof would be clad with natural slate. A low natural stone wall is proposed adjacent to Hampton Lane.

The rear of the existing site is open, hard surfaced and used for car parking. This affords views from Hampton Lane of car parking, commercial bins and waste. The 20th century rear extension is also visible. There is no rear boundary treatment which provides little enclosure or clear boundary between the site and Hampton Lane. The appearance is cluttered, disordered and does not offer a high quality environment.

The proposed building would be sited level with the Hampton Lane boundary and provide a more formal development in this location. The presence of the building would screen the rear of the existing site and provide an active frontage to Hampton Lane. These are found to represent enhancements on the existing scenario described above.

The building would be of comparable depth to other buildings found at adjacent sites to the rear of Whiteladies Road. It would not directly adjoin the rear of the existing building as found at some adjacent sites. In terms of proposed scale, the building would be of comparable height to two storey mews buildings found directly opposite (15A and 16 Hampton Lane) as well as the recently approved dwelling to the rear of 43 Cotham Hill. The height of the proposed building would successfully transition between the greater massing found further north (91 Hampton Lane onwards) and the single storey scale found to the south. The building is of lesser height than the existing extension to the rear of 85 Whiteladies Road and significantly lesser height than the terrace fronting Whiteladies Road. The proposed scale is found to strike an appropriate balance for its position within the street scene and would avoid appearing over scaled or out of character.

In terms of proposed design, the proposed gabled roof form reflects the semi-industrial character on Hampton Lane, mirroring the gabled style found at buildings to the rear of 71-73, 79-81 and 91 Whiteladies Road. As previously discussed, the building will offer a revised form of enclosure to Hampton Lane. The front elevation includes projecting element which contributes articulation and offers some visual interest. There is a small raised planting bed to the front of the site for which a planting scheme can be secured by condition. The low wall to this will be finished with inkeeping stone work. The southern side elevation includes a brick detail which may be lost if the neighbouring site were to be developed but would provide interest in the interim. No windows are proposed within the southern elevation and therefore the development would avoid prejudicing future development of the adjacent site. The building would be constructed with buff coloured brick work which would not be dissimilar in colour to materials used within the rear elevations of the adjacent historic terraces. Conditions would be attached to an eventual permission to secure the quality and detail of all proposed materials.

Overall, no objection is held to the proposed design. The building is found to be of acceptable position, scale, massing, form and materials. It would represent an acceptable and policy compliant

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response to characteristics of the site and streetscene on Hampton Lane. A negligible degree of harm would result to the setting of adjacent listed buildings and the development would enhance the character and appearance of the Whiteladies Road Conservation Area. The development accords with policy objectives in this regard and is deemed acceptable.

STANDARD OF ACCOMODATION

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

The supporting text of the policy states that 'Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances'.

Policy BCS15 (Sustainable Design and Construction) of the Core Strategy sets out broad criteria to be considered in the design and construction of new development. A key issue that should be addressed by development includes:

'Flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting'

Policy BCS21 (Quality Urban Design) of the Core Strategy sets out criteria for the assessment of design quality in new development and sets standards against the established national assessment methodology 'Building for Life'. Development will be expected to:

'Safeguard the amenity of existing development and create a high-quality environment for future occupiers.' And;

'Create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions.'

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

The emerging HMOs SPD (2020) outlines that to meet the policy expectation (Policy BCS18) for HMOs development should have regard to the minimum room size standards applied by the Council to licensable HMO properties.

The proposed shared occupancy flats would require a Mandatory License under the Housing Act 2004. The Local Authority has adopted amenity standards which apply to HMO's under this separate legislative framework. Whilst it is recognised that this is non-planning legislation and therefore not a material consideration in planning decision making, these standards also provide an indication of the standard of accommodation expected within shared occupancy housing locally. Recognisably there is little value in gaining planning permission for a property which would then fail to obtain the required license. The Bristol HMO Licensing Amenity Standards outline that single occupancy bedrooms should provide minimum internal area of at least 6.5m² and where communal facilities are shared by 6 occupants, communal area totalling a minimum of 20m² should be provided and the kitchen should be 9m².

All of the proposed bedrooms within the house would measure over 6.5m² in area. Most are nearer 10m². The communal area would be located at first floor level. The communal open plan living and

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kitchen would include area totalling 30m² thus significantly exceeding the required level for the proposed occupancy. All rooms would include good sized windows which would offer natural light, outlook and ventilation. The building is dual aspect. No outdoor amenity area is available however this is not unusual in this location. The site is in close proximity of The Downs which would offer residents public outdoor area which to an extent would compensate. A noise assessment and potential sound mitigation measures would be sought via condition as discussed above in order to ensure residents are not disturbed by commercial activity at the site and from adjacent sites. Overall, it is concluded that the building would offer sufficient space, light, outlook and ventilation for residents to attain a good standard of amenity.

TRANSPORT & HIGHWAYS

Section 9 (Promoting Sustainable Transport) of the NPPF outlines that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

In relation to sustainable transport, the NPPF states that 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;
- 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.

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

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

The following hierarchy for transport user priorities is set out:

- a) The pedestrian;
- b) The cyclist;
- c) Public transport;

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- d) Access for commercial vehicles;
- e) Short stay visitors by car;
- f) The private car.

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

Appendix 2 of the SADMP sets policy requirements for car and cycle parking provision. Cycle parking standards are minimum requirements and car parking standards a maximum permissible level. 4 or more bedroom dwellings require 3 cycle spaces per dwelling. A maximum level of 1.5 car parking spaces per three or more bedroom dwelling is permissible.

As noted above in the principle of development, the site is found to represent a sustainable location for residential development including student housing. This is based upon the location within a town centre and directly on a main public transport route. By virtue of location, the site benefits from good access to public transport services which would offer good means of low carbon transportation and access to other parts of the city without the requirement for private car use. The site represents a sustainable and policy compliant location for residential accommodation.

As the site will no longer require the dropped kerb providing vehicular access from Hampton Lane, it will be required that the full height kerb and footway to the front of the site are replaced as part of the development. This work will be secured by means of condition attached to any eventual consent. This will improve pedestrian accessibility surrounding the site.

It is noted that no car parking is proposed in this instance. Given the accessibility of the location (as discussed above), no objection is held to this. In order to prevent increased parking pressure on surrounding streets, Transport Development Management has recommended that the development should be treated as car free. Future occupiers will be ineligible for parking permits in the adjacent Residents Parking Schemes including the Cotham area which the site is within. This will ensure there is no significant increase in demand for car parking on local streets following development. Visitors to the site would be able to pay for parking in the allocated areas surrounding the site, the same as the wider public. Existing highway controls including double yellow lines on Hampton Lane and parking enforcement is sufficient to regulate any illegal parking.

Cycle parking for a total of x3 bikes is proposed on site. This meets the minimum policy requirement. The cycle parking would be located in the yard to the rear of the site and accessed via the side entrance. This provides sufficient access from the public highway. Sheffield stands are proposed which would offer acceptable security. Full details of the proposed storage shelter to confirm security and weather tightness will be sought via condition. Subject to these measures, acceptable facilities for cycle parking will be provided and the development would encourage travel by bicycle.

Bin and recycling storage is also proposed in the rear yard area. Similar to cycle parking, this would be accessed via the side entrance. The proposed storage areas are of sufficient scale to accommodate the required level of bins and recycling boxes for the scale of accommodation proposed. A waste management plan has been supplied indicating these will be collected privately. On day of collection, waste operatives would retrieve the bins from the store, manoeuvre to the collection vehicle and return to the store. This will ensure bins are not left on the highway and no detriment to safety or amenity would occur. This will be secured by condition.

In relation to the existing commercial businesses at the site, these would retain existing waste storage and servicing arrangements. This is a commercial bin store to the rear of the site. Access to this would be retained via the northern side of the building. Servicing access would be retained via the same route. This would ensure no bins or servicing occurs from Whiteladies Road and the

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development would not prejudice existing access.

The development is not found to cause any access, transport or highways issues and consequently is deemed in accordance with policy and acceptable in this regard.

TREES & GREEN INFRASTRUCTURE

Section 15 (Conserving and enhancing the natural environment) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".

Paragraph 175 of the NPPF proceeds to outline that when determining planning applications, local planning authorities should apply the following principles: "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". Exception reasons exist in scenarios such as infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Policy BCS9 (Green Infrastructure) of the Bristol Cores Strategy outlines that the integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken. Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required. Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.

Policy DM17 (Development Involving Existing Green Infrastructure) of the Site Allocations and Development Management Policies Local Plan (SADMP) outlines that development should integrate important existing trees. It is suggested that where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the standard set out within Policy DM17.

It is noted that the adjacent site to the north includes a large Sycamore tree within the rear yard area. This would be sited directly adjacent to the proposed development. A professional Arboricultural Report has been prepared and submitted which provides details of this. The tree is categorised as C1, a low quality tree in accordance with the British Standard assessment (BS 5837:2012). Despite this categorisation, the tree is visible from the public realm within an area lacking greenery. It is therefore of high amenity value. The supplied report provides a calculated root protection area for the tree. This is 5.5m from the stem. The tree is located over 5.5m from the boundary with the development site and therefore the development would be outside the root protection area. The boundary wall adjacent to the site with the tree is to be retained. The tree is unlikely to have rooted beneath the boundary wall in any case. These findings have been agreed by the LPA Arboricultural Officer. No protection measures are required and the development will not result in the loss of any trees or green infrastructure.

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SUSTAINABILITY & CLIMATE CHANGE

Section 14 of the NPPF states "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

Paragraph 150 of the NPPF outlines that "new development should be planned for in ways that: can help to reduce greenhouse gas emissions, such as through its location, orientation and design".

Core Strategy Policy BCS13 states that "Development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. Development should mitigate climate change through measures including:

- o High standards of energy efficiency including optimal levels of thermal insulation, passive ventilation and cooling, passive solar design, and the efficient use of natural resources in new buildings.
- o The use of decentralised, renewable and low-carbon energy supply systems.
- o Patterns of development which encourage walking, cycling and the use of public transport instead of journeys by private car.

Development should adapt to climate change through measures including:

- o Site layouts and approaches to design and construction which provide resilience to climate change.
- o Measures to conserve water supplies and minimise the risk and impact of flooding.
- o The use of green infrastructure to minimise and mitigate the heating of the urban environment.
- o Avoiding responses to climate impacts which lead to increases in energy use and carbon dioxide emissions.

These measures should be integrated into the design of new development. New development should demonstrate through Sustainability Statements how it would contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions by means of the above measures.

Core Strategy Policy BCS14 provides further objectives for how development will be expected to reduce carbon emissions through use of sustainable energy sources. It is outlined that development should include measures to reduce carbon dioxide emissions from energy use in accordance with the energy hierarchy. Development is also required to reduce carbon dioxide emissions from residual energy use by way of onsite renewable energy generation in buildings by at least 20%. New development will be expected to demonstrate that the heating and cooling systems have been selected following the heat hierarchy.

Further guidance on Core Strategy policy requirements and the preparation of Sustainability and Energy Statements is available within the Climate Change and Sustainability Practice Note (2012).

The applicant has supplied a sustainability statement in support of the proposed development. This

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outlines how the development will minimise its energy requirements including thermal elements below the required current maximum Building Regulations U Values and with high levels of air tightness. Heating will be via a highly efficient gas boiler and insulated pipework. Lighting will be 100% low energy. The aforementioned improvements would deliver a 1% reduction in carbon emissions in comparison to residual emissions. Whilst low, the development will accord with policy requirements to reduce carbon emissions through high standards of energy efficiency including optimal levels of thermal insulation. The supplied energy table also indicates a further 28% reduction in carbon emissions (beyond the improved Part L level) can be achieved via on site renewable energy generation, specifically via installation of photovoltaic panels. These are proposed for installation to the south facing pitched roof face. The development will therefore exceed the 20% policy requirement for carbon emissions reductions via on site renewable energy generation. As a result of the above, the development will make an acceptable contribution to policy objectives of sustainability and climate change. This would be secured by conditions attached to an eventual permission.

SUSTAINABLE URBAN DRAINAGE

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

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

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

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

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

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

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

The proposed development is located within surface drainage discharge zone where the priority is to

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limit discharge to capacity of existing sewer network or existing discharge rate. Whilst it is recognised that the site is predominantly hard surfaced currently, the development may still cause some increase to the discharge rate. Therefore, details of a sustainable urban drainage scheme to achieve discharge limited to the capacity of the existing sewer network or existing discharge rate will be required prior to commencement in order to provide sufficient mitigation for development. Subject to this measure however the development would avoid causing any significant increase in flood risk locally.

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 understood not to qualify to pay CIL in this instance.

CONCLUSION

In light of the assessment outlined within the preceding report, the proposed development is found to accord with all relevant national and local planning policy. There are no material considerations identified which would warrant or sustain a refusal of planning permission. The site represents an acceptable location for residential development based on the town centre location in close proximity of a major public transport route. This is a location where higher density development is supported in principle. Shared housing for students is acceptable at the site subject to a harmful concentration not arising. The proposal will not result in any of the criteria for a harmful concentration occurring and all potentially harmful impacts of the development can be sufficiently managed by existing frameworks. The key issue against the application relates to the immediate area being above a 10% threshold for HMO accommodation. This is stipulated within an emerging document however and should be afforded limited weight in decision making. Irrespective of this guidance, the scheme is still found to accord with the intentions of current policy and would not cause harm to residential amenity or character of the locality following consideration of the context. The proposed design presents an acceptable response to the appearance and character of the area and would avoid harm to heritage assets. The development is sustainably located, provides acceptable access and all highways issues can adequately be managed via condition. All other planning matters are found to be acceptable and can be dealt with by condition. It is therefore the recommendation of Officers that permission is granted subject to conditions herein.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

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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.

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. Highway works - General arrangement plan

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

Reconstruction of the footway on Hampton Lane to include level footway with full height kerb comprising reusing historic stone kerbing (excluding section adjacent to approved access gate)

Where applicable indicating proposals for:

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

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

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

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory

Development Control Committee A – 2 September 2020**Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT**

processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

4. Highway Condition Survey

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

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

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

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

5. Noise Sensitive Premises Assessment

No commencement of use shall take place until a noise risk assessment, in accordance with ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development (May 2017), has been submitted to and approved in writing by the Council.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and if necessary shall include a scheme of noise insulation measures. Any approved scheme of insulation measures shall be implemented prior to the commencement of the use and be permanently maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed building provides an acceptable living environment for future occupants and avoids prejudice to the viability of adjacent commercial premises.

6. Details of Photovoltaics (PV)

1) Prior to commencement, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO₂ emissions shall be provided within the Energy Statement.

2) Prior to occupation the following information shall be provided:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.

- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO₂ emissions by the percentage shown in the approved Energy Statement.

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Reason

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

7. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy must demonstrate that the development will limit discharge from the site to capacity of existing sewer network or existing discharge rate. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

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

8. Further details: Materials

Prior to installation and construction of relevant element of external built fabric, further details including manufacturer, specification, product information and samples (if necessary), demonstrating appearance, colour and texture of the following elements, shall be submitted to and approved in writing by the Local Planning Authority.

1. Buff clay facing brick
2. Staffordshire blue plinth brick
3. Natural slate roofing
4. Natural stone walling
5. Windows
7. Doors
8. Entrance gate
9. Gable capping/coping

The development shall then be completed in full accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the finished appearance of the building is of a high quality and responds appropriately to the character and appearance of the local area, avoiding harm to adjacent heritage assets in accordance with Policies BCS21, BCS22, DM26, DM28 and DM29.

9. Further details: Brick infill panels

Prior to installation and construction of recessed brick infill panels, typical construction sections to an appropriate large scale demonstrating reveal depth and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in full accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the finished appearance of the building is of a high quality and responds appropriately to the character and appearance of the local area, avoiding harm to adjacent heritage assets in accordance with Policies BCS21, BCS22, DM26, DM28 and DM29.

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Pre occupation condition(s)

10. Reporting of Unexpected Contamination

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

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

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

11. Reinstatement of Redundant Accessways - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety.

12. Completion of Pedestrians/Cyclists Access - Shown on approved plans

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

Reason: In the interests of highway safety.

13. Further details: Cycle parking

Prior to first residential use of the building hereby approved, full drawings of the approved cycle parking facilities demonstrating means of enclosure, securing 3 bikes and lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to first use of the building and shall be retained, free from obstruction, solely for the purposes of parking bicycles thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development contributes to objectives of sustainability, active and low carbon transport as required by Policy BCS10 of the Core Strategy as well as Policies DM1 and DM23 of the Site Allocations & Development Management Policies Local Plan.

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14. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

15. Commercial waste

Waste and recycling relating to the existing commercial uses at the site shall be stored within the commercial bin store as highlighted on drawing: 1670(L)121 REV B, at all times except for day of collection. Following collection, bins must be returned to the commercial bin store immediately. At no point shall commercial bins be stored on the public highway or any location other than the commercial bin store, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving amenity and public safety.

16. Sustainability and energy efficiency measures

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the energy and sustainability statements (Climate Change & Sustainability Statement, Land to rear of 85 Whiteladies Road, by Mike Andrews of Energy Saving Experts) prior to first occupation. A total 1% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved through improved building fabric, and a 28% reduction in carbon dioxide emissions below residual emissions through renewable technologies (solar panels) shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with Policies BCS13 (Climate Change), BCS14 (Sustainable Energy), BCS15 (Sustainable Design and Construction) and DM29 (Design of New Buildings).

List of approved plans

17. 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.

1670(L)00 Site location plan., received 4 March 2020
 1670(L)01 Existing site plan., received 4 March 2020
 1670(L)02 Existing ground and first floor plan, received 4 March 2020
 1670(L)03 Existing south and east elevations, received 4 March 2020
 1670(L)120 REV A Proposed site plan, received 10 June 2020
 1670(L)121 REV B Proposed ground floor plan, received 10 June 2020
 1670(L)122 REV D Proposed first and second floor plan, received 1 July 2020
 11670(L)124 REV D Proposed east elevation, received 1 July 2020

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1670(L)125 REV C Proposed north elevation, received 1 July 2020
 1670(L)126 REV C Proposed west elevation, received 1 July 2020
 1670(L)127 REV C Proposed south elevation, received 1 July 2020
 Arboricultural impact assessment and methodology statement, received 4 March 2020
 Planning statement, received 4 March 2020
 Sustainability and energy statement, received 4 March 2020
 Waste management plan, received 4 March 2020
 Design, access & heritage statement, received 4 March 2020
 1670(L)130 Proposed section, received 1 July 2020
 1670(L)131 Proposed Hampton Lane street elevation, received 1 July 2020

Reason: For the avoidance of doubt.

Advices

1 Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

2 Sound insulation/acoustic reports

The recommended design criteria for dwellings are as follows:

- * Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.
- * Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LMax less than 45 dB in bedrooms.

Where residential properties are likely to be affected by amplified music from neighbouring pubs or clubs, the recommended design criteria is as follows:

- * Noise Rating Curve NR20 at all times in any habitable rooms.

3 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

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

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the

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Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

4 Minor Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking any work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council.

You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

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

5 Wessex Water requirements: It will be necessary to comply with Wessex Water's main drainage requirements and advice and further information can be obtained from <http://www.wessexwater.co.uk>.

6 The operation of the HMO hereby approved may require a separate license. It is an offence to operate a licensable HMO without a licence. Please contact the Private Housing Team on 0117 352 5010 for further information.

7 Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part 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.

8 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.

9 Wales and West Utilities gas pipelines may be at risk during construction and you should contact PlantProtectionEnquiries@wwutilites.co.uk before starting any work.

10 Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

11 Excavation Works on the Adopted Highway

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The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

12 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

13 Sustainable Drainage System (SUDS)

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

14 PV System

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

Supporting Documents

2. 85 Whiteladies Road, Bristol, BS8 2NT

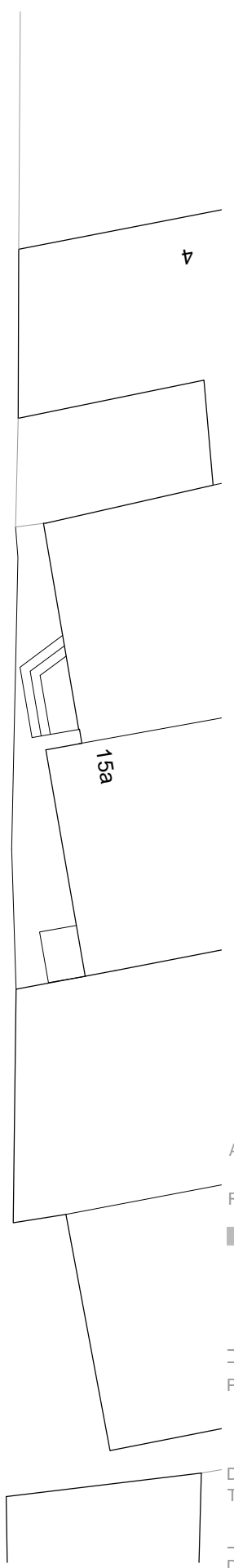
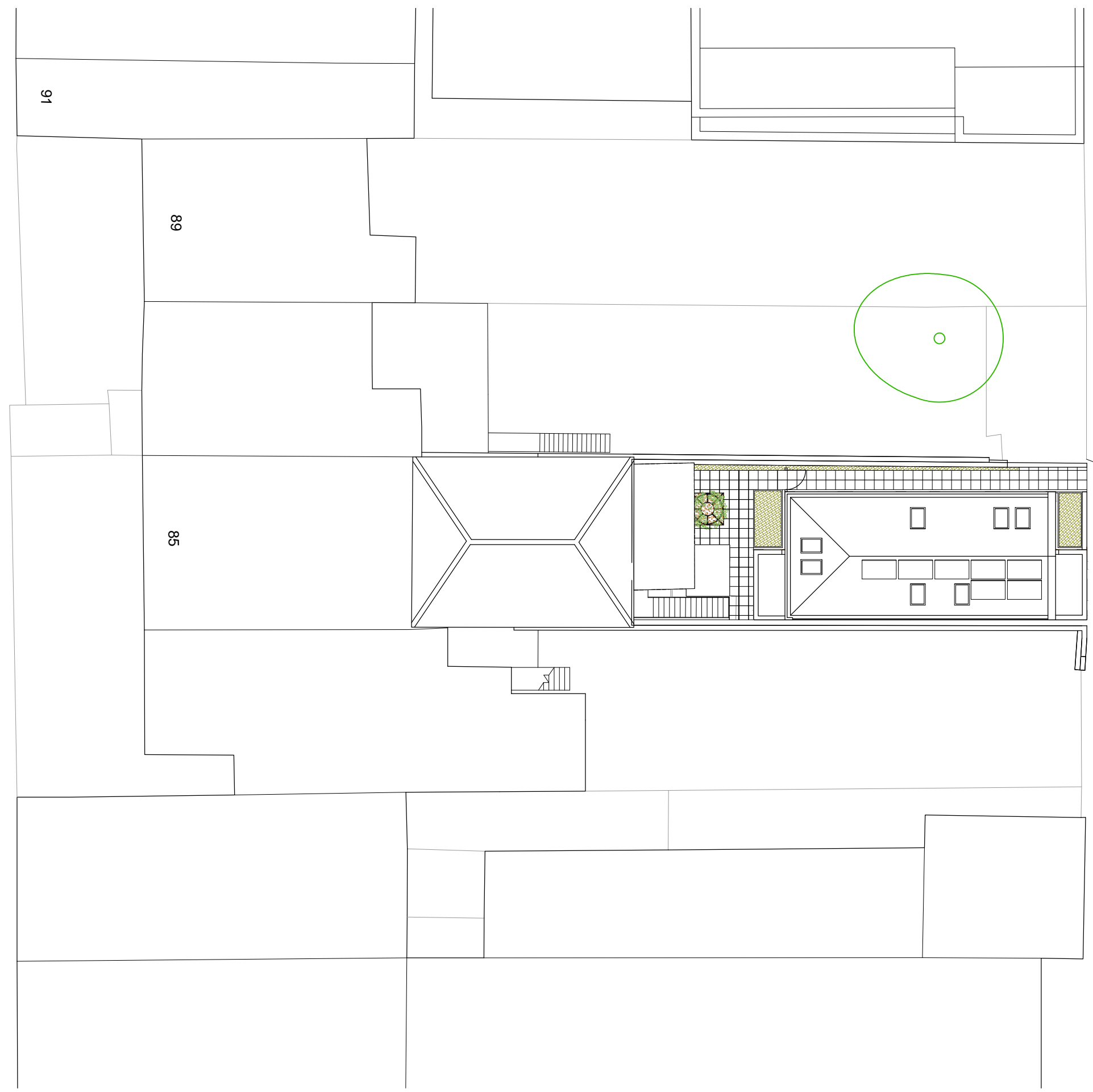
1. Proposed Site Plan
2. Proposed Ground Floor Plan
3. Proposed First Floor & Roof Plan
4. Proposed Hampton Lane Street Elevation
5. Proposed South Side Elevation
6. Site Photos



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.

WHITELADIES ROAD

HAMPTON LANE



PROPOSED SITE PLAN 1:200

REV	Note	Date
A	Drawings revised to planning officers comments	09/06/2020

105 105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol. BS6 6SW
 T 0117 3737596
 E info@105west.co.uk

Project **85 Whiteladies Road**

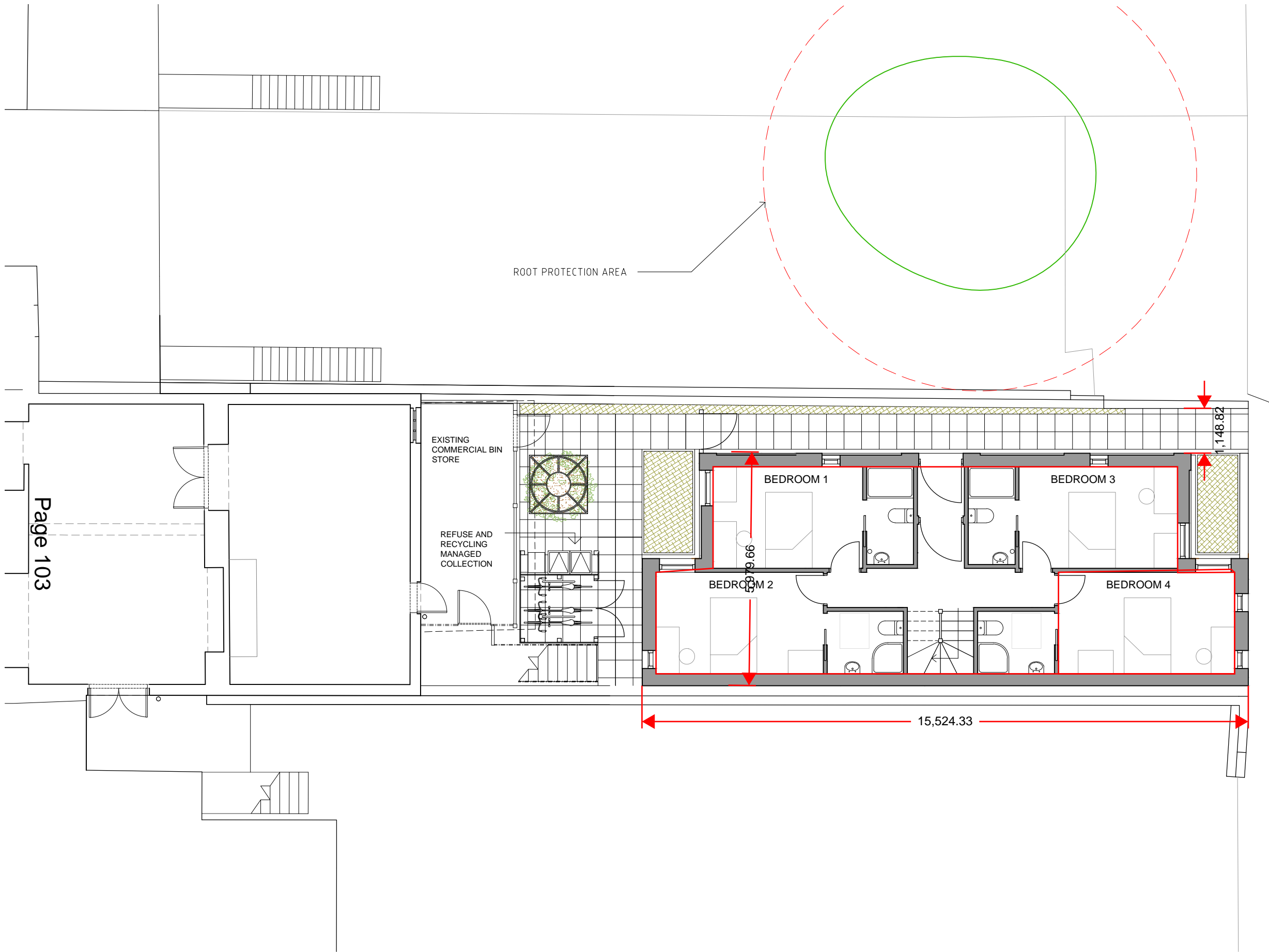
Drawing Title **Proposed Site Plan**

Drawing No. **1670(L)120**

Scale @A3	drawn by	Date	Rev
1:200	LR	31/01/20	A



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



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PROPOSED GROUND FLOOR 1:100

REV	Note	Date
B	Bike store size increased and rear gate added	09/06/2020
A	Drawings revised to planning officers comments	08/06/2020

105 WEST ARCHITECTS Ltd
107 Lower Redland Road, Redland
Bristol, BS6 6SW
T 0117 3737596
E info@105west.co.uk

Project **85 Whiteladies Road**

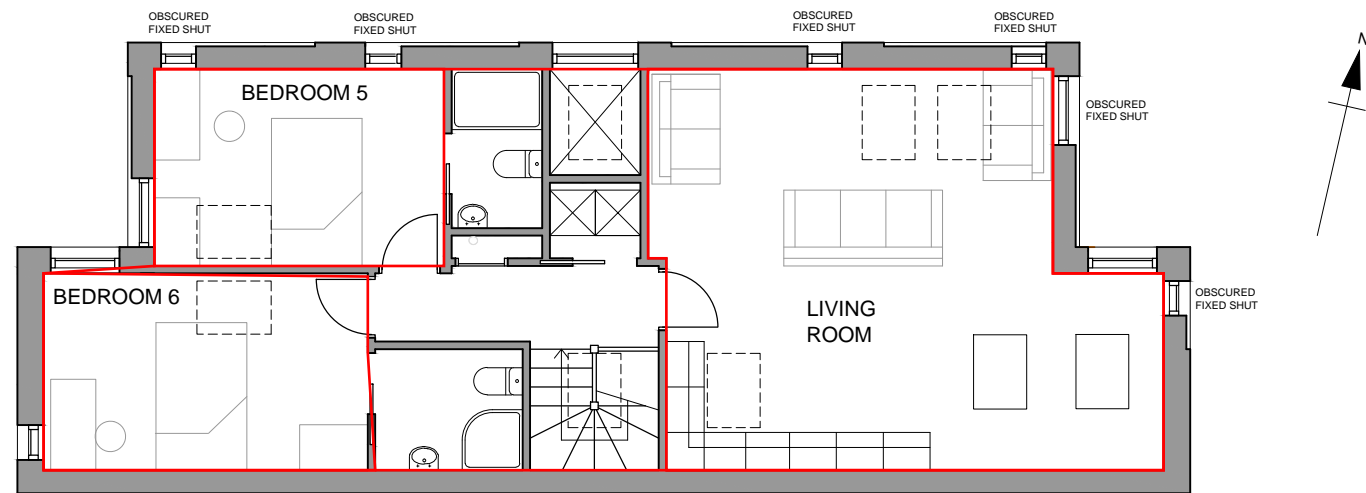
Proposed Ground Floor

Drawing No. **1670(L)121**

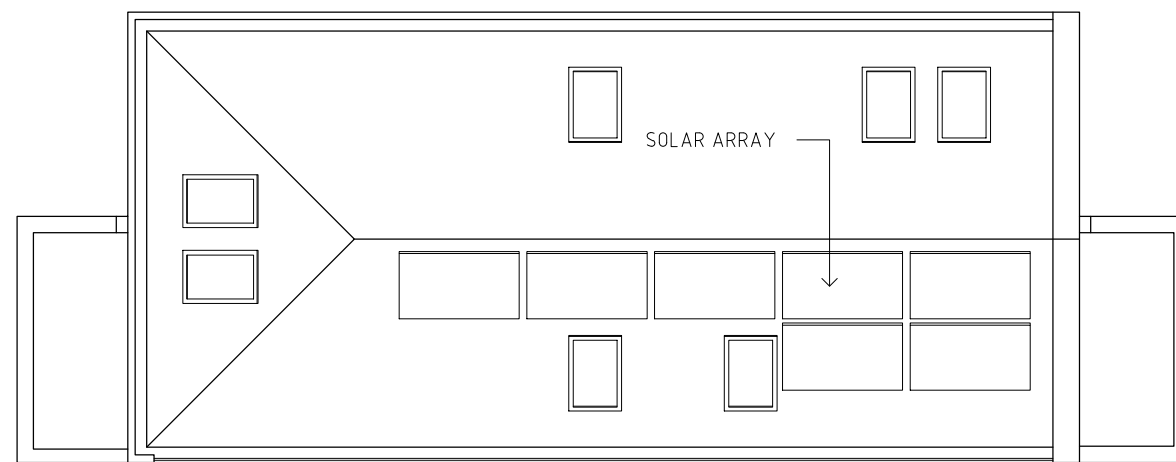
Scale @A3	drawn by	Date	Rev
1:100	LR	31/01/20	B



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



1ST FLOOR PLAN 1:100



ROOF PLAN 1:100

REV	Note	Date
C	Obscured windows amended	09/06/2020
B	Drawings revised to planning officers comments	08/06/2020
A	Room names amended	04.02.2020

105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol. BS6 6SW
 T 0117 3737596
 E info@105west.co.uk

Project **85 Whiteladies Road**

Drawing Title **Proposed First Floor and Roof Plan**

Drawing No. **1670(L)122**

Scale	@A3	drawn by	Date	Rev
1:100	LR		31/01/20	C



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



PROPOSED WEST ELEVATION 1:200

RIDGE HEIGHT LOWERED BY 100MM

FLOOR TO CEILING HEIGHT GROUND FLOOR = 2400mm

FLOOR TO CEILING HEIGHT FIRST FLOOR = 2350MM

LOFT SPACE HEIGHT = 1706MM TO APEX

REV	Note	Date
-----	------	------



105 WEST ARCHITECTS Ltd
107 Lower Redland Road, Redland
Bristol. BS6 6SW
T 0117 3737596
E info@105west.co.uk

Project **85 Whiteladies Road**

Drawing Title **Proposed West Elevation Street Context**

Drawing No. **1670(L)131**

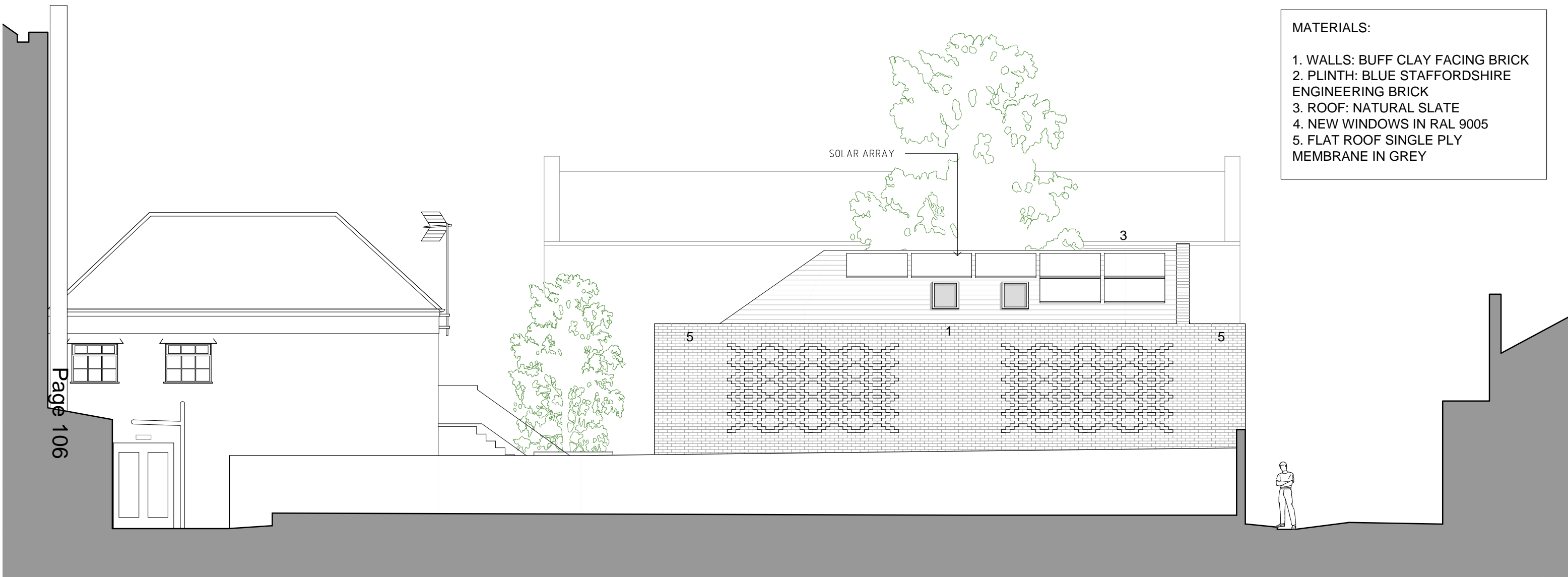
Scale @A3	drawn by	Date	Rev
1:200	LR	25/06/20	/



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.

MATERIALS:

1. WALLS: BUFF CLAY FACING BRICK
2. PLINTH: BLUE STAFFORDSHIRE ENGINEERING BRICK
3. ROOF: NATURAL SLATE
4. NEW WINDOWS IN RAL 9005
5. FLAT ROOF SINGLE PLY MEMBRANE IN GREY



REV	Note	Date
C	Amendments made following planners comments	24/06/2020
B	Drawings revised to planning officers comments	08/06/2020
A	Notes amended	04.02.2020

105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol. BS6 6SW
 T 0117 3737596
 E info@105west.co.uk

Project **85 Whiteladies Road**

Drawing Title **Proposed South Elevation**

Drawing No. **1670(L)127**

Scale	@A3	drawn by	Date	Rev
1:100	LR		31/01/20	C



PROPOSED SOUTH ELEVATION 1:100

RIDGE HEIGHT LOWERED BY 100MM

FLOOR TO CEILING HEIGHT GROUND FLOOR = 2400mm

FLOOR TO CEILING HEIGHT FIRST FLOOR = 2350MM

LOFT SPACE HEIGHT = 1706MM TO APEX

85 Whiteladies Road





85 Whiteladies Road

Car repair garage

Hampton Lane

HAMPTON LANE
GARAGE
ENTRANCE



Hampton Lane



85 Whiteladies Road

91 Hampton Lane -
student
accomodation

Martial arts gym

15A Hampton Lane -
Nearest residential
neighbour

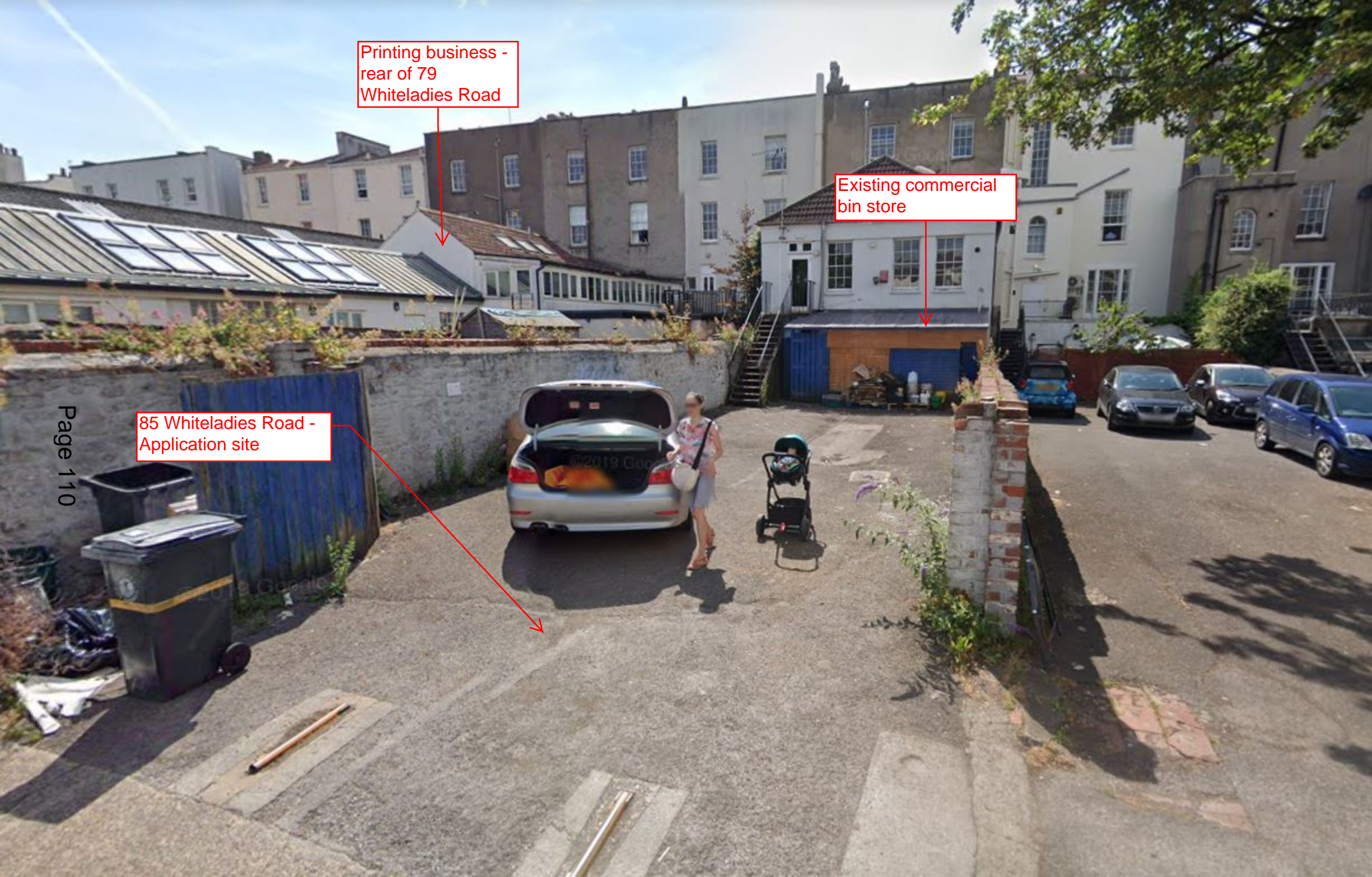
Rear of 43 Cotham
Hill - new dwelling
approved

Hampton

Printing business -
rear of 79
Whiteladies Road

Existing commercial
bin store

85 Whiteladies Road -
Application site





91 Hampton Lane -
11 bedroom student
accommodation -
granted in 2013



Application site

Hampton Lane
looking south

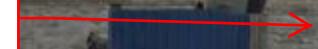
©2019 Google

©2019 Google

15A Hampton Lane



Application site - 85
Whiteladies Road



Development Control Committee A – 2 September 2020

ITEM NO. 3

WARD: Clifton

SITE ADDRESS: 8 Harley Place Bristol BS8 3JT

APPLICATION NO: 20/02205/F & 20/02206/LA Full Planning

DETERMINATION DEADLINE: 4 September 2020

Convert existing living accommodation over the garage to be self contained.

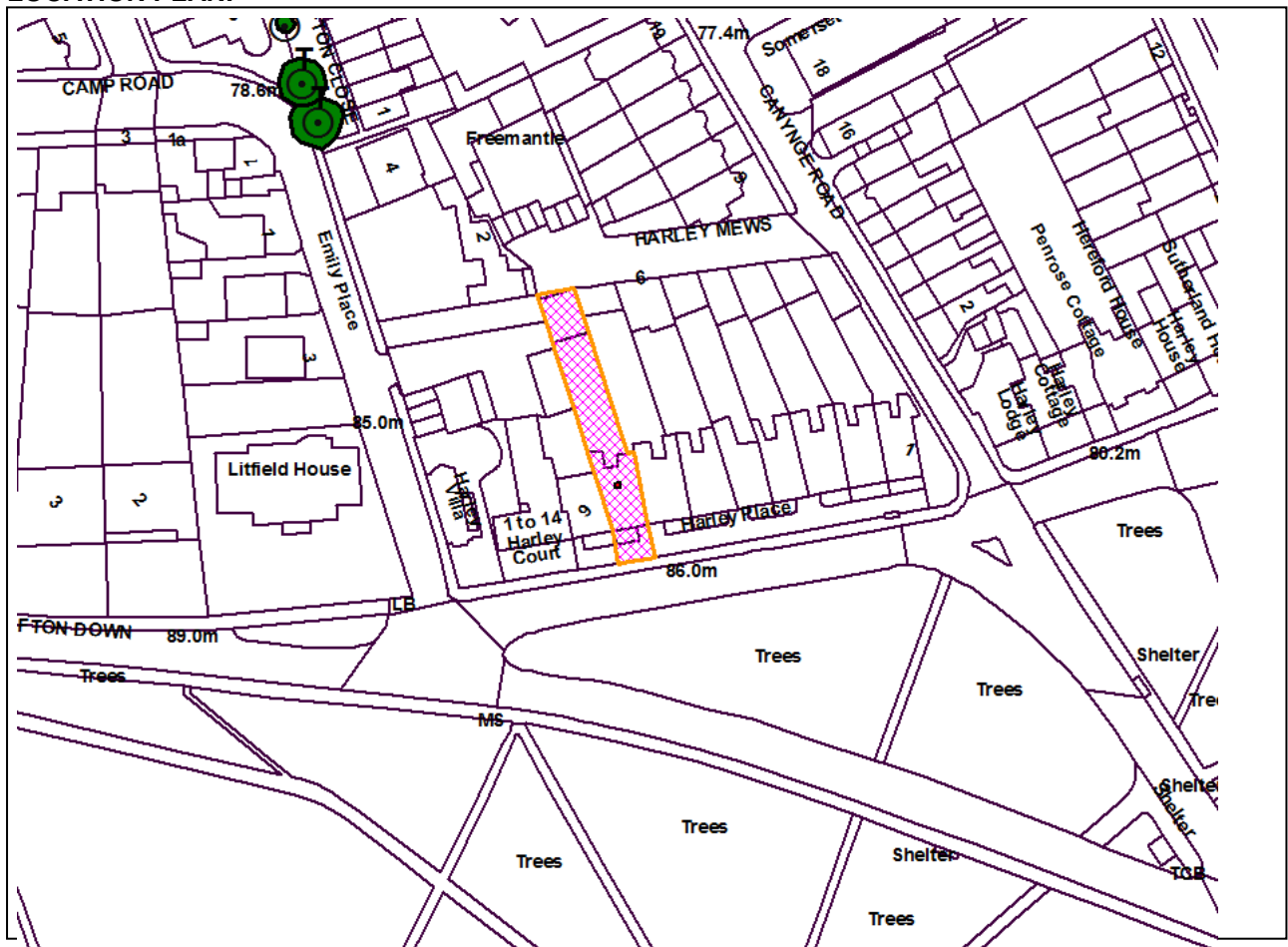
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Mr Steven Tuckfield
412 Wells Road
Knowle
Bristol
BS14 9AF

APPLICANT: Mr Harvey
8 Harley Place
Bristol
BS8 3JT

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

LOCATION PLAN:



Development Control Committee A – 2 September 2020
Application No. 20/02205/F & 20/02206/LA: 8 Harley Place Bristol BS8 3JT

SUMMARY

This application has been brought to the Development Control A Committee for two reasons. Firstly, the application has been brought to committee due to the level of public scrutiny and number of responses received during neighbour consultation. Secondly, the application was called into committee by Councillor O'Rourke (Ward Member for Clifton).

The reasons for calling the application to committee are as follows:

- Size – the area and layout of the development is unsatisfactory. It barely complies with regulations on size and the fact that bin stores, etc are accessed through areas not part of the property could present a problem.
- Access – The Mews is an up-adopted road so adding another residential property will have negative consequences including creating further mess on Canynge Road where bins are left for collection, increased security risk of having footfall with limited street lighting and increased hassle and risk due to more vehicle traffic on the Mews.
- Density – this is a high density area and creating homes out of areas designated for car, bin storage, etc., should not be allowed. As this is an RPZ area, no more parking permits should be allocated.
- Use – I believe that this application, following on from the permission already granted, demonstrates that the owners intend to use the property as an occasional rental (AirBnB), which is a growing problem in this area. Occupants do not manage waste removal properly leading to unsightly litter and, in this tightly packed area, having holiday-makers is not appropriate.

SITE DESCRIPTION

The site is located on Harley Place in the Clifton Ward of Bristol. The site comprises of a four storey mid-terrace property which benefits from a rear garden and detached garage/annex. The property is finished in stone/render and the roof is pitched and tiled. Windows and doors are timber.

The application site is located within The Promenade Character Area with The Clifton Conservation Area. The character appraisal for this area states that Harley Place is a local landmark group and Harley Place (1788-93), is a Georgian terrace in a neo-Classical style. The limestone ashlar group sits on a raised Pennant pavement, and has fine townscape and architectural details including 1 old gas fitting, foot scrapers outside nos. 3,4,6-9, a mass of door furniture throughout 1-9 and cast iron basket balconies.

The application site is a Grade II* Listed Building under Listing No. ST5689373380.

There are no TPO protected trees on the site. The surrounding area is residential and the site is located in close proximity to Clifton Downs.

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PLANNING HISTORY

The site has the following planning history:

- 63/00541/P_U | Use of two existing rooms of the property coloured orange on plan as consulting and waiting room for physician | GRANTED (10 April 1963)
- 87/01984/L | Restoration of existing house and basement flat | GRANTED (25 September 1987)
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- 97/14818/ | Demolition of existing garage and construction of new garage with studio over | CANCELLED (9 February 1998)
- 98/00375/LA | Demolition of existing garage and construction of new garage with studio over | WITHDRAWN
- 98/00740/H | Construction of replacement garage with studio/gym over at the rear of 8 Harley Place | GRANTED subject to condition(s) (3 June 1998)
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APPLICATION

The application seeks planning permission to convert the existing living accommodation over the garage to be self-contained. There are no external/internal works to the main dwelling.

The proposal would involve a new bin and bike storage area in the garage, new solar panels and a small increase in height.

RESPONSE TO PUBLICITY AND CONSULTATION

A) NEIGHBOUR CONSULTATION

Neighbouring properties were notified in relation to the proposed development on June 9th 2020.

19 objections have been received in relation to the original plans.

7 objections have been received in relation to the revised plans (submitted on June 30th 2020).

These are summarised below:

- Not a suitable location for a dwelling
- Parking provision
- Arrangement for bin collection and bin/bike storage
- Highway safety and traffic
- Use restriction on the annex and garage
- Precedence for other development on the mews
- Garage historically served the host property
- Impact on the residential neighbourhood
- Loss of privacy and overlooking
- Increased use of the ground floor
- Description of development is not accurate

Planning related matters will be discussed later in the report.

B) CITY DESIGN TEAM

Bristol City Council's City Design Team were consulted on the proposed plans. In response to the proposal, they raised no objection.

C) HISTORIC ENGLAND

Historic England were consulted on the proposed plans. In response to the proposal, they did not wish to comment and requested to seek advice from relevant officers in the City Council.

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D) TRANSPORT DEVELOPMENT MANAGEMENT

Bristol City Council's Transport Development Team were consulted on the proposed plans. They raised no objections to the scheme.

E) BRISTOL WASTE

Bristol Waste were consulted on the proposed plans. They raised no objections.

F) WARD MEMBER

Councillor O'Rourke called in the planning application to development control committee on the following grounds:

- Size
- Access
- Density
- Use

ASSESSMENT

A) IS THE PRINCIPLE OF DEVELOPMENT APPROPRIATE AND ACCEPTABLE?

Policy BCS2 (City Centre) states that the city centre will be a priority focus for development and regeneration and aims to create 7,400 new homes during the plan period.

Policy BCS5 (Housing Provision) states that new homes should be delivered within existing built up areas within Bristol.

Policy BCS20 (Effective and Efficient Use of Land) states that effective use of brownfield land should be sought by promoting development on previously used land.

The proposed development would contribute 1 no. new dwellings within the Clifton Ward of Bristol and within an established residential area. The proposed development would be within a mews which is home to other residential accommodation and would contribute toward housing trajectories within Bristol and would constitute an effective land use which accords with policies BCS2, BCS5 and BCS20.

The principle of development is considered appropriate and acceptable.

B) WOULD THE PROPOSAL BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT PRESERVE THE INTEREST OF THE LISTED BUILDING AND WOULD IT PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA?

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.

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

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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 case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight."

Section 16 (Conserving and Enhancing the Historic Environment) of 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Policy BCS21 (Quality Urban Design) states that development should be of a high quality design and respect the local area.

Policy BCS22 (Conservation and the Historic Environment) states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including: Scheduled ancient monuments; Historic buildings both nationally and locally listed; Historic parks and gardens both nationally and locally listed; Conservation areas; and Archaeological remains.

Policy DM26 (Local Character and Distinctiveness) states that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes. Development should also respect, build upon or restore the local pattern and grain of development.

Policy DM27 (Layout and Form) aims to ensure development contributes to the successful arrangement and form of buildings, structures and spaces and contribute to the creation of quality urban design and healthy, safe and sustainable places.

Policy DM30 (Alterations to Existing Buildings) sets out that new development will be expected to respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene.

Policy DM31 (Heritage Assets) sets out that development will be expected to conserve and where appropriate enhance heritage assets and/or its setting. These include schedule monuments, archaeological sites, listed buildings, conservation areas, historic parks and gardens and locally important assets.

Supplementary Planning Document 2: A Guide for Designing House Alterations and Extensions (SPD2) states that development should be subservient to the original house in terms of scale and should reflect the character of the property and the wider area. SPD2 also states that tighter planning controls apply to both listed buildings for internal and external works, and in Conservation Areas for demolition and/or development.

The proposed works would be to the detached garage/annex and would be respectful of the host property and conservation area. The works would not be materially different to the existing and would

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not negatively harm the character or appearance of the property and conservation area. The proposed works would be of an appropriate scale, would not be dominant and would demonstrate adequate levels of subservience. The garage/annex is at the rear of the property and would not be highly visible from the public realm. Garages and other properties in the local area and along Harley Mews are of different sizes and scales and in this context the proposal is deemed to be acceptable.

The proposed materials would match the existing and/or be appropriate alternatives which respect the character of the building and surrounding conservation area. The proposal, therefore would not negatively impact the character of the area.

In summary, the proposal complies with the Local Development Plan and policies such as BCS22, BCS21, DM26, DM27, DM30 and DM31, the NPPF and supplementary guidance namely SPD2 meaning the design, layout and form is acceptable. The proposal would be respectful of the conservation area and would not harm the character or appearance of the host property or wider row of terraces.

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

Section 12 (Achieving Well-Designed Places), Paragraph 127 of the NPPF outlines that planning policies and decisions should ensure that development create places with a high standard of amenity for existing and future users.

Policy BCS21 (Quality Urban Design) states that new development should safeguard the amenity of existing development and provide high quality development for future occupiers.

Policy DM27 (Layout and Form) states the layout and form of development should enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight.

Policy DM30 (Alterations to Existing Buildings) states that extensions and alterations to buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers.

Supplementary Planning Document 2: A Guide for Designing House Alterations and Extensions (SPD2) states that developments and extensions should be subservient, should protect neighbour amenity and should not cross a 45° line drawn in the horizontal or vertical plane when taken the mid-point of the nearest adjacent habitable window so as to not cause overlooking, overbearing or overshadowing on adjacent occupiers. SPD2 states that development should avoid habitable room windows directly facing each other and a gap of 21m should be provided between directly facing windows.

Homes and Communities National Space Standards states that a two-storey one-bedroom property should be 58 metres square and contain 1.5 metre square of storage areas to be of an acceptable size.

The proposed development would provide an acceptable space for future occupiers and would meet the HCA national space standards. The proposal would be 62 metres square, would contain sufficient storage areas and would be larger than the 58 metre square requirement. It is therefore considered that the proposed space would be acceptable and would protect the interests of future occupiers.

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The proposed development would have little impact on neighbouring properties on Harley Place. The garage/annex is located approximately 27.5m from neighbouring properties on Harley Place which is considered to be a sufficient distance from adjacent residential occupiers to not give rise to any unacceptable residential amenity impacts. The proposed works are would be of a scale and size as to not be overbearing or overshadowing. The proposal could comply with the 45 degree horizontal and vertical rule and would not be materially different to the existing. As such, the proposed development would be acceptable.

The proposed development would have little impact on neighbouring properties in Harley Mews. The proposed works are would be of a scale and size as to not be overbearing or overshadowing. The proposal could comply with the 45 degree horizontal and vertical rule and would not be materially different to the existing. As such, the proposed development would be acceptable.

The location of proposed windows and doors are also considered to be acceptable as their outlook would not be a materially different to the existing outlook and/or would not increase opportunities for overlooking. Views into neighbouring gardens would be at obscured angles only and rear windows would be obscured glass. Therefore, they would not negatively impact neighbour amenity.

In light of the above, the proposal is considered to be acceptable in its context and is not considered to have a significantly harmful impact upon neighbour amenity, in relation to loss of light/over shadowing, overlooking or overbearing impacts. The application complies with Policy BCS21 and SPD2 guidance and is therefore acceptable.

D) TRANSPORT DEVELOPMENT MANAGEMENT

Policy BCS10 (Transport and Access Improvements) states that development should be designed to ensure streets where traffic and other activities are, are integrated and should be designed to ensure the provision of safe streets.

Policy DM 23 (Transport Development Management) outlines that development should not give rise to unacceptable traffic conditions and would be expected to provide safe and adequate access onto the highway. It also states that parking must be safe, secure, accessible and usable.

The proposed development is not considered to increase parking provision or impact on highway safety. The proposed site would be accessed from a private mews and the garage which contains two parking spaces is to be retained. There is also parking in-front of the garage and within the Mews. It is also noted that there is on-street parking around the site. However, due to the sustainable location, the proposal would have little impact on parking or highway safety.

The proposal was supported by Transport Development Management who raised no concerns. Therefore the proposal is considered to be acceptable.

E) WASTE AND RECYCLING

Policy BCS15 (Sustainable Design and Construction) states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Major developments should include communal facilities for waste collection and recycling where appropriate.

Policy DM32 (Recycling and Refuse in New Development) states that in the case of residential development: sufficient spare capacity for the storage of individual recycling and refuse containers to reflect the current recycling regime; or Communal recycling facilities and refuse bins of sufficient capacity to serve the proposed development as a whole (this could include whole street solutions).

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Residential properties with private garden areas should also include provision for the separate storage of garden waste for collection or composting.

The proposed works are considered to be acceptable in terms of waste and recycling. Bristol Waste provides a kerbside collection for properties on Harley Mews. The waste for the proposed development would be presented for collection alongside the other properties which is considered to be acceptable. The proposal would contain storage for waste and recycling which is considered to be acceptable.

Bristol Waste stated that “so long as the resident keeps them inside and off the street when not being serviced this is satisfactory for BWC”. Therefore, it is necessary to condition waste and recycling to be presented on collection day only and stored within the property at all other times. Overall, the proposal is considered to be acceptable in terms of waste and recycling.

F) SUSTAINABILITY

Policy BCS13 (Climate Change) sets out that development should contribute to mitigating and adapting to climate change, and to meet targets to reduce CO₂ emissions.

Policy BCS14 (Sustainable Energy) sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 (Sustainable Design and Construction) sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

Policy BCS15 (Sustainable Design and Construction) aims to ensure that development proposals are designed and constructed to minimise their environmental impact.

The proposed development would involve the conversion of an existing annex which means that no new materials and resources are required to provide an additional dwelling. The proposal would also include waste and recycling provision, energy efficient lighting and 6 solar panels on the roof. This would contribute to a 20% reduction in emissions which would comply with Core Strategy Policies. It is noted that further details of the PV panels are required which will be secured via a condition.

Therefore, the proposal is considered to be acceptable in terms of sustainability.

CONCLUSION

The proposed development is of an appropriate design, scale and form as to respect the overall design of the host dwelling and surrounding areas character. The proposal would also preserve the character and appearance of the Conservation Area and Listed Building. In addition, the development would not detriment the residential amenity of future or adjacent occupiers by means of overlooking, overshadowing or overbearing impacts. The proposal is considered to be acceptable in terms of parking, highway safety, waste, recycling and sustainability.

The proposed development is therefore recommended for approval, subject to conditions.

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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.

RECOMMENDED GRANT subject to condition(s)

CONDITIONS

Planning permission

Materials to match

Approved plans

.Use Restriction – Garage

The hereby approved garage/car parking space(s) shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written permission of the local planning authority.

Reason: To retain garage/car space for parking and storage purposes.

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.

Implementation/Installation of solar photovoltaic panels, shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the solar photovoltaic panels; have been completed in accordance with the approved plans.

Reason: The implementation of the development without solar photovoltaic panels would result in an unacceptable scheme which would be contrary to sustainable design guidance.

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20/02206/LA

SITE DESCRIPTION

The site is located on Harley Place in the Clifton Ward of Bristol. The site comprises of a four storey mid-terrace property which benefits from a rear garden and detached garage/annex. The property is finished in stone/render and the roof is pitched and tiled. Windows and doors are timber.

The application site is located within The Promenade Character Area with The Clifton Conservation Area. The character appraisal for this area states that Harley Place is a local landmark group and Harley Place (1788-93), is a Georgian terrace in a neo-Classical style. The limestone ashlar group sits on a raised Pennant pavement, and has fine townscape and architectural details including 1 old gas fitting, foot scrapers outside nos. 3,4,6-9, a mass of door furniture throughout 1-9 and cast iron basket balconies.

The application site is a Grade II* Listed Building under Listing No. ST5689373380.

There are no TPO protected trees on the site. The surrounding area is residential and the site is located in close proximity to Clifton Downs.

LISTING

ST5673SE CLIFTON DOWN, Clifton 901-1/7/740 (North side) 08/01/59 Nos.1-9 (Cons) Harley Place, attached front railings and garden wall to side (Formerly Listed as: CLIFTON DOWN Harley Place, Nos.1-9 (Cons))

GV II*

Terrace of 9 houses. 1788, partly altered c1840. Limestone ashlar with tooled Pennant ashlar basements, party wall stacks, and slate and pantile mansard roofs. Double-depth plan. Late Georgian style. Each of 3 storeys, attic and basement; 3-window range. An irregularly-stepped terrace, Nos 2, 3, 6 & 7 set forward, articulated by pilasters to a thin string and cornice with small balls to the top cyma moulding, missing from No.2, and rusticated ground floor to a band; Nos 5, 8 & 9 not rusticated, possibly altered mid C19. Pairs of houses have paired semicircular-arched inner doorways with deeply-set doors and banded reveals, Nos 1-5 and 7 & 8 have metal batwing fanlights, No.6 teardrop fanlight, to 6-panel doors with raised upper panels, Nos 4-9 with cut out corners. Doorway to No.5 in a semicircular-arched recess, and rectangular recesses to the ground-floor windows, linked by an impost band. Nos 6 & 7 have rectangular recesses to the doorway and keyed incised voussoirs like the windows. No.8 is lower, with a ground-floor arcade of semicircular-arched recesses linked by an impost band, and 2 wrought-iron lantern brackets over the doorway. No.9 has a coped attic storey, a ground-floor arcade of semicircular-arched recesses, left-hand flat-headed doorway with a good rectangular overlight with central round and flanking lozenge metal glazing bars and a lantern; a large 3-light first-floor window set in a segmental-arched recess, with niches each side below round sunken panels and panel aprons; second-floor sill band, upper windows in rectangular recesses; balcony has mid C19 cast-iron railings with Greek Revival motifs, and second-floor basket balconies. Windows with 6/6-pane sashes, full-depth on the first-floor, with 9/9-pane sashes on No.4; 2 dormers. Tented first-floor balconies have cast-iron lattice railings and stanchions. Segmental-arched basement windows. Rear elevations have semicircular-arched stair sashes, Nos 2, 3 & 7 have bowed first-floor

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oriels. INTERIOR: entrance halls divided by semicircular arches, to rear open dogleg stairs with stick balusters and curtains, 6-panel doors, and panelled shutters. SUBSIDIARY FEATURES: attached wrought-iron spear-headed basement area railings and gates with urn finials, and Pennant ashlar piers; squared, coursed Carboniferous limestone walls to front pavement, raised and curved round at E end with railings; red sandstone rubble wall extends approx 50m along Canynge Road. Shares details such as door surrounds with Beaufort Buildings (qv) on the opposite side of the Downs, and called Beaufort Buildings on Donnes' 1821 map. Possibly planned as a composed terrace with raised centre and end sections. (Donne: Plan of Bristol, Clifton and the Hotwells: Bristol: 1821-).

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APPLICATION

The application seeks planning permission to convert the existing living accommodation over the garage to be self-contained. There are no external/internal works to the main dwelling.

The proposal would involve a new bin and bike storage area in the garage, new solar panels and a small increase in height.

RESPONSE TO PUBLICITY AND CONSULTATION**A) NEIGHBOUR CONSULTATION**

Neighbouring properties have been notified in relation to the proposed development of the site.

Three letters of objection was received in relation to:

- Precedence for future development
- Not a suitable location for a dwelling
- Impact on parking and highway safety
- Arrangement for bin collection
- Existing restrictions to the property

Planning related matters will be discussed later in the report. Additionally, 38 properties were written to as part of the consultation and the proposal was advertised through Site and Press Notices.

B) CITY DESIGN TEAM

Bristol City Council's City Design Team were consulted on the proposed plans. In response to the proposal, they raised no objection.

C) HISTORIC ENGLAND

Historic England were consulted on the proposed plans. In response to the proposal, they did not wish to comment and requested to seek advice from relevant officers in the City Council.

D) TRANSPORT DEVELOPMENT MANAGEMENT

Bristol City Council's Transport Development Team were consulted on the proposed plans. They raised no objections to the scheme.

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Councillor O'Rourke called in the planning application to development control committee on the following grounds:

- Size
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- Use

ASSESSMENT

- A) WOULD THE PROPOSAL BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT PRESERVE THE FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE GRADE II* LISTED BUILDING AND WOULD IT PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THIS PART OF THE CLIFTON CONSERVATION AREA?

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.

The Authority is required (under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990), when considering whether to grant listed building consent for any works, is to 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. It is therefore considered that the proposed work will preserve the character and historic fabric of the listed building and duly recommended for consent subject to conditions.

The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight."

Section 16 (Conserving and Enhancing the Historic Environment) of 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The garage/annex is a later addition to the host property constructed in 1998. The proposed works to the garage/annex would be respectful to the host property and wider conservation area. The works are considered minor in nature and would preserve and enhance the character and appearance of the

Development Control Committee A – 2 September 2020
Application No. 20/02205/F & 20/02206/LA : 8 Harley Place Bristol BS8 3JT

property and conservation area. The proposed development would be of a scale and siting which would not alter the aesthetic of the host building.

The proposal seeks to cause minimal harm to the listed building. The proposed works are not considered harmful to the property and works are compliant with Paragraph 194 of the NPPF.

The proposed materials would match the existing and/or be appropriate alternatives which respect the character of the building and surrounding conservation area. The proposal, therefore would not negatively impact the character of the area.

Finally, both Historic England and Bristol City Council's City Design Team have not objected to the application.

In summary, the proposal complies with the requirements of legislation within S. 16 (2) and S. 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF. The proposal would be respectful of the conservation area and would not harm the character or appearance of the listed building or wider row of terraces.

CONCLUSION

Based upon the information provided to the Local Planning Authority, it is considered that the proposed development would not result in an unacceptable degree of harm to the host Listed Building and Clifton Conservation Area.

It is therefore recommended that the application for Listed Building Consent should be approved, subject to conditions.

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.

RECOMMENDED GRANT subject to condition(s)

Conditions

Listed Building Consent

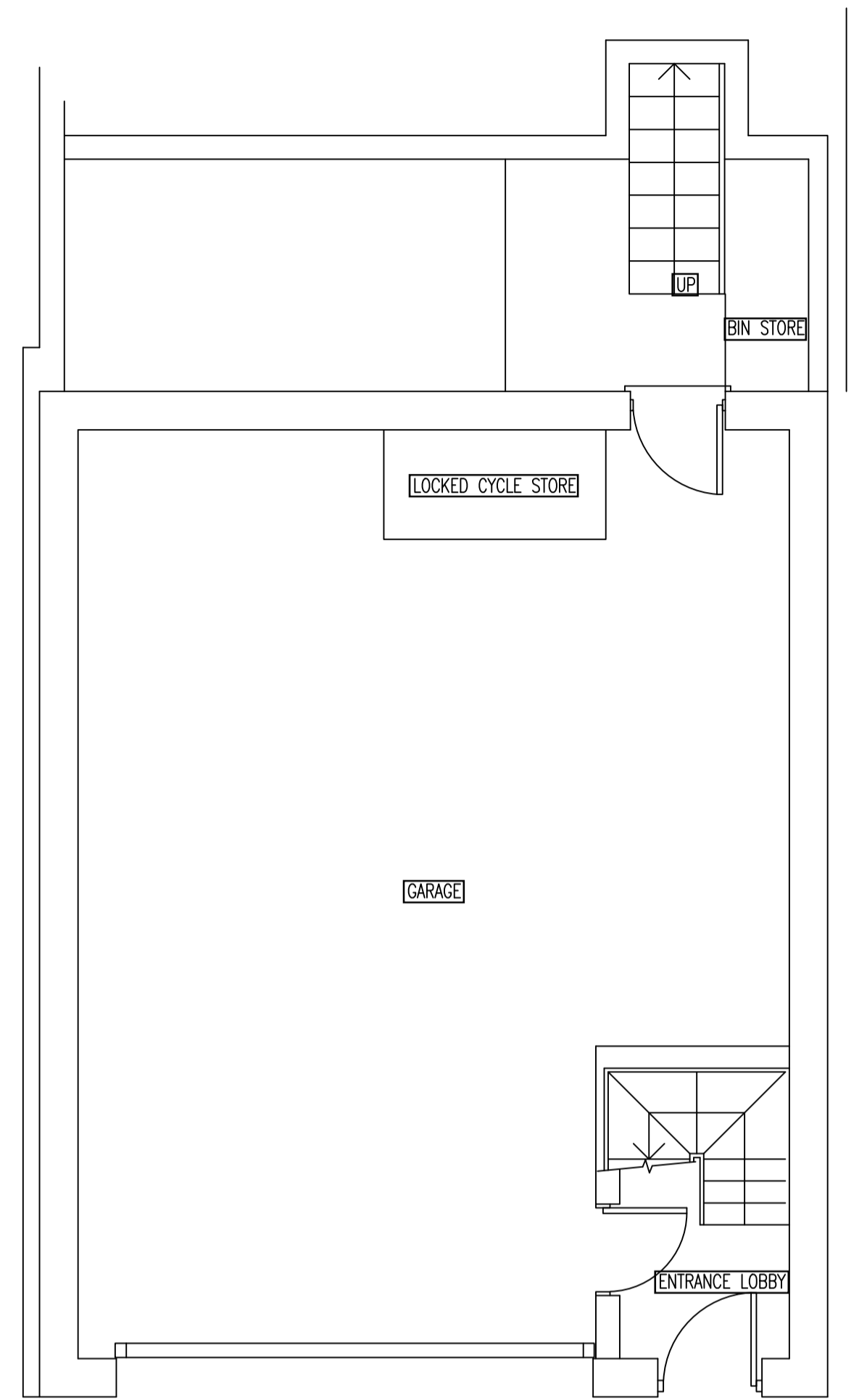
Materials to Match

commdelgranted
V1.0211

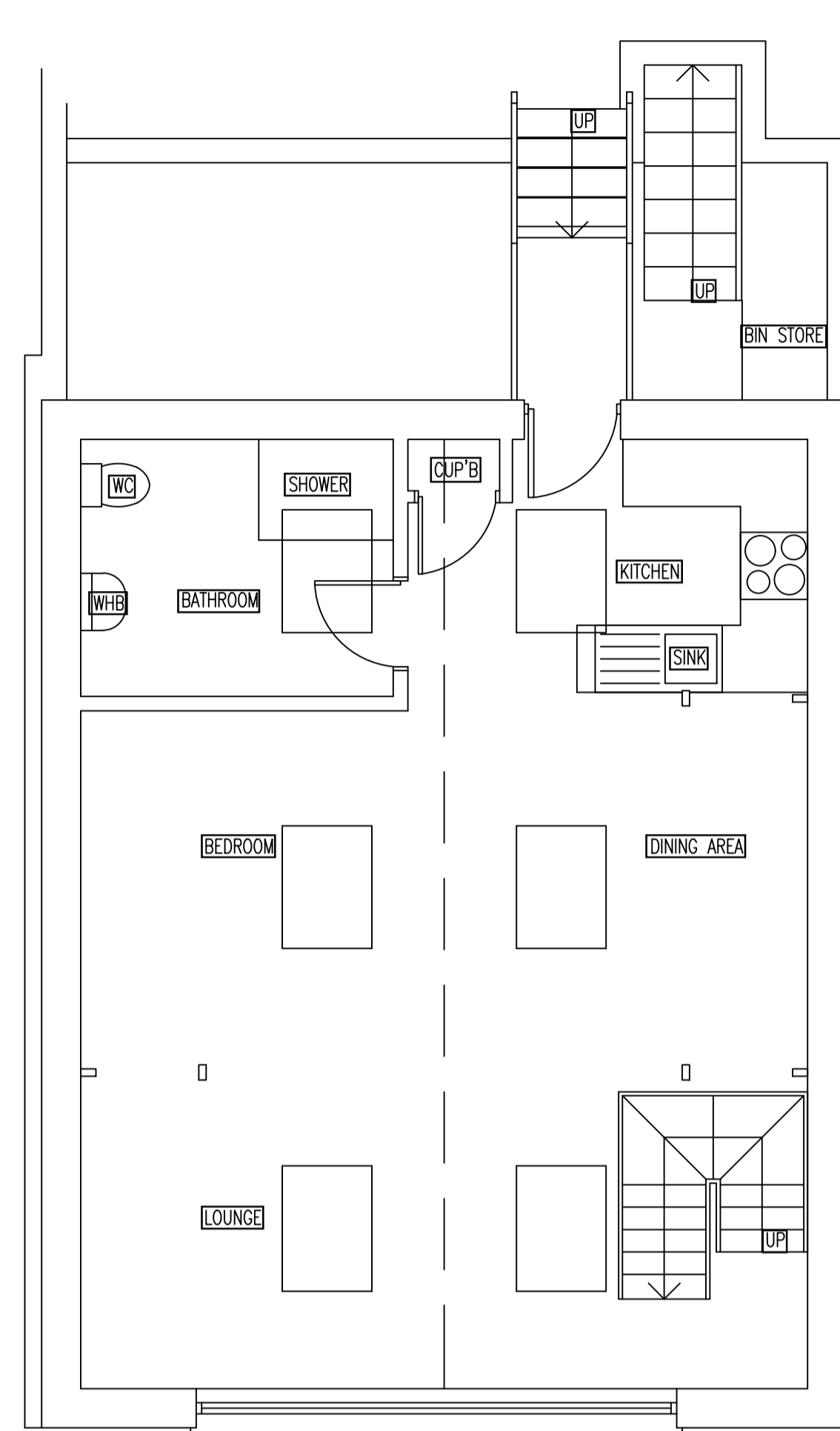
Supporting Documents

3. 8 Harley Place.

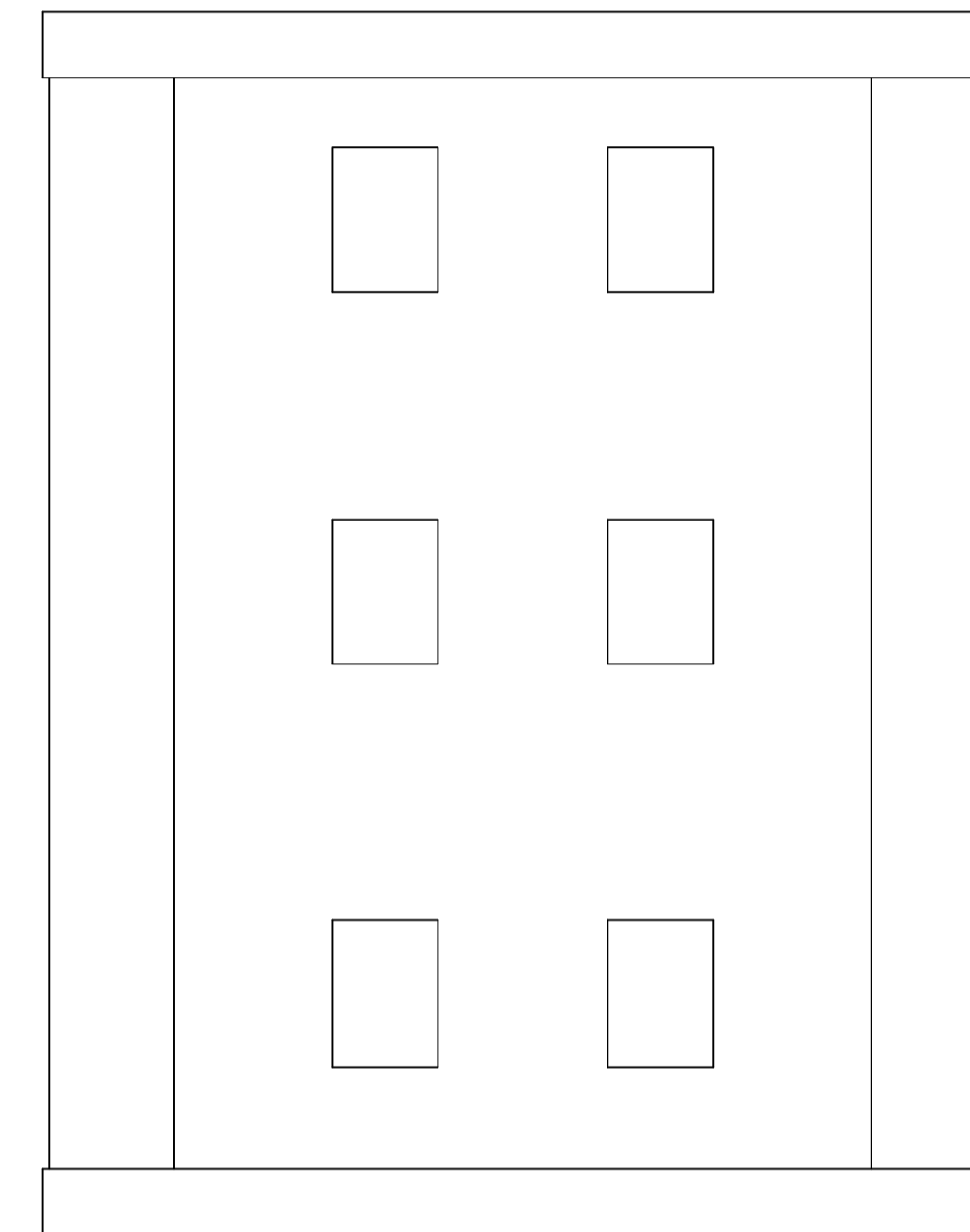
1. Existing Plans
2. Proposed Plans
3. Approved Plans March 2020



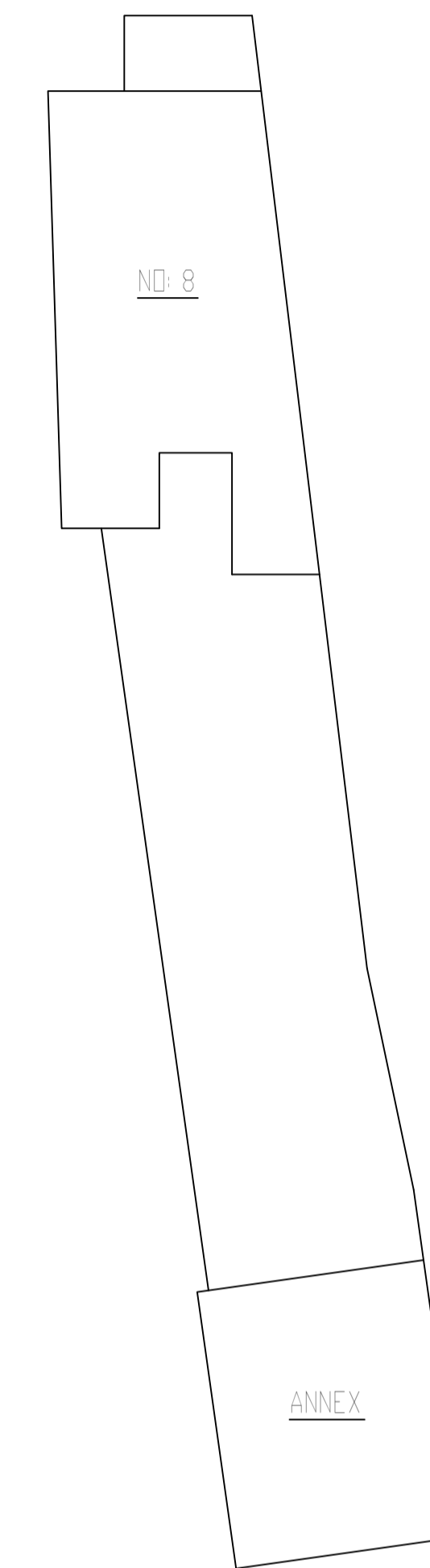
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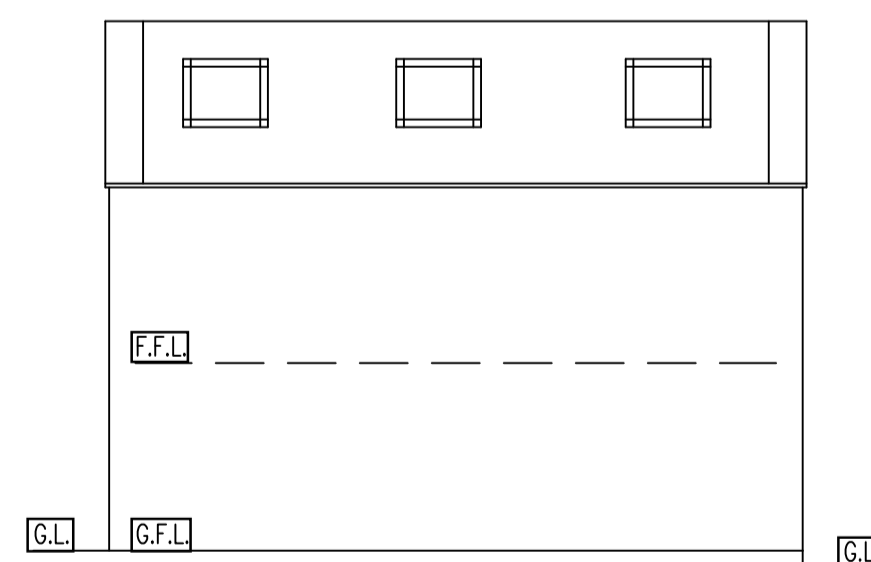
EXISTING FIRST FLOOR PLAN 1:50



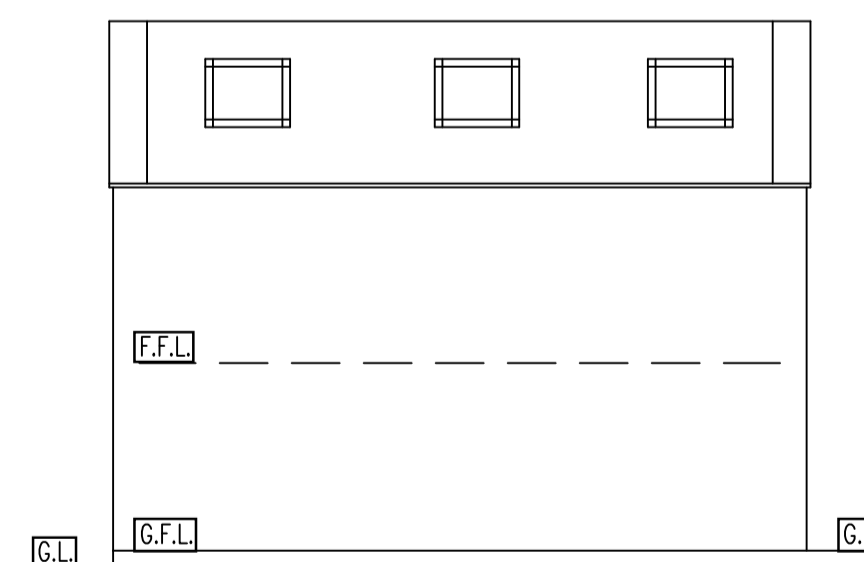
EXISTING ROOF LAYOUT PLAN 1:50



EXISTING SITE PLAN 1:200



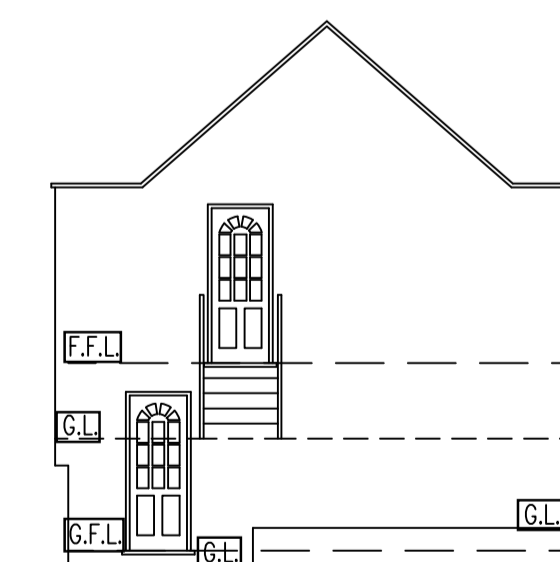
EXISTING SIDE ELEVATION 1:100



EXISTING SIDE ELEVATION 1:100



EXISTING FRONT ELEVATION 1:100



EXISTING REAR ELEVATION 1:100

NOTES

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Client
 MR & MRS HARVEY
 8 HARLEY PLACE
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 BRISTOL
 BS8 3JT

PLANNING APPLICATION

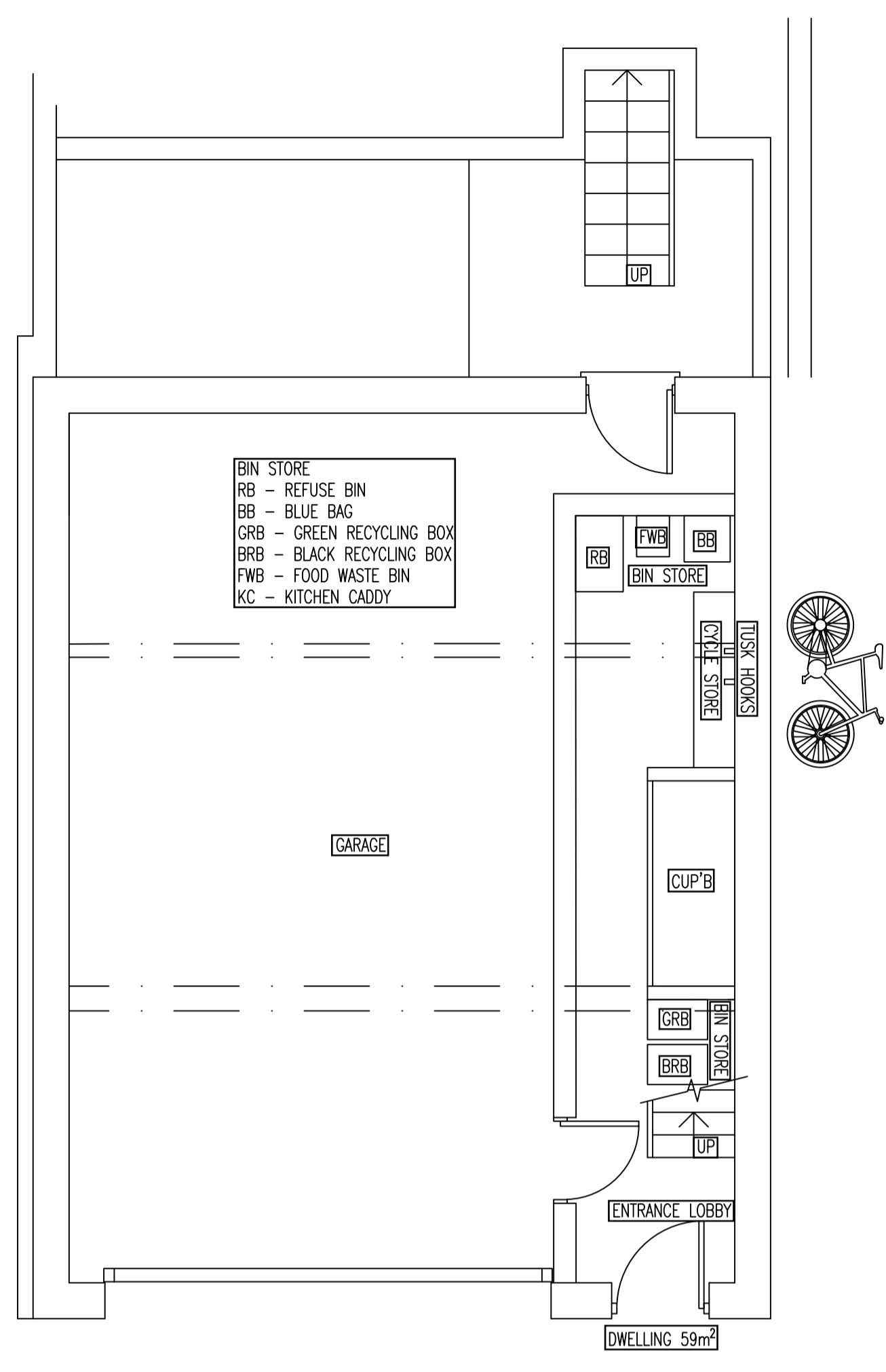
BUILDING PLANS BY DESIGN

EXISTING LAYOUT PLANS & ELEVATIONS.

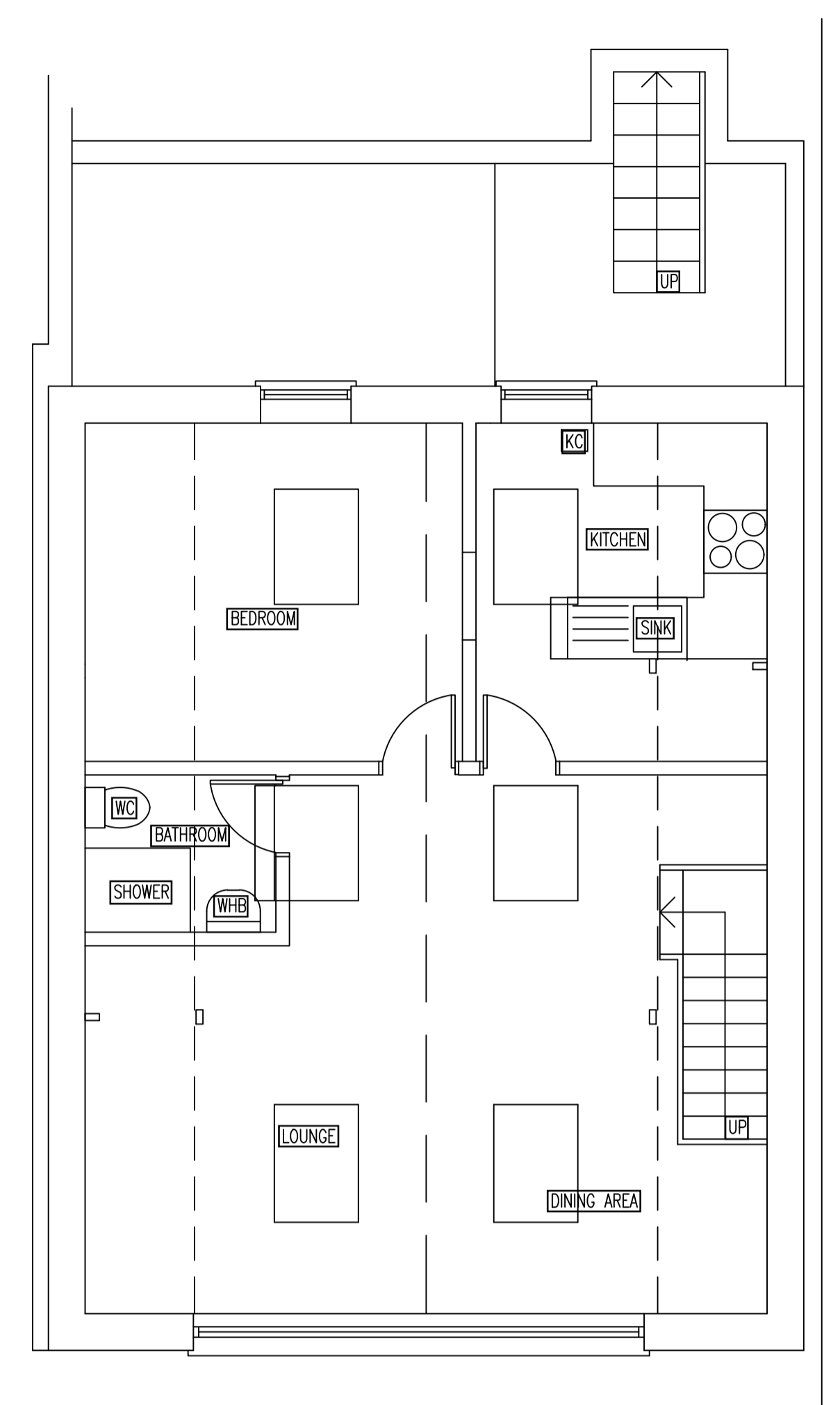
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 BRISTOL
 BS8 3JT**

SHEET 1 OF 3

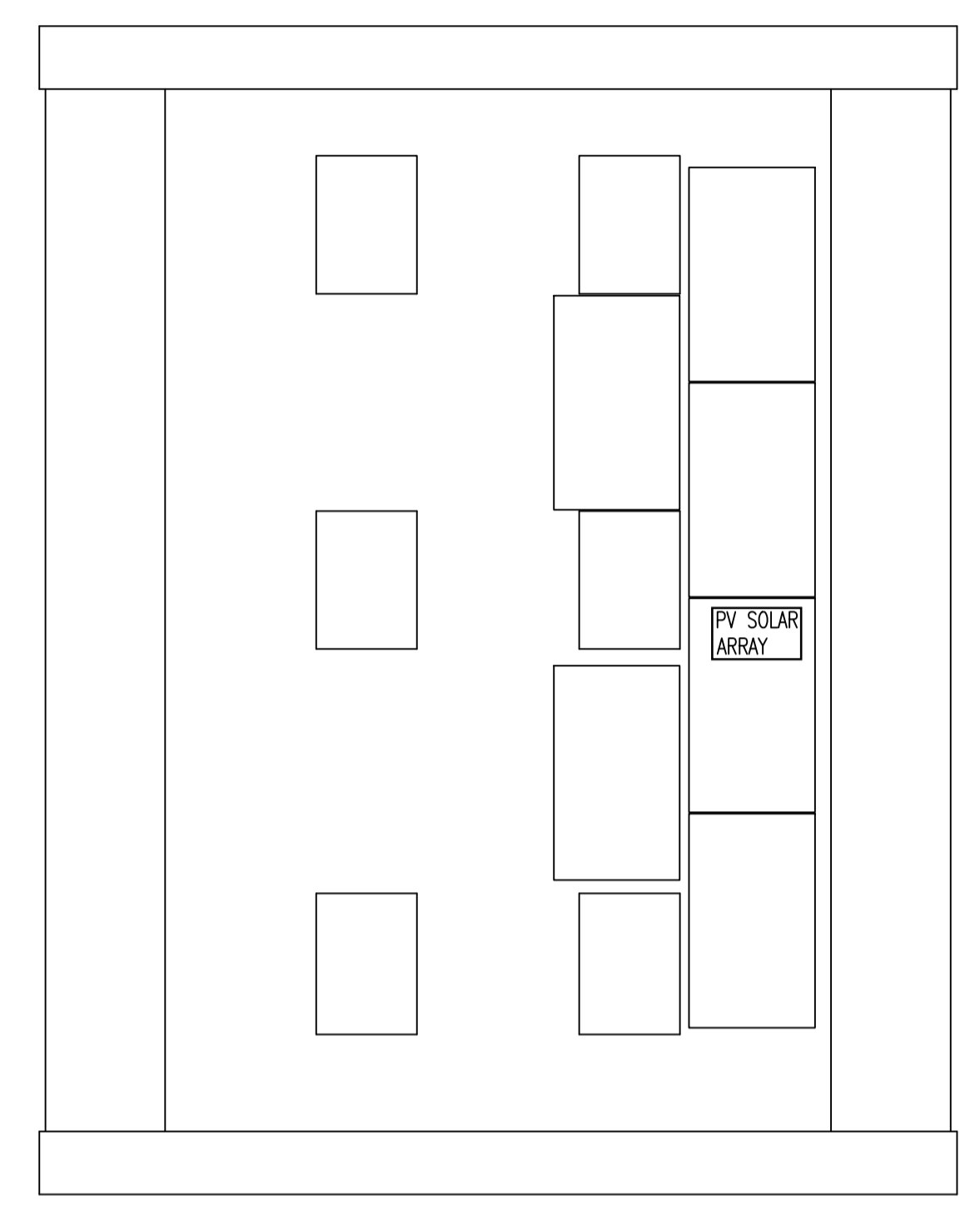
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 Date MAY 2020
 Scale 1:50 & 1:100 @ A]
 Drawing No. **50550-5** Rev. **A**



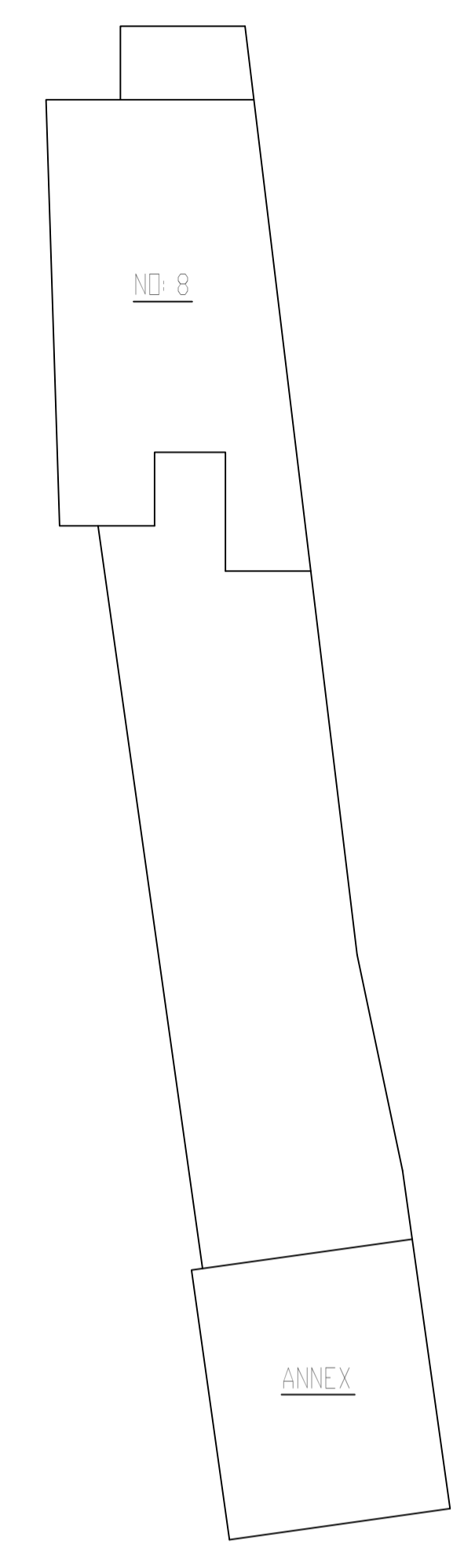
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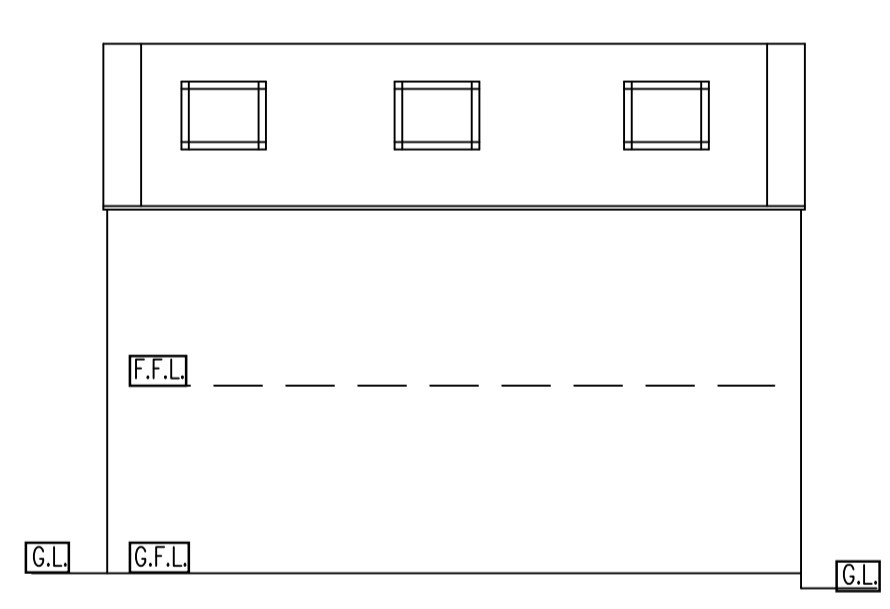
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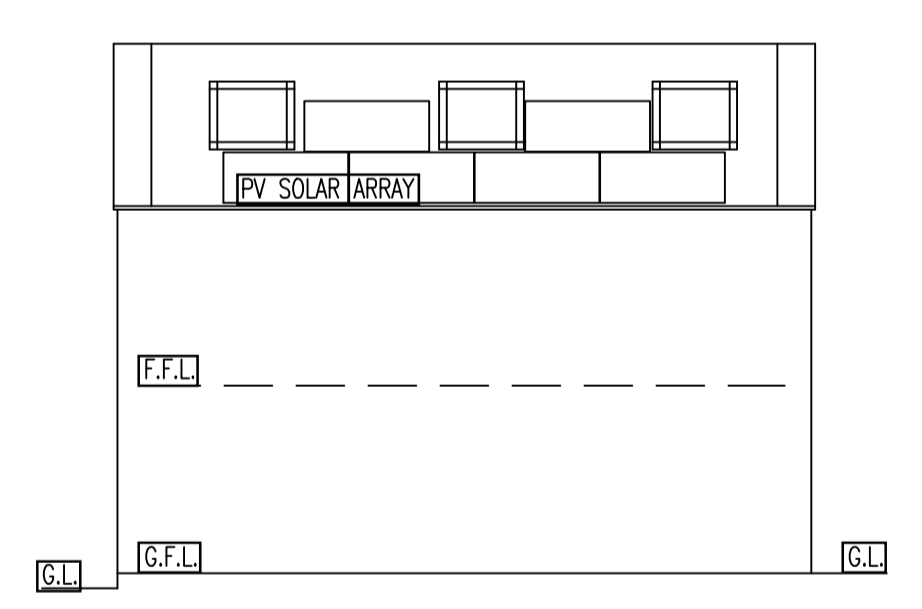
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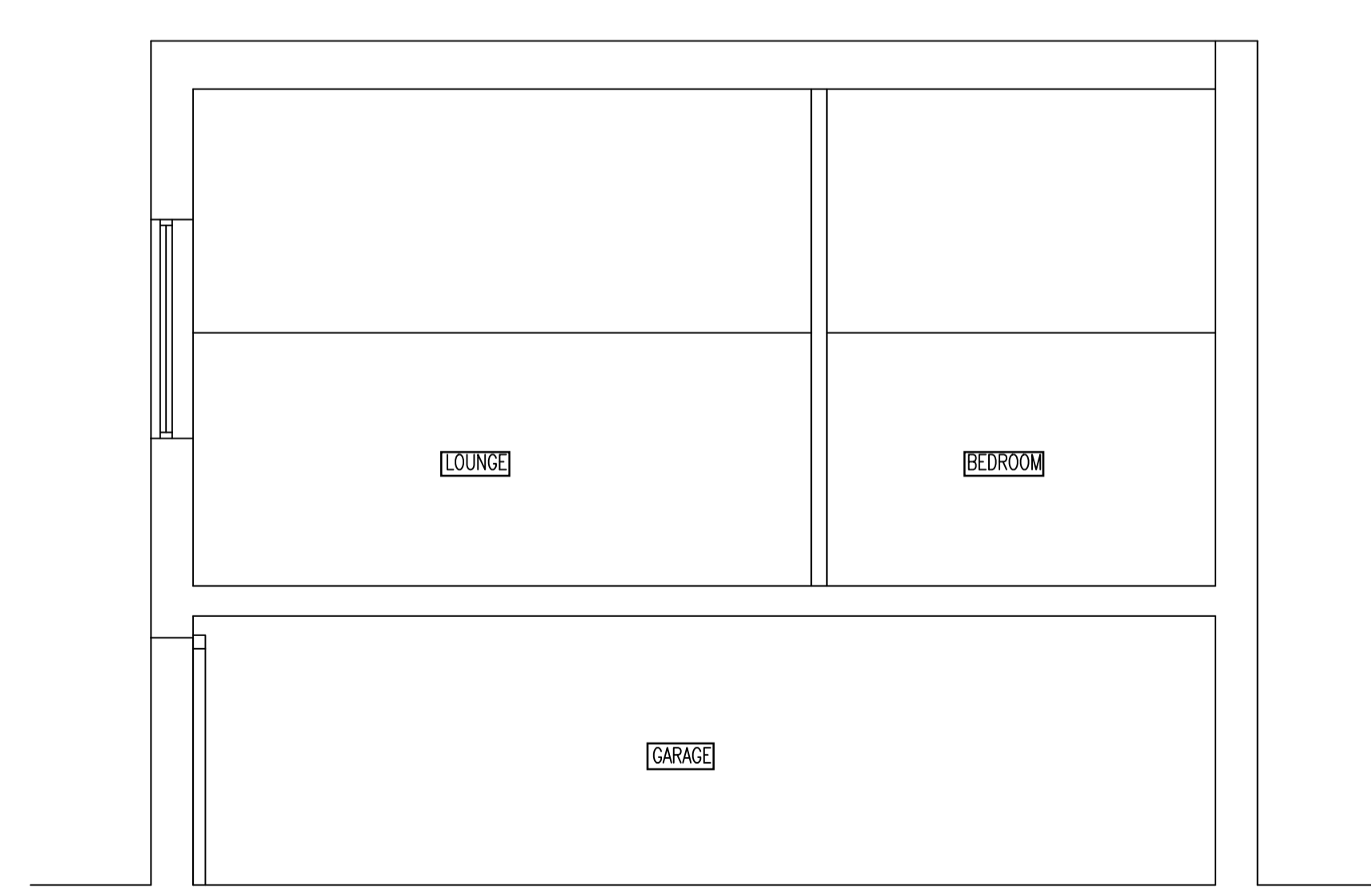
PROPOSED SITE PLAN (1:200)



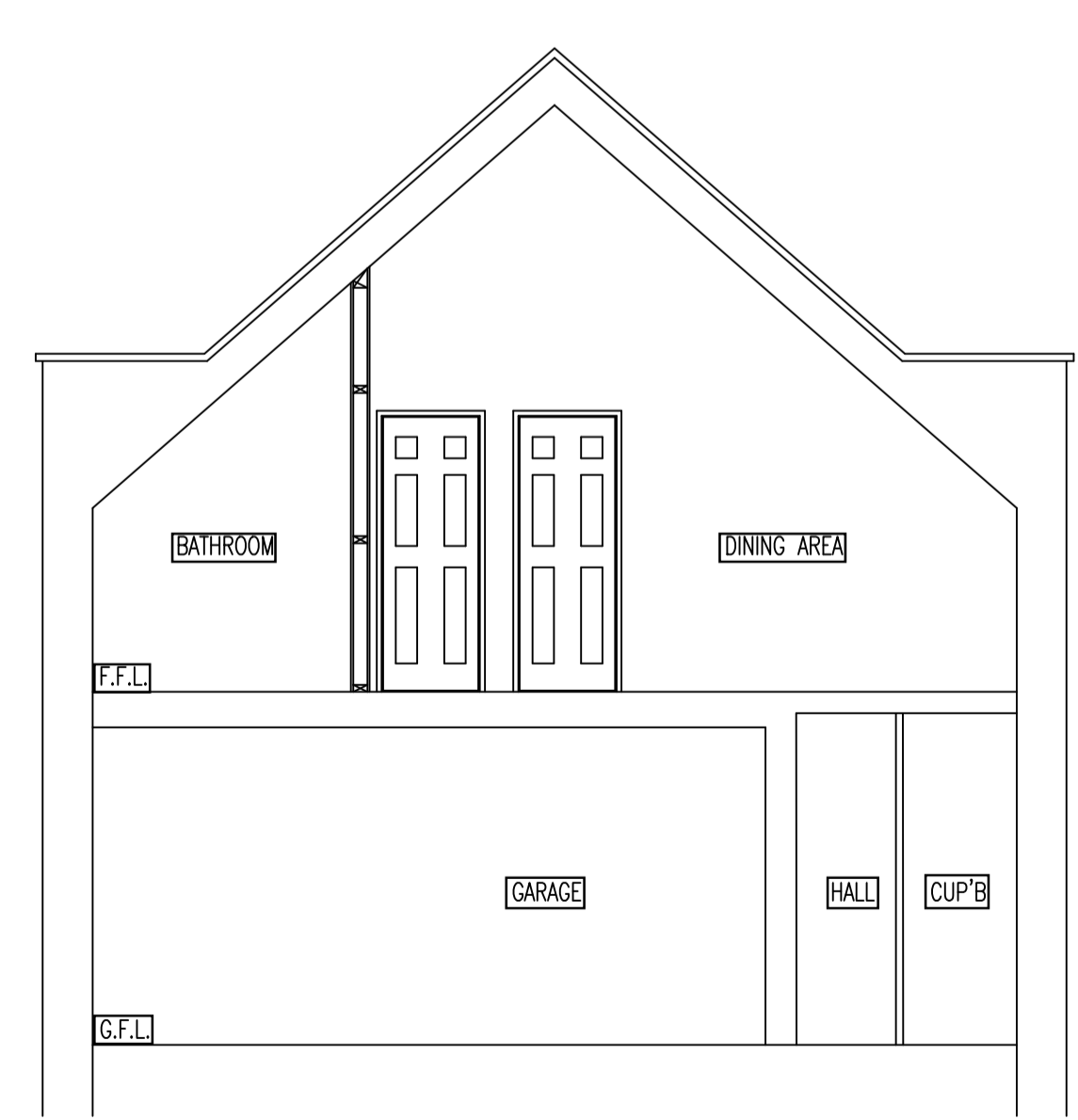
PROPOSED SIDE ELEVATION 1:100



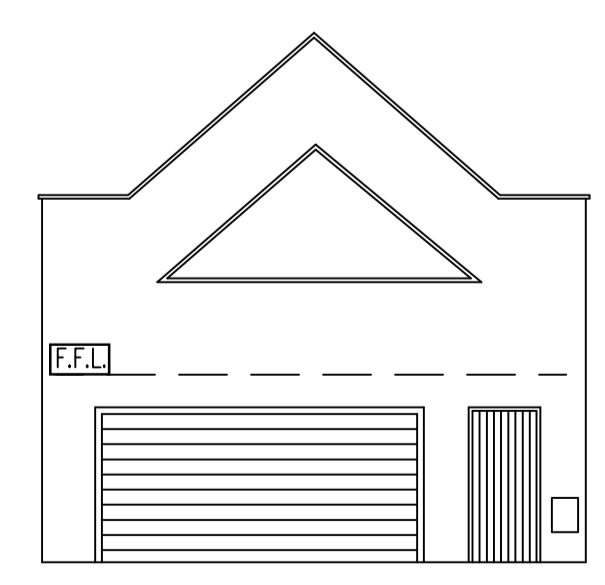
PROPOSED SIDE ELEVATION 1:100



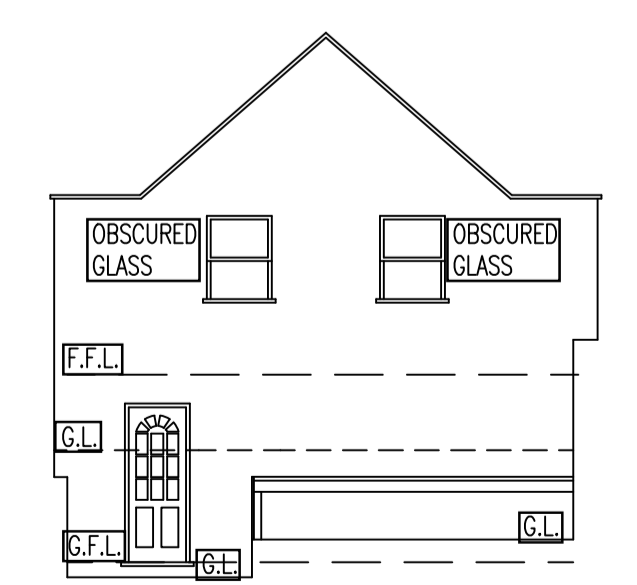
SECTION B-B 1:50



SECTION A-A 1:50



PROPOSED FRONT ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100

- A] PLANNING APPLICATION MAY 2020
- B] PLANNING APPLICATION JUNE 2020
- C] REVISED DESIGN JUNE 2020
- D] PV ARRAY UPDATED JULY 2020

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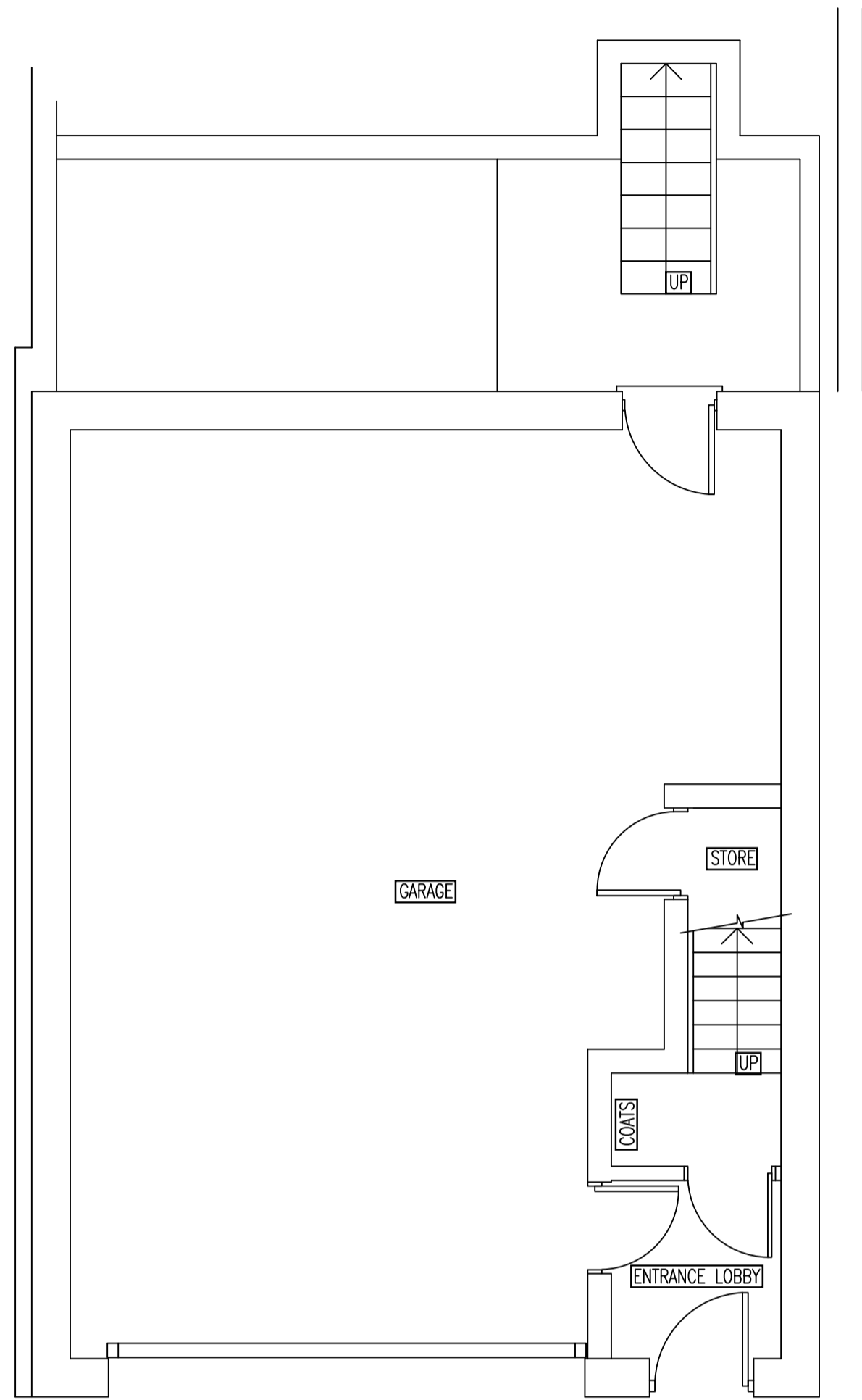
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SHEET 3 OF 3

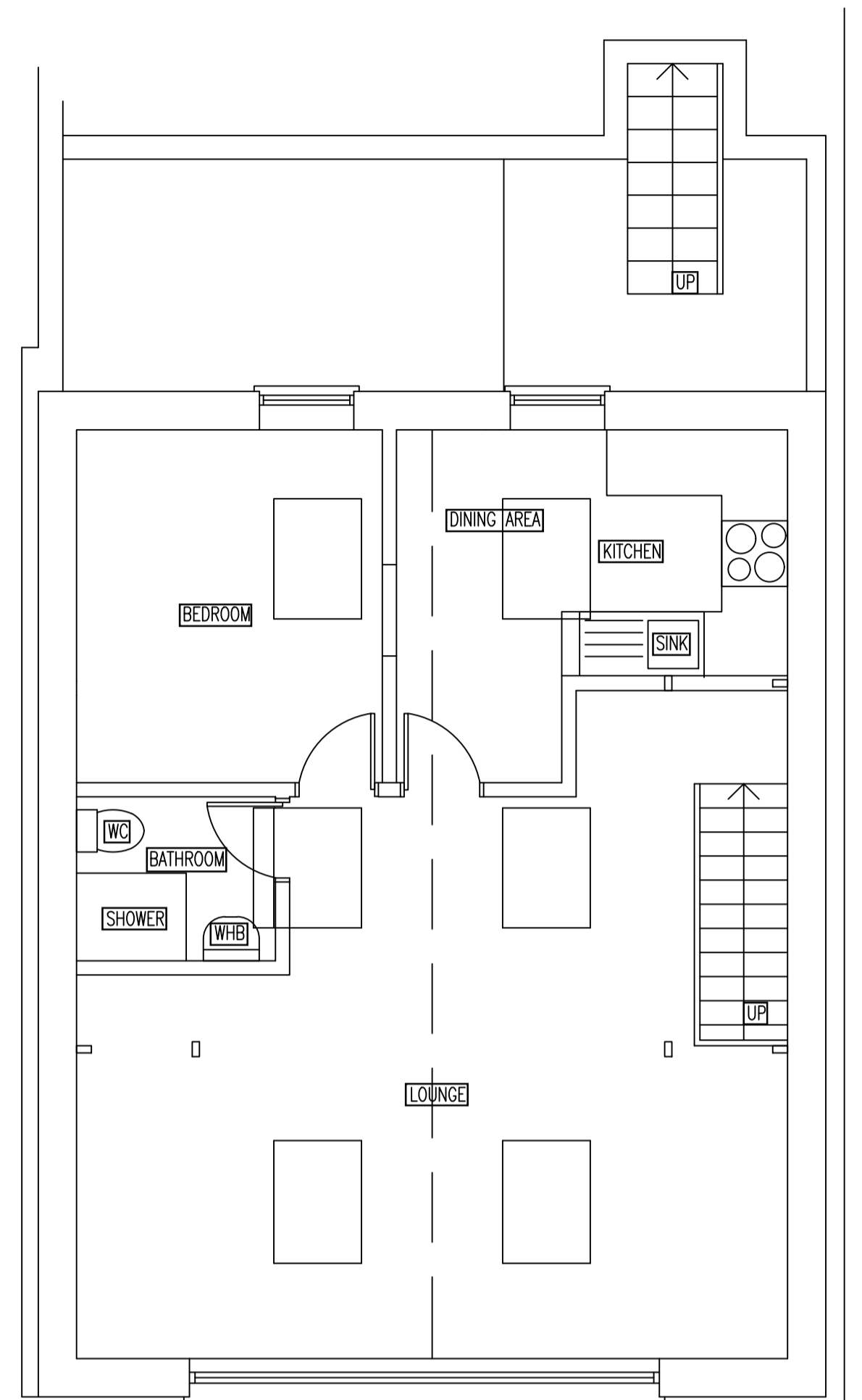
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Date: MAY 2020
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Drawing No. 50550-7 Rev. D

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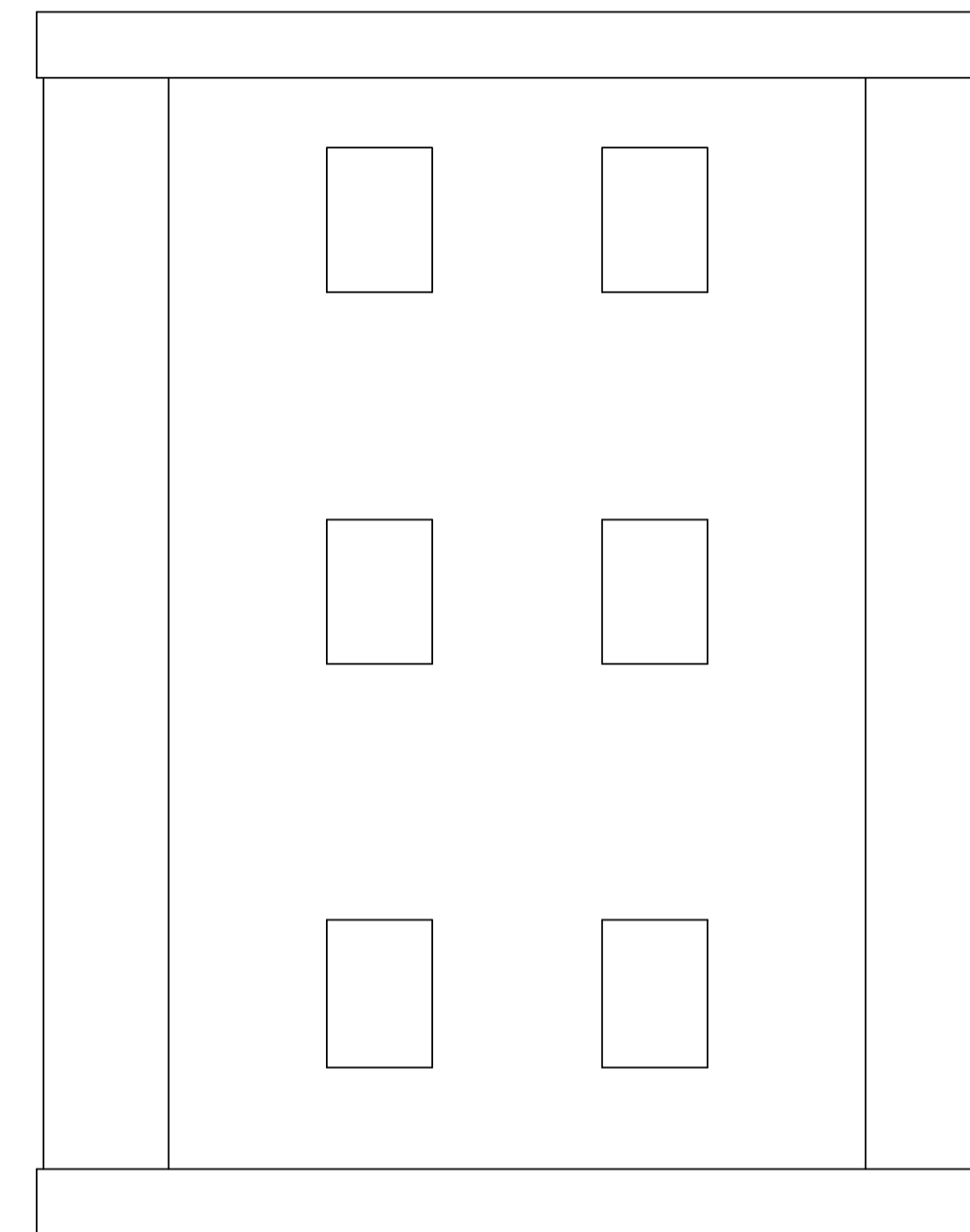
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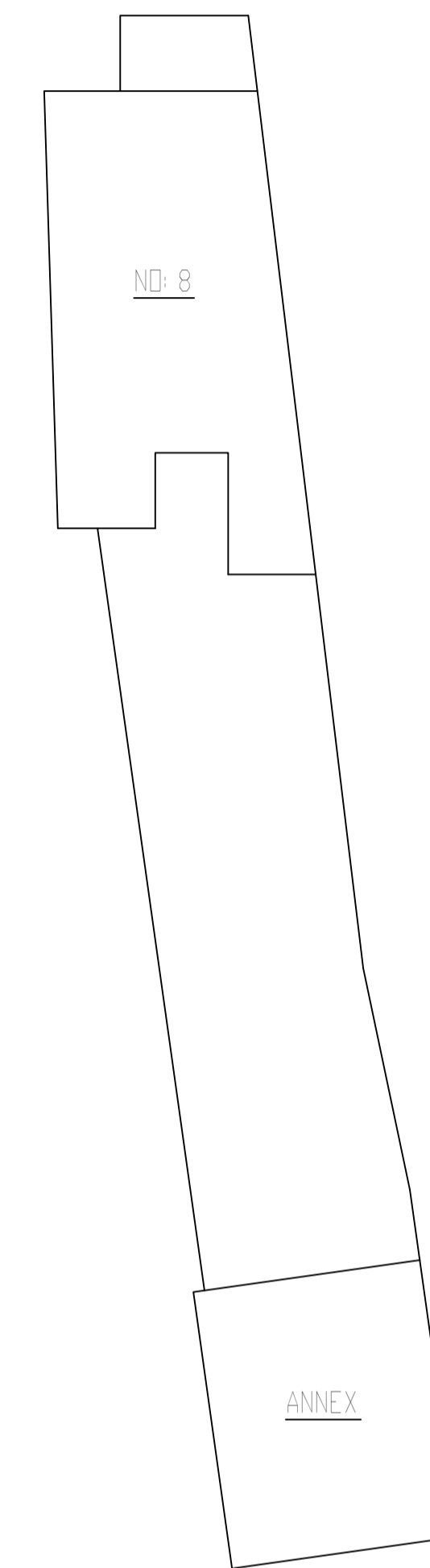
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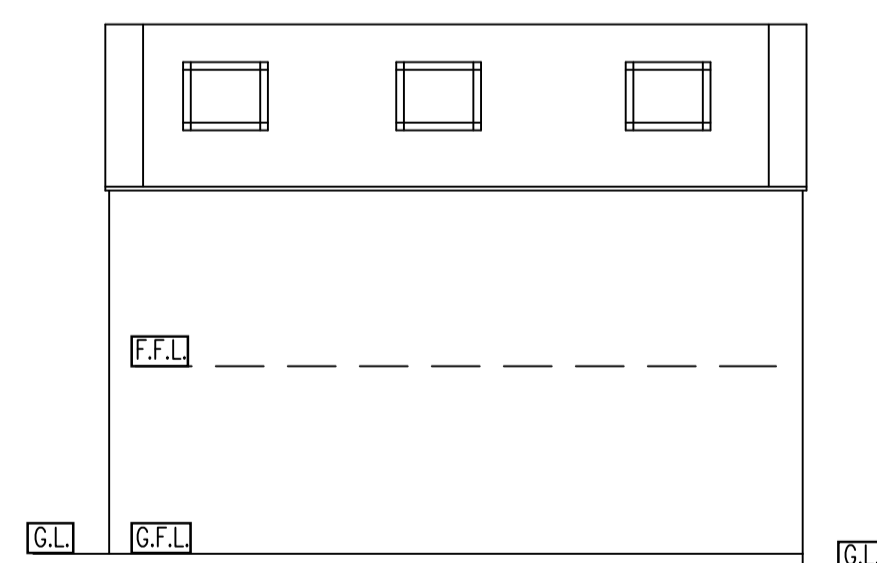
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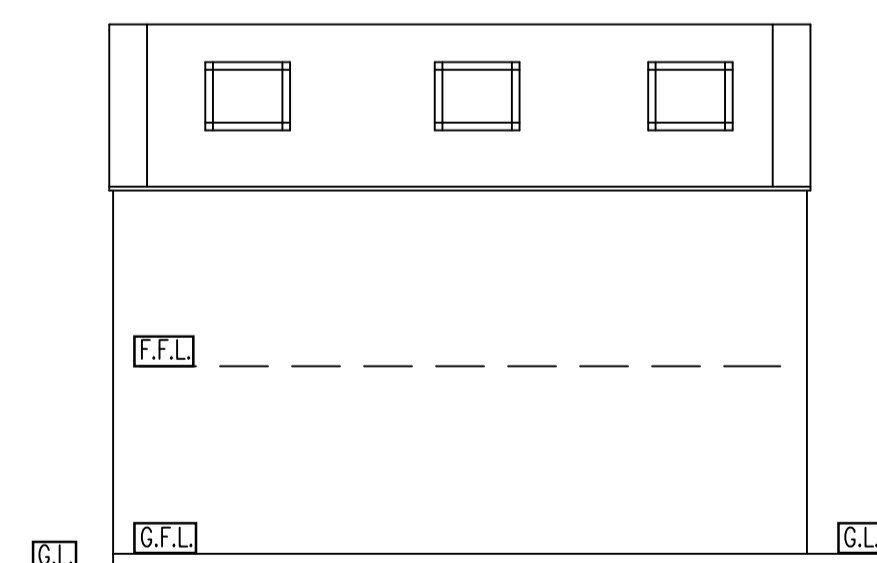
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APPROVED 2000119/H SITE PLAN (1:200)



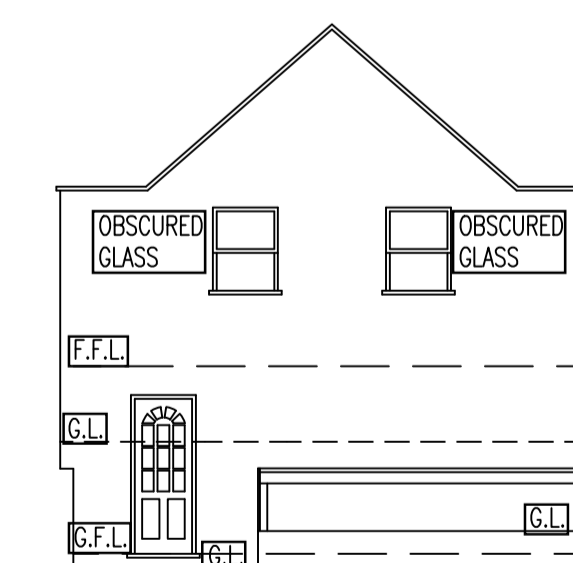
APPROVED 2000119/H SIDE ELEVATION 1:100



APPROVED 2000119/H SIDE ELEVATION 1:100



APPROVED 2000119/H FRONT ELEVATION 1:100



APPROVED 2000119/H REAR ELEVATION 1:100

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SHEET 2 OF 3

Drawn SRT
 Date MAY 2020
 Scale 1:50 & 1:100 @ A1
 Drawing No. **50550-6** Rev. **A**