

Development Control A Committee Agenda



Date: Wednesday, 28 October 2020

Time: 2.00 pm

Venue: Remote 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 and Steve Smith

Copies to: Claudette Campbell (Democratic Services Officer), Gary Collins, Matthew Cockburn, Laurence Fallon and Stephen Peacock (Executive Director for Growth and Regeneration)

Issued by: Oliver Harrison, Democratic Services

City Hall, PO Box 3399, Bristol BS3 9FS

Tel: 0117 35 26162

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

Date: Tuesday, 20 October 2020



Agenda

1. Welcome, Introductions and Safety Information

(Pages 4 - 6)

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

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

(Pages 7 - 12)

5. Appeals

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

(Pages 13 - 22)

6. Enforcement

To note recent enforcement notices.

(Page 23)

7. Public Forum

Up to 30 minutes is allowed for this item.

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. 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:-

Register to Speak by Noon Monday 26 October: The meeting will be held via Zoom meeting app. For this meeting we ask that you let us know by Monday whether you intend to speak to your statement or question, which you must submit as outlined below. This will greatly assist us manage the flow of the



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 **5 pm on Thursday 22 October**.

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 **12.00 noon on Tuesday 27 October**.

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

(Page 24)

9. 20/01535/F - The Yard Woodland Terrace

(Pages 25 - 48)

10. 19/04398/F - Land & Garages Adjacent To 5 New Kings Court

(Pages 49 - 75)

11. Date of Next 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.

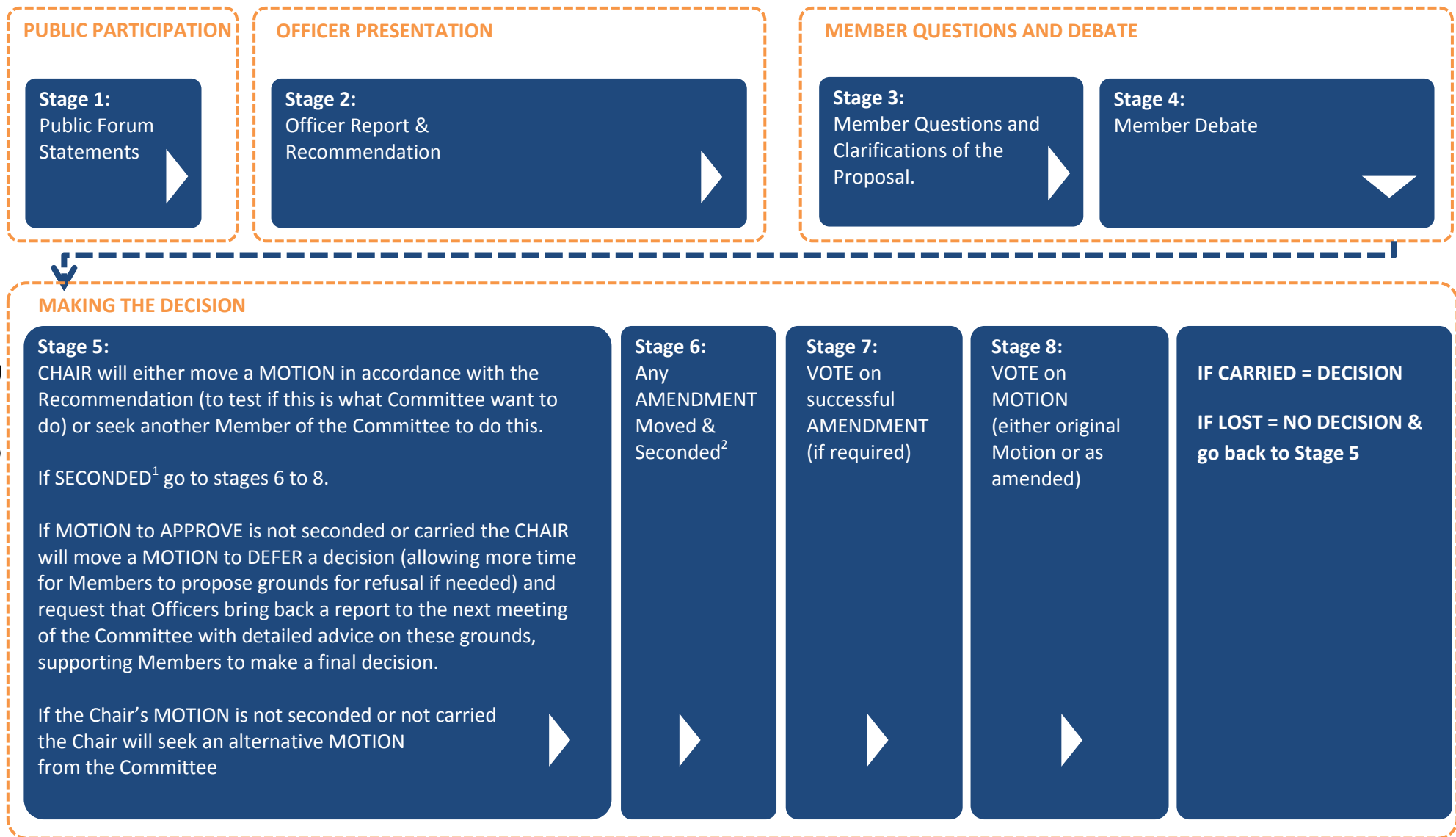
Process during the meeting:

- 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.

Development Control Committee Debate and Decision Process



Page 6

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

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



Bristol City Council Minutes of the Development Control A Committee



30 September 2020 at 2.00 pm

Members Present:-

Councillors: Donald Alexander (Chair), Chris Windows (Vice-Chair), Mark Wright, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead, Steve Smith, Fi Hance, Barry Clark and Hibaq Jama

Officers in Attendance:-

Gary Collins and Laurence Fallon

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the Meeting.

2. Apologies for Absence and Substitutions

Apologies for absence was received from:

- Councillor Fabian Breckels substitute Barry Clark
- Councillor Clive Stevens substitute Fi Hance
- Councillor Paul Goggins substitute Hibaq Jama

3. Declarations of Interest

The following Declarations of Interest were received and noted:

- Councillor Wright lives locally to both applications but confirmed he was not predetermined
- Councillor Steve Smith declared contact from the developers but was not predetermined
- Councillor Stephen Clarke as ward member attended a number of consultations on the developments for Bedminster Green area and was not predetermined

4. Minutes of the previous meeting



Resolved: that the Minutes of the meeting held on the 2nd September 2020 be confirmed as a correct record and signed by the Chair.

5. Appeals

The Head of Development Management introduced the report and summarised it for everyone.

6. Enforcement

The Head of Development Management introduced the report and summarised it for everyone.

7. Public Forum

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

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

8. Planning and Development

The Committee considered the following Planning Applications:

9. 18/06722/F Land at Little Paradise & Stafford Street Bristol BS3 4DE

The Head of Development Management and his representative gave a presentation and summarised the report for this item. This application relates to the land to the east of Little Paradise and the west of Stafford Street Bedminster, South Bristol. The demolition and redevelopment to provide 2 new buildings (3-16 storeys) comprising 295 no. build-to-rent residential apartments including flexible gym, flexible activity space, concierge and residents lounge. 21 residential apartments for affordable housing with related landscaping, public realm, bin storage, plant areas and cycle parking.

The Planning Officer referred Members to the updates in the Amendment Sheet, relating to updates in relation to: comments on the application; City Design Group – position remains as per the report in objection; the Planning Agreement has had a further obligation added regarding the scheme remaining a private rental scheme for at least 15 years; conditions: added, amended and the addition of list of approved details; advice added regarding future occupiers would be ineligible for future resident parking permits.



- a) The application is a part of the Bedminster Green Framework that was endorsed by the Cabinet; that 2 applications, to date, had come before Committee and both found to be unacceptable; Officers had worked with the developers to mitigate concerns and are happy that the scheme delivers in a way that would benefit the wider Bedminster Green development.
- b) The Transport Development Manager shared with the Committee the Transport & Highways aspiration for the access and movement of people around the Bedminster Green framework together with the Transport objectives for the A38 & Bus priority that future development would enable.
- c) The Planning Obligations Manager addressed Committee on the matter of the precedent set with regards to the matter of stamp duty land tax following a decision of the Planning inspector in respect of the ND6 appeal. The viability should be conducted in accordance with the RICS guidance, which states that SDLT should be included.
- d) The matter of the viability report was addressed: Members were reminded that the concept of built-to-rent was new to Bristol. The percentage range given for the Operating Expenditure OPEX for the development of 26.5% to enable the affordable housing calculation is said to be reasonable.
- e) The key issues: the development location in relation to St Catherine's Court, there is 11.5metres between the two properties; and 12 metres in relation to Stafford Street; that 194 dwellings (62%) meet the space standard; 240 apartments would have a balcony area by way of private amenity; clarified that the studio units would be open plan with a divider rather than a formal wall; the development has communal amenity space; 112 apartments would be dual aspect, with additional 76 apartments benefiting from a second aspect via a 'slot' window; future proofed to connect to the District Heat Network; and acceptable in regard to contamination, flood risk and air quality.

Questions for Clarification:

- f) The Bedminster Green Framework is not a development plan document or a formally adopted SPD; the framework was drafted in consultation with Officers, local people and a working group; it was endorsed by Cabinet in 2019 and for this reason it is a material consideration and should be given weight by committee.
- g) Developments in the City Centre have a difference annual rent value to those constructed in Bedminster and this is reflected in the viability study.
- h) Any future resident parking scheme would be subject to statutory consultation.
- i) The national space standards are not mandatory across the UK but Bristol City Council policy is to adhere to the standard. The built –to-rent sector is a peculiar product with developments that include additional amenity spaces such as gyms and lounges. The committee was reminded of a similar development in Redcliffe, that was granted, the same principles were applied to this application. The space standards are a policy standard and not a legal requirement; the mitigation is that this development benefits from amenity space and additional balcony areas that are not included in the standards calculation.
- j) The development will build on an existing car park, resulting in the loss of 11 spaces and the loss was mitigated with the proposed new car park development to be considered separately. Committee were reminded that they need to consider each application independently.
- k) The 76 studio units did not have a formal wall dividing the bedroom from the living space.

Discussion:



- l) Cllr Mark Wright expressed his disappointment with the plans; the design and massing of the blocks; concerned the development was too tall; with poor liveability standard; approx. 100 flats do not meet the space standards; considered this development no different from the proposal for St Catherine's place and that was refused; concerned that a development with 16 storey building will set a precedent for the area; will vote against.
- m) Cllr Steve Smith noted that the Bedminster Green framework looked to transform the Bedminster area and included in the document the options of high density structures; Cabinet endorse the construction of high density developments to create new homes and bring new buildings; this new development would enable additional development and improvement to the Highway network; having weighed up the harms and benefits will support the development.
- n) Cllr Mike Davies recognised the need to support the businesses on East Street and saw the benefits of the scheme to them and the improvement to the Highway network.
- o) Cllr Fi Hance noted the need for housing and traders but not at any price; noted the concern from Local Councillors and the City Design team; acknowledge the work undertaken by officers but will vote against.
- p) Cllr Olly Mead was concerned the space standards had not been adhered to; considered that people may need to work from home as the new normal and the proposed space standards per unit would not meet future need.
- q) Cllr Steven Clarke shared that local people when asked wanted houses and not posh flats; not too tall and overbearing; the space standards are poor; the development went beyond the framework even though the developers had signed up to its principles; voting against as the scheme should be improved.
- r) Cllr Mike Davies proposed seconded by Steve Smith Officers recommendation to grant subject to conditions and those set out in the amendment sheet.
- s) When put to the vote:
- t) Resolved (7 for: 4 Against: 0 Abstention) that the application be granted as set out in the Officer recommendation with additional conditions set out in the Amendment sheet.

10 20/02647/FB Little Paradise Public Car Park Little Paradise Bristol BS3 4DY

The Head of Development Management and his representative gave a presentation and summarised the report for this item, for the construction of a new public car park on the existing Little Paradise car park site.

The Planning Officer referred Members to the updates in the Amendment Sheet, relating to updates in relation to: comments on the application; updates on matters relating to design and landscape have been provided – relevant comments regarding issues as being resolved; update to conditions; and conditions added: relating to phasing; trees; archaeology- as well as amends and deletion of some conditions not considered necessary/applicable.



Since the Amendment Sheet was issued, the Tree Officer has reviewed the updated Arboricultural Assessment and has requested three further conditions to those listed in the Amendment Sheet for: Arboricultural Supervision; Tree Planting Pit Details; and Tree Planting Plan.

- a) There are 110 public car parking spaces and 18 blue badges car parking spaces that will be consolidated into 90 public parking spaces as the Bedminster Green plots are developed and this application will consolidate lost parking into this site. It will include 18 blue badge spaces, 6 electric vehicle car club, 66 public parking spaces and electrical vehicle charging points, CCTV and lighting. As a council asset it will be maintained and managed by Bristol City Council Parking Services included in the development electronic real time notice board advising on available spaces in the area.
- b) Officers looked to committee to grant the application.

Questions for Clarification

- c) The NCP car park located at Dalby road would be removed and is subject to an pre-application enquiry; that the Dean Road carpark that has fallen into disrepair does not form part of the framework and is in private ownership.
- d) The air quality impacts from this development would be negligible.

Discussion

- e) Cllr Mike Davies noted that overall there was a reduction of parking spaces across the scheme and this application consolidates the car park to one area.
- f) Cllr Steve Smith noted and sympathised with the objectors; noted the relationship between the apartment block development and the need for the car park as one of the many benefits that the development would bring to the area.
- g) Cllr Olly Mead commented that it was well designed for a car park, both functional and brought improvement for users with disabilities; concern about encouraging people to drive to the area.
- h) Chair noted the benefit to the overall reduction in car parking sites; the addition of electrical car charging points and the blue badge parking.
- i) Cllr Stephen Clarke was unable to vote for this as there was a need to provide an alternative to car parks.
- j) Cllr Fi Hance looked favourable on the development that allows for fewer cars by delivering fewer car parking spaces.
- k) Cllr Smith proposed, seconded by Cllr Hickman to support the Officer recommendation to grant the application.
- l) When put to the vote:
- m) Resolved (8 For; 2 Against; 1 Abstention) that the application be granted as set out in the Officer recommendation.

11 Date of Next Meeting

Meeting ended at 5.35 pm



CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A

28 October 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Windmill Hill	72 Bedminster Road Bristol BS3 5NP Two storey side and single storey front and rear extension with part two storey rear element and rear dormer extension. Appeal against refusal Delegated decision	25/08/2020
2	Avonmouth & Lawrence Weston	6 Springfield Lawns Station Road Shirehampton Bristol BS11 9TY 6 x Lawson Cypress - Felling including stubbing out to the rear of 6 Springfield Lawns. TPO 097. Appeal against refusal Delegated decision	28/09/2020
3	Bishopston & Ashley Down	11 Beloe Road Bristol BS7 8RB Demolition of existing garage and replacement with new double storey side extension. Appeal against refusal Delegated decision	01/10/2020
4	Bedminster	35 British Road Bristol BS3 3BS Proposed rear dormer window together with balcony and velux windows. Appeal against refusal Delegated decision	06/10/2020
5	St George Troopers Hill	42 Nicholas Lane Bristol BS5 8TL A single storey extension is proposed to the rear of the property with a roof terrace accessed from the rear bedroom. Appeal against refusal Delegated decision	12/10/2020

6	Lawrence Hill	1 Milsom Street Bristol BS5 0SS First floor extension to rear, with external staircase, and light well to front. Appeal against refusal Delegated decision	12/10/2020
---	---------------	---	------------

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
14	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment of the site to provide 74 No. student cluster units and 40 No. affordable housing units (social rented), flexible ground floor community/commercial use (Use class A1-A5/D1/B1). Landscaping , access and public realm works and associated works to the Malago Road. (Major Application) Appeal against refusal Committee	TBA
15	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment to provide student accommodation across four development blocks, landscaping, access, public realm works and associated works to the Malago River. Appeal against non-determination Delegated decision	TBA

Public inquiry

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

Written representation

Item	Ward	Address, description and appeal type	Date lodged
17	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
18	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
19	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
20	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
21	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
22	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

23	Frome Vale	67 Symington Road Bristol BS16 2LN One bedroom single storey dwelling in the rear garden of the existing property. Appeal against refusal Delegated decision	19/05/2020
24	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self build). Appeal against refusal Delegated decision	19/05/2020
25	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of 2-bed detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self Build). Appeal against refusal Delegated decision	19/05/2020
26	Brislington West	Wyevale Garden Centre Bath Road Brislington Bristol BS31 2AD Creation of hardstanding for the purpose of ancillary storage. Appeal against refusal Delegated decision	22/05/2020
27	Redland	44 - 46 Coldharbour Road Bristol BS6 7NA Conversion of existing buildings from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground and roof extensions, and roof terraces. Appeal against refusal Delegated decision	22/05/2020
28	Hartcliffe & Withywood	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
29	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

30	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
31	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
32	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
33	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
34	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
35	Hillfields	21 Moorlands Road Fishponds Bristol BS16 3LF Detached dwelling. Appeal against refusal Delegated decision	17/08/2020
36	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
37	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

38	Ashley	Land Between 95 & 103 North Road Bishopston Bristol BS6 5AQ Retention of shipping container. Appeal against refusal Delegated decision	21/08/2020
39	Bishopston & Ashley Down	Land At 281A-D & 283A Gloucester Road Bishopston Bristol BS7 8NY Enforcement notice for the erection of canopy structure without planning permission. Appeal against an enforcement notice	28/08/2020
40	Redland	36 Woodstock Road Bristol BS6 7EP Erection of a structure on garage roof. Appeal against refusal Delegated decision	01/09/2020
41	Redland	36 Woodstock Road Bristol BS6 7EP Enforcement notice appeal for installation of timber/glazed structure at end of rear garden without planning permission. Appeal against an enforcement notice	01/09/2020
42	Avonmouth & Lawrence Weston	Giant Goram Barrowmead Drive Bristol BS11 0JT Demolition of the former Giant Goram public house and the development of 7 dwellings with associated private amenity space and parking. Appeal against refusal Delegated decision	03/09/2020
43	Ashley	79 Effingham Road Bristol BS6 5AY Enforcement notice appeal for formation and use of roof as outdoor amenity area/roof terrace including installation of railings. Appeal against an enforcement notice	03/09/2020
44	Ashley	79 Effingham Road Bristol BS6 5AY First floor balcony over flat roof rear extension, with part roofed area and privacy screening. Appeal against refusal Delegated decision	03/09/2020
45	Henbury & Brentry	The Lodge Carriage Drive Bristol BS10 6TE Sycamore Tree T3 - Crown reduce canopy by a maximum of 30%. TPO 1148 Appeal against refusal Delegated decision	07/09/2020

46	Avonmouth & Lawrence Weston	8 St Andrews Road Avonmouth Bristol BS11 9EU Change of use from single dwelling house, to two self-contained 2no. bed flats (Retrospective). Appeal against refusal Delegated decision	14/09/2020
47	Avonmouth & Lawrence Weston	26 Woodwell Road Bristol BS11 9UW Erection of extension to create a single dwellinghouse with associated works. Appeal against refusal Delegated decision	14/09/2020
48	Eastville	2 Welsford Road Bristol BS16 1BS Two storey side extension to form a 3 bedroom separate dwelling. Two storey rear extension and loft conversion and landscaping in the rear garden with log cabin. Appeal against refusal Delegated decision	15/09/2020
49	St George West	Land At Junction Of Church Road And Chalks Road Bristol Erection of a four-storey building comprising a cafe bar (A4) at ground floor level and 9no. self-contained flats at first, second and third floor level. Appeal against refusal Delegated decision	15/09/2020
50	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Retrospective application for removal of wall and formation of vehicular access and hardstanding. Appeal against refusal Delegated decision	16/09/2020
51	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Enforcement notice appeal for the removal of boundary wall and formation of parking space. Appeal against refusal	16/09/2020
52	Southville	Car Park To Rear Of 68 To 82 Essex Street Bristol BS3 1QX Redevelopment of part of car park to provide 8no flats (Class C3). Provision of secure cycle parking, refuse storage and associated hard and soft landscaping. Appeal against non-determination	21/09/2020

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

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
59	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	Appeal dismissed 24/09/2020

60	Hartcliffe & Withywood	30 Honey Garston Road Bristol BS13 9LT Application for a Certificate of Proposed Development - New Garage / work area. Appeal against refusal Delegated decision	Appeal allowed 24/09/2020
61	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	Appeal allowed 24/09/2020
62	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	Appeal allowed 28/09/2020
63	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	Appeal allowed 28/09/2020
64	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	Appeal allowed 13/10/2020
65	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	Appeal dismissed 07/10/2020
66	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	Appeal allowed 02/10/2020

DEVELOPMENT CONTROL COMMITTEE A
28 October 2020

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

Item	Ward	Address, description and enforcement type	Date issued
1	Eastville	15 Bridge Street Eastville Bristol BS5 6LN Erection of a two storey rear extension with door access onto the roof from first floor level to rear without planning permission. Enforcement notice	24/09/2020

Development Control Committee A 28 October 2020

Report of the Director: Development of Place

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Clifton Down	Grant	20/01535/F - Yard Woodland Terrace Bristol BS6 9UD Demolition of existing garages and proposed one-half storey dwelling with parking and a rear garden.
2	Redland	Grant	19/04398/F - Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS Demolition of garages and erection of a single 3 bedroom dwelling house (self build).

index
v5.0514

Development Control Committee A – 28 October 2020

ITEM NO. 1

WARD: Clifton Down

SITE ADDRESS: Yard Woodland Terrace Bristol BS6 9UD

APPLICATION NO: 20/01535/F Full Planning

DETERMINATION DEADLINE: 16 October 2020

Demolition of existing garages and proposed one-half storey dwelling with parking and a rear garden.

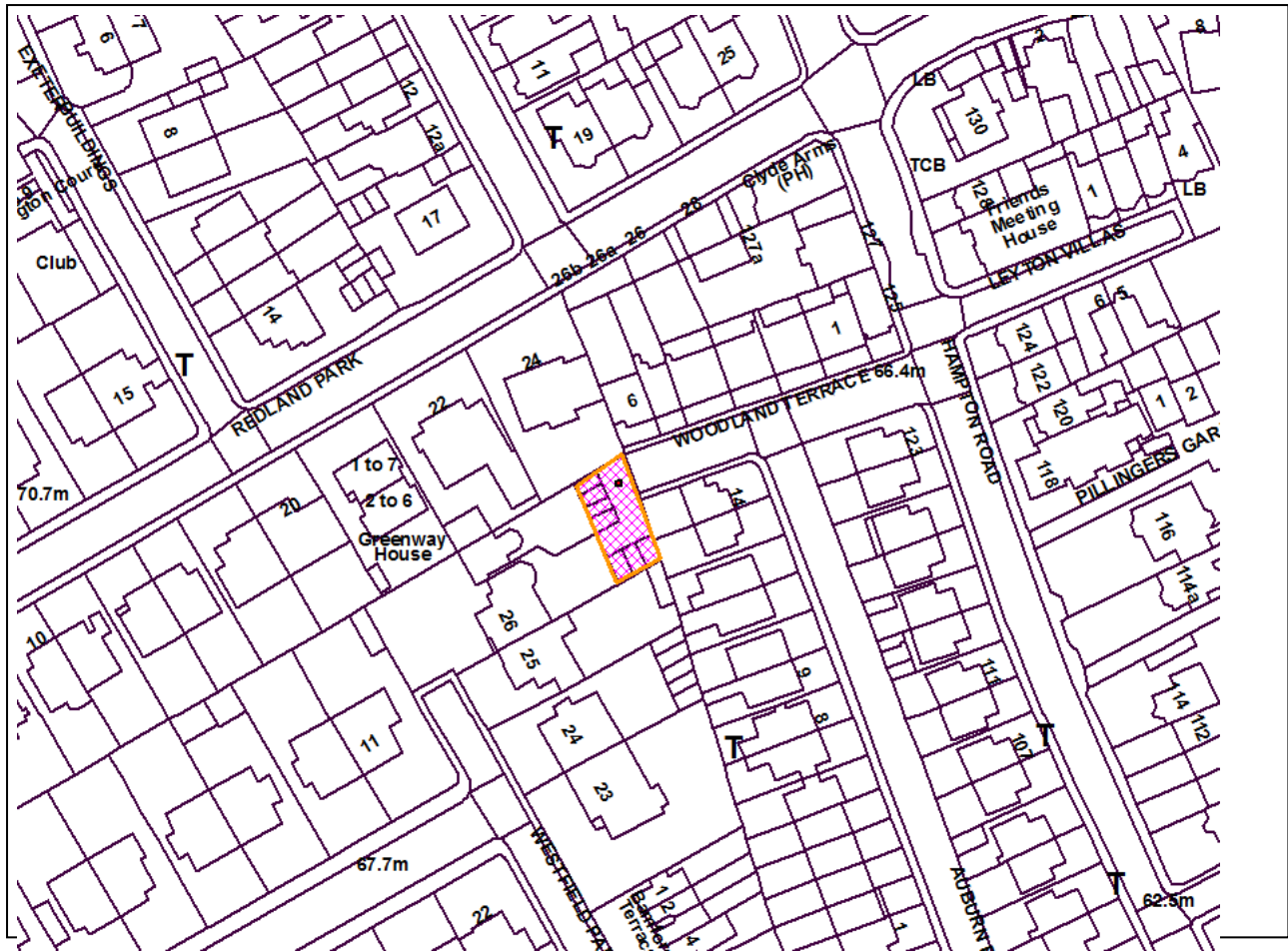
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Graham Rivers Architects
21A Zetland Road
Redland
BRISTOL
BS6 7AH

APPLICANT: Webb
Rua dos Tosqueiros
3305-281
Casal de Sao Joao
Portugal

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

LOCATION PLAN:



Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

SUMMARY

The application site relates to a backland site at the end of Woodland Terrace, Clifton Down. The site is currently occupied by 7no. single storey garages which are used by the Applicant for the storage and repair of cars.

The site is not allocated within the Local Plan for any particular land use but is located within the Whiteladies Road Conservation Area and the houses along Woodland Terrace are Grade II Listed.

The application seeks full planning permission for the demolition of the existing garages and the proposed development of a 1.5 storey dwelling with parking and a rear garden.

The dwelling would comprise a predominately 1.5 storey building with a flat pitched roof although part of the site would be single storey. The proposed development would be a 3no. bedroom, 6 person dwelling, with all bedrooms located at first floor level.

The building would predominately be located within the northern extent of the site and would include 1no. off street parking space within an undercroft and separate bin and bike stores. The proposed dwelling would also have a reasonably sized private garden accessed via its south east elevation.

Two rounds of consultation were held for the application, during the first round of consultation which expired in May 2020, 20no. responses were received from members of the public all in objection. The objections raised concerns about impact on the Conservation Area and Listed Buildings, concerns about the proposed scale and massing, concerns for amenity for existing residents surrounding the site, loss of garages and related existing parking pressures and harm to adjacent trees and biodiversity.

The application has been referred to Committee by Councillor Carla Denyer. The application has received no objections from internal or external consultees.

Key issues for the Committee Report concern the principle of development, design and impact on the Conservation Area, impact on amenity of existing and future residents, transport and access, trees and sustainability.

In relation to the principle of development, it is considered that residential development in this location is acceptable and the development would positively contribute to the housing mix within the area. The loss of the garages has also been justified given this would not lead to the displacement of vehicles on-street.

In terms of design, harm to the historic setting and residential amenity it is considered that the application would be acceptable in the Conservation Area and the amended plans have been carefully designed to reduce impact on amenity to surrounding residents. It is considered that the proposed development would not give rise to unacceptable impacts of overlooking, overbearing or overshadowing.

The application is also considered to be acceptable in relation to transport and access, and sustainability. The development would also not result in the loss of any trees on adjacent sites and the foundation design has been approved by the Tree Officer.

Having carefully considered the technical information submitted in support of the application and the policy context, specifically against the Core Strategy and Site Allocations and Development Management Policies, the application is recommended for approval subject to the conditions attached to this Committee Report.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

SITE DESCRIPTION

The application site relates to a backland site at the end of Woodland Terrace, Clifton Down.

The site is currently occupied by 7no. single storey garages which are used by the Applicant for the storage and repair of cars.

The site is accessed off Woodland Terrace via a double span gate leading into the hardstanding area and garages.

The site is not allocated within the Local Plan for any particular land use but is located within the Whiteladies Road Conservation Area and the houses along Woodland Terrace are Grade II Listed. The area surrounding the site is predominately residential.

PLANNING HISTORY

The application site has no recent relevant planning history, however was granted historic planning and listed building consent in 1985 for a two storey dwelling and garage.

More recently, a pre-application enquiry was submitted for the site as follows:

19/05615/PREAPP - Demolition of existing garages and proposed one-half storey dwelling with parking and a rear garden. CLOSED 21 January 2020

APPLICATION

The application seeks full planning permission for the demolition of the existing garages and the proposed development of a 1.5 storey dwelling with parking and a rear garden.

The dwelling would comprise a 1.5 storey building with a flat pitched roof. The dwelling would be L-shaped with the 1.5 storey element running parallel to the rear gardens of properties along Westfield Park and a single storey flat roofed element running perpendicular to the 1.5 storey section. Access to the dwelling would be gain off Woodland Terrace via the existing arrangement.

The proposed development would be a 3no. bedroom, 6 person dwelling, with all bedrooms located at first floor level.

The building would predominately be located within the northern extent of the site and would include 1no. off street car parking space within an under croft and separate bin and bike stores. The proposed dwelling would also have a reasonably sized private garden, accessed via its south east elevation.

In terms of material finishes the dwelling would comprise a mix of natural slate to the main roof and first floor, lightly coloured brick walls at ground floor level punctuated by elements of vertical timber cladding wall panels and grey aluminium powder coated windows and doors. The single storey flat roof element would comprise a green roof. At the entrance to the property the existing brick gate pier would be retained and a new gate pier proposed to match on the other side.

RESPONSE TO PUBLICITY AND CONSULTATION

Site notices were issued, a press notice published and letters sent to neighbouring properties.

GENERAL RESPONSE FROM THE PUBLIC

Two rounds of consultation were held for the application, during the first round of consultation which expired in May 2020, 20no. responses were received from members of the public all in objection.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

The following issues were raised:

- The proposed development is not in keeping with the Conservation Area and adjacent Listed Buildings;
- Concerns regarding the scale and massing of the development;
- Concerns about overlooking, overshadowing, overbearing and loss of views for nearby residential properties;
- Concerns about the loss of garages and related existing parking pressures;
- Concerns about infilling of the site; and
- Concerns about harm to adjacent trees and biodiversity at the site.

The second round of consultation expired in July 2020 following the submission of revised plans, 13no. responses were received from members of the public 12no. in objection and 1no. neutral. The comments raised the same concerns as the first round of consultation.

COMMUNITY GROUPS

RCAS Planning Group – Objection

RCAS Planning Group provided the following comments during the first round of consultation.

RCAS has concerns about the visual impact of this building on the area. Although described as a one half storey building it is clearly a 2 storey building with a steeply pitched roof which will be highly visible from streets and properties around the site.

The pitch of the roof is v steep which leads to an excessive overall height. A shallower pitch would reduce the impact from the views along Woodland Terrace and lead to a less overbearing impact on surrounding properties.

The development will require significant reduction in the tree canopy of trees in neighbouring gardens and there is no contribution to improving the tree canopy of the area in mitigation of this loss. The front paved parking area is unnecessarily oversized for a single off-street parking space and could be significantly improved by including planting, including a small tree which would also contribute to improving the setting of the building.

WARD COUNCILLORS

Councillor Carla Denyer has referred the application to Committee for the following reasons:

I do not have an objection to the principle of development on the site, but I do share the following concerns with the objectors:

- Proposed kitchen wall is right up against garden wall of 14 Auburn Road but taller, adding 1.5m height, plus chimney. This seems it would have a significant impact on amenity of residents of no 14.
- There may be a loss of sunlight to neighbouring windows and gardens - has or could a shadow study be done to address this?
- Possible overlooking - applicant statement says this won't happen, which I think is conceivable given the angles of the windows but I would like to see an independent assessment of this.
- I disagree with the applicant that the design is unobtrusive. A standing seam metal roof, while I agree the style becoming ubiquitous in newbuilds in the area, would stand out very visibly in that location I think.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

- Impact on adjacent trees – I agree with a couple of the objectors who have queried the applicant's assurance that nearby trees would only need to be pruned, not removed. I think one of the trees would end up losing so much of its canopy that its survival might be compromised, so would like to see an independent assessment of this.

I am prepared to withdraw this referral, but only if the above points are able to be addressed to my satisfaction by negotiation between the applicant and case officer.

The above referral was submitted prior to the submission of revised plans for the application. Following receipt of the revised plans and supporting documents, confirmation was sought from Councillor Denyer on whether the application should still be referred to Committee. Councillor Denyer confirmed that due to the level of objection received she would not be removing her referral.

INTERNAL CONSULTEES

The City Design Group – No objection

The application was taken to the Council's Internal City Design Surgery, the City Design Group (CDG) originally raised a number of concerns about the proposed development in relation to its scale, its siting on the boundary with Auburn Road and the proposed materials.

However following receipt of the revised plans, the CDG confirmed that the reduced height of the proposed dwelling and set back from Auburn Road is welcomed. The revised materials were also welcomed, however given the site's location within the Conservation Area it is requested that a pre-commencement condition for sample panels for the proposed brick work, slate roof and timber cladding is imposed. Alongside a pre-commencement condition for further large scale details for the proposed windows and doors.

Transport Development Management – No objection

Principle

The application proposes to demolish the existing garages and in their place construct a three bedroom house with associated car/cycle parking and waste storage. A pre-application was submitted in 2019 - 19/05615/PREAPP. Transport Development Management (TDM) considers the proposals acceptable on highway safety grounds subject to the applicant addressing the issues below.

Highway Network

The site is located at the end of Woodland Terrace which is an unclassified road, with double yellow lines and is subject to a 20mph speed limit. It is within Cotham North Residents Parking Scheme and all of the marked on-street parking bays can only be used by permit holders Monday to Friday from 9am to 5pm. There have been no recorded accidents within the immediate vicinity of the site.

Highway Works

Currently the footway on the left hand side of the carriageway looking into the site has several paving stones and a kerbstone that has been damaged and/or removed. The applicant has agreed to repair these in order to provide a safe route for pedestrians. They will need to obtain a Section 171 Licence which is available at www.bristol.gov.uk/highwaylicences In addition the applicant proposes to excavate the carriageway to install paving stones and a kerb with a 25mm upstand to delineate the extent of the adopted highway. As the entire length of Woodland Terrace forms part of the adopted highway this is not acceptable. Furthermore the work is unnecessary and would add additional future maintenance costs. The proposals must be revised to remove this.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

Driveway

The applicant proposes to construct the driveway from block paving and provide a drainage channel at the point of access to prevent the discharge of any surface water onto the adopted highway. To prevent unauthorised access to the site an electrically operated sliding gate is proposed with a separate pedestrian only gate. This is acceptable. A single parking space measuring 2.4m wide x 5.3m long is proposed. Swept path analysis has been provided to demonstrate there is sufficient room for a vehicle to enter, turn around within the site and emerge in a forward gear. Suitable lighting will be provided and the existing telegraph pole will be relocated.

Loss of Garages / Car Parking / Cycle Parking

As part of the Design & Access Statement the applicant has provided a statement regarding the loss of the garages. This sets out that whilst some were previously used by local residents they are now only being used by a single occupier for classic car repair, which will be relocated outside of Bristol should planning permission be granted. As such the loss of the garages will not lead to a displacement of vehicles on-street. The applicant proposes to provide a single off-street parking space which will feature an Electric Vehicle Charging Point. As the site is within Cotham North Residents Parking Scheme the site must be designated as low car and Advice I044A Restriction of parking permits – existing controlled parking zone/residents parking scheme applied. In respect of cycle storage an enclosed store is proposed within the rear garden. However, this will require residents to have to carry their cycles through the house which is not acceptable. This must be relocated.

Waste

The applicant proposes to provide an enclosed waste store able to accommodate the full suite of bins/boxes and cardboard sack required. This is acceptable.

Construction Management

Due to the location of the site a Construction Management Plan will be required which can be secured by condition.

Recommendations

TDM has no objections to the proposals which are considered acceptable on highway safety grounds providing:

- Other than repairing the existing paving/kerb stones the carriageway must be left as it is.
- The cycle store must be relocated so residents do not have to carry cycles through the house.

Conditions

B1B 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.

- Repair/installation of paving and kerb stones within the footway at the end of Woodland Terrace

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

Where applicable indicating proposals for:

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

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

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

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation

B3A Construction management plan

C7A Completion of Vehicular Access – Shown on Approved Plans

C8 Completion of Pedestrians/Cyclists Access – Shown

C12A Completion and Maintenance of Car/Vehicle Parking – Shown

C13 Completion and Maintenance of Cycle Provision – Shown

C36 Electric Vehicle Charging Points

D21 Retention of Car Parking Space

Advices

I043A) Impact on the highway network during construction

I044A) Restriction of Parking Permits – Existing Controlled Parking Zone/Residents Parking Scheme

I053) Excavation Works on the Adopted Highway

I055) Street Name and Numbering

Following receipt of the TDM comments the Applicant relocated the cycle store and removed the paving stones at the site entrance.

Arboricultural Team – No objection

The site investigations have provided a foundation specification specific to the soil type in relation to the neighbouring trees that accounts for both a high water demanding species and the potential of a high plasticity index soil. In this, I accept the findings and the proposed foundations design and needs to be conditioned.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

I accept that the canopies of the Leyland cypress will have to be pruned to the boundary line. The trees have been allowed to extend over the site without maintenance and therefore the removal would be in line with the landowners common law right to prune the trees to their boundary line irrespective of good arboricultural practise. The trees are within the Whiteladies conservation area, however, full planning consent would allow these works without the further need for a 211 notice, this operation will leave the trees looking unsightly from the proposed development side. Some additional planting is advised to improve the appearance of the cut trees.

The proposed development does not provide any details of proposed landscaping or tree planting and therefore does not fulfil the requirements with Policy DM15. However, the Design and Access Statement includes some details of landscaping, additionally the revised Proposed Site Section show an indicative planting proposal that needs to be transitioned into a complete landscape plan that can be conditioned, this will then fulfil the criteria set out in Policy DM15. Ideally a complete landscape plan should be submitted prior to consent. However you may wish to condition this aspect.

The following conditions were requested.

Foundation design

The foundation design hereby approved (Build Collective, BC00516 REV B) in relation to the adjacent off-site trees, Tim Pursey, Tree Protection Plan (TP 2625/2005/TPP RevB). To negate the risk of damaging tree roots and of future subsidence damage to the proposed development. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be adhered to throughout construction.

Reason: In order to protect the off-site trees and their root systems from construction of the dwelling and safeguard against future subsidence movement of the development.

Arboricultural method statement

The applicant/developer shall ensure that all works within the root protection area of retained trees, must follow the detailed methodology with Tim Pursey, Arboricultural method statement. In the instance that major roots are found then further consultation with an arboriculturist will be required, any changes to the specified methodology must be agreed in writing by the local planning authority.

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

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).

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

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,

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

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

KEY ISSUES

(A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Policy BCS5 of the Bristol Core Strategy concerns housing provision and states the Core Strategy aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. Provision of new homes will be in accordance with the spatial strategy for Bristol set out in this Core Strategy and it is envisaged that 30,600 new homes will be provided in Bristol between 2006 and 2026.

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

By proposing residential development, on a sustainable, previously developed site, it is considered that the proposed development would accord with Policy BCS20. The site is considered to be in a sustainable location with access to a number of bus stops, the Whiteladies Road primary shopping area and within reasonable proximity to Bristol City Centre.

The proposed dwelling would also be located within an existing residential area where residential development is acceptable in principle. The census data for the Clifton Down Ward where the site is located shows the housing stock comprises 29.2% 1 bed dwellings, 36.1% 2 bed dwellings and 14.1% 3 bed dwellings. The percentage of 3 bed dwellings within the Ward is below the Bristol average (40.9%) the percentage of 3 bed dwellings is also significantly less than 1 and 2 bed dwellings in the Ward. It is therefore considered that the proposed development would positively contribute to the housing mix within the area.

In considering the principle of development for the site, it is also important to consider whether the loss of the existing garages is acceptable.

As part of the Design and Access Statement, a Justification Statement has been submitted which explains that the application site is currently used by the Applicant's brother to store non-road worthy old vehicles, vehicle parts, tools and miscellaneous items. The Applicant has confirmed that none of the garages are rented to local residents, although one of the garages was rented until October 2019 by a local person who has now moved his vehicle to his own home. The Justification Statement has been reviewed by both the Planning Department and TDM and both are satisfied that the loss of the garages is acceptable as it will not lead to the displacement of any vehicles on-street.

The application is therefore considered to be acceptable in principle and would accord with Policy BCS5 and Policy BCS20.

(B) WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE OR CONTEXT WITHIN THE CONSERVATION AREA?

The application site is located within the Whiteladies Road Conservation Area and is located in close proximity to the houses along Woodland Terrace which are Grade II Listed.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014]

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

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.

Policy BCS22 states that development proposals will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas.

Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.

Policy DM26 specifically deals with backland development and states backland development will be expected to be subservient in height, scale, mass and form to the surrounding frontage buildings. It should not prejudice the opportunity to develop the adjoining land of similar potential nor should the proposed access arrangements cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.

During the determination of the planning application a number of concerns were raised by the CDG and local residents about the scale, appearance and siting of the proposed development given its location within the Whiteladies Road Conservation Area.

Following receipt of the formal comments from the CDG, the Applicant has sought to address the concerns by amending the plans for the proposed development. In June 2020 the Applicant submitted a set of revised plans which reduce the scale of the proposed dwelling, set it back from the boundary with 14 Auburn Road and amend the proposed materials to be more in keeping with its setting.

The proposed development has been reduced in height by 1.65m to the ridge. The roof form has also been amended from a pitched roof to a pitched roof with a flat roof element to reduce the overall pitch by 2.5 degrees and reduce the overall scale of the proposed dwelling. The zinc standing seam roof which was considered out of keeping within its setting has also been replaced with natural slate tiles.

The property has also been set back from the boundary with 14 Auburn Road to prevent overbearing as discussed further in Key Issue C.

The CDG has reviewed the revised plans and welcomed the reduction in height and set back from 14 Auburn Road, which are now considered acceptable within this backland site. The revised materials are also welcomed, however given the site's location within the Conservation Area pre-commencement conditions for sample panels and larger scale details are requested for the proposed materials, windows and doors.

The proposals have also been reviewed by the Conservation Officer who has not raised any objection. The Officer has also confirmed that the application site is not within the curtilage of the listed buildings along Woodland Terrace and therefore a Listed Building Consent is not required.

It is therefore considered that the proposed development is acceptable from a design and heritage perspective within its backland location and would not harm the character of the Conservation Area or setting of the Listed Buildings in accordance with Policy BCS21, Policy BCS22 and Policies DM26-29 (inclusive).

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

(C) WOULD THE PROPOSED DEVELOPMENT HAVE ANY ADVERSE IMPACT ON THE AMENITY OF RESIDENTS SURROUNDING THE SITE?

Policy BCS21 of the Core Strategy states that high quality design should consider the amenity of both existing and future residents.

A number of comments have been made by members of the public relating to the impact of the proposed development on their amenity, particularly in terms of overlooking, overbearing and overshadowing.

Overlooking

In terms of overlooking, the proposed development is surrounded by residential development to the north, east and west.

In relation to overlooking to the east, the proposed dwelling contains 4no. windows on its north eastern elevation at first floor level, 2no. windows are for bathrooms with obscured glass and therefore would not result in direct overlooking to properties along Auburn Road. The remaining 2no. windows are for bedrooms and their location was revised during the determination of the application. The windows have now been relocated to the northern extent of the building so they would be located parallel with the centre of Woodland Terrace and not result in any direct overlooking of surrounding properties.

To the west, the proposed south western elevation at first floor level contains 2no. roof lights, however these roof lights are located above the landing and stairwell and do not serve habitable rooms. There are also no windows proposed on the dwellings north west elevation.

To the south, 2no. windows are proposed on the dwellings south eastern elevation and would serve the master bedroom. These windows would overlook the rear gardens of 25 Westbury Park however there are existing outbuildings located in this part of the large garden.

It is therefore considered that the impact of overlooking is acceptable and the proposed development has been sensitively designed to reduce this.

Overbearing

In terms of overbearing it is considered that the scale of the proposed development is acceptable given the scale of the existing built form surrounding the site, which comprises predominately 3-4 storey properties. The scale of the dwelling has also been reduced during the determination of the application, resulting in a reduction of 1.65m to the ridge.

During the determination of the application the boundary wall with 14 Auburn Road has also been set back within the site to reduce the sense of overbearing. The proposed dwelling along this boundary would also only be 1 storey in height which is considered acceptable.

Concerns about overbearing to The Coach House at 26 Westfield Park has also been raised, however the proposed dwelling is approximately 14m from the rear of The Coach House and the proposed dwelling would be partially screened by existing mature trees and a timber gazebo adjacent to the application site.

It is therefore considered there would be no detrimental impact in terms of overbearing.

Overshadowing

Concern has also been raised by a number of surrounding neighbours in relation to overshadowing, as such a Shadow Study was requested in support of the application. The Shadow Study was

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

submitted at the same time as the revised plans and considers the impact of the proposed development at 9:00am, 12:00pm and 3:00pm at the Spring Equinox, Summer Solstice, Autumn Equinox and Winter Solstice. The Shadow Study shows that due to the height of the existing surrounding buildings and boundary walls, the proposed development would only increase the level of overshadowing at all times of the year to the rear car park of 24 Redland Park and not the property itself.

It is therefore considered that the impacts of overshadowing are acceptable.

Overall it is considered that the proposed development is located so as to avoid adverse impacts on the amenity of existing residents in accordance with Policy BCS21.

(D) WOULD THE PROPOSED DEVELOPMENT HAVE ANY ADVERSE IMPACT ON THE AMENITY OF FUTURE OCCUPIERS?

The adopted Bristol Core Strategy Policy BCS15 outlines that sustainable design and construction will be integral to new development in Bristol. In delivering sustainable design and construction, development should ensure flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting.

Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible and adaptable, by meeting appropriate space standards. The Core Strategy states that building to suitable space standards will ensure new homes provide sufficient space for everyday activities.

Policy BCS21 further outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

The Core Strategy is supported by the Bristol City Council Space Standards Practice Note which outlines that the Council has established the principle of applying The UK Government's Technical housing standards – nationally described space standard (March 2015) ('housing space standards') to new residential development through the Bristol Development Framework.

The Note outlines that the provision of sufficient living space within new homes is an important element of good housing design and a pre-requisite for basic living. Potential residents of new homes should be provided with sufficient space for basic daily activities and needs.

The proposed development meets the nationally described space standard for a 3no. bedroom, 6 person dwelling over two storeys. The future occupiers would also have access to their own private amenity space.

It is therefore considered that the proposed development would be acceptable in terms of amenity for future occupiers and accord with Policies BCS15, BCS18 and BCS21.

(E) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the Council's adopted parking standards.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

Policies DM27, DM28 and DM32 in turn deal with layout and form, public realm and recycling and refuse provision in new developments.

The application has been reviewed by TDM and they have raised no objection. TDM has confirmed that the repairs to the existing footway to the left hand side of the carriageway are acceptable to provide a safe route for pedestrians. TDM has also confirmed that the proposed single parking space and relocated bike store are acceptable. Given the site's location, TDM has also requested a Construction Management Plan and an Advice restricting access to Parking Permits for future occupiers.

With these conditions in place it is considered that the proposed development is acceptable from a transport and movement perspective and accords with Policy BSC10 and Policy DM23.

(F) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF TREES?

Policy BCS9 and Policy DM17 confirm the benefits of trees and landscaping in development proposals. Specifically, the provision of additional trees will be expected as part of the landscape treatments of new developments.

The application site does not contain any trees, however there are 2no. trees and 1no. group of trees consisting of a line of Cypress trees within the rear gardens of The Coach House and 26 Westbury Park adjacent to the site's western boundary. An Arboricultural Impact Assessment (AIA) and Foundation Report were requested in support of the application.

The AIA confirms that the proposed development would not result in the removal of any trees but the overhanging branches would be cut back to the boundary line. The foundation design for the proposed dwelling would also take into consideration the high water demand of the Cypress trees and the likely presence of clay soil in the area.

The supporting documents have been reviewed by the Arboricultural Team who has welcomed the Foundation Report. The Tree Officer has also accepted that the canopies of the Cypress trees would have to be pruned to the boundary line and this can be undertaken in line with the owner's common law right to prune the trees to their boundary line.

As part of the proposed development, the Applicant has also proposed 7no. trees at the site, 5no. in the rear garden and 2no. in the front, plus additional proposed planting in the front and rear. The details of the landscape planting would be secured via condition.

It is therefore considered that the proposed development is acceptable in terms of trees.

(G) DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?

Policies BCS13, BCS14 and BCS15 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures should be included to ensure that development meets the climate change goals of the development plan. The policies require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%. Sustainable design and construction should be integral to new development.

The Sustainability Statement submitted in support of the application confirms that the application through a number of energy efficiencies measures, Solar Photovoltaics (PV) and solar thermal hot water heating, could achieve a 26.22% reduction in residual carbon emissions.

The application is therefore considered to adopt an appropriate approach to sustainable design and construction in accordance with Policies BCS13-BCS15 (inclusive).

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

CONCLUSION

The proposed development is considered to be in accordance with all relevant policies in the Core Strategy and SADMP.

The proposed development would deliver a 3no. bedroom, 6 person dwelling on previously developed land, in a sustainable location, which would contribute to the housing mix and supply within the locality. The loss of the garages at the site is also considered to be acceptable.

It is further considered that the design of the proposed development would be acceptable and would not harm the Conservation Area or setting of the Listed Buildings. The proposed development is also considered to be acceptable in terms of amenity for existing residents and future occupiers and from a transport, trees and sustainability perspective.

Given the existing use and location of the site, the proposed development has been assessed under a broad range of headings within this report and having carefully considered the technical information and policy context, the application is recommended for approval subject to the conditions attached to this Committee Report.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?
 The CIL chargeable is £2,661.56.

RECOMMENDED GRANT subject to condition(s)

Time limits for commencement of development

1. Full planning permission

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

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

Pre-commencement

2. 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.

- Repair/installation of paving and kerb stones within the footway at the end of Woodland Terrace

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- Signing, street furniture, street trees and pits
- Structures on or adjacent to the highway

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

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

3. Construction management plan

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Parking of vehicles of site operatives and visitors.
- Routes for construction traffic.
- Method of preventing mud being carried onto the highway.
- Pedestrian and cyclist protection.
- Proposed temporary traffic arrangements including hoardings and/or footway closures.
- Arrangements for turning vehicles.
- Arrangements to receive abnormal loads or unusually large vehicles
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

4. Further details before relevant element started

Detailed drawings at the scale of (1:20) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

- a) Windows; and
- b) Doors

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

5. Sample Panels before specified elements started

Sample panels of the following demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

- a) Proposed brick work;
- b) Slate roof; and
- c) Timber cladding

Reason: In order that the external appearance of the building is satisfactory.

6. Sustainable Drainage System (SuDS)

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. 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.

7. Foundation design

The foundation design hereby approved (Build Collective, BC00516 REV B) in relation to the adjacent off-site trees, Tim Pursey, Tree Protection Plan (TP 2625/2005/TPP RevB). To negate the risk of damaging tree roots and of future subsidence damage to the proposed development. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be adhered to throughout construction.

Reason: In order to protect the off-site trees and their root systems from construction of the dwelling and safeguard against future subsidence movement of the development.

8. Arboricultural method statement

The applicant/developer shall ensure that all works within the root protection area of retained trees, must follow the detailed methodology with Tim Pursey, Arboricultural method statement. In the instance that major roots are found then further consultation with an arboriculturist will be required, any changes to the specified methodology must be agreed in writing by the local planning authority.

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

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

Pre-Occupation

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

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

10. Completion of Vehicular Access – Shown on approved plans

No building shall be occupied until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

11. Completion of Pedestrians/Cyclists Access – Shown on approved plans

No building shall be occupied 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.

12. Completion and Maintenance of Car/Vehicle Parking – Shown on approved plans

No building shall be occupied until the car/vehicle parking area (and turning space) shown on the approved plans has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

13. Completion and Maintenance of Cycle Provision – Shown on approved plans

No building shall be occupied until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

14. Electric Vehicle Charging Points

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

No building shall be occupied until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

15. Submission and Approval of Landscaping Scheme

No building shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all proposed trees and landscaping planting on the land. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

16. Solar Photovoltaics

Prior to occupation the following information shall be provided for the installed PV system:

- 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.

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

Post Occupation

17. Retention of Garage/Car Parking Space(s)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

18. No Further Windows

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

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

19. Restriction of Use of Roof

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

Reason: To safeguard the amenities of the adjoining premises.

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:

1941-01b Existing Plans, received 5 June 2020

1941-02d Proposed Plans, Elevations and Sections, received 15 October 2020

1941-03a Proposed Site Sections, received 23 September 2020

Reason: For the avoidance of doubt.

Advices

1. Impact on the highway network during construction

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

2. Restriction of parking permits – existing controlled parking zone/residents parking scheme

Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.

Development Control Committee A – 28 October 2020
Application No. 20/01535/F : Yard Woodland Terrace Bristol BS6 9UD

3. Excavation Works on the Adopted Highway

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

4. 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.

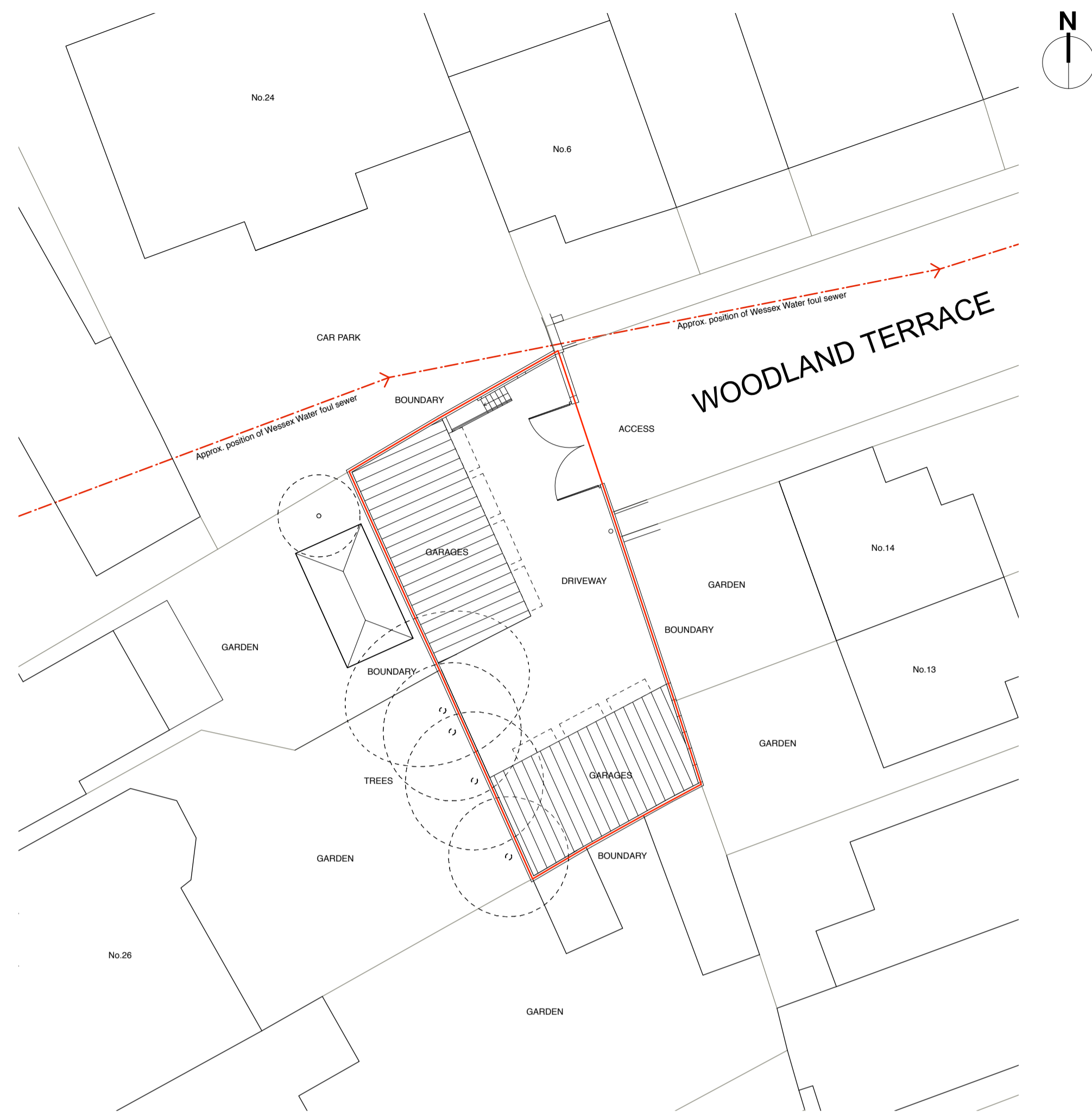
Any new street(s) and property naming/numbering must be agreed in accordance with the Council's Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19).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

5. 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.

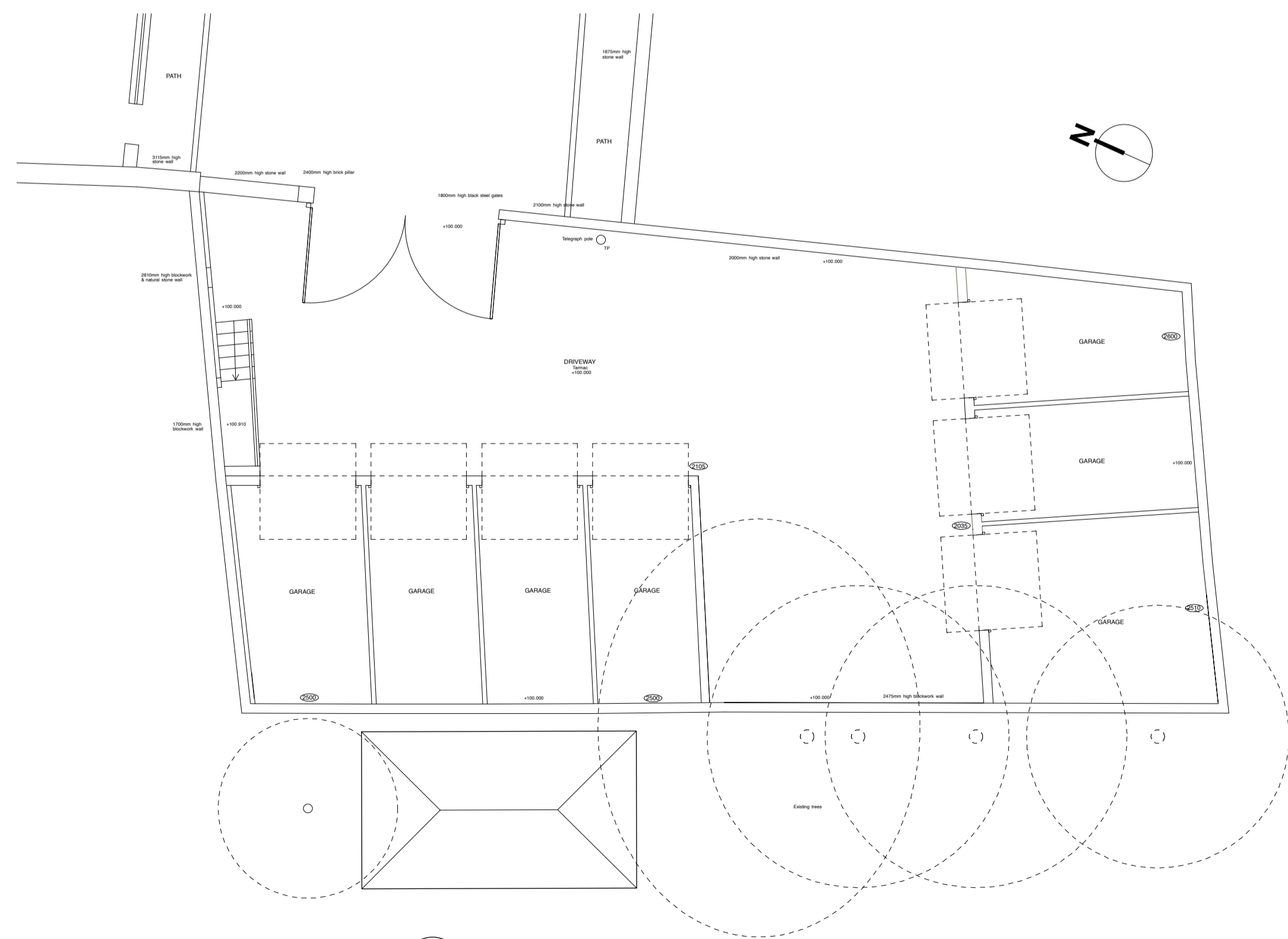
Supporting Documents

1. **The Yard, Woodland Terrace, BS6 9UD.**
 1. Existing Plans
 2. Proposed Plans, Elevations and Sections
 3. Proposed Site Sections



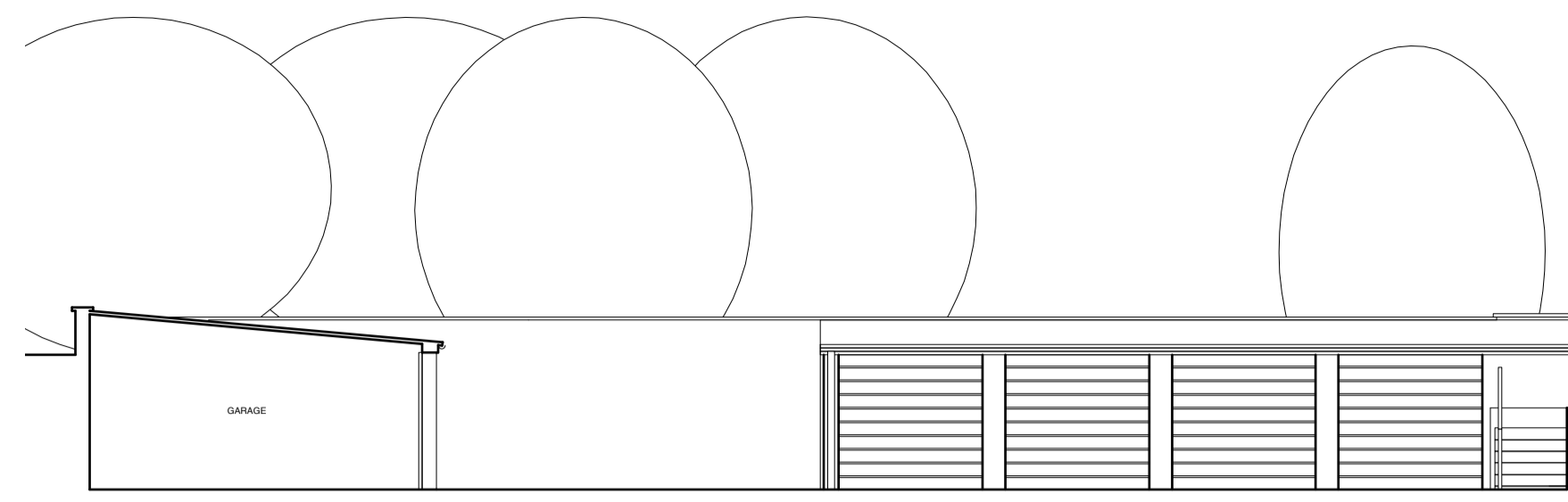
EXISTING SITE PLAN
1:200

01
01



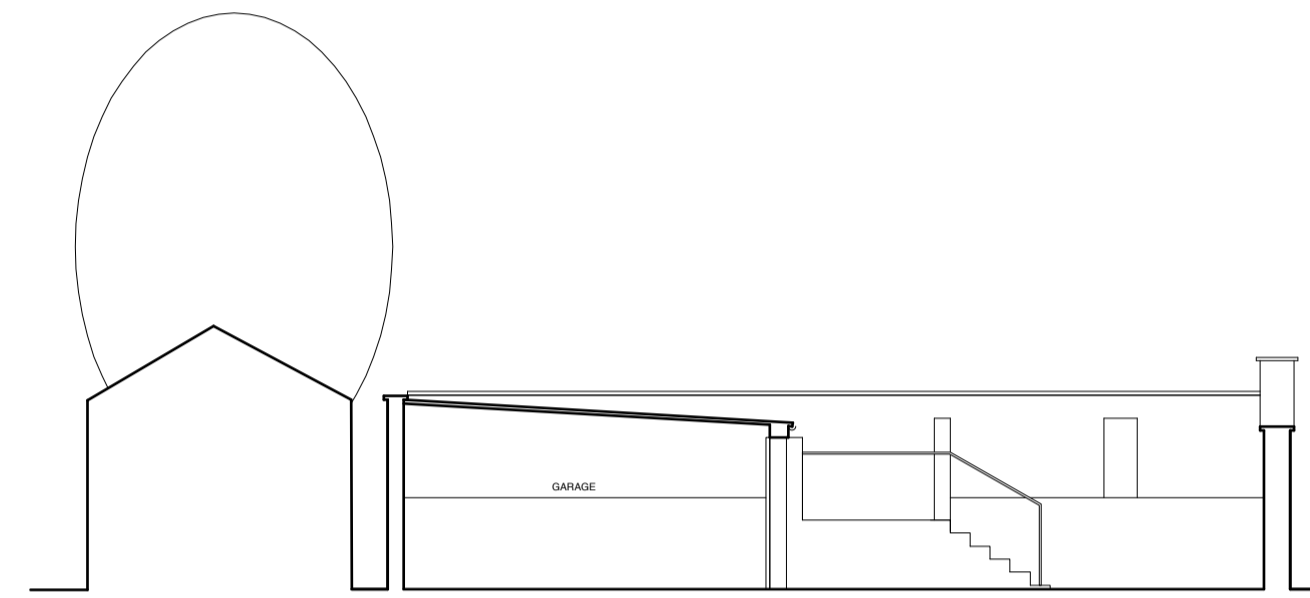
EXISTING PLAN
1:100

02
01



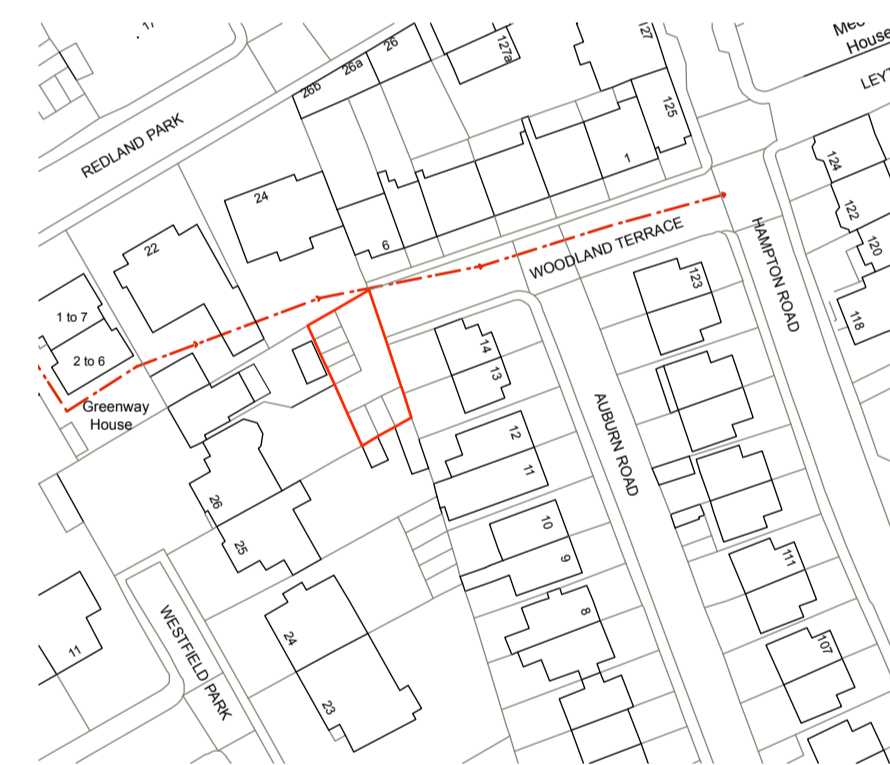
EXISTING NORTH EAST ELEVATION
1:100

03
01



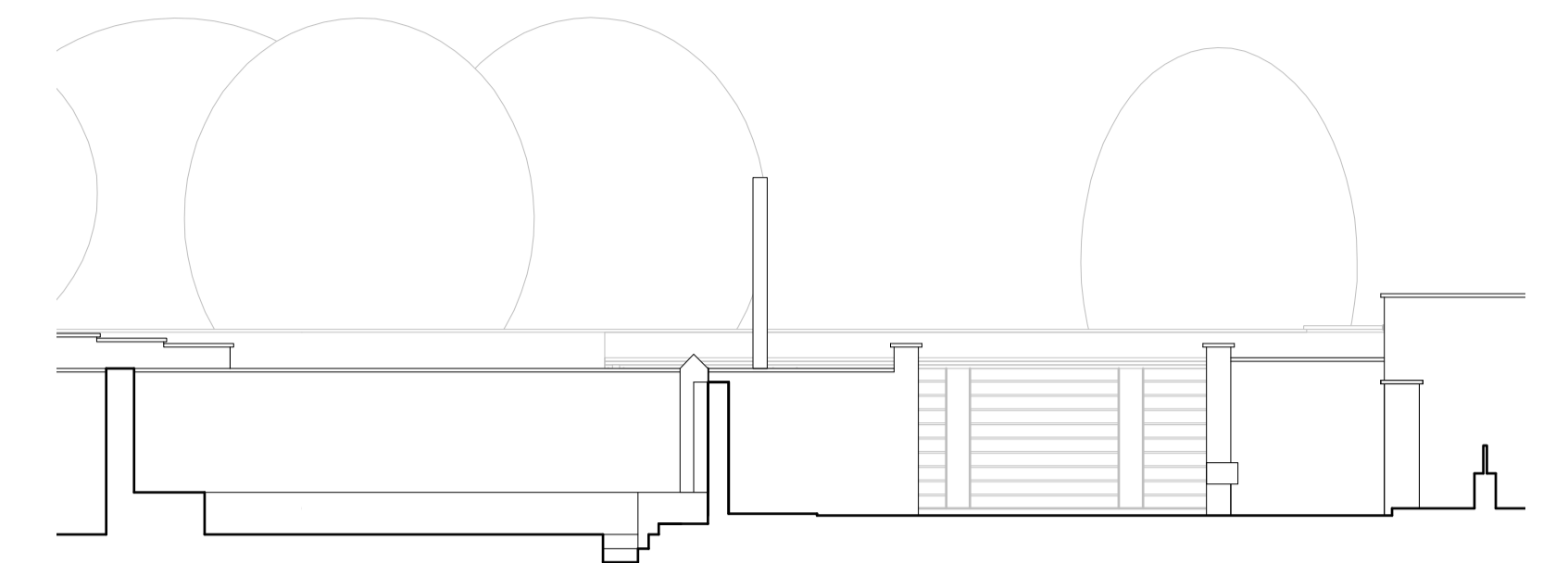
EXISTING SOUTH EAST ELEVATION
1:100

05
01



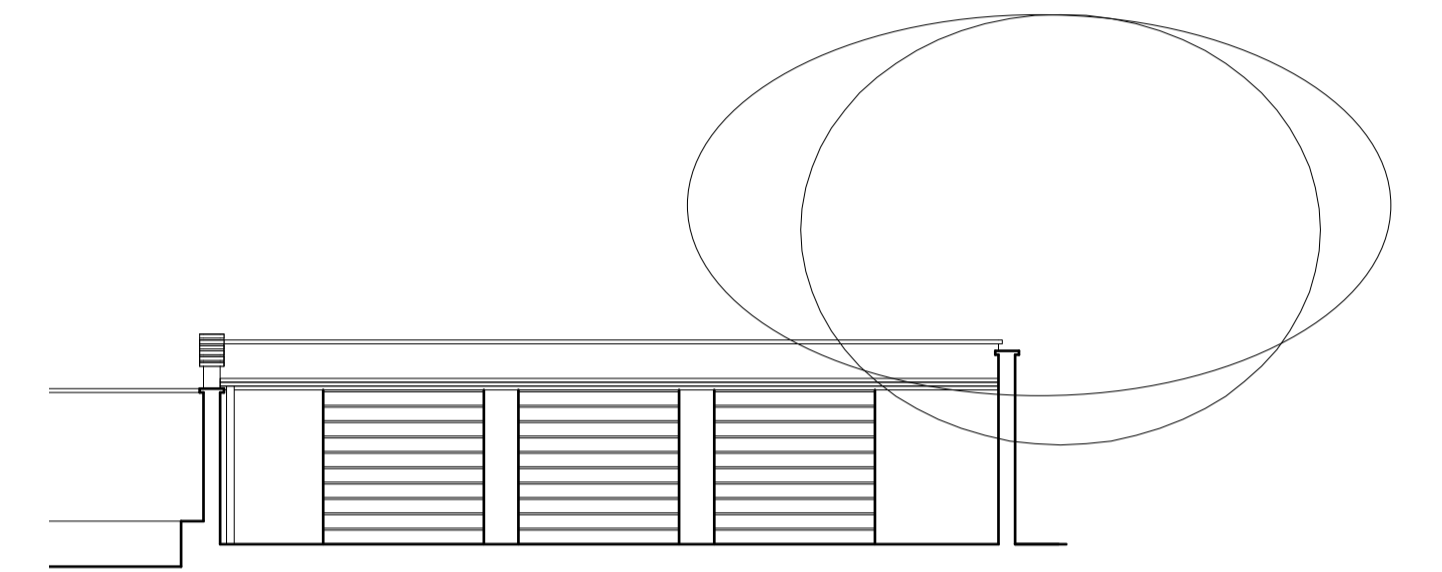
EXISTING LOCATION PLAN
Scale: 1:1250

- EXISTING MATERIALS**
- Corrugated asbestos roof
 - Render walls
 - Painted metal 'up and over' garage doors
 - Grey uPVC rainwater goods
 - Natural stone boundary walls
 - Blockwork boundary walls
 - Brick entrance pillar
 - Black steel gates



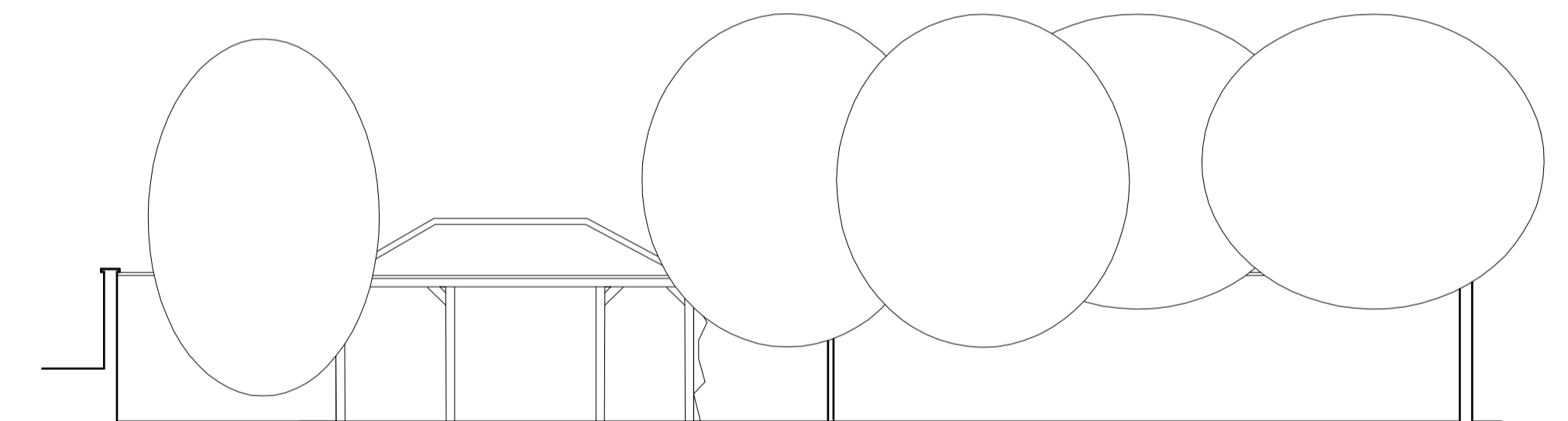
EXISTING STREET ELEVATION
1:100

04
01



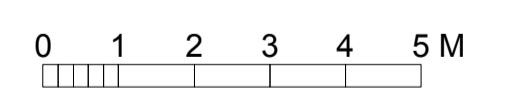
EXISTING NORTH WEST ELEVATION
1:100

06
01



EXISTING SOUTH WEST ELEVATION
1:100

08
01



Revision



Project: Garages at Woodland Terrace, Redland, Bristol, BS6 6LR

Title: Proposed Dwelling
Existing Plans & Elevations

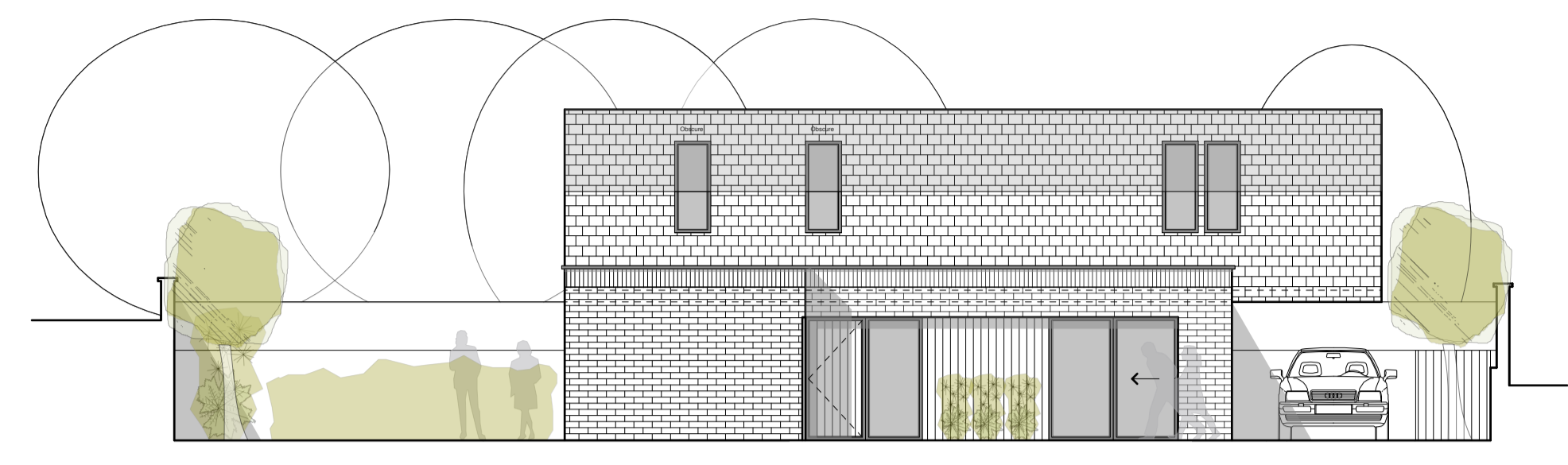
Scale: 1:100, 1:200, 1:1250 @A1
Drawn: JSE Date: 03/20 Project No: 1941 Drawing No: 01b

This drawing is copyright. Work to figured dimensions.



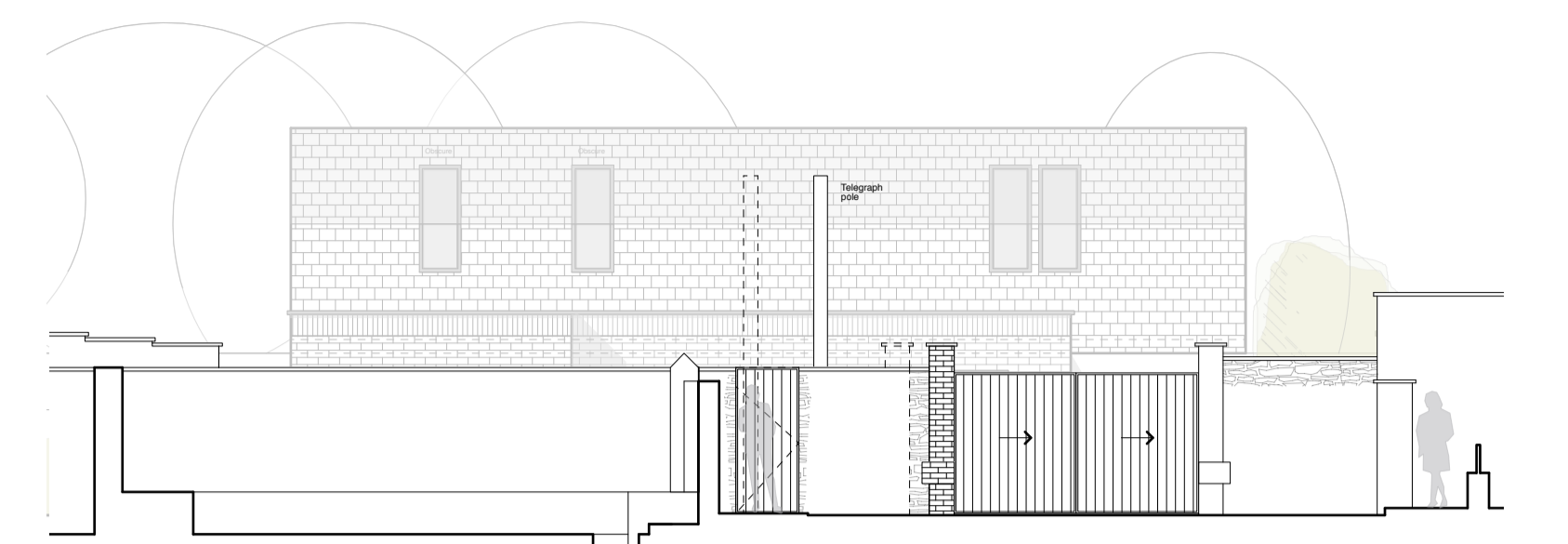
PROPOSED SITE PLAN
1:200

01
02



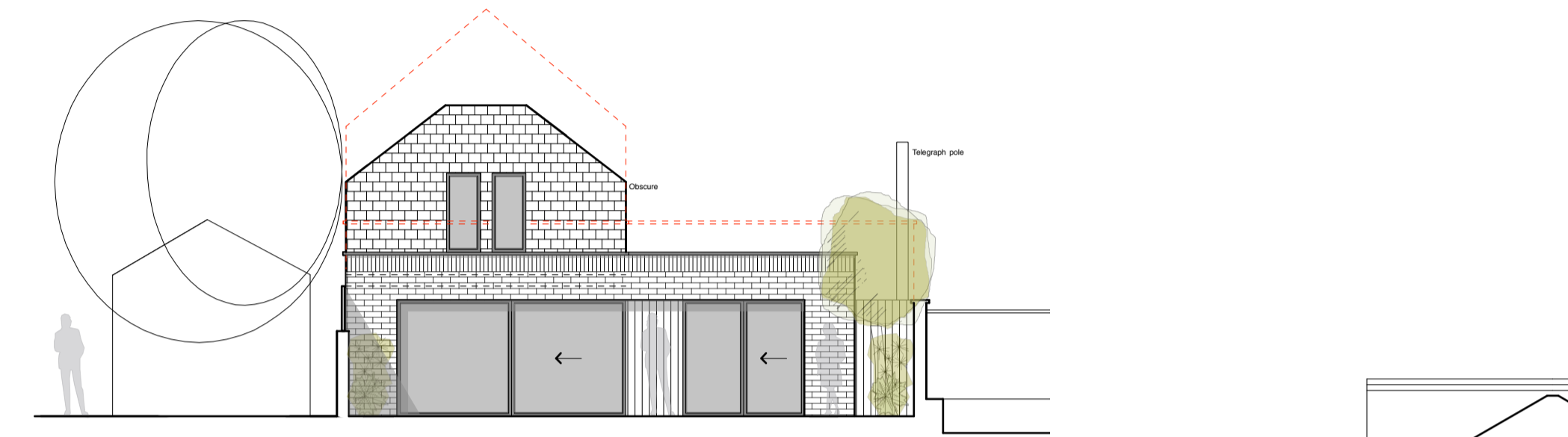
PROPOSED NORTH EAST ELEVATION
1:100

03
02



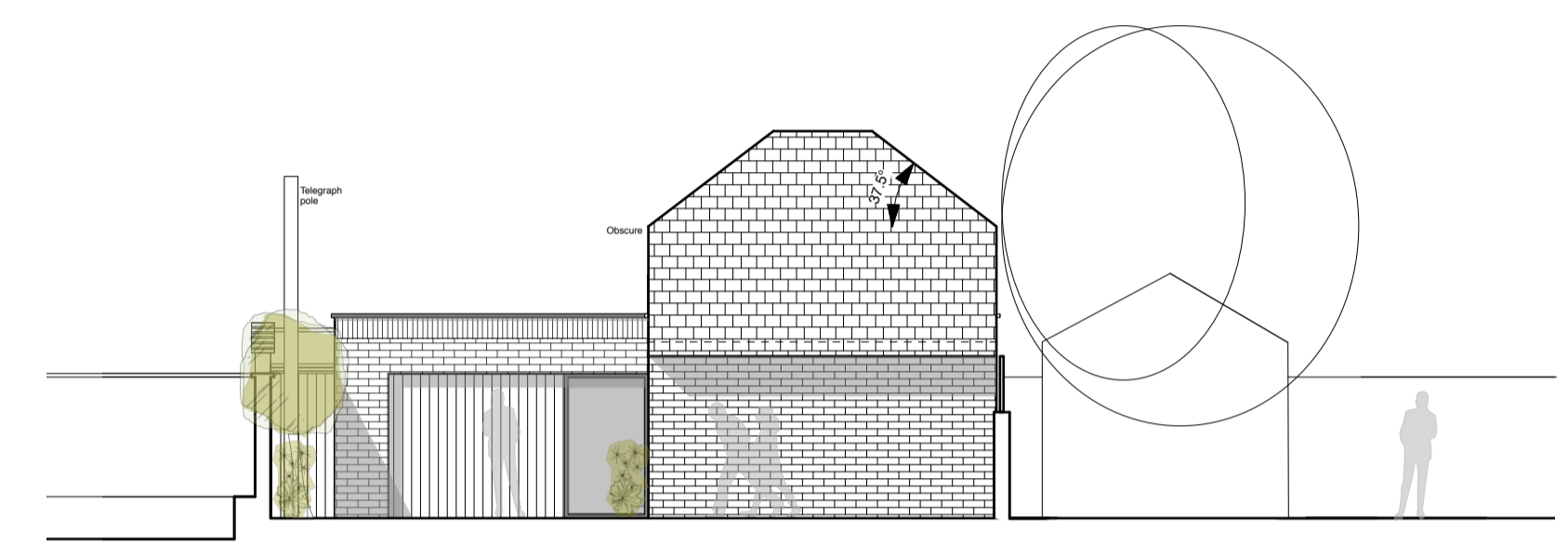
PROPOSED STREET ELEVATION
1:100

09
02



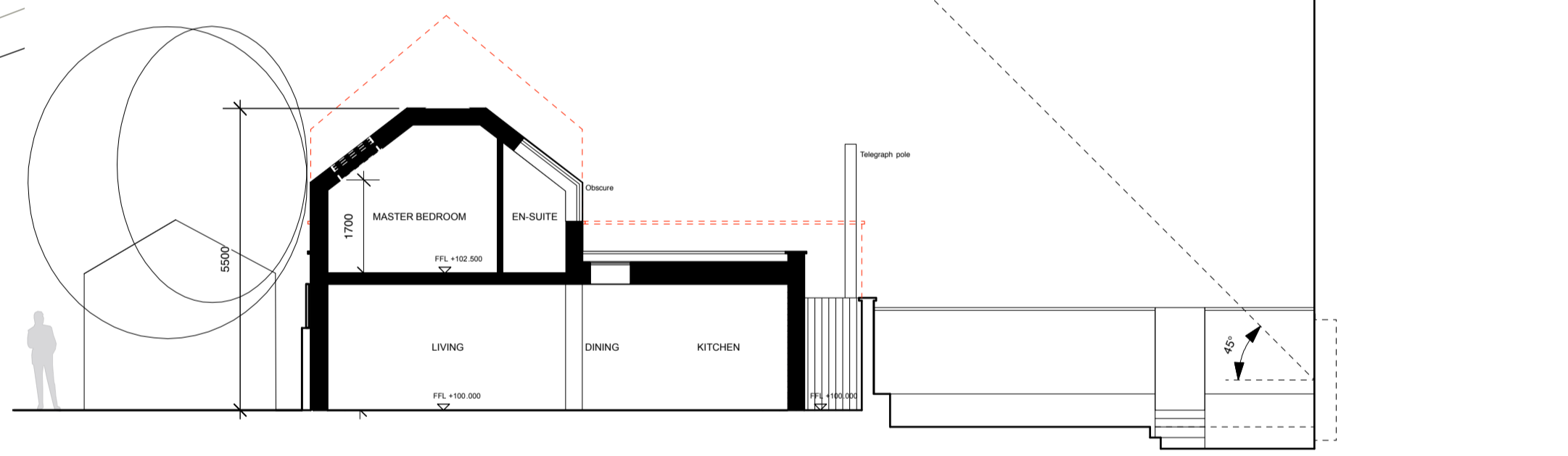
PROPOSED SOUTH EAST ELEVATION
1:100

04
02



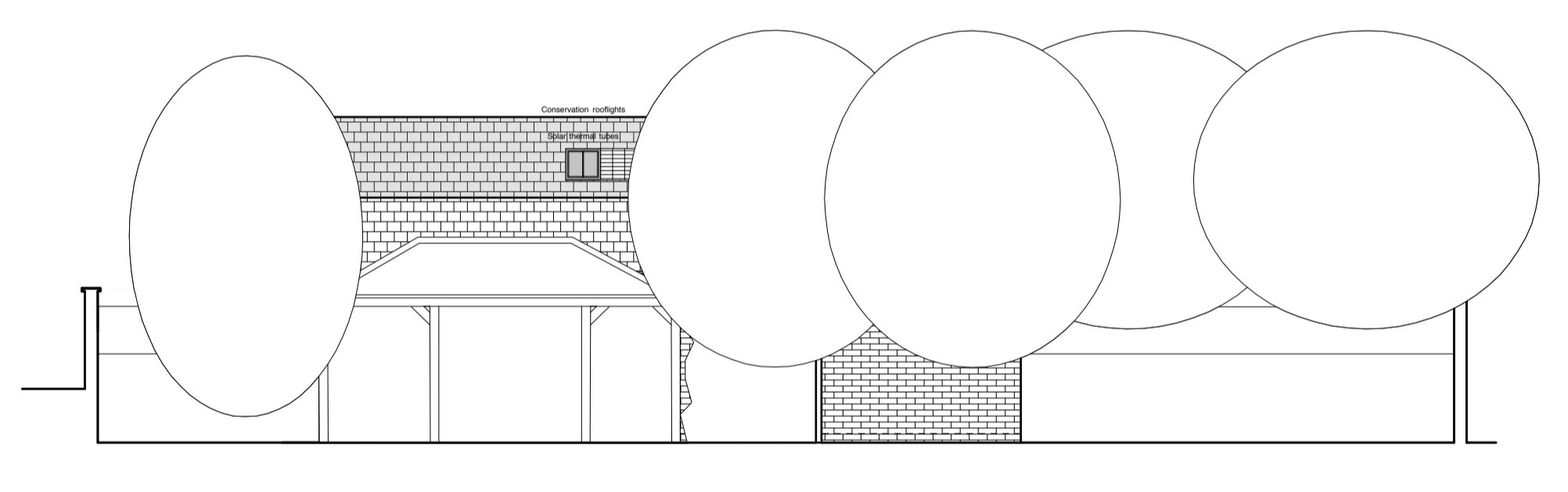
PROPOSED NORTH WEST ELEVATION
1:100

05
02



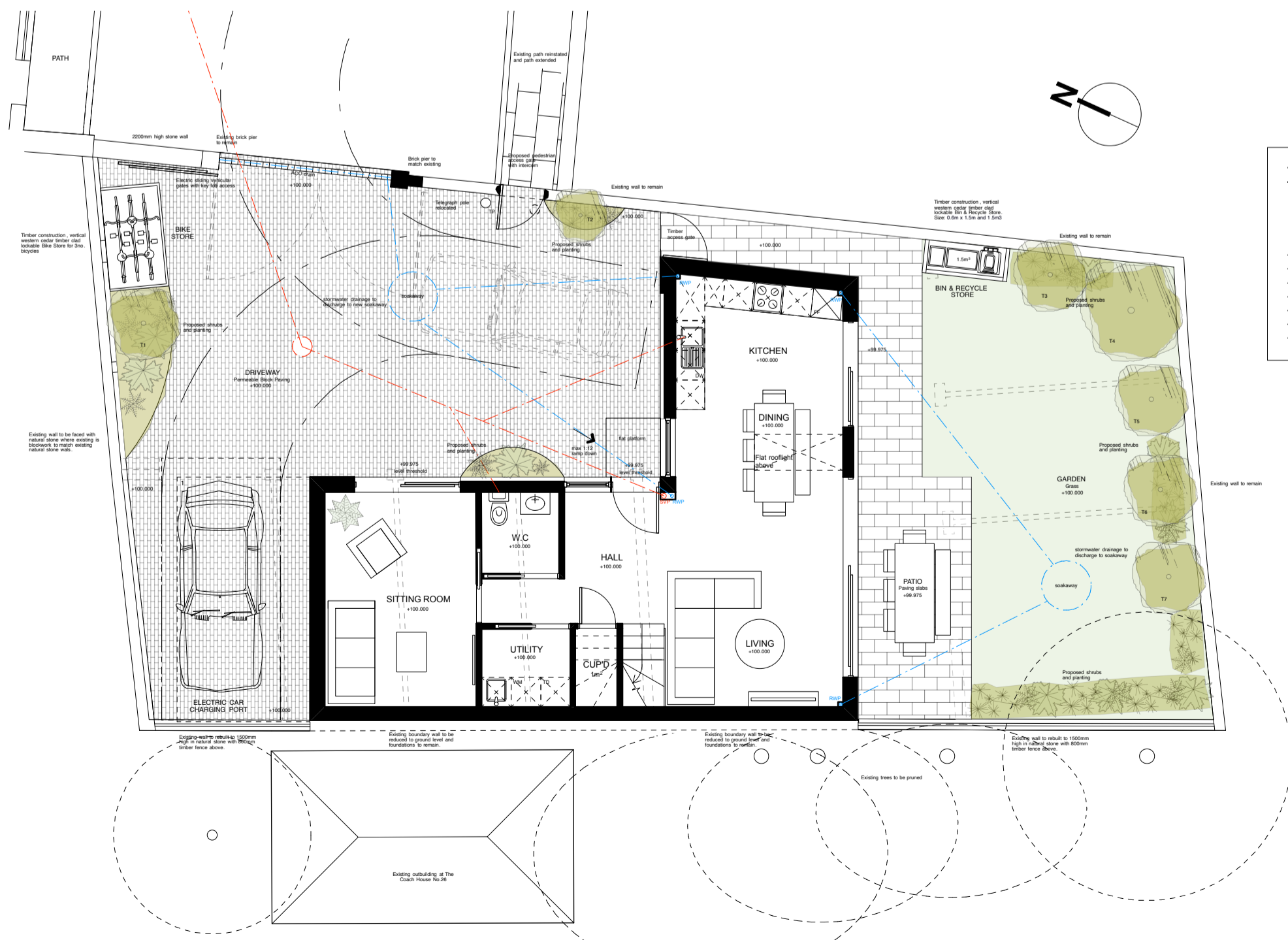
PROPOSED SECTION
1:100

06
02



PROPOSED SOUTH WEST ELEVATION
1:100

07
02



PROPOSED GROUND FLOOR PLAN
1:100

02
02

Tree Planting Schedule

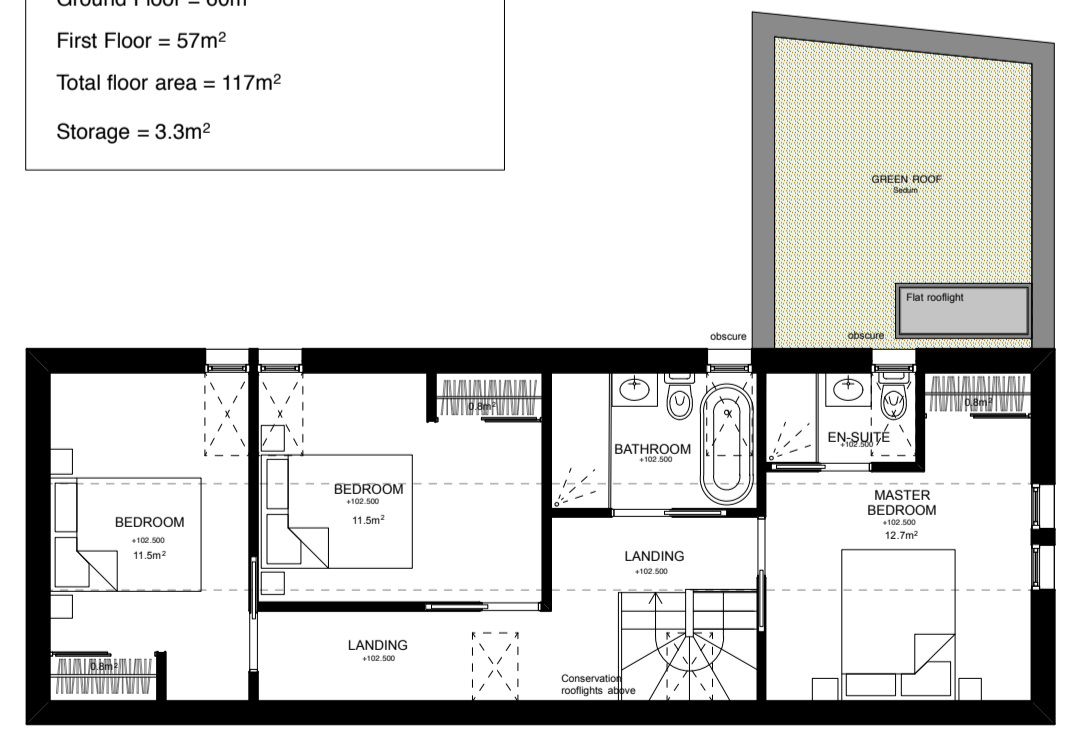
Existing = 0
Proposed =

- T1 - Medium
- T2 - Small
- T3 - Medium
- T4 - Large
- T5 - Medium
- T6 - Medium
- T7 - Medium

Schedule of Areas

1.5 - storey dwelling | 102m² | 3 bed | 6 person

Ground Floor = 60m²
First Floor = 57m²
Total floor area = 117m²
Storage = 3.3m³



PROPOSED FIRST FLOOR PLAN
1:100

08
02

- PROPOSED MATERIALS**
- Natural slate cladding to roof and walls (first floor)
 - Photo voltaic panels and solar thermal tubes
 - Conservation rooflights by The Rooflight Company
 - Extensive sedum flat roof
 - Weinerburger Con Mosso brick walls (Ground floor)
 - Vertical western cedar timber cladding wall panels (Ground floor) & Bin/Bike Store
 - Grey aluminium powder coated coping
 - Grey aluminium powder coated windows and doors
 - Hardwood timber front door
 - Natural stone boundaries walls to match existing with timber fence above
 - Brick entrance pillar to match existing
 - Hardwood timber gates



Revision

--	--



Project Garages at Woodland Terrace, Redland, Bristol, BS6 6LR

Title Proposed Dwelling
Proposed Plans, Elevations & Section

Scale 1:100, 1:200
@A1

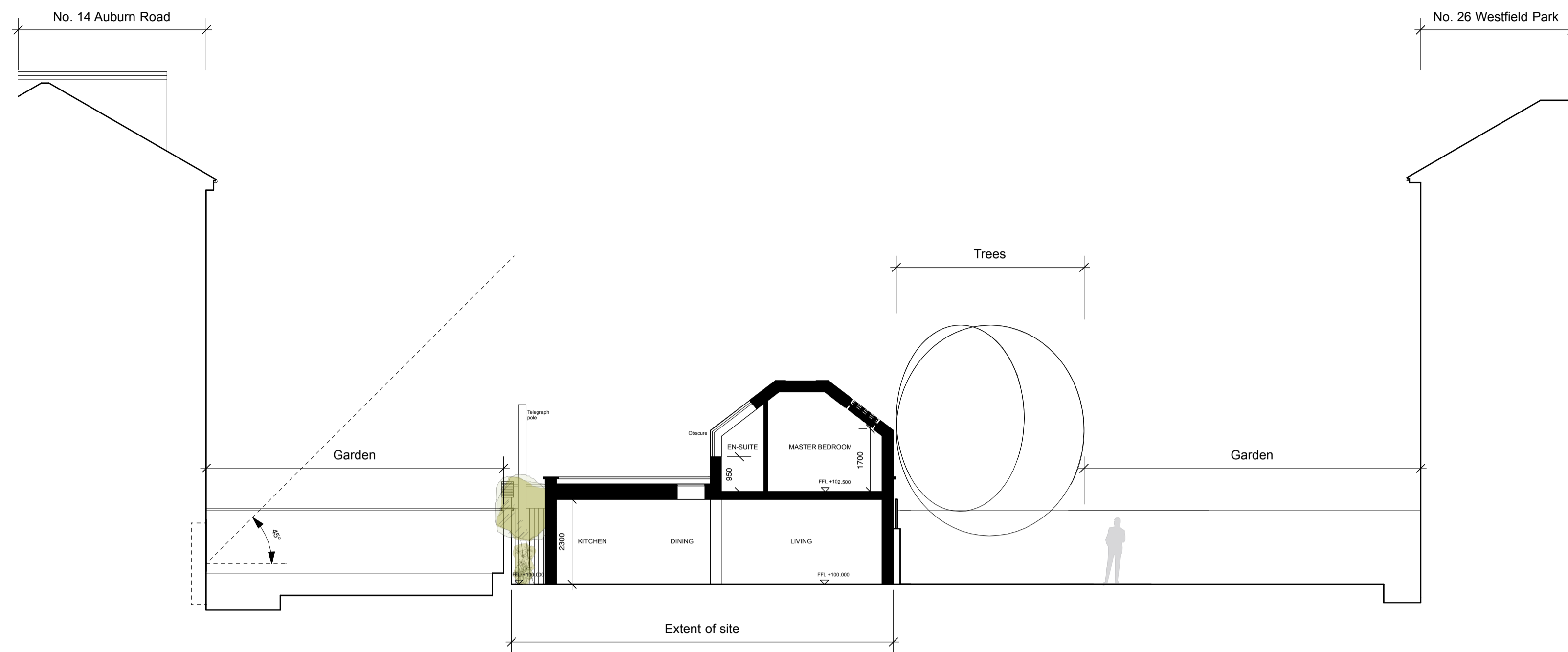
Drawn JSE Date 11/19 Project No 1941 Drawing No

f. 0117 942 8373
f. 0117 942 0639

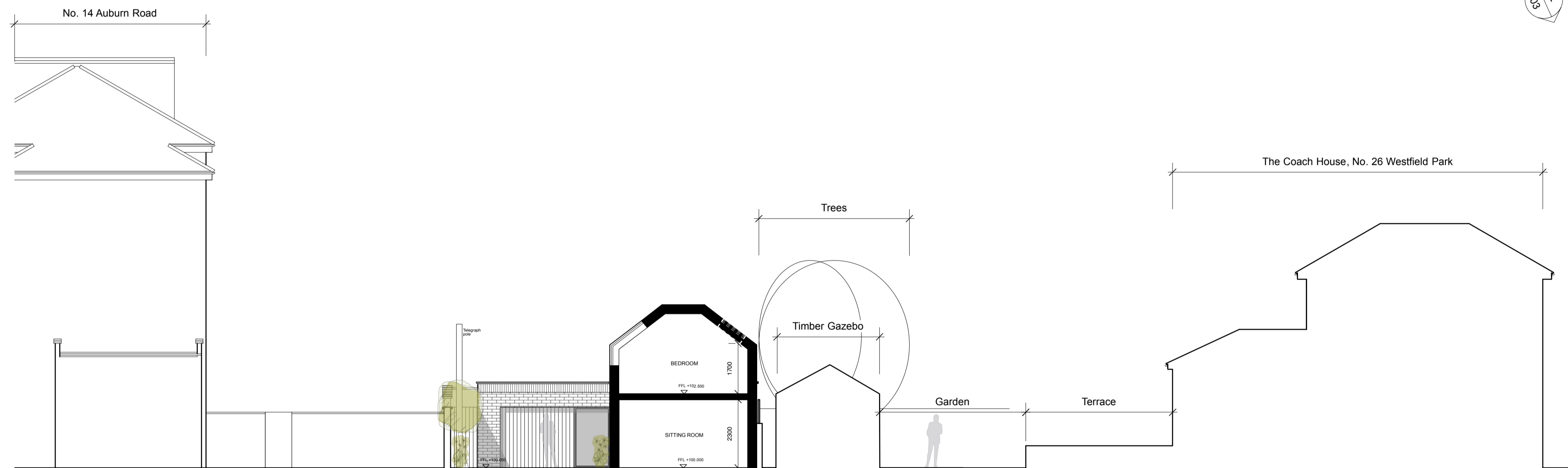
This drawing is copyright

Work to figured dimensions

02d



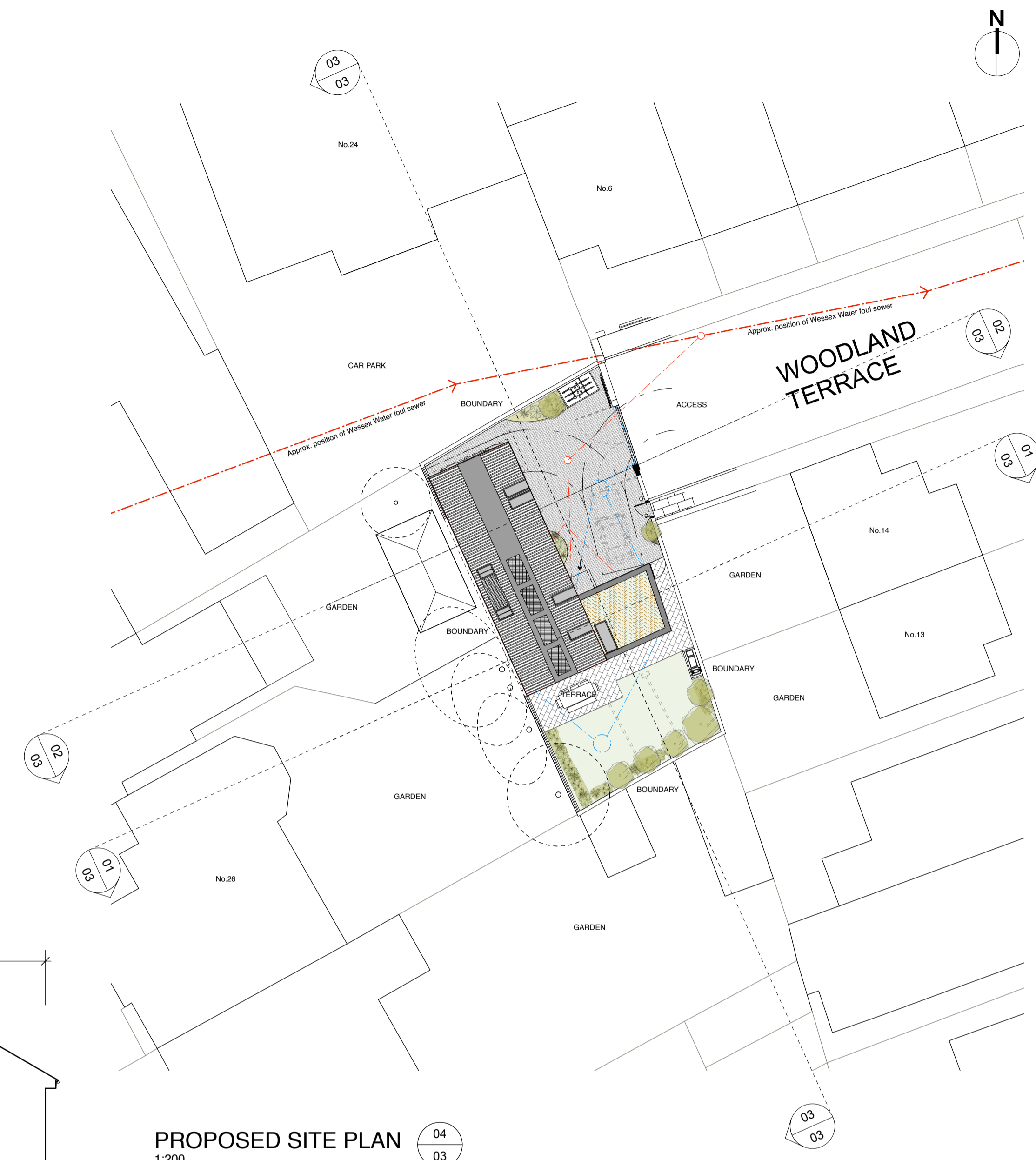
PROPOSED SITE SECTION 01
1:100



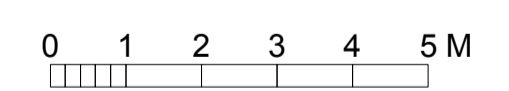
PROPOSED SITE SECTION 02
1:100




PROPOSED SITE SECTION 03
1:100



PROPOSED SITE PLAN 04
1:200



Revision


 Project Garages at Woodland Terrace, Redland, Bristol, BS6 6LR
 Title Proposed Dwelling Proposed Site Sections
 Scale 1:100, 1:200 @A1
 Drawn JSE Date 05/20 Project No 1941 Drawing No 03a
 This drawing is copyright Work to figured dimensions

WARD: Redland

SITE ADDRESS: Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS

APPLICATION NO: 19/04398/F Full Planning

DETERMINATION DEADLINE: 10 February 2020

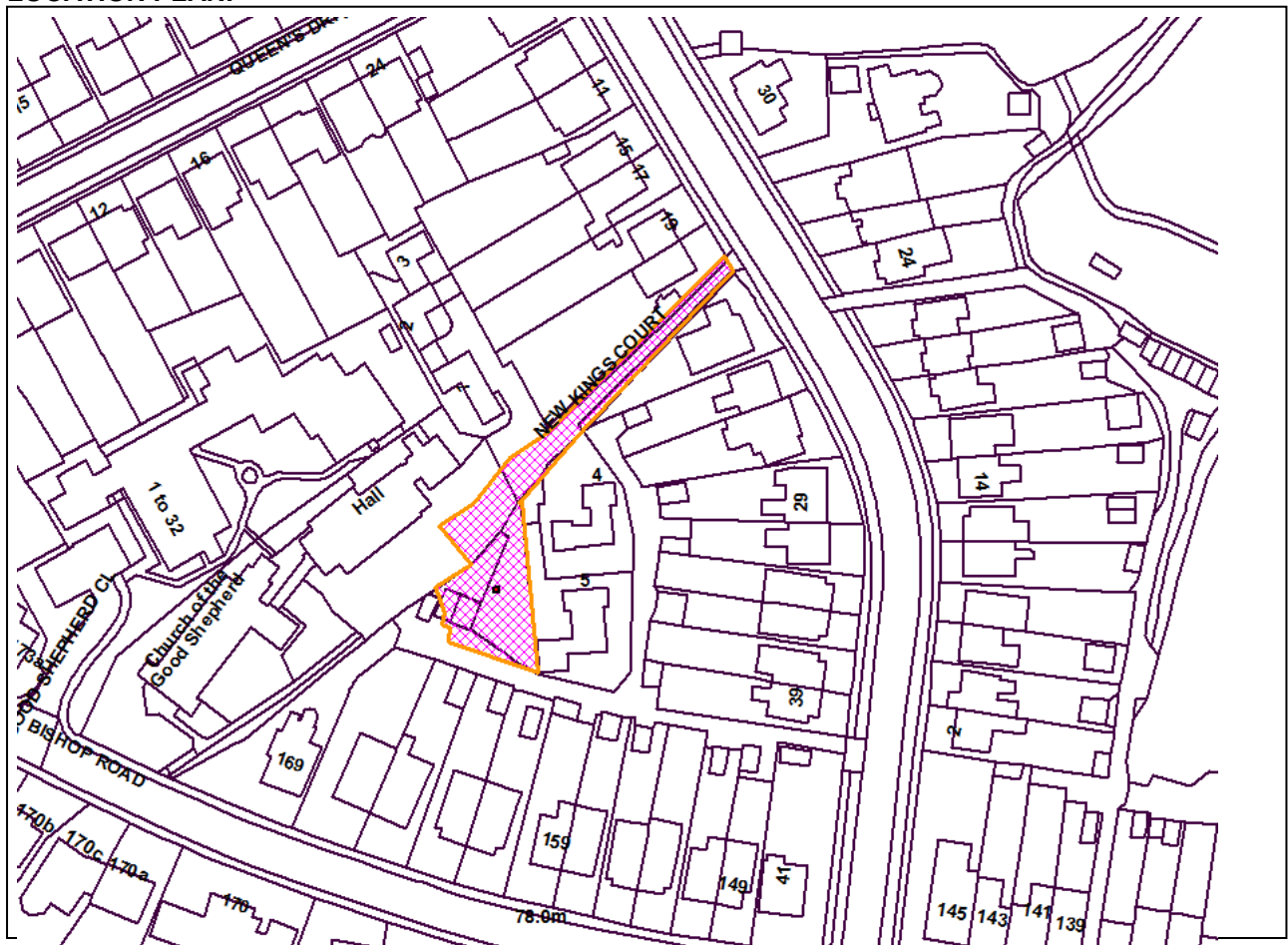
Demolition of garages and erection of a single 3 bedroom dwelling house (self build).

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Mrs Caroline Harrison
163 Bishop Road
Bristol
BS7 8NA

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

LOCATION PLAN:



Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS****REASON FOR REFERRAL**

Cllr Fodor requested that in the case this application is recommended for approval, the application should be referred to Development Control Committee for determination. Cllr Fodor's referral request was received later than the prescribed deadline. However, due to the circumstances of the application and planning history within the immediate area, officers have brought the application to committee. The reason for Cllr Fodor's referral is included verbatim below:

“Previous applications on this site have been refused on highways grounds and the reasons they have changed and it may now be approved have been unclear. Both road safety and adoption issues [implications for the council of pressure to adopt] for an unadopted road need to be clarified. Existing residents and users of the surrounding community facilities need to be able to debate their concerns and make objections for committee to decide these issues”.

SITE DESCRIPTION AND APPLICATION

The site subject to this planning application is a pocket of land to the rear of both King's Drive and Bishop Road within Bishopton. The site currently consists of two domestic garages in various states or disrepair, and an extended garden for the Applicant, who is understood to live on the nearby Bishop Road. To the north of the site is the car park of the Church of the Good Shepherd and playschool, as well as the access lane; to the east of the site are nos. 4 and 5 New Kings Court; and a lane is situated to the south. The application seeks planning permission to erect a single dwelling house, and is proposed to be a self-build project. The proposed house would be 2 storeys tall, and has three bedrooms, a lounge, a kitchen/diner, a study, a garage and a number of bathrooms. Cycle storage is included within the garage, and it is understood that the garage will also provide a car parking space. The proposal is accompanied by a comprehensive landscaping plan as indicated on the proposed block plan, and the dwelling incorporates green and brown roofs, and an extensive array of photovoltaic panels. The development would be accessed from New Kings Court Road via a private lane that currently provides vehicular access for nos. 1 to 5 New Kings Court, the Church of the Good Shepherd, the church hall and a pre-school (Magic Dragon).

Over the course of the planning application, revised plans and further information have been submitted by the Applicant in order to address concerns raised by officers and neighbours. In response to revised plans and details being submitted, suitable further neighbourhood consultation occurred.

RELEVANT PLANNING HISTORY*The Site*

17/04008/F - Proposed two bedroom single dwelling, replacing existing garage. – Withdrawn

Nos. 4 and 5 New Kings Court

13/02972/X - Application for removal or variation of conditions 3 (substitution of roofing material to be amended to clay double roman tiles) and 7 (omission of drawing 2B, 3A,4A,5A and 6A and replacement by drawings 1318.2, 3 & 4) following a grant of permission of 10/01495/R. Consisting of

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

revisions to boundary treatment, roof form, roofing material and fenestration to facilitate internal layout changes – Approved

14/00636/NMA - Application for a non-material amendment following a grant of permission number 13/02972/X (Application for removal or variation of conditions 3 (substitution of roofing material to be amended to clay double roman tiles) and 7 (omission of drawing 2B, 3A,4A,5A and 6A and replacement by drawings 1318.2, 3 & 4) following a grant of permission of 10/01495/R. Consisting of revisions to boundary treatment, roof form, roofing material and fenestration to facilitate internal layout changes) to allow revised external material specification to House 2 – NMA Agreed

10/01495/R - Renewal of time limit of Planning Approval 07/00842/F - Erection of 2 no. detached houses with garages and boundary walls – Approved

07/00842/F - Erection of 2 no. detached houses with garages and boundary walls. – Approved

06/01341/F - Erection of 3no.detached houses with garages and boundary walls. – Refused

1. The private access lane to the site is incapable of safely accommodating the additional traffic likely to be generated by the proposal by reason of its inadequate width, lack of passing places and pavements. Furthermore the access could not be widened to adoptable standards as required as the land either side of the access is in separate private ownership. The development would cause danger and inconvenience to vehicular users, existing and future residents and pedestrians accessing the church and church hall and consequently the proposed development would be contrary to the guidance given in Design Bulletin 32: residential roads and footpaths, Policy M1 of the adopted Bristol Local Plan December 1997, the same policy in the emerging Local Plan and the guidance contained in Design Bulletin 32.
2. The proposed development by virtue of the bland design and form of the dwellings, the extent of the application site (in relation to the remaining area of undeveloped backland), the introverted layout of the proposed dwellings and the relationship of the proposed dwellings with the access lane and the remaining area of backland, would result in a piecemeal and wholly unsatisfactory development that would fail to reinforce or create attractive and distinctive identity. The proposed dwellings would be arranged in a road dominated and introverted manner without apparent thought as to the possible future development of the adjoining land. Furthermore the development would present a dead frontage onto the access lane and would not take the opportunities offered to provide passive surveillance of the lane and thereby increase its (perceived and actual) security. Consequently, the proposed development would be contrary to policies H4, B4, B5 and B6 of the (adopted) Bristol Local Plan (December 1997) and the same policies in the Emerging Development Plan as well as the guidance given in Planning Policy Statement 1.
3. The access to the site would not be wide enough to allow refuse or recycling vehicles to enter the site. Consequently refuse and recycling would have to be left for collection on the pavement at the end of the un-adopted lane. This would result in an unacceptable increase in the amount of refuse and recycling left in open view in close proximity to the neighbouring residential properties and would further reduce the available width of the access lane to the site. This would unacceptably affect the amenity of the adjoining residents and be further detrimental to highway safety. As such the proposed development would be contrary to policy

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

M1 (ii) and policy B8 (ii and xi) of the adopted Local Plan and the same policies in the emerging Local Plan.

Nos. 1, 2 and 3 New Kings Court

01/02980/F - The construction of one four bedroom house and two three bedroom houses with enclosed gardens and six car parking – Approved

00/03648/P - Outline application for two storey building to provide 4 x 2 bedroomed flats, with access from Kings Drive – Approved

RESPONSE TO PUBLICITY – EXTERNAL

Nearby neighbours were notified by letter and the application was advertised by press and site notice. In response to such publicity, 11 comments in support of the proposal were received from a total of 8 addresses; 10 comments in objection were received from a total of 6 addresses, and 1 neutral comment was received from an a single address. These comments are summarised below.

i Response to initial and de-registered application:

- Comments of support from the Church Warden that the application will enhance the area.
- Comments of support from the Parochial Church Council (PCC) of Bishopston & St Andrew's, responsible for the Church of the Good Shepherd, suggesting that the proposal would significantly enhance the visual appearance of the area, improving the boundary and the setting of the Church.

ii Response to initial and registered application:

Principle of Development

- Comments of support for providing additional housing within the area.
- Comments of support for providing family-sized housing.

Highway Safety and Access

- Comments of objection as to the safety of the access lane if a further house was introduced. It currently serves five houses, the church and church hall that serve community groups, including a pre-school.
- Comment of objection concerning adoption of the lane were more than 5 houses to be accessed from the lane.
- Comments of objection concerning the substance of the Highgate Transport Supporting Letter, for example the statement suggests the lane 3.5 – 3.7 metres, whereas a member of the public commenting in objection, reports it to be less than 3 metres.
- Comments of objection suggesting that the lane would not provide adequate access for refuse or emergency vehicles – suggestion that a previous application was also refused on these grounds 06/01341/F.
- Comments of support suggesting the access lane is acceptable for the proposal.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

- Comments of support for the development, where one member of the public suggests that as a pedestrian, they regularly use the lane, and have not experienced issues with cars using the church car park, further suggestions that a new house would not have a noticeable impact on the current level of traffic.
- Comments of support, suggesting that the lane already provides access for refuse vehicles

Urban Design

- Comments of objection on the grounds of the scale of the development.
- Comments of objection suggesting that the house is not in keeping with the character of the area.
- Comments of support on the grounds of the proposal's external appearance.

Residential Amenity

- Comments of objection on the grounds of unacceptable impact on residential amenity: overbearing, overlooking, and privacy.
- Comments of objection on the grounds that the provide overshadowing assessment does not take into account existing shadows cast by trees.
- Comments of support on the grounds that the proposal would not unacceptably impact neighbours.

General Statements

- Comments of objection on the grounds of drainage/sewerage, highlighting an existing problem with the drainage/sewerage servicing nos. 4 and 5 New Kings Court.
- Comments of support on the grounds that the proposal would improve security for the church and neighbouring houses.
- Comments supporting the redevelopment of the proposal.
- Comments of support from the Church of the Good Shepherd.
- Comments of support due to the proposal's environmental impact.
- Comments of support for the redevelopment of waste land with derelict buildings .

iii Response to revised application:

Highway Safety and Access

- Comments of objection suggesting the access should not serve an additional dwelling due to safety concerns.
- Comments of objection due to the potential for further development in the future using the lane.
- Comments of objection suggesting that Transport Development Management's comments include errors.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

- Comments of objection suggesting that an alternative access lane should be utilised.
- Comments of objection concerning adoption of the private lane.
- Comments of support suggesting that the addition of a new house near the access lane will provide added security for its users.
- Comments of support suggesting that the addition of traffic associated with one new dwelling would 'hardly' change the use of the lane.

Urban Design

- Comments of support suggesting that the revised design addresses neighbours' concerns, for example the roof is lowered.
- Comments of support due to the proposal's environmental credentials

Residential Amenity

- Comments of objection, suggesting that whilst the revised design is an improvement, the proposal would still overbear no. 4 New Kings Court's garden.
- Comments of objection suggesting the overshadowing assessment suggests existing trees cast greater shadows than they do in reality.

General Statements

- Comments of support for replacing garages with an eco-build.
- Comments supporting the principle of a new dwelling in this location.

RESPONSE TO PUBLICITY – INTERNAL**Contaminated Land Environmental Protection** has commented as follows:-

The site adjacent was previously subject to assessment 6 years ago, compared to present day criteria there was a minor exceedance with respect to one contaminant. The current site is also likely to have asbestos containing materials present.

It is therefore recommended that any future planning consent is subject to relevant conditions.

City Design Group has commented as follows:-

No objection, the revised plans address our concerns.

Arboricultural Team has commented as follows:-

The site contains several trees of average arboricultural or landscape merit. The proposals will require the felling of two trees in poor condition and 3 moderate (category C) trees, which are positioned in the centre of the site. I have no objections to the felling of these trees due to the lack of public amenity value.

The proposals include comprehensive ecological and landscape plans. The landscape plans include

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

planting two *Pyrus chanticleer* and one *Betula Utilis* – which are well specified and are likely to improve the amenity value of the area.

Bristol Tree Replacement Scheme:

Tree No.	Stem Diameter (mm)	Mitigation Planting
T06	259	2
T07	90	0
T08	145	1
Total trees required		3

I have no objections to the proposed development. I recommend the mitigation planting is secured through the landscaping condition we discussed and tree protection measures are secured through the standard condition.

Transport Development Management has commented as follows:-

Transport Development Management initially objected to the application for a number of reasons, including the red line for the application, cycle parking, turning, refuse and recycling collection and the limit of properties allowed from an unadopted accessway. In response to TDM's comments, the applicant instructed a transport consultant to provide a written response, and revised plans were also submitted. After reviewing this information, TDM withdrew their objection, for a number of reasons included in their comments, which are summarised below for ease of access:

- The revised plans overcome the red line issue as it includes the access lane in full;
- The revised plans include sufficient cycle parking;
- It has been demonstrated that the refuse collection company accesses this lane to collect from the other residents, so the matter of refuse being left on the highway is no longer a concern;
- The Highway Authority would not adopt the private lane, and an advice note is advised to this effect;
- The applicant has demonstrated that the use of the access is relatively irregular, a car can pass a pedestrian, and the lane is being better maintained. Further, there is an alternative means of access for pedestrians should they feel uncomfortable using this lane, and it is unlikely that there will be more development accessed from this location; and
- Transport Development Management do not believe that a refusal based on the highway safety concerns would hold up at an appeal.
- A number of conditions and advice notes are recommended.

Nature Conservation has commented as follows:-

No objection subject to conditions being imposed to secure the implementation of Appendix D – Method Statement for Reptiles and Common Amphibians in the Building Inspection Report dated October 2019, and Appendix C - Mitigation and Enhancement Plan in the Bat Survey Report dated May 2020. Further, the provision of a wildlife pond should be secured by compliance condition. An advisory note concerning wild birds is also advised.

RELEVANT POLICIES

National Planning Policy Framework – February 2019

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

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

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.

For information, policies starting 'BCS' are policies from the Core Strategy document, and policies starting 'DM' are from the Site Allocations and Development Management Policies document (SADMP).

(A) Principle of Development

Policy BCS5 'Housing Provision' promotes the development of new homes in built up areas, encouraging residential development to be predominantly located on previously developed land. A section of the development site has been previously developed as garages understood to be in association with the nearby residential unit. The development would however, still result in the loss of garden space to residential development, as such policies BCS20 and DM21 are relevant.

The development is not solely located on previously developed land, this will be assessed through policies BCS20 'Effective and Efficient Use of Land' and DM21 'Development of Private Gardens'. Policy BCS20 encourages higher densities of development: in and around the city centre, in or close to other centres or along or close to main public transport routes. Importantly, the policy requires density to be informed by a number of features, including the characteristics of the site, the local context and the need to achieve high quality, well designed environments. Policy DM21 provides further relevant expectations, specifically only permitting development that would involve the loss of a private garden where a limited criteria are met. In this case the development meets criteria i, as officers consider that a higher density development is acceptable in principle at this location.

Specifically, the site is within walking distance (400 metres) of well serviced bus routes, namely the no. 13 (Bristol Centre – Shirehampton) and the no. 505 (Long Ashton - Southmead Hospital). The site is not within walking distance of a designated centre, the closest being approximately 800 metres from the site, Coldharbour Road Local Centre and Gloucester Road Town Centre. Further to this, there is a Tesco Superstore within approximately 700 metres walk from the site, and further amenities closer by on Coldharbour Road/Kellaway Avenue. Accordingly, the site is suitable for higher density development as defined by policies BCS20 and DM21, predominantly as it is close to main public transport routes.

Policy BCS18 'Housing Types' provides further guidance for new residential development, requiring it to maintain, provide or contribute to a mix of housing tenures, types and sized on order to support the creation of mixed, balance and inclusive communities. The application site is situated within the Lower Super Output Area of Cranbrook Road (ref. E01014666), where household accommodation is the ascendancy (83.2%) compared to flatted and shared accommodation (17.7%). The proposal will further contribute to the majority of household accommodation which will not positively contribute toward the mix of housing types in the area. Further, the majority of houses within the Lower Super Output Area have either three or four bedrooms (36.1% and 32.1% respectively), meaning the proposal would contribute to an existing majority. Notwithstanding this, the proposal will not result in the loss of flatted or shared accommodation, or the loss of smaller sized, 1 and 2 bedroom sized accommodation. As well as this, the introduction of a single dwelling is not considered to be significant in terms of its impact on the mix of housing types in the area. Accordingly, officers find the proposal to be acceptable in terms of the requirements of policy BCS18.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

Overall, in land use terms the proposal is acceptable in principle. The remaining report assesses the development with regard to highway safety, design and character, residential amenity, sustainability, nature conservation, arboriculture and land contamination.

(B) Highway Safety

This Key Issue assesses the proposal against transport and highway safety related policies and guidance. The principal reason for this application being referred to Development Control Committee concerns the proposal's access, which is provided by a private lane off King's Drive, this will form the focus of this section.

i Relevant Policies

Policy BCS10 sets out development principles, expecting proposals to be determined, and schemes to be designed, in accordance with the following transport user priorities: a) the pedestrian, b) the cyclists, c) public transport, d) access for commercial vehicles, e) short stay visitors by car, and f) the private car. In accordance with this hierarchy, the policy expects development proposals to 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. Further, the policy expects proposals to minimise the need to travel, especially by private car, and maximise opportunities for the use walking, cycling and public transport. The policy also requires proposals to be designed and located to ensure the provision of safe streets, and to reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise.

Policy DM23 expects developments to not give rise to unacceptable traffic conditions, and will be expected to provide:

- a. Safe and adequate access for all sections of the community within the development and onto the highway network including designs which secure low vehicle speeds; and
- b. Adequate access to public transport including, where necessary, provision for public transport improvements; and
- c. For appropriate transport improvements to overcome unsatisfactory transport conditions created or exacerbated by the development; and
- d. For pedestrians and cyclists including, where appropriate, enhancing the pedestrian and cycle network and, for major non-residential schemes, providing adequate changing, shower, storage and drying facilities for cyclists.

Policy DM23 also expects proposals to accord with the standards set out in Appendix 2 of the SADMP with regard to parking and servicing.

Policy DM32 concerns recycling and refuse provision, expecting new development to provide sufficient space for the storage of individual recycling and refuse containers. Further, the policy does not permit recycling and refuse provision that fails to provide sufficient capacity or access.

A number of paragraphs within the NPPF are also relevant to this application, perhaps the most relevant being paragraph 109, which includes guidance on when an application should be refused on highways grounds, specifically it states:

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

A further material consideration is the Manual for Streets (MfS), which provides technical guidance applicable when applying planning policy.

The principle of the development has been assessed by Key Issue A, where it was concluded that the site is sustainably located, meaning it is therefore suitable for more intensive development, such as the proposed dwelling. The remaining assessment will primarily focus on the access, albeit cycle storage, refuse storage and collection, and other relevant highways matters are considered.

ii Access

Members of the public and Cllr Fodor have raised concerns as to the proposed access to the development. The access to the proposal forms a tarmacked access lane, providing vehicular access from King’s Drive. The lane is approximately 50 metres long, and is described by the Highgate Transport letter as having a carriageway width of 3.5 metres to 3.7 metres, albeit the lane may be narrower in certain positions due to the managed vegetation either side of the hardstanding, and this has been raised by comments received from members of the public. From visiting the site, it is clear the lane is well managed and in a good condition, further the lane displays clear signage, including ‘give way’, ‘slow’ and ‘5 mph’. It is also evident that visibility from either end of the lane is unobstructed, meaning a user of the lane could see from one end to the other. In terms of existing users of the lane, a number of properties gain access via the lane, including: nos. 1 to 5 New Kings Court, the Church of the Good Shepherd, the church hall and a pre-school (Magic Dragon). Good Shepherd Close provides sheltered housing for people aged over 60, and it is understood that this facility has a secondary pedestrian access to the rear, which opens out into the area to the front of the church/church hall, albeit the primary access for this accommodation is from Bishop Road. The lane is not adopted by the Council, rather it is understood to be owned and managed by a third party, The Church of the Good Shepherd.

In response to the originally submitted proposal, Transport Development Management (TDM) raised objection to the development on a number of grounds, specifically: the application red line did not include the access lane; more than 5 dwellings would be served by an unadopted highway; concerns as to refuse collection; insufficient cycle parking; and concerns regarding vehicles associated with the development turning. The application was made invalid due to the red line not including the access; the Applicant was also made aware of TDM’s comments. The Applicant then responded by submitting revised plans, including a site location plan where the red line included the private access lane, and a letter from a transport consultant responding to TDM’s concerns. After receiving such details, the application was made valid, and the application was publicised and neighbours notified.

In response to the revised application details and the supporting letter from the Applicant’s transport consultant, TDM issued revised comments where their objection was removed. Taking each matter individually, the revised site location plan (and red line) addressed TDM’s initial concern, that the access lane was not included within the red line. Further, TDM’s comments confirm that Appendix 3 of the transport consultant’s letter demonstrates that a vehicle could suitably turn and reverse into the garage. The plans demonstrated that cycle parking would be provided within the garage, which TDM considers to be appropriate. TDM has also advised, that given it has been confirmed that the refuse collection company (Bristol Waste) services nos. 1 to 5 New Kings Court, and will collect refuse from

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

the proposed dwelling, refuse collection no longer forms a reason to resist the development. Refuse storage is proposed to the front of the garage, it is recommended that a condition is imposed to ensure final details of the store is acceptable.

TDM's initial comments raised objection to the use of the private lane, partly due to the dwelling resulting in more than six houses being accessed via an unadopted access. Specifically, as where more than five dwellings are accessed via a private lane, the Council runs the risk of having to adopt the road, despite the road not conforming to the Council's adoption standards. TDM has requested that if approved, an informative note is added to the decision notice that states the Highway Authority will not adopt the road, officers agree with this recommendation. Notwithstanding this, in terms of making a planning decision, members will be aware that decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise. There are no planning policies that concern adoption; hence it would likely be unreasonable to refuse the development on such grounds. However, as discussed within this Key Issue, policies BCS10 and DM23 expects applications to be refused where safe and adequate access cannot be provided. The development's safety impact for users of the private lane must therefore be considered.

TDM's comments address the safety of the private lane, including the proposal's impact on the safety of all users of the lane. When considering highway safety, paragraph 109 of the NPPF advises that an application should only be refused on highway safety grounds, where the proposal would result in an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. With this in mind, it is important to consider the significance of the proposal's impact, including its cumulative impact on safety within the private lane. Based on TRICS data, the proposal will generate an additional five vehicular movements per day. The lane is already used by a number of vehicle users associated with the neighbouring development, as well as pedestrians, and whilst it is acknowledged that any increase in vehicular movements would lead to an increase in movements, and thereby potential for the risk of conflict for users of the lane, TDM do not conclude that the increase of movements associated with the proposed dwelling would result in an unacceptable impact on highway safety, or a severe residual cumulative impact. TDM's comments also state that the Applicant's submission has demonstrated that the use of the lane is relatively irregular, further the comments confirm that a car can pass a pedestrian within the lane, and that the lane is maintained. This is supported by the absence of any recorded issues or collisions, suggesting that the private lane is capable of withstanding the slight increase of movements associated this development. TDM also advise that there is an alternative means of access for pedestrians via Bishop Road should they feel using the lane to be uncomfortable, albeit accepting that this access, which is via third party land adjacent to the Church of the Good Shepherd, is not a public right of way, and does include a number of steps.

Accordingly, there are insufficient transport or highway safety grounds to refuse the development. Officers therefore recommend that in accordance with TDM's advice, the application should not be resisted due to highway safety concerns in relation to the proposed dwelling being served by the lane.

iii Previous Decisions Concerning the Private Lane

As the planning history section discusses, the proposal would add to an existing number of backland houses, namely nos. 1 to 5 New Kings Court. In 2001, nos. 1, 2 and 3 received planning permission, and in 2007, nos. 4 and 5 received planning permission. On the same plot of land that nos. 4 and 5 now occupy, planning permission for three houses was refused in 2006 for three reasons, if this application was permitted and built out there would now be six houses served by the private lane,

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

rather than five. Two of the refusal reasons concerned transport and highway safety policy, and are included in full within the relevant planning history section. It is important for officers to advise members as to why these refusal reasons are not applicable to the current application, even though the current application would result in six dwellings utilising the same private access route.

The first refusal reason concerned the safety of the private access lane, and was considered contrary to Design Bulletin 32: residential roads and footpaths and Policy M1 of the adopted Bristol Local Plan December 1997. Firstly, it is important to highlight that since 2006, the Council has introduced a new Development Plan, meaning Policy M1 is no longer relevant. Further, the Government has published the MfS, which superseded Design Bulletin 32: residential roads and footpaths, and the NPPF, which given the wording of paragraph 109 has introduced a higher threshold for resisting development on highway grounds. It is therefore clear that the decision-making context concerning the lane has materially changed since 2006. Specifically, from reviewing the Delegated Report for the 2006 application, it is clear that highway safety considerations were heavily influenced by the now superseded guidance, including Design Bulletin 32: residential roads and footpaths, which advised that where more than five houses are served by an unadopted lane, it should be brought up to an adoptable standard. However, the current MfS does not advise this, setting no lower limit to the number of houses that can be served by a private access. The private access lane subject to this application, is not contrary to the guidance included within the MfS. For example, the MfS does not prescribe minimum widths for private drives, but indicates that a width of 2.75m is generally sufficient to cater for larger vehicles, including emergency and delivery vehicles. As such, officers find it reasonable to reach a different recommendation to the 2006 application in respect of more than five dwellings being served by the private lane.

The other transport-related refusal reason concerned servicing the site for refuse collection, which stated that the lane would not be wide enough to allow refuse or recycling vehicles to enter the site. However, as per TDM's comments, Bristol Waste currently access the lane, serving nos. 1 to 5 New Kings Court, and the refuse collection company has confirmed they will serve the proposed house. Taking this into account, there is no sound basis to resist the development on the grounds of inadequate refuse collection.

iv Summary

Officers understand the concerns of members of the public and the Cllr Fodor, however as set out by TDM's comments, members are advised that there is not a sound basis to resist the development on highway safety or transport grounds.

(C) Design and Character

Policy BCS21 'Quality Urban Design' requires development to deliver high quality urban design that contributes positively to an area's character and identity, through creating or reinforcing local distinctiveness. Policy DM21 echoes policy BCS21 through requiring the development of garden land to not result in harm to the character and appearance of an area. Policy DM26 'Local Character and Distinctiveness' further reinforces the importance of development contributing positively to local character and distinctiveness through listing a number of general design principles that will be considered within this section. Also material to the assessing the design of the proposal is policy DM27 'Layout and Form' that requires development to make an efficient use of land and to have a quality urban design that results in healthy, safe and sustainable places. Policy DM29 'Design of New

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

Buildings' is congruous with the design orientated policy discussed within this section in requiring new buildings to be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm. Overall, both local policy and national guidance (section 12 of the NPPF) recognises the importance of good design meaning development will not be permitted where it would be harmful to the local character and distinctiveness.

Over the course of the application amendments have been made to the proposal's design in order to address concerns raised, this has seen a number of changes to the proposal's appearance, including reducing the bulk and ridge height of the roof. The Council's City Design Group was involved in these negotiations, and now raises no objection to the proposal's design quality.

The immediate context of the site is not characterised by a dominant character, given it is composed of the more recent backland development of nos. 1 to 5 New Kings Court, as well as the church and church hall. The proposal would demolish two existing garages and erect a dwelling on the plot, which is currently also occupied by a garden area. Given the position of the existing backland development, the proposal is considered to be consistent with the local pattern and grain of development. Policy DM26 provides specific guidance for backland development, expecting proposals to be subservient in height, scale, mass and form to the surrounding frontage buildings. There are a range of frontage buildings in the case of this application. To the south and east of the site are predominantly two storey semi-detached houses in King's Drive and Bishop Road. Further, there is the Church of the Good Shepherd, which has a relatively tall glazed gable end facing Bishop Road, to the south of which is a dormer bungalow. As demonstrated by dwg nos. 3202A and 3203A, the proposal has a similar height and scale to no. 5 New Kings Court, meaning the proposal would have a subservient relationship with the frontage development. For example, the dwelling would not be seen above the rooftops of the two storey houses in both King's Drive and Bishop Road. Similarly, whilst filtered views of the proposal would be possible from Bishop Road adjacent to the church, the church would still retain a sense of primacy due to its position, height and architectural language.

From reviewing the layouts of nos. 1 to 5 New Kings Court, it is clear that these have distinct shapes and roof arrangements largely determined by the shape of the sites for which they inhabit. As with these neighbouring background properties, the proposal's layout and massing is heavily influenced by the shape of the plot and the position of neighbouring dwellings/buildings. The plot's size is similar to those occupied by nos. 4 and 5 New Kings Court, and the spacing between the proposal and its neighbours is similar to those that exist amongst nos. 1 to 5 New Kings Court. The proposal has a staggered layout, where the building extends progressively to the south the further it gets from no. 5 New Kings Court. The majority of the proposed garden is to the rear of the property and adjacent to the western elevation of no. 5 New Kings Court. This layout has the benefit of locating as much of the built form away from the neighbouring development as practicably possible in order to ensure a non-prejudicial relationship.

The mass of the proposal is sensitively accommodated within the two storey form, with the ridge of the dual pitched roof positioned further to the west of the plot, away from the nos. 4 and 5 New Kings Court. The roof form adjacent to these properties is then broken up into three distinct forms, including a tiled section, a pitched green roof, and a flat brown roof. This roof arrangement helps to break up the principal elevation, and also softens the proposal's impact on its neighbours. When considering the character of roof forms in the area, the proposal is distinct, but this is not out-of-keeping when considering the array of different roof forms in the area. Further, distinctions in appearance can often contribute to the backland character of proposals such as this, by distinguishing them from frontage development. This is true of the proposal's material palette, which includes render, cedar cladding and

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

grey clay roof tiles. Whilst render is seen in the area, cedar cladding is not prevalent, but nonetheless these differences do not disturb any established or important character within this backland location.

The proposed block plan demonstrates the development's commitment to a detailed landscape scheme, including new tree planting, a wildlife pond, and an interesting and varied planting scheme, as well as a sensitive and minimal hard landscaping.

Officers are aware of comments from members of the public expressing concerns as to the proposal's appearance, where some suggest it is not in-keeping with the character of the area. As this Key Issue has demonstrated, the proposal is shaped by the similar constraints to those that helped determine the design of the neighbouring backland development, and this is evident in the proposal's scale, mass and layout. The proposal's appearance will be distinct to nos. 1 to 5 Kings Court, and the frontage development, but this is not a reason to resist the proposal, largely as there is not a dominant character for this backland area, given the varying appearances of the church, the church hall, and nos. 1 to 5 Kings Court. Taking this into account, officers advise members that the proposal represents a good quality of urban design, which is compliant with relevant policy. A condition is recommended with regard to the external materials.

(D) Residential Amenity

Policy BCS21 requires development to safeguard the amenity of existing occupiers, and states within the extended text that consideration should be given to matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Similarly, Policy DM29 requires development to achieve appropriate levels of privacy, outlook and daylight.

Key Issue C sets out how the proposal's layout positions the majority of the built form away from the nos. 4 and 5 New Kings Court, which are the houses most likely to be impacted by the development. Given the position of the proposal in relation to no. 4 New Kings Court, officers consider that the development would not materially harm the outlook enjoyed by the occupiers of no. 4, nor would the proposal materially overbear this dwelling. Turning to the proposal's impact on no. 5 New Kings Court, the development would reduce the outlook from the north-western bedroom within this dwelling; given the proposal's two storey western elevation is 12.5 metres from this window. However, officers are confident that the bedroom would still benefit from an adequate quality of outlook, by nature of the relatively unobstructed views to the south west, and the fact that views above the proposed dwelling would be possible. Further, a window-to-elevation distance of 12 metres or more is generally considered acceptable for residential developments of this nature. The outlook for the other first floor bedroom within no. 5, which faces the development, would not be materially reduced by the proposal due to the position of the new dwelling. As with no. 4, officers find that the proposed dwelling would not result in an overbearing impact on the occupiers of no. 5. Turning to privacy, the primary windows serving the proposal are within both the front and rear elevations, meaning harmful overlooking of neighbours will not occur. Similarly, the window-to-window distances to the neighbours in Bishop Road to the south are in excess of 28 metres, meaning overlooking harmful to privacy would not occur. Windows at ground floor level are proposed within the eastern elevation, but these are all obscure glazed and would not result in a loss of privacy by nature of the boundary treatment.

Areas to the north of new development are most likely to suffer from a loss of light due shadowing, in the case of this development, the area immediately to the north of the dwelling is car parking, which is not sensitive to overshadowing in the same way that, for example, a residential garden is. Helpfully, a

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

sun shadow assessment has been submitted. The analysis uses software to predict the shadow cast by the proposal at different dates throughout the year, it utilises the data included within the Arboricultural Report in order to understand the existing tree's impact. Importantly, the assessment does not account for loss tree foliage throughout the year. Taking each date assessed individually, the proposal would not overshadow any neighbours on the Autumn Equinox (September), and the same is true on the Winter Solstice (December). There would be some additional overshadowing compared to the existing situation later in the day on both the Summer Solstice (June) and Spring Equinox (March), albeit this is minimal and would not materially harm the residential amenity of nos. 4 and 5 New Kings Court.

The shadow assessment demonstrates that the proposal's rear garden would benefit from adequate levels of light. The garden would be partially overlooked by no. 4 New Kings Court's bedroom windows, but this is not uncommon in the area, and should not form a reason to resist the development. The proposal is significantly larger than the required space standard for a dwelling of this type, meaning officers consider it is suitably flexible and adaptable as expected by policy. Further, the proposal's future occupiers would benefit from a good standard of outlook.

Overall, officers recommend that the development would have an acceptable impact on the residential amenity of neighbouring houses and properties. Further, the proposal would also provide a good standard of residential amenity for future occupiers.

(E) Sustainability

In accordance with policy BCS14's energy hierarchy, the development minimises the dwelling's energy requirements, by adopting energy efficiency measures. Specifically, the development would make an energy saving of approximately 15% on residual CO2 emissions through energy efficiency measures. Further, the proposal would significantly better the expectations of policy BCS14 through generating energy using photovoltaic panels to achieve a 66% saving on residual CO2 emissions, where the policy's minimum requirement is 20%. The sustainability statement also states that the dwelling will be equipped with a 15.5kW storage battery, which the statement suggests will make the house self-sufficient in terms of electricity-use. The sustainability statement discounts methods of building heating that are compliant with policy BCS14's heat hierarchy for various reasons, some of which are unfounded. As such an individual gas boiler is proposed, which is not compliant with the heat hierarchy. Officers have discussed this with the Sustainable City Team, and agree this is not a reason to resist the application, largely as the proposal includes measures that go significantly beyond policy-expectations in terms of minimising energy requirements and incorporating renewable energy sources.

As expected by policy BCS13, the development is orientated to take advantage of solar gain, with a south-facing garden, and passive ventilation will be achieved as the dwelling is dual aspect, this will also be aided by nature of the staggered layout which will provide solar shading. Green and brown roofs are also proposed, which will provide urban cooling, and reduce run-off, as encouraged by policies BCS13 and BCS15. Further, as the assessment against policy BCS14 established, the proposal will mitigate climate change through the use of energy efficiency measures and decentralised renewable energy generation.

Surface water drainage is discussed within the Sustainability Statement. Run off from rainwater will be minimised by use of a rainwater harvesting system for garden use, WCs and washing machines.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

Further, gutters are proposed to have a large profile to respond to intense rainfall, additionally any areas of hardstanding will be made permeable. The proposal also include a high proportion of soft landscaping, for example the rear garden is all soft landscaping, and the roof includes a brown and green roof, both of which will reduce run off. The development meets the requirements of policy BCS16.

Overall, the proposal will benefit from a high standard of energy efficiency measures and a large array of photovoltaic panels, in excess of the minimum policy-expectations. Officers advise that this represents a benefit that positive weight should be attributed to in the planning balance. A condition is recommended to ensure the development is carried out in strict accordance with the Sustainability Statement.

(F) Nature Conservation

This Key Issue focuses on nature conservation in relation to the development. Where developments are likely to impact upon habitat, species and features, which contribute to nature conservation, policy DM19 expects proposals to: be informed by appropriate surveys and assessments; be designed and sited, in so far as practicable and viably possible, to avoid harm to identified habitats, species and features of importance; and take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network. The policy also expects proposals to provide appropriate mitigation where loss of nature conservation value would arise.

During the course of the application, the Council's Nature Conservation Officer identified the garages at the site, which are proposed to be demolished, as having the potential to support roosting bats. As such, the Officer advised that a bat building inspection report, which also includes a survey for signs of nesting bird, was required. In response to this, the applicant submitted the required assessment in October/November 2019, which highlighted the need for a further bat dusk emergence / dawn re-entry survey. Such an assessment can only take place between May and August; the applicant submitted the required report in May 2020. The report concluded that the proposed development would have no direct impact on roosting bats, as they were not present at the site, and made a number of further recommendations concerning other species with reference to the building inspection report.

In response to this report, the Nature Conservation Officer raised no objection to the development, advising that a number of conditions should be imposed. These conditions include, the installation of a pond being provided within the garden, as per the proposed plans and ecological submission, and measures to secure the measures set out in Appendix D – Method Statement for Reptiles and Common Amphibians in the Building Inspection Report dated October 2019 and Appendix C - Mitigation and Enhancement Plan in the Bat Survey Report dated May 2020. Such conditions are recommended to be imposed should the application be approved. Further, in accordance with the Nature Conservation Officer's comments, an advisory note is recommended to be appended to the decision notice should the application be approved. Officers also consider it important to address the further nature conservation benefits the proposal includes, such as: wildflower planting; a green and brown roof; and a pond.

Overall, officers recommend that the development meets the requirements of policy DM19, and nature conservation does not form a reason to resist the application.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS****(G) Arboriculture**

The initial scheme was supported by an arboricultural assessment, whilst the development has been amended, the arboricultural assessment is still relevant to the current iteration of the proposal given the layout of the building has not significantly changed. There a number of existing trees at the site, some of which will need to be felled to facilitate the proposal and due to poor health, the retained trees will also need to be protected during the construction phase to ensure their long term health. Specifically, five trees are proposed to be felled:

- T05, a spruce tree considered to be Category U, located at the north eastern corner of the site and visible from the private access lane;
- G04, a small group of self-set plum trees, are considered to be Category U, located at the north eastern side of the site;
- T06, a cherry tree considered to be Category C, with a diameter of 26 cm, located at the centre of the site;
- T07, a plum tree considered to be Category C, with a diameter of 9 cm, located at the south west side of the site; and
- T08, an apple tree considered to be Category C, with a diameter of 14.5 cm, located at the south west side of the site.

Policy BCS9 expects individual green assets to be retained wherever possible and to be integrated into new development. Importantly, the policy only accepts the loss of green infrastructure where 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. The policy also expects appropriate mitigation to be provided where green infrastructure is lost, policy DM17 provides Bristol's Tree Replacement Standard, where a replacement trees are required in accordance with the size of the trunk diameter of the tree(s) to be lost.

The arboricultural report identifies that in accordance with good arboricultural practice, trees T05 and G04 should be removed due to their health (both of these trees are Category U), and a such mitigation in accordance with policy DM17 is not required. To facilitate the development, trees T06, T07 and T08 will be removed, all of these trees are Category C trees, meaning they are considered to be low quality trees, with an estimated life expectancy of at least 10 years, or they are young trees with a stem diameter below 15 cm. Mitigation in accordance with policy DM17 is therefore required for these trees. The proposal includes 3no. new trees to mitigate those lost, these include 2no. *Pyrus Chaticleers* within the rear garden, and a single *Betula utilis* at the north east corner of the site. The Council's Arboricultural Officer agrees with the arboricultural assessment's conclusions, and also considers the proposed mitigation to be policy-compliant in terms of both the quality and quantity of the replacement trees, stating that the tees would improve the amenity value of the area. The arboricultural assessment includes tree protection measures for the retained trees; these will need to be installed throughout development to ensure adequate protection of the retained green infrastructure.

Overall, officers recommend that the development addresses the relevant policies concerning green infrastructure appropriately, meaning arboricultural issues should not form a reason to resist this application. Conditions are recommended to ensure suitable protection measures are utilised for the retained trees, and also that adequate mitigation planting occurs to mitigate the felled trees.

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS****(H) Land Contamination**

The Land Contamination Officer has advised that the adjacent site was subject to an assessment 6 years ago, and compared to present day criteria there was a minor exceedance with respect to one contaminant. The current site is also likely to have asbestos containing materials present. As such two conditions are recommended to address this, and are recommended to be applied in the event of planning approval.

(I) 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.

(J) Other Matters

Community Infrastructure Levy (CIL) – as the development is a self-build proposal the proposal would benefit from self-build exemption, meaning the development is liable to pay £0 of CIL.

A number of comments received from members of the public suggested that the development could contribute to an existing drainage issue associated with nos. 4 and 5 New Kings Court. Officers understand this to be a drainage issue associated with foul water which is addressed by building regulations, rather than planning control. Surface water drainage is discussed within the Sustainability Key Issue and is considered to be adequately addressed by the proposal.

To the south of the site is an access lane from King's Drive. A number of comments from members of the public suggest that this lane should be considered as an alternative to the proposed access. Notwithstanding the quality of this lane as a form of vehicular access, members must only consider the proposal as it is submitted, rather than suggested alternatives.

(K) Planning Balance

Comments from members of the public predominantly focus on the development's means of vehicular access, quality of design and impact on neighbours. Taking each of these issues individually, TDM has advised that the increased use of the private lane associated with the proposal would not result in an unacceptable impact on highway safety, or a severe residual cumulative impact. Officers understand this represents a change in opinion given the nearby refusal of planning permission in 2006, but as explained, this decision was based on now superseded guidance within a different planning policy context. The proposal's design is considered to be of high quality, appropriate for its location, and the development would not harm the amenity of any neighbour unacceptably. Indeed, officers recommend that the proposal would have a beneficial impact. For example, the proposal would introduce an additional dwelling to the Council's five year housing land supply, to which substantial weight must be addressed. Further, the proposal represents a more efficient use of land

Development Control Committee A – 28 October 2020**Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS**

within a sustainable location. The design is considered to be acceptable in terms of appearance, and includes energy efficiency and renewable energy generations measures, far above the minimum expectations set out in relevant policy, to which due weight should be attached. As key Issues F and G discuss, the proposal includes sufficient ecological enhancement and mitigation measures, and existing trees will be retained appropriately, with replacement planting proposed for those requiring removal.

Overall, when considering the planning balance, the positive weight associated with approving this development is significant, against which minimal negative weight has been identified. As such, officers recommend that the application should be approved subject to conditions.

(L) Recommended Conditions:

It is recommended that in the case members resolve to permit this development, the conditions listed within this section are imposed. The following list is not exhaustive and delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

i Procedure

- A condition to require the development to commence within 3 years of the date of permission; and
- A condition to require the development to be carried out in accordance with the approved plans.

ii Highway Safety / Transport

- A condition to secure acceptable refuse and recycling storage facilities;
- A condition to secure the completion of the vehicular access as per the approved plans;
- Conditions to secure the completion of the car parking facilities as per the approved plans, and retention thereafter;
- A condition to secure the completion of the cycle storage facilities as per the approved plans; and
- A condition to secure the restriction of parking levels at the site as per the approved plans.

iii Design and Residential Amenity

- A condition to secure satisfactory external materials.

iv Energy and Sustainability

- A condition to secure the sustainability measures in accordance with the Climate Change and Sustainability Statement , ref. OC1908132-rev, 26.08.2020, Environomic.

v Land Contamination

- A condition to secure the submission of a report to include: investigation of land contamination; remediation of contaminants if found; and the validation/verification of remediation measures; and
- A condition to secure the submission of investigations, remediation and validation measure if unexpected contamination is found during construction.

Development Control Committee A – 28 October 2020

Application No. 19/04398/F : Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS

vi Nature Conservation and Arboriculture

- A condition to secure adequate tree protection measures;
- A condition to secure adequate mitigation planting;
- A condition to secure the Mitigation and Enhancement Measures as set out in Appendix C to the Nat Surveys Report, Abricon Ltd, Ver. 1.0, May 2020; and
- A condition to require the development to be carried out in accordance with Appendix D to the Building Inspection of Garages at Bishop Rd, October 2019, Ver. 1.0, no. 001CABI100, Abricon Ltd.

vii Advices (not conditions)

- The Private Lane will not be adopted by the Highway Authority;
- Impact on the highway network during construction;
- Street Name and Numbering; and
- Wild Birds.

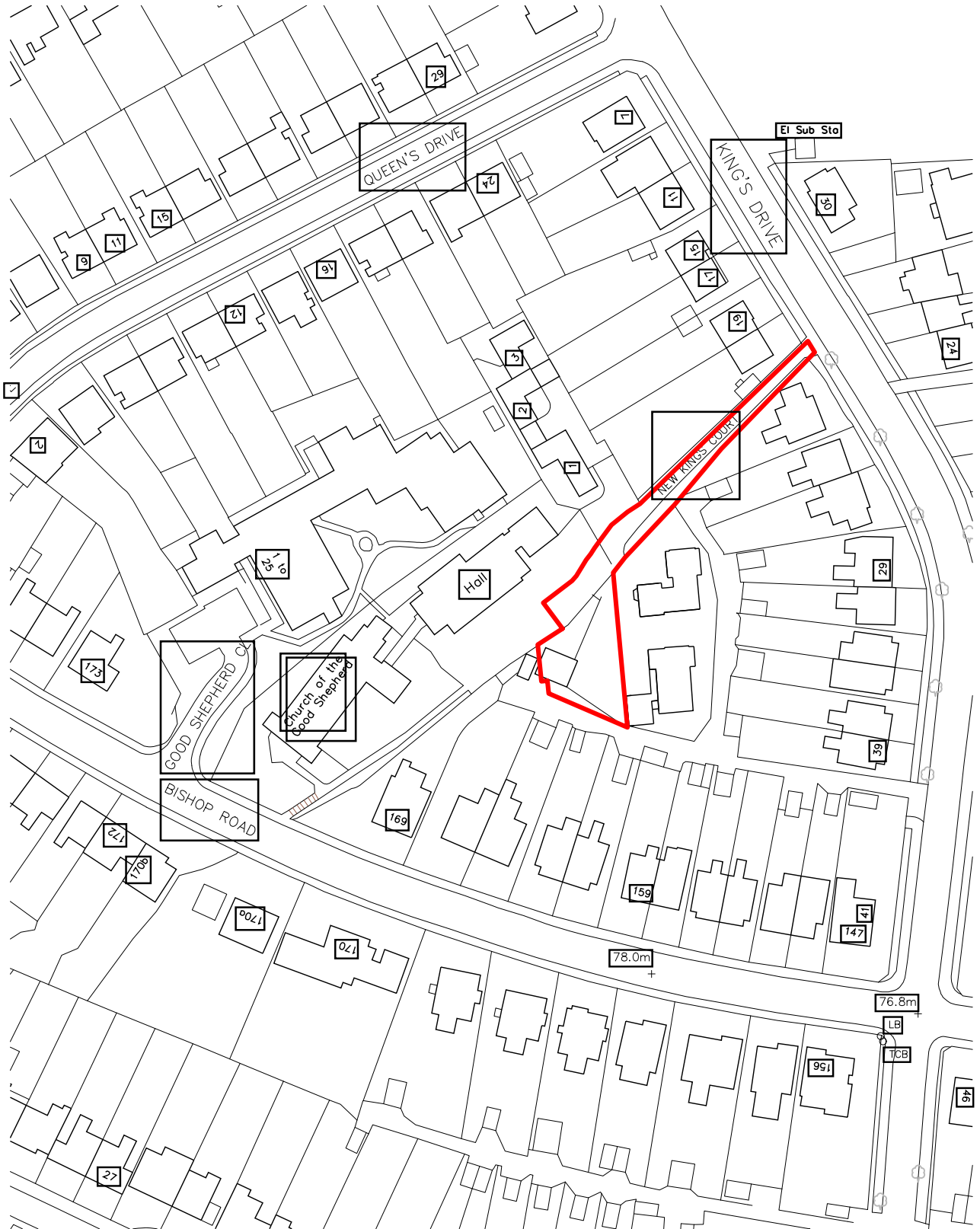
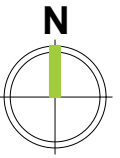
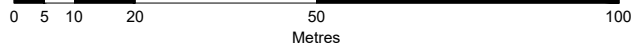
RECOMMENDED GRANT subject to condition(s)

Supporting Documents

2. Land And Garages Adjacent To 5 New Kings Court, BS7 8JS.

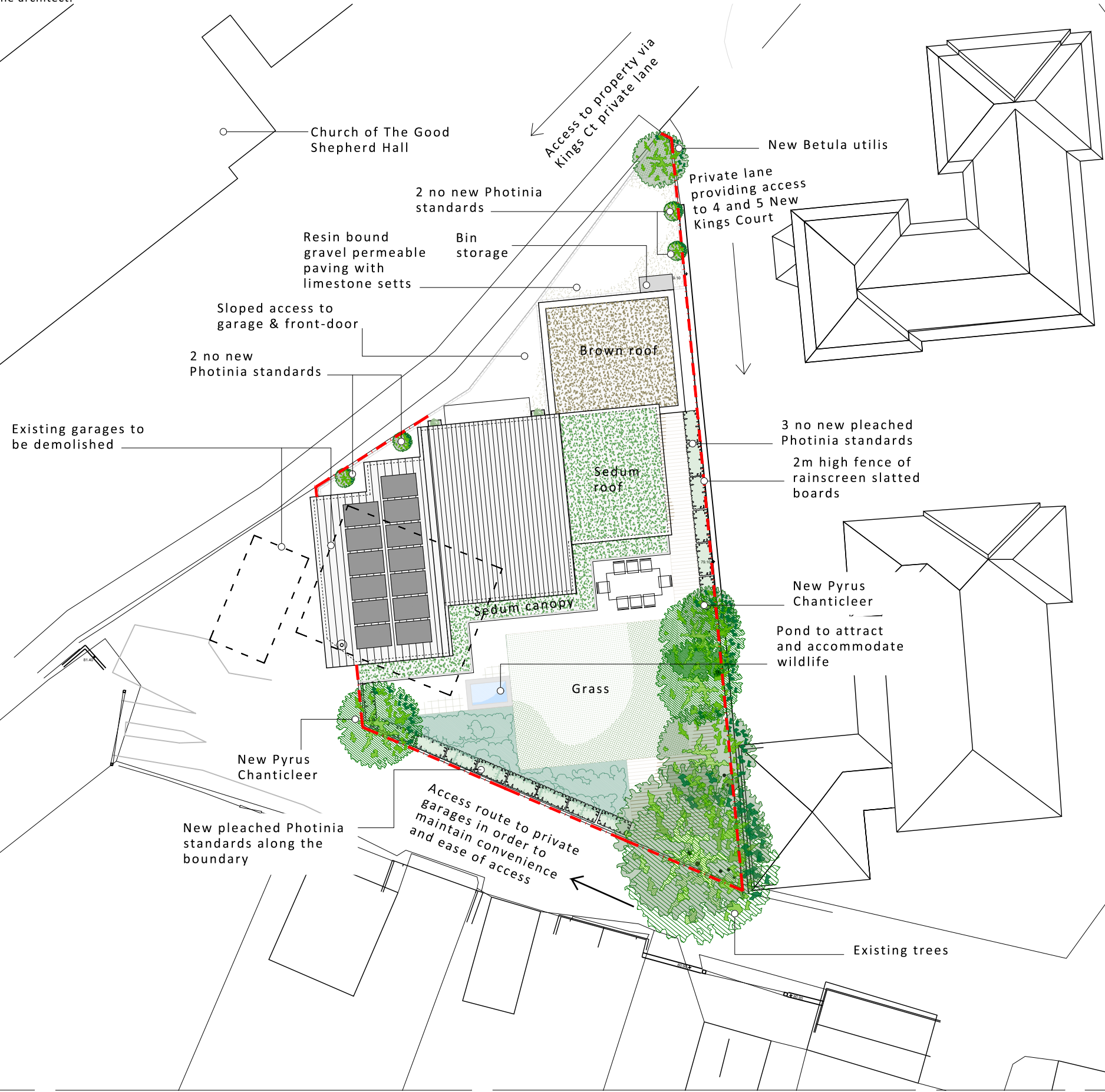
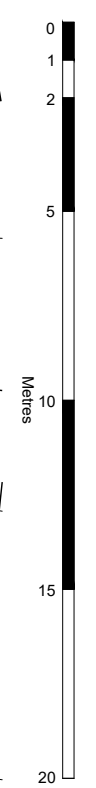
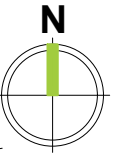
1. Site Location Plan
2. Proposed Block Plan
3. Proposed Ground Floor Plan
4. Proposed First Floor
5. Proposed North And West Elevations
6. Proposed South And East Elevations

Figured dimensions only are to be used. Contractor must verify all dimensions on site before commencing any work. Any discrepancies must be brought to the attention of the architect.



Revisions		
A	Red line amended	Aug. '20
Drawn by	RE	Checked by LH
		Status
PLANNING		
		Ref
1184-19 / LP-A		

Figured dimensions only are to be used. Contractor must verify all dimensions on site before commencing any work. Any discrepancies must be brought to the attention of the architect.



Revisions	

Drawn by	EJ	Checked by	LH

Ref **1184-19 / 3000D**



W.H. ARCHITECTS LTD
 Bookbinder House,
 1 Kingsdown Parade
 Bristol, BS65UD
 0117 973 5690
 www.wharchitects.co.uk

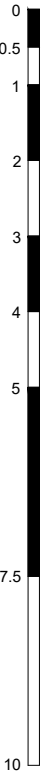
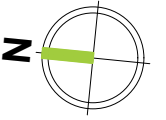
Project **Land to the rear of 163
 Bishop Road**

Drawing **Block Plan
 Proposed**

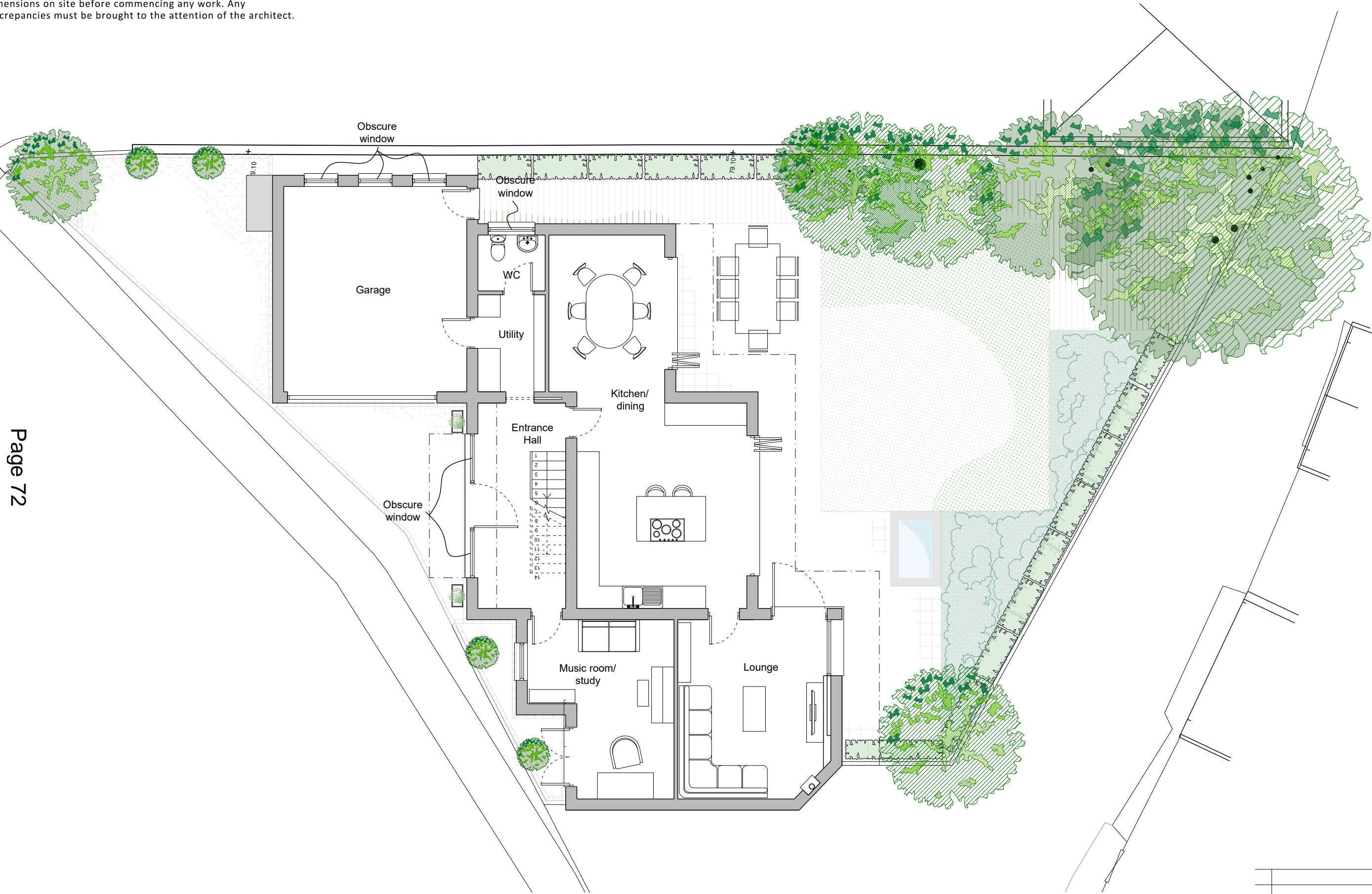
Scale **1:200
 @ A3**

Date **June 2020**

Figured dimensions only are to be used. Contractor must verify all dimensions on site before commencing any work. Any discrepancies must be brought to the attention of the architect.



Page 72



Revisions		
A	General amendments	Aug. '20
Drawn by	EJ	Checked by LH
		Status
Planning		
Ref	1184-19 / 3100A	



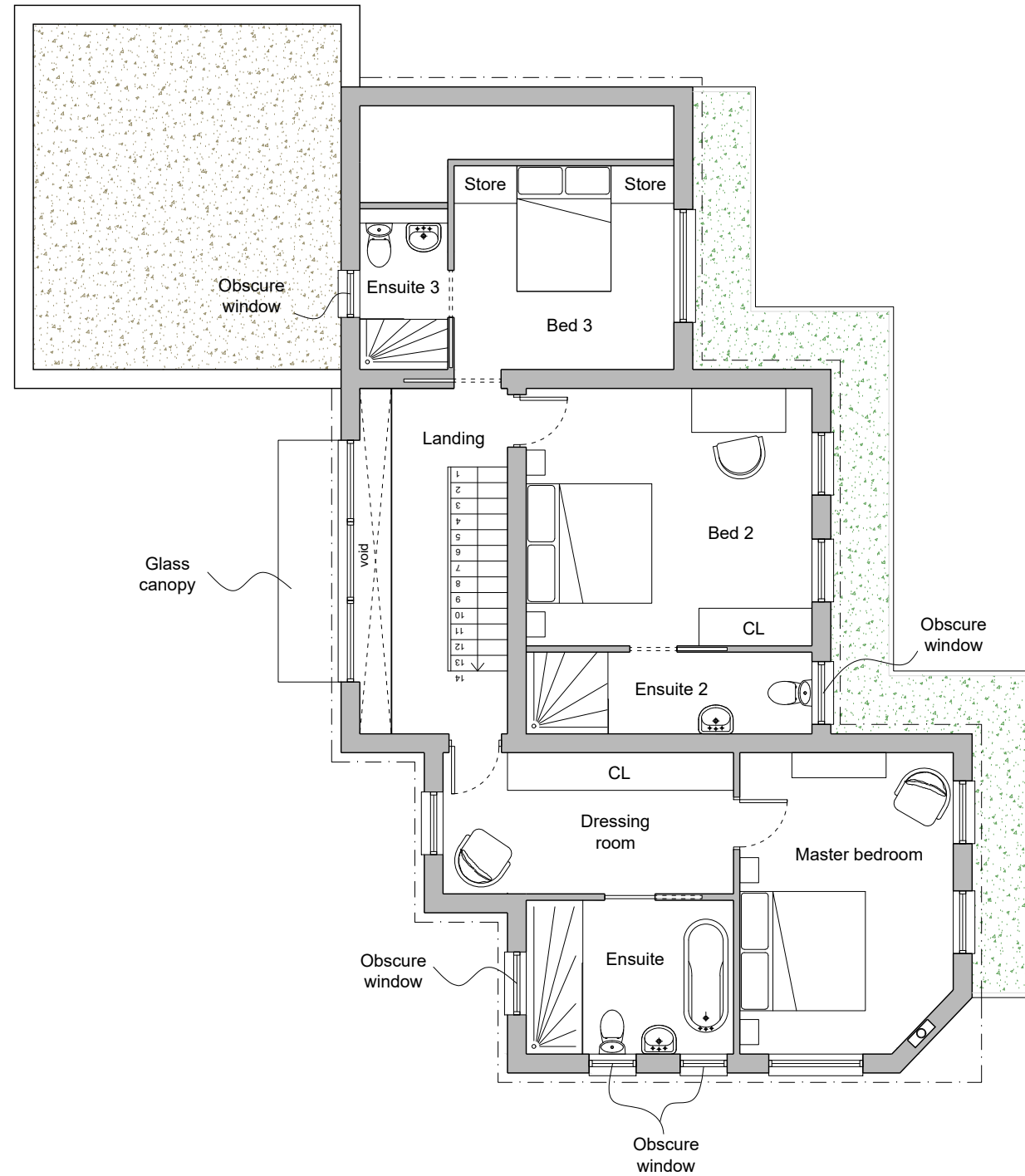
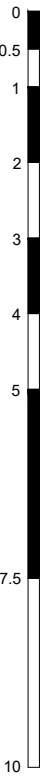
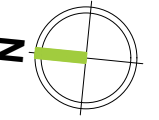
W. H. ARCHITECTS LTD
 Bookbinder House,
 1 Kingsdown Parade
 Bristol, BS65UD
 0117 973 5690
 www.wharchitects.co.uk

Project
**Land to the rear of 163
 Bishop Road**

Drawing
**Ground Floor Plan,
 Proposed**

Scale
**1:100
 @ A3**

Date
June 2020



Revisions		
A	General amendments	Aug. '20
Drawn by	EJ	Checked by LH
		Status

Planning

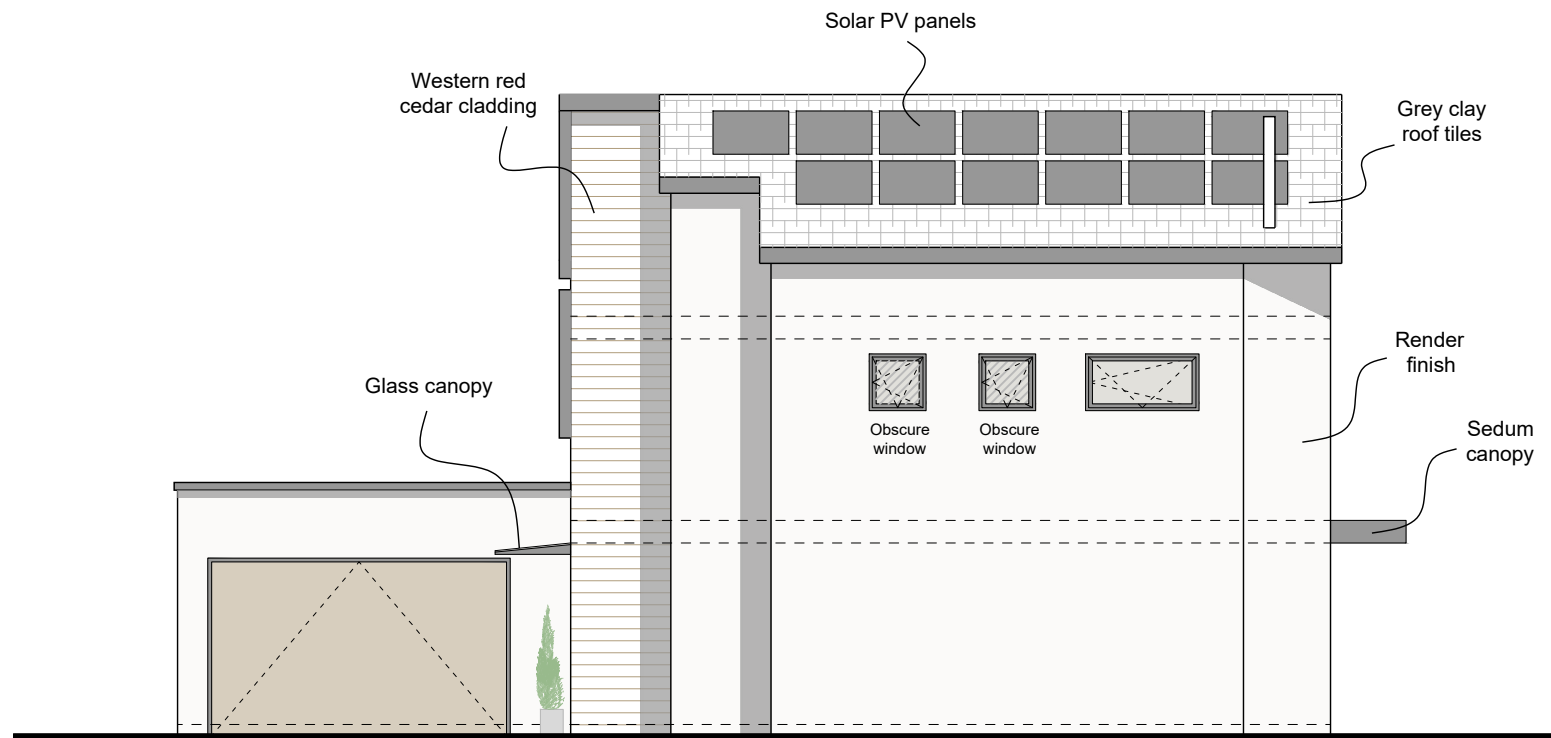
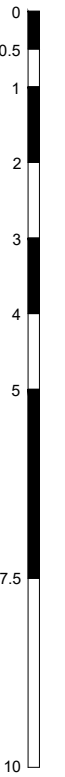
Ref **1184-19 / 3101A**



Figured dimensions only are to be used. Contractor must verify all dimensions on site before commencing any work. Any discrepancies must be brought to the attention of the architect.



North Elevation



West Elevation

Revisions		
A	General amendments	Aug. '20
Drawn by	EJ	Checked by LH
		Status

Planning

Ref **1184-19 / 3201A**



W. H. ARCHITECTS LTD
 Bookbinder House,
 1 Kingsdown Parade
 Bristol, BS65UD
 0117 973 5690
 www.wharchitects.co.uk

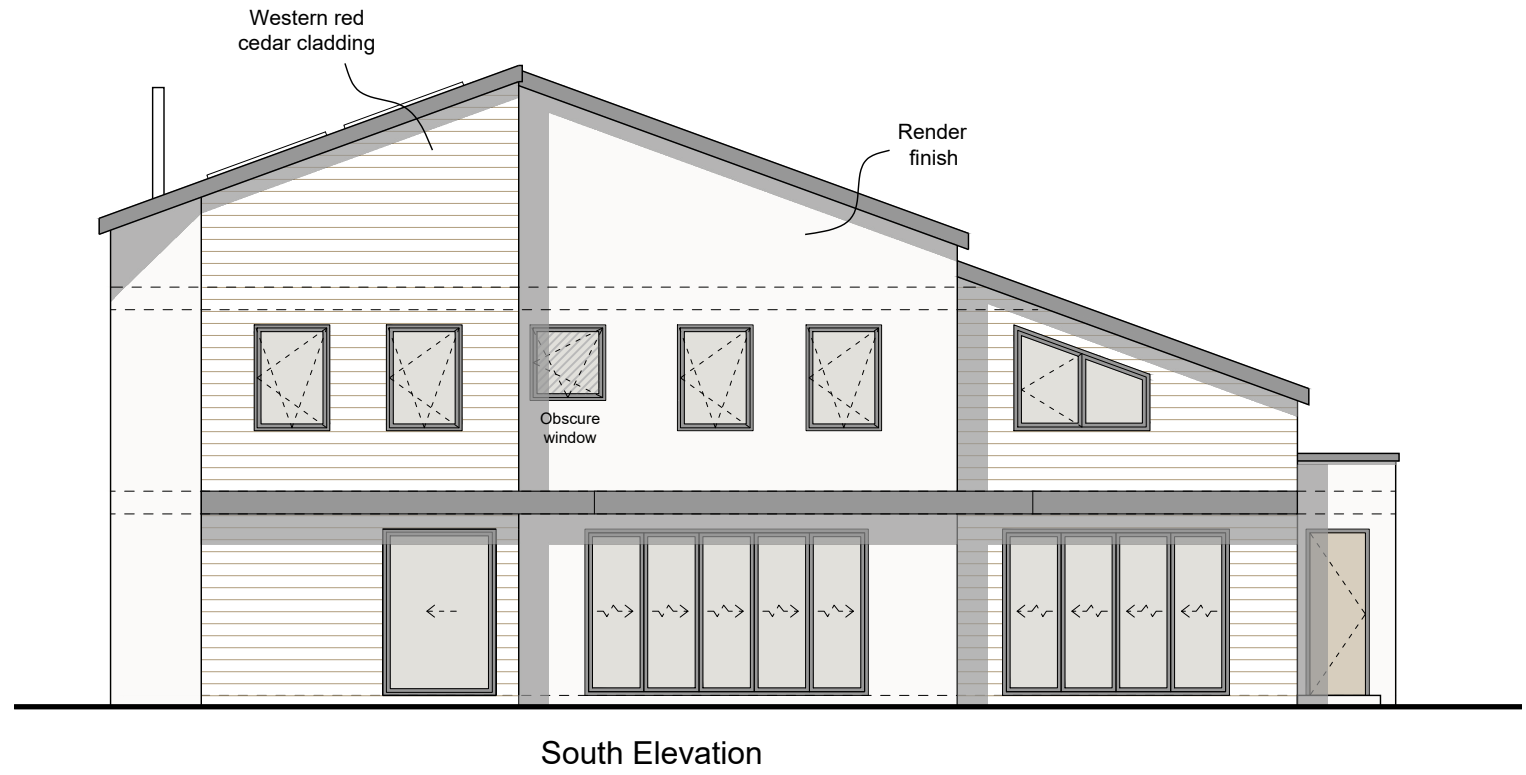
Project **Land to the rear of 163
 Bishop Road**

Drawing **North and West Elevations,
 Proposed**

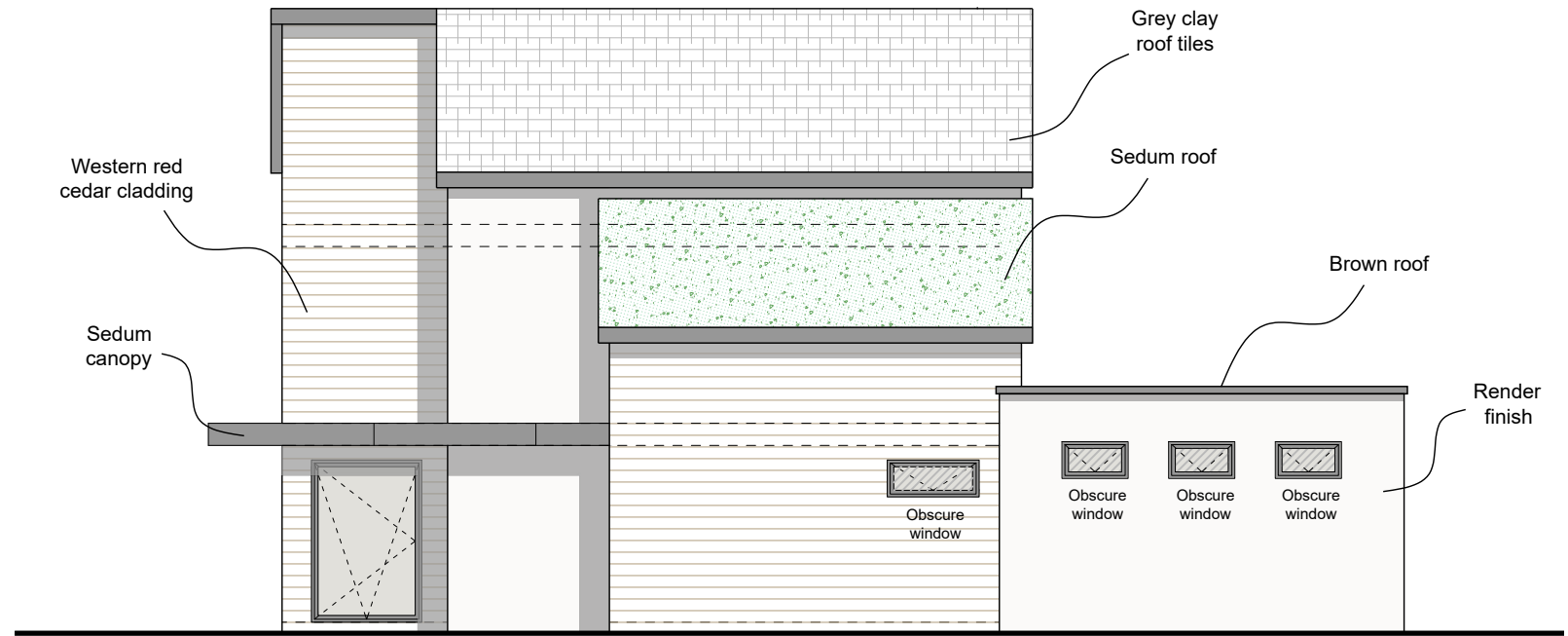
Scale **1:100
 @ A3**

Date **June 2020**

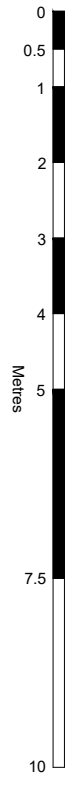
Figured dimensions only are to be used. Contractor must verify all dimensions on site before commencing any work. Any discrepancies must be brought to the attention of the architect.



South Elevation



East Elevation



Revisions		
A	General amendments	Aug. '20
Drawn by	EJ	Checked by LH
		Status

Planning

Ref **1184-19 / 3200A**



W.H. ARCHITECTS LTD
 Bookbinder House,
 1 Kingsdown Parade
 Bristol, BS65UD
 0117 973 5690
 www.wharchitects.co.uk

Project **Land to the rear of 163
 Bishop Road**

Drawing **South and East Elevations
 Proposed**

Scale **1:100
 @ A3**

Date **June 2020**