

WARD: Westbury-on-Trym & Henleaze **CONTACT OFFICER:** Matthew Bunt
SITE ADDRESS: R/o 18-19 Falcondale Walk Bristol BS9 3JG

APPLICATION NO: 17/01426/F Full Planning

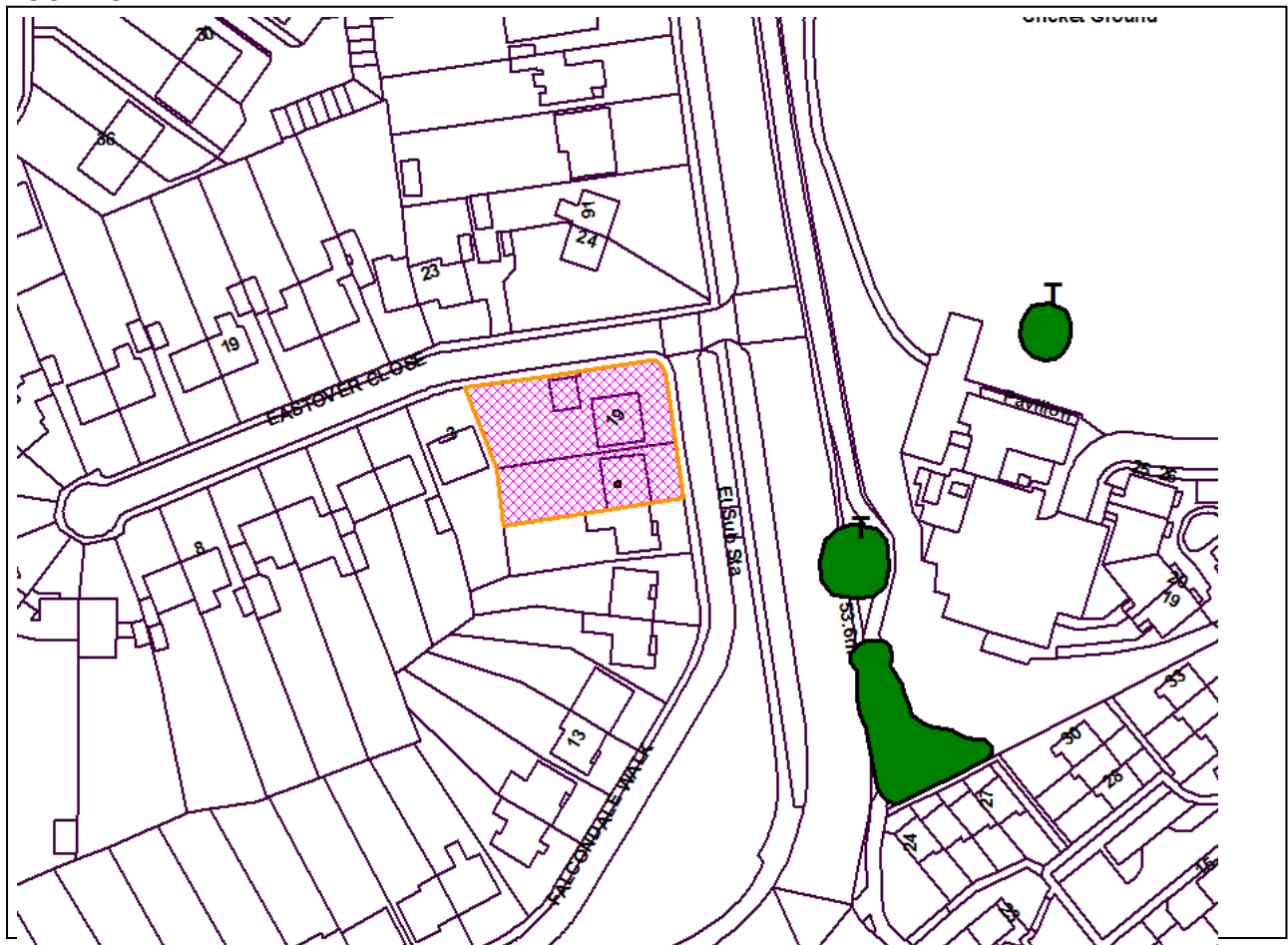
DETERMINATION DEADLINE: 4 September 2017
Proposed detached 4no. bed single dwelling house and associated works.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: David Cahill Design Consultants Ltd **APPLICANT:** Paven Pickering
Unit 2, Office 4
Tower Lane Business Park
Tower Lane
Warmley
Bristol
BS30 8XT
19 Falcondale Walk
Bristol
BS9 3JG

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

LOCATION PLAN:



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SUMMARY

The application site is to the rear of nos. 18 and 19 Falcondale Walk in the ward of Westbury-on-Trym and Henleaze. The application site is composed of the rear gardens of nos. 18 and 19 Falcondale Road, and the proposal includes the erection of four bedroom dwelling and the demolition of a garage and the erection of a replacement garage. The proposed dwelling would front onto Eastover Close and consequently have no affirmation with Falcondale Road. To the front of the proposed dwelling there is proposed to be small garden area, as well as a parking area for two cars which would require a new access. The proposed garage would provide parking for two cars and would utilise an existing access onto Eastover Close.

This application was referred to the Development Control Committee by Councillor Geoff Gollop for the following reason:

I am concerned about the mass of the proposed building and in particular the fact that the building is not within the building height and building line of its neighbouring buildings. Eastover Road is a cul de sac with buildings of similar size and design and the proposed building will destroy the visual amenity of the current buildings. I am also concerned about the closeness of the proposed building to existing properties and the privacy of existing residents.

Public consultation on the application has elicited 20 representations, 18 of which were in objection. The objection comments largely regard the proposal's principle, design quality, impact on nearby occupiers, and the impact on highway safety.

The key considerations for this application relates to the impact on the character of the area and the impact on the nearby residential occupiers and the highway. The officer recommendation is for the approval of the application subject to conditions.

SITE DESCRIPTION AND APPLICATION

The application site is to the rear of nos. 18 and 19 Falcondale Walk in the ward of Westbury-on-Trym and Henleaze and is currently composed of the rear gardens of the aforementioned properties. The proposed development is a new two storey dwelling accessed from Eastover Close. The proposal also includes a double garage in the position of an existing garage, this garage would be subdivided to provide space allocated to both the proposed dwelling and no. 19 Falcondale Walk.

Following the ongoing consultation period it became apparent that the application was invalid due an inaccuracy within the submitted application form. This was corrected, and a further period of consultation followed when the issue was corrected. It is also important to state that within the application period amendments were made to the proposal's design which largely reduced the scale of the development. This coincided with the issue discussed within this paragraph, meaning appropriate periods of consultation occurred.

RELEVANT PLANNING HISTORY

There is minimal planning history relevant to the application site further than the original permission for the erection of the dwelling and the neighbouring dwellings on Falcondale Walk – planning ref. 58/00417/U_U. Planning permission which permitted the existing garage to the rear of no. 19 to be converted into a bedroom and bathroom in connection with no. 19 (81/02039/P_N), it appears that this permission has not been implemented.

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Further to the application site, the adjacent dwelling no. 3 Eastover Close, has a pending planning application (17/03695/H) for the erection of a two storey side extension, as well as a single storey front and rear extension. This application was pending consideration at the time of this report being composed – this issue is discussed within Key Issue J.

RESPONSE TO PUBLICITY AND CONSULTATION

Nearby neighbours were consulted in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, in response to such consultation, 20 comments were received, 18 of which were in objection to the development, none of which were in support of the development. The received comments are summarised below:

Issues Regarding the Principle of Development (all matters discussed within Key Issue A)

- The application site is not previously developed land;
- No presumption in favour of developing private gardens for residential development.

Design, Character and Visual Amenity (all matters discussed within Key Issue B)

- Overdevelopment;
- The development is out of the building line;
- The proposed dwelling is taller than the other houses in the street;
- Cramped form of development;
- Shoehorned into the site;
- Out-of-scale with the area;
- Garden size not in character with the area.

Residential Amenity (all matters discussed within Key Issue C)

- The development will overlook gardens;
- Resultant garden spaces are of an insufficient size – fail standards;
- Only 9 metres between the proposed dwelling and no. 19 Falcondale Walk;
- Loss of light to no. 3 Eastover Close;
- Impact on nearby occupiers;
- Side elevation window looks at the adjacent unit (officer note: this window has now been removed).

Highway Safety (all matters discussed within Key Issue D)

- Insufficient parking proposed;
- Increase in traffic to the area.

Historical Value

- The application site has historical value as on VE day people had a bonfire on the land (see Key Issue H).

Procedural/Non-Planning Issues

- Plans are not available on the website (officers note these comments were received prior to the application being publicised hence the online case file would not have been populated in full);
- The applicant did not consult with any neighbours (see Key Issue I);
- Plans are inaccurate – omit two existing windows in the side elevation of on. 3 Eastover Close (see Key Issue I);
- Owners of no. 3 Eastover Close will not allow any scaffolding to be erected within their site (see Key Issue I);
- The applicants park vans on the highway in the area (see Key Issue D).

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Transport Development Management has commented as follows:-

Transport Development Management can recommend approval where the further information is provided:

The height of the brick retaining wall & close boarded fence on the western side of the development where less than 1m from the highway must be 0.6m or below.

Provide a bin storage area at the front of the property where bins can be left on collection day.

Provide step free access to the cycle storage at the rear of the property.

Indicate that roller shutters will be used for the garage doors.

Arboricultural Team has commented as follows:-

No objection subject to a condition requiring tree replacement planting.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

KEY ISSUES

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

(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. The development is not on previously developed land, this will be assessed through policy DM21. Policy BCS18 'Housing Types' provides further guidance for new residential development, requiring that new residential development maintains, provides or contributes to a mix of housing tenures, types and sized on order to support the creation of mixed, balance and inclusive communities. The application site straddles two Lower Super Output Areas (LSOA): Henbury Hill and Westbury North, within both of these LSOAs, household accommodation is in the ascendency (72.2% and 84.2% respectively), when compared to the flatted and shared accommodation. The proposal would add to the majority of household accommodation in the area given the development is for a four bedroom dwelling. Whilst the proposal fails to positively contribute to the mix of housing types in the area, the proposal does not constitute the loss of flatted or shared accommodation. As such the proposal is considered to have neutral impact on the accommodation provision within the area meaning the proposal is acceptable in terms of policy BCS18.

Turning to the proposed higher density of residential development at the site, policy BCS20 'Effective and Efficient Use of Land' is relevant. This policy encourages higher densities of development in and around the city centre; in or close to other centres; and along or close to main public transport routes. Further to this, the policy goes on to state that individual sites should be informed by the current and future level of accessibility by walking, cycling and public transport to a range of employment, services and facilities.

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The application site is not previously developed land, rather a residential driveway/garden, as such policy DM21 'Development of Private Gardens' applies. Policy DM21 only permits development involving the loss of gardens where:

- i. The proposal would represent a more efficient use of land where higher densities are more appropriate; or
- ii. The development will result in a significant improvement to the urban design of an area; or
- iii. The proposal is an extension to an existing single dwelling and would retain an adequate area of functional garden.

Points ii and iii do not apply to this development, and therefore consideration has to be given to whether the site is one where higher density development is appropriate. This is considered on the basis of how sustainable the site is, in respect of the facilities within walking distance (400m). The development is approximately 600 metres walking distance from the nearest Town Centre of Westbury-on-Trym, this equates to a walk of approximately 10 minutes. Further to this, there are bus stops within walking distance from the application site, one of which is located on the southern side of Falcondale Road and does have regular service into the city centre. For example the number 1 First Bus travels via Henbury, Brentry, Westbury, Whiteladies Road, the city centre and Temple Meads with buses leaving every 10 to 15 minutes, whereas the number 77 First Bus travels via Cotham, Henleaze, Westbury, Southmead Hospital, Bristol Parkway Station, Almondsbury and Thornbury with buses leaving every hour.

Notwithstanding these nearby facilities, officers are concerned with the access to the referenced facilities, as potential occupants would have to cross Falcondale Road which a busy road. However, there is a controlled crossing at the junction of Falcondale Road and Henbury Road to the south west of the application site. Whilst this would result in additional time when waiting to cross the road, it would provide safe crossing.

Accordingly, officers find the proposal's location to be acceptable for higher density residential development.

In summary the principle of the development is acceptable. The remaining report will assess the development's impact on amenity of the area.

(B) APPEARANCE, CHARACTER AND DESIGN

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 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 7 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.

The application site largely composes the rear gardens of nos. 18 and 19 Falcondale Walk. No. 19 is a corner plot meaning this site addresses Falcondale Walk to east and Eastover Close to the north. The dwelling would be positioned so it addresses Eastover Close; its principal elevation would be on a

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similar plane to that of the adjacent dwelling no. 3 Eastover Close and the side elevation of no. 19 Falcondale Walk. The proposal's visual impact on Falcondale Walk would be minimal given the dwelling is positioned within the rear gardens, and with the positioning, scale and massing of the dwelling, combined with the difference in ground levels, the proposal would be largely not visible from Falcondale Walk apart from a small section of the rear elevation.

Turning to the proposal's impact on Eastover Close, officers firstly find it helpful to set out the existing character of the area. When entering Eastover Close from Falcondale Walk/Passage Road (A4018), no strong character is evident, the dwellings which mark the entrance, no. 19 Falcondale Walk and no. 24 Eastover Close are both distinct in architectural style and both dwellings are set back from the road as well. The application site is then evident and is currently composed of bushes and vegetation, the road then quietly bends toward the south west, and no. 3 and 22/23 Eastover Close all become more apparent as the wider Close opens up. It is fair assessment to conclude that the majority of Eastover Close has a distinct character, being composed of similar semi-detached hip-end dwellings with full height bay windows and spacious front gardens/parking areas. However, officers find no. 3 Eastover Close to be distinct and separate from the wider character of the Close, largely as its massing, form, size and positioning is different from the wider Close given the dwelling is detached and has a gable ends. This is an important consideration, as the proposed dwelling would be seen and experienced with the distinct character of no. 3 Eastover Close, rather than the wider Close. The proposal recognises this, and as such the proposal's design is more akin to that of no. 3 Eastover Close rather than the wider Close. For example, the proposal's scale, height and massing are similar to no. 3, and the dwelling utilises features such as a fronting gable end and a bay window. The proposal also respects the existing building line of no. 3 Eastover Close through being on a similar plane. The proposed garages are set forward of the building line, but they are in similar position to existing garages so this is not considered to be a reason to resist the development. Officers therefore find the proposal's impact on the character of the area to be acceptable given it addresses its immediate context in an appropriate manner and does not materially harm the character of Eastover Close.

Officers note the comments and concerns of nearby residents and also that of Cllr Gollop. It is a correct assessment to find that the proposal is larger than the nearby dwellings in the area, but this is not a reason to resist the development given the scale of the proposal is not considered to be materially harmful to the character of the area. The dwelling would also not appear significantly larger than the adjacent dwelling. Officers are also aware that the proposal would result in smaller gardens for nos. 18 and 19 Falcondale Walk, and the proposal would have a smaller garden when compared to the predominant garden size in the area. It is firstly important to consider that the Council does not have a policy requirement for a certain size of garden provided it is not detrimental to residential amenity or materially harmful to the character of the area. In the case of this proposal, the proposed garden size and resultant garden sizes for nos. 18 and 19 Falcondale Walk are considered to be acceptable, both in terms of residential amenity and the character of the area.

The proposal includes a relatively well sized front garden with a parking area for cars, this in keeping with the adjacent dwelling no. 3 Eastover Close. The proposal also retains the existing front boundary wall, but fails to retain any vegetation or trees. Whilst regrettable it is not an essential requirement for the character of the area as the retention of the boundary wall preserves the character of the street scene.

As discussed, officers find the proposal to have an acceptable garden size and there to be adequate spacing between the dwelling and nearby dwellings. The proposal also respects the building line and appears consistent with the immediate character of the area given its scale. With this in mind, officers find the development to not constitute the overdevelopment of the site. Overall, subject to conditions, officers find the proposal's design to be of an acceptable standard.

Notwithstanding the submitted details, the proposal's materials which are composed of red brick boarding and render, black tiles and grey PVCu windows need further assessment given the

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importance of the ensuring the external appearance of the building ties in well with the adjacent unit. As such, the materials would be subject to a condition to ensure they complement the immediate setting.

Officers find it necessary to remove the permitted development rights relevant to rear and side extensions through condition given the size of the proposed garden and the distance of the side boundary treatments to the side elevations of the proposed dwelling. Officers find this condition to be reasonable given the exceptional circumstances discussed within this paragraph.

(C) AMENITY OF NEARBY OCCUPIERS

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. Paragraph 17 of the NPPF reinforces that the amenity of nearby occupiers is of the upmost importance, as ensuring a good standard of amenity of all existing and future occupiers of land and buildings is a core principle of the NPPF.

Officers note comments from the occupier of no. 3 Eastover Close with regard to the development's impact on their amenity. This dwelling, together with nos. 18, 19 and 17 Falcondale Walk are the most likely to be impacted by the proposal given its location.

No. 3 Eastover Close has a first floor side windows that looks toward the application site, in the event of approval the development's side elevation would be in close proximity to this elevation and window. Originally the proposal included a side window to the rooms within the roof orientated toward the aforementioned window to no. 3 Eastover Close. This window has now been removed from the proposal. The proposed side elevation would result in a significant loss of outlook and natural daylight from the aforementioned window within no. 3 Eastover Close, however, this is not a reason to resist the development as the bedroom for which this window provides outlook also has another window facing Eastover Close meaning the bedroom would still receive adequate levels of outlook and natural light. The proposal would also extend to the rear of the rear elevation of no. 3 Eastover Close, the proposal however would not obstruct a 45 degree line of unobstructed visibility from any rear facing window meaning the development would not materially harm the outlook or levels of natural light experienced by the occupiers of no. 3 Eastover Close. Due to the orientation of the dwelling, the proposal would not overlook the garden of no. 3 Eastover Close, but no. 3 would have some indirect views into the rear garden of the proposed dwelling, the future occupier's privacy would however not be materially prejudiced meaning the development should not be resisted on these grounds.

The proposal would be directly to the rear of no. 19 Falcondale Walk. The proposed side elevation facing no. 19 Falcondale Walk has no first floor level windows, meaning there is no risk of a loss of privacy, but closer assessment is required with regard to the distance between no. 19 and the proposed side elevation. Between windows for habitable rooms and walls, guidance suggests there be a minimum separation distance of 12 metres in order to ensure an adequate standard of residential amenity. The proposal achieves this distance as demonstrated on the submitted site plan (dwg no. 287/2 Rev B). The proposal does include a ground floor window looking toward no. 19 Falcondale Road, but given the proposed 1.8 metre fence, this will not be an issue. Given the position of no. 19 and the proposal, the dwelling will not materially overbear on this unit, or its garden. Turning to no. 18 Falcondale Walk, the proposal's first floor rear windows would result in views into the rear garden of no. 18, and very limited views into the rear garden of no. 17 Falcondale Walk. These views are not considered to be significant enough to warrant the refusal of the development. Similarly, the rear garden of the proposal would be overlooked in a minor manner by no. 18 Falcondale Walk, but such a level of overlooking would not harm the amenity of the future occupiers of the proposal.

Officers have considered removing the relevant permitted development rights with regard to roof alterations in order to prevent dormer windows within the rear roof elevation. The loft of the dwelling

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does includes two bedrooms and there outlook is currently provided through rooflights. If rear dormer windows were proposed or inserted this could result in a loss of privacy for the occupiers of nos. 18 and 17 due to the increase height when compared to the existing rear facing windows at first floor level. As such the permitted development rights pursuant to rear dormer windows will be removed through the use of a condition. Officers note the existing proposal includes rooflights within the rear elevation, but these are not considered to materially harm the residential amenity of any nearby occupiers due to the pitch of the roof.

In summary, officers consider the proposal to have an acceptable impact on the residential amenity of the occupiers of the nearby dwellings.

(D) AMENITY FOR FUTURE OCCUPIERS

A number of the design considerations included within previously discussed policies requires new development to provide adequate conditions for future occupiers. For example policy DM29 requires new development to provide adequate levels of privacy, outlook and daylight, and policy DM27 expects development to provide adequate appropriate and useable private or communal amenity space. Further to this, policy BCS18 'Housing Type' of the Core Strategy requires residential developments to provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

The proposed dwelling would provide adequate outlook to for the future occupiers of the host dwelling, and the dwelling would also receive adequate levels of daylight and privacy. Officers do note that two bedrooms will only receive outlook from rooflights. Whilst it would be preferable for bedrooms to have windows, officers do not find this to be a reason to resist the development, especially as through inserting windows there has the potential to prejudice the residential amenity of nearby occupiers to the rear.

The relevant space standards are the Department for Communities and Local Government (DCLG) Nationally Described Space Standards for new housing, published March 2015 and later amended in May 2016. The proposed dwelling is considered to be a 4 bedroom, 6 person, 3 storey dwelling given there are rooms within the roof. Such a dwelling requires a minimum internal floor area of internal usable space (headroom of more than 1.5 metres) of 112 sq.m with 3 sq.m built-in storage. The proposal is in excess of these requirements having a gross internal floor area (headroom of more than 1.5 metres) of 152 sq.m.

In summary the proposal offers an acceptable standard of private amenity for future occupiers.

(E) TRANSPORT AND HIGHWAYS

Policy DM23 'Transport Development Management' of the SADMP requires development to not give rise to unacceptable traffic conditions, and expects development to provide safe access to the highway network. The policy also sets out the development must accord with parking schedule included within Appendix 2 of the SADMP.

Appendix 2 includes a maximum car parking space standard and a minimum cycle parking standard. The standard is as follows for bicycles:

- Studio or 1 bedroom dwellings: 1 space per dwellings;
- 2 or 3 bedroom dwellings: 2 spaces per dwelling;
- 4 or more bedroom dwellings: 3 spaces per dwelling.

The proposal provides sufficient bicycle storage within a cycle store positioned within the rear garden, and also the proposed garage. A condition is recommended to ensure this provision is provided at the site.

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With regard to car parking Appendix 2 requires new residential development to provide a maximum of the following:

- 1 bed house/flat: 1 space per dwelling;
- 2 bed house/flat: 1.25 space per dwelling;
- 3 or more bed house/flat: an average of 1.5 spaces per dwelling.

The development has the potential to provide three parking spaces, two to the front of the dwelling, and one within the proposed garage meaning the proposal provides excessive parking compared to the policy. Officers do not find this to be a reason to resist the development, especially considering within Eastover Close many dwelling have off-street parking facilities providing space for at least 2 cars.

The proposed external two parking spaces are of an acceptable size given they are 5.3 metres in length, a condition will be imposed to ensure a suitable material is utilised for the space. The parking as it stands would have insufficient visibility due to the submitted boundary treatment being suggested to be 2.5 metres in height adjacent to no. 3 Eastover Close. However, from reviewing the site levels there appear to be no requirement for such a high boundary treatment. As such a condition will be imposed that requires plans of boundary treatments and visibility splays to be submitted prior to the commencement of development. The access would also require a new vehicle crossover, a condition is recommended to ensure this crossover is in place prior to the first use of the garage. Subject to these conditions the access and parking area is acceptable.

The proposal also includes a garage which is suggested to house two car parking spaces. The garage measures 6 metres by 6 metres internally meaning the garage size is acceptable. The access for the garage is already established, and as such is considered to be acceptable as the proposal does not materially change this access. A condition will be imposed that requires the garage to only have roller shutter doors, or more specifically doors which do not open out onto the highway (pavement).

Policy DM32 'Recycling and Refuse Provision in New Development' of the SADMP outlines that all new development should provide bin and recycling storage facilities fit for the nature of development, with adequate capacity for the proposed development, in a location which is safe and accessible for all users and does not harm the visual amenity of the area or neighbouring amenity. The policy states that individual dwellings should provide storage space for one 25 litre organic waste bin, one 44 litre box for dry recyclables, one 55 litre box for further dry recyclables, plus a second wheeled bin for garden waste in some cases. Further to this, policy DM32 requires capacity for general waste to be provided in accordance within the following standard:

- 1-2 bedrooms per dwelling requires capacity for a 140 litre general waste bin;
- 3+ bedrooms per dwelling requires capacity for a 180 litre general waste bin.

Further to this, where individual refuse stores proposed for single dwellings, a minimum footprint of 0.6 metres by 1.5 metres should be provided, increasing as necessary to accommodate additional space for garden waste bins.

The development provides bin storage within the rear garden in an acceptable store, a condition is recommended to ensure implementation.

Officers note concerns with regard to construction traffic. Given the scale of the development, and the on-street parking capacity, it is unlikely that the development would cause a significant level of disruption, or materially harm to highway safety. Therefore, it is not considered that a condition is reasonable and any disruption could be addressed by other legislation.

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In summary the proposal would have an acceptable impact on the highway network. Sufficient off-street car parking is proposed meaning on-street car parking is unlikely, and the proposal provides sufficient bicycle and refuse/recycling storage.

(F) ARBORICULTURAL CONSIDERATIONS

An arboricultural report has been submitted for the development which the Council's Arboricultural Officer has found to be acceptable. The development would result in the loss of five trees all of which are considered to be garden scale trees that do not significantly contribute to the character of the area. The trees to be removed are at the front of the site, whilst the remaining two trees to be removed are within the site on the existing boundary between nos. 18 and 19 Falcondale Road. These trees are not considered to be of a significant amenity value and as such officers do not object to the loss of such trees, provided adequate mitigation is provided through replacement planting (three trees required). This can be achieved within the site in a manner that meets the Bristol Tree Replacement Standard, meaning a financial contribution is not required. A condition is therefore recommended that requires a landscape plan to be submitted which includes sufficient replanting. A condition is also recommended that requires the development to be carried out in accordance with the submitted tree protection measures. In summary, there are no objections to the development on arboricultural grounds subject to the discussed condition.

(G) SUSTAINABILITY AND CLIMATE CHANGE

Policy BCS14 'Sustainable Energy' requires development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the building by at least 20%. A sustainability statement has been submitted in accordance with policy BCS13, BCS14 and BCS15. The statement suggests a reduction of 0% in carbon dioxide emissions when compared to the baseline of Part L of the 2006 Building Regulations to be achieved through energy efficiency measures, but the submitted information suggests a 29.21% reduction in carbon dioxide emissions will be achieved at the site through renewable energy generation – photovoltaic panels. As such the proposal meets the requirements of policy. A condition shall be imposed that requires the development to be implemented in accordance with the specification included within the submitted Sustainability Statement.

(H) HISTORICAL VALUE OF THE SITE

The application site is not subject to any historical or cultural designations, however officers do note a comment from a member of the public with regard the application site being of historical value as on Victory in Europe (VE) day people had a bonfire on the land. Whilst officers understand the site has a historical and cultural value to the member of the public who commented, and perhaps others, the application site is not considered to be historically or culturally significant enough to warrant the refusal of the development, given there are no national or local designations for the site.

(I) OTHER MATTERS

Officers note comments from a member of the public who stated that an adjacent occupier would not allow scaffolding to be erected on their land meaning the development could not be built. This is considered to be a matter of ownership for which there is legislation in place separate to planning; as such officers do not find this to be a material planning consideration in the assessment of this development.

Members of the public have questioned why the applicant did not undertake community involvement or consultation prior to this application being submitted. Whilst encouraged, the applicant is not required to undertake neighbourhood notification for a development of this scale, nonetheless the Authority have consulted relevant neighbours on two separate occasions with regard to the development.

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A member of the public has stated that the plans are inaccurate in that they fail to include a neighbouring window. Officers find the plans to be sufficient to determine the application in an accurate manner. As well as this, officers have visited the site and reviewed the nearby dwellings meaning, as indicated within this report, officers are aware of any and all nearby windows.

(J) PLANNING APPLICATION AT NO. 3 EASTOVER CLOSE (PLANNING REF. 17/03695/H)

From reviewing this proposal as well the development proposed within the planning ref. 17/03695/H, officers consider that neither development would prejudice each other in terms of design, residential amenity, highway safety or any other planning merit.

(K) EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that neither the approval nor refusal of this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

CONCLUSION

Overall, the proposal would contribute a single house to the Council's five year supply of deliverable housing sites, and whilst a modest contribution, it is still considered to be a benefit of the proposal. Further to this, as this report demonstrates, the proposal is considered to have acceptable impact on the character of the area as well as the residential amenity of nearby occupiers. Indeed, the proposal would also have an acceptable impact on highway safety subject to conditions. Officers therefore recommend that the development is approved subject to the conditions discussed within this report.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?

The CIL liability for this development is approximately £11,736.20, however the applicant has completed a Self-Build Exemption Claim Form, meaning the applicant is exempt from paying the required CIL liability.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

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Pre commencement condition(s)

2. External Appearance - Materials

Notwithstanding the submitted details, no development hereby approved shall commence until a detailed materials schedule (including samples and specification) has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory. It is necessary for this condition to require details to be submitted prior to the commencement of development in order to avoid potential future remedial works.

3. Land affected by contamination - Site Characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

4. Land affected by contamination - Submission of Remediation Scheme

In the event that an appraisal of remedial options is required by condition 3, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as

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contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

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

6. Sustainable Drainage System (SuDS)

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

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

Pre occupation condition(s)

7. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 3; and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

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

8. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown in the Arboricultural report completed by Greenman, 20/07/201, Ref: 1819FW_AIA_19072017_JP_v1.

The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

9. Replacement Tree Planting - 3 Trees

No building or use hereby permitted shall be occupied or the use commenced until a full schedule of replacement tree planting has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict compliance with the approved tree planting schedule. The schedule shall include the following details:

- A landscape plan to identify the location of existing and replacement/proposed trees;
- Full specification of all replacement/proposed trees to be planted;
- A management plan for the trees to be planted, including details of the dates at which such trees will be planted.

For the avoidance of doubt, all planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: In order to ensure adequate replacement tree replanting in accordance with the Bristol Tree Replacement Standard.

10. Sustainability and Climate Change Measures

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into

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the design and construction of the development in full accordance with the Sustainability Statement/Energy Statement and the Proposed Elevations (2872/4 Rev C) prior to occupation. A 29.21% reduction in carbon dioxide emissions below residual emissions shall be achieved through renewable energy technologies.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate.

11. Boundary Treatments and Visibility Splays

Notwithstanding the submitted details, no building or use hereby permitted shall be occupied or the use commenced until a boundary treatment and access plan, demonstrating visibility splay, has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments and access hereby approved shall be operational and built in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: In the interests of highway safety and residential amenity.

12. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans (Cycle Store, 3A and Proposed Site Plan, 2872/2) 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.

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

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans (Typical Shed Bin Store, 10 and Proposed Site Plan, 2872/2) have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

14. Access/Parking Area - Permeable and Bound Materials

The development hereby approved shall not be occupied until the access and parking area hereby approved has been completed in accordance with the approved plans (Proposed site Plans (2872/2)). For the avoidance of doubt, all new accesses, driveways and parking areas hereby approved shall be formed of a permeable and bound material.

Reason: In the interest of ensures adequate site drainage and highway safety.

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15. Access - Vehicle Crossover

The development hereby approved shall not be occupied until all required dropped kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.

Reason: In the interest of highway safety.

Post occupation management

16. No Further Extensions (Including Roof Additions)

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

Reason: The further extension of this dwelling requires detailed consideration to safeguard the amenities of the surrounding area.

17. Garage Doors

The garage hereby approved shall not have outward opening doors.

Reason: In the interest of highway safety.

List of approved plans

18. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

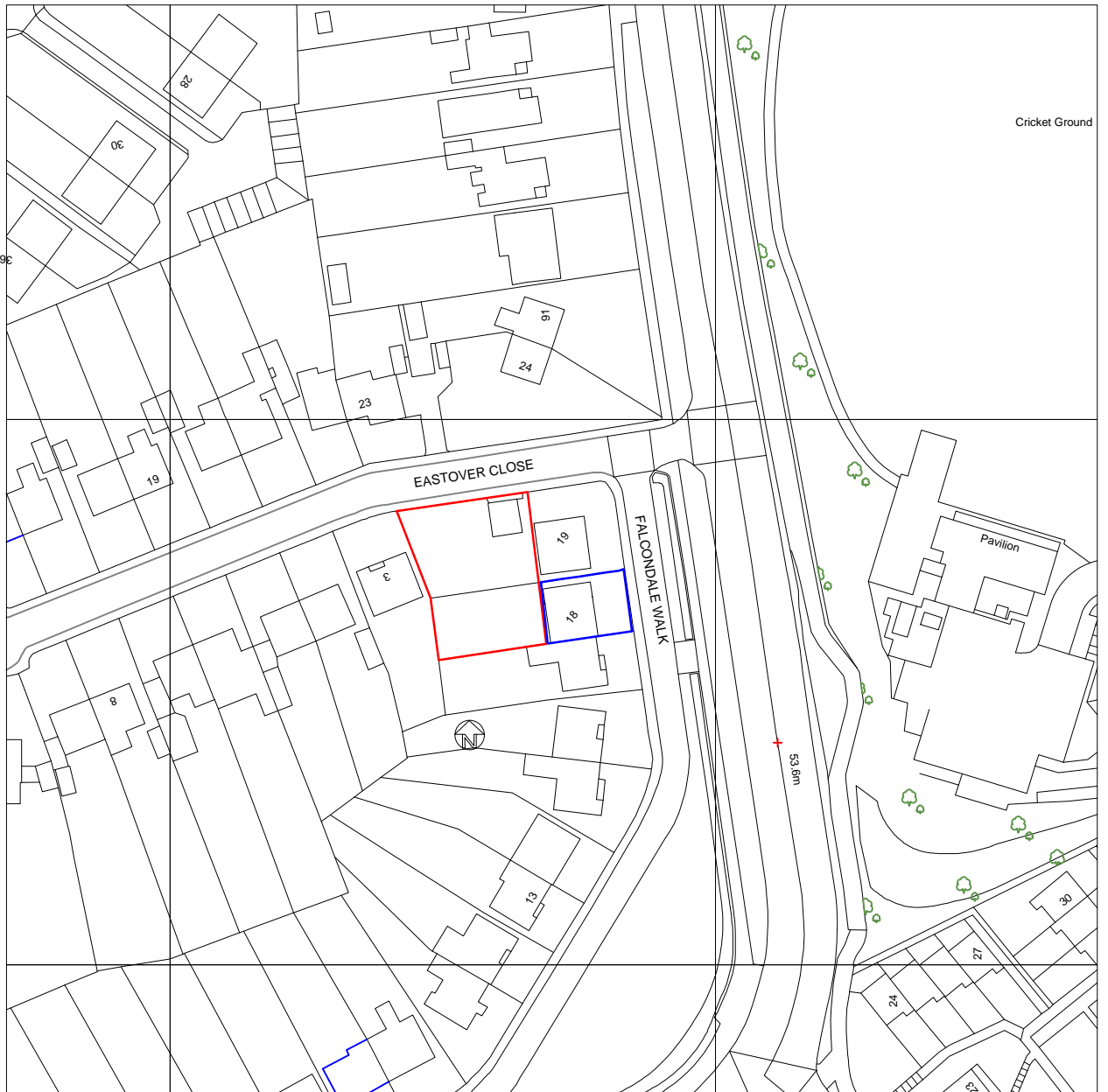
1819FW_AIA_19072017_JP_V1 Arboricultural Survey, Greenman, received 20 July 2017
3A Typical shed cycle store, received 25 May 2017
10 Typical bin shed, received 25 May 2017
2872/1 Existing site layout, received 14 March 2017
2872/2 B Proposed site layout, received 25 May 2017
2872/3 B Proposed floor plans, received 15 August 2017
2872/4 C Proposed elevations, received 20 July 2017
2872/6A Location plan, received 25 May 2017
Shed and cycle store, received 14 March 2017
Design and access statement, received 14 March 2017
Sustainability statement, received 14 March 2017

Reason: For the avoidance of doubt.

Supporting Documents

4. R/o 18-19 Falcondale Walk

1. Site location plan
2. Proposed site plan
3. Proposed elevations
4. Proposed floor plans



Rev A :blue line revised

Proposed Residential Development

alongside

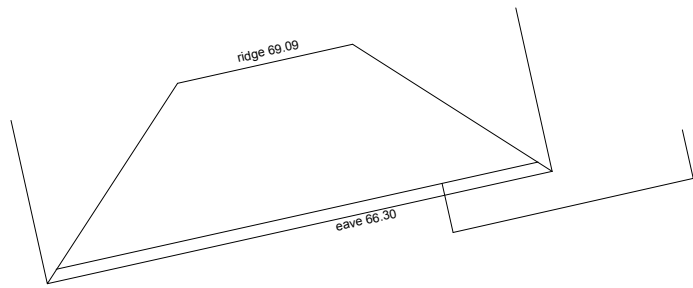
No 19 Falcondale Walk Westbury Bristol

Location Plan

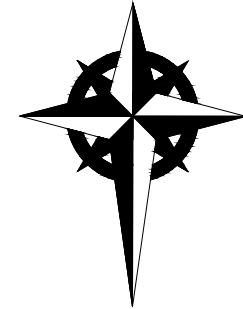
Scale 1: 1250

Date : Jan 2017

Draw No 2272/6



NORTH



Stn D
357279.001 E
177997.140 N
58.376m



Rev B: house redesigned
Rev A: house redesigned

Proposed Residential Development
alongside

No 19 Falcondale Walk Westbury Bristol

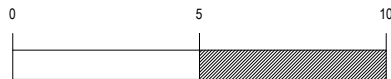
Proposed Site Plan

Scale 1: 200 @ A3

Date: Nov 2017

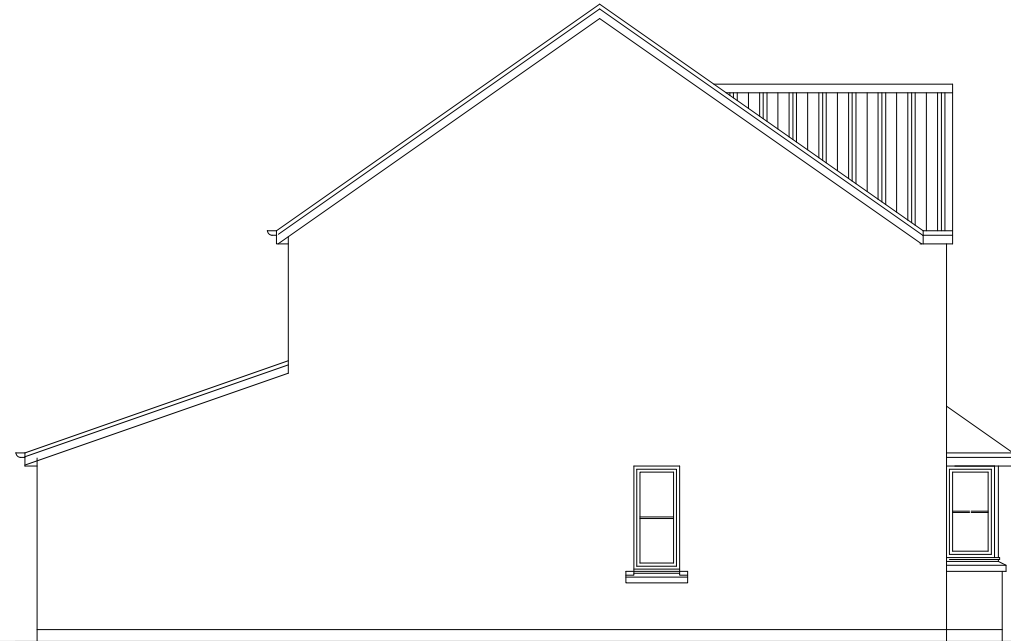
Drwg No 2872/2

David Cahill Design Consultant

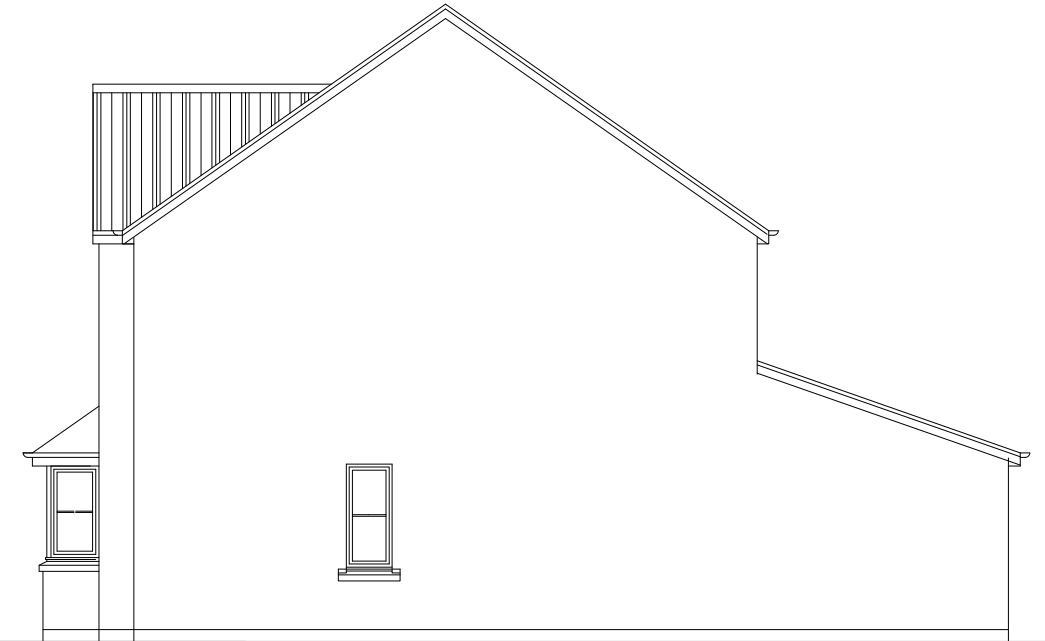




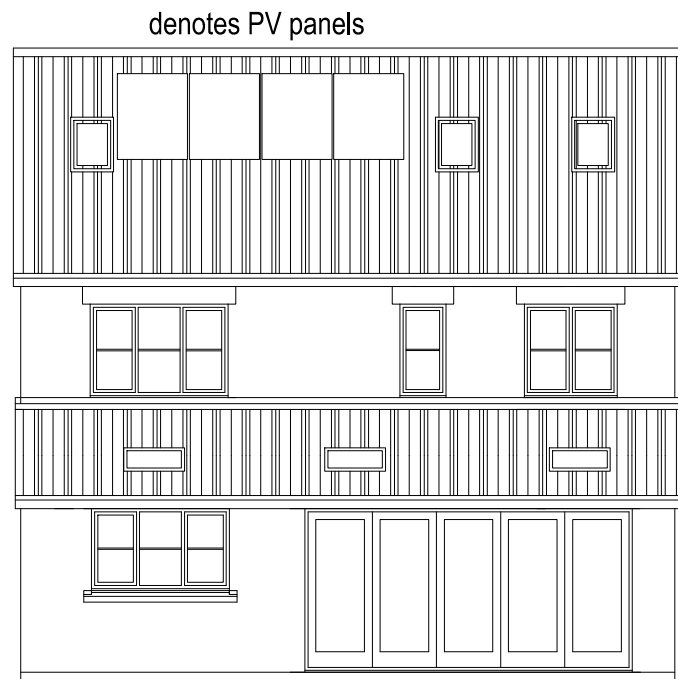
Proposed Front Elevation (north)



Proposed Side Elevation (east)



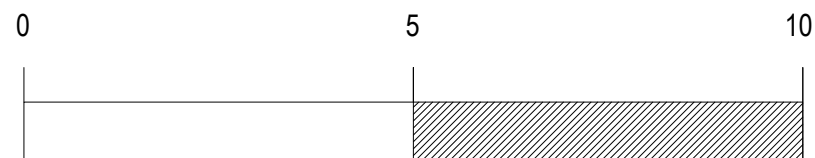
Proposed Side Elevation (west)



Proposed Rear Elevation (south)

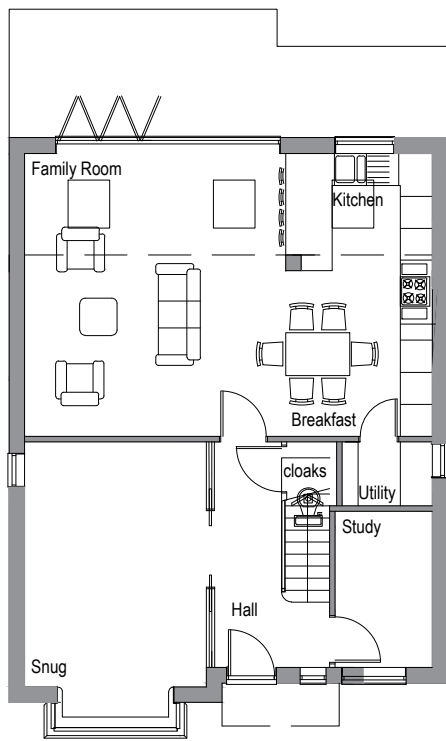


Proposed Strip Elevations to Eastover Close

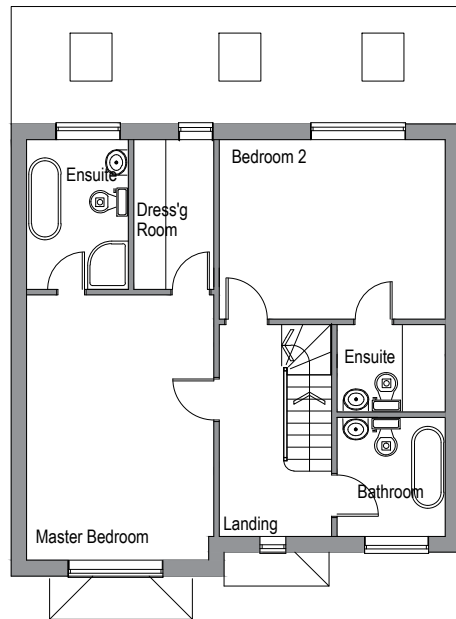


Materials
 Walls : Red brick boarding and render
 Roof : Redland Breckland Black tiles
 Windows Grey pvc u

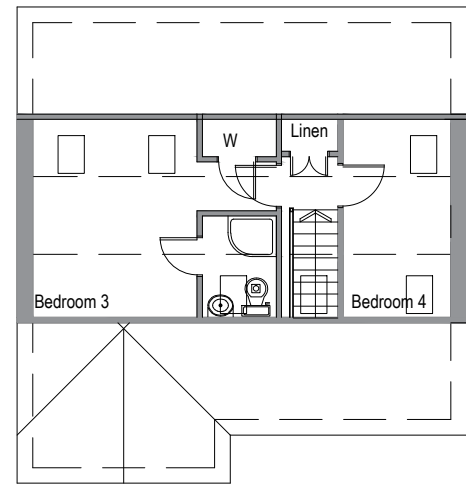
Rev C : gable window removed
 Rev B : house design revised
 Rev A : house design revised
Proposed Residential Development
 alongside
19 Falcondale Walk Westbury Bristol
Proposed Elevations
 Scale 1: 100/1:200 @ A3
 Date : Jan 2017
Drwg No 2872/4
David Cahill Design Consultant



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Second Floor Plan

Rev B : house design revised
 Rev A : house design revised
Proposed Residential Development
 alongside
 19 Falcondale Walk Westbury Bristol
Proposed Floor Plans
 Scale 1: 100 @ A3
 Date : Jan 2017
Drwg No 2872/3
 David Cahill Design Consultant

