

WARD: Easton CONTACT OFFICER: Anna Schroeder  
 SITE ADDRESS: 68 -70 Church Road Redfield Bristol BS5 9JY

APPLICATION NO: 17/04071/F Full Planning

DETERMINATION DEADLINE: 23 December 2018

**Demolition of existing buildings on site and erection of a three storey building fronting Church Road, to contain 2no three bedroom apartments on first and second floor and a ground floor retail/business unit.**

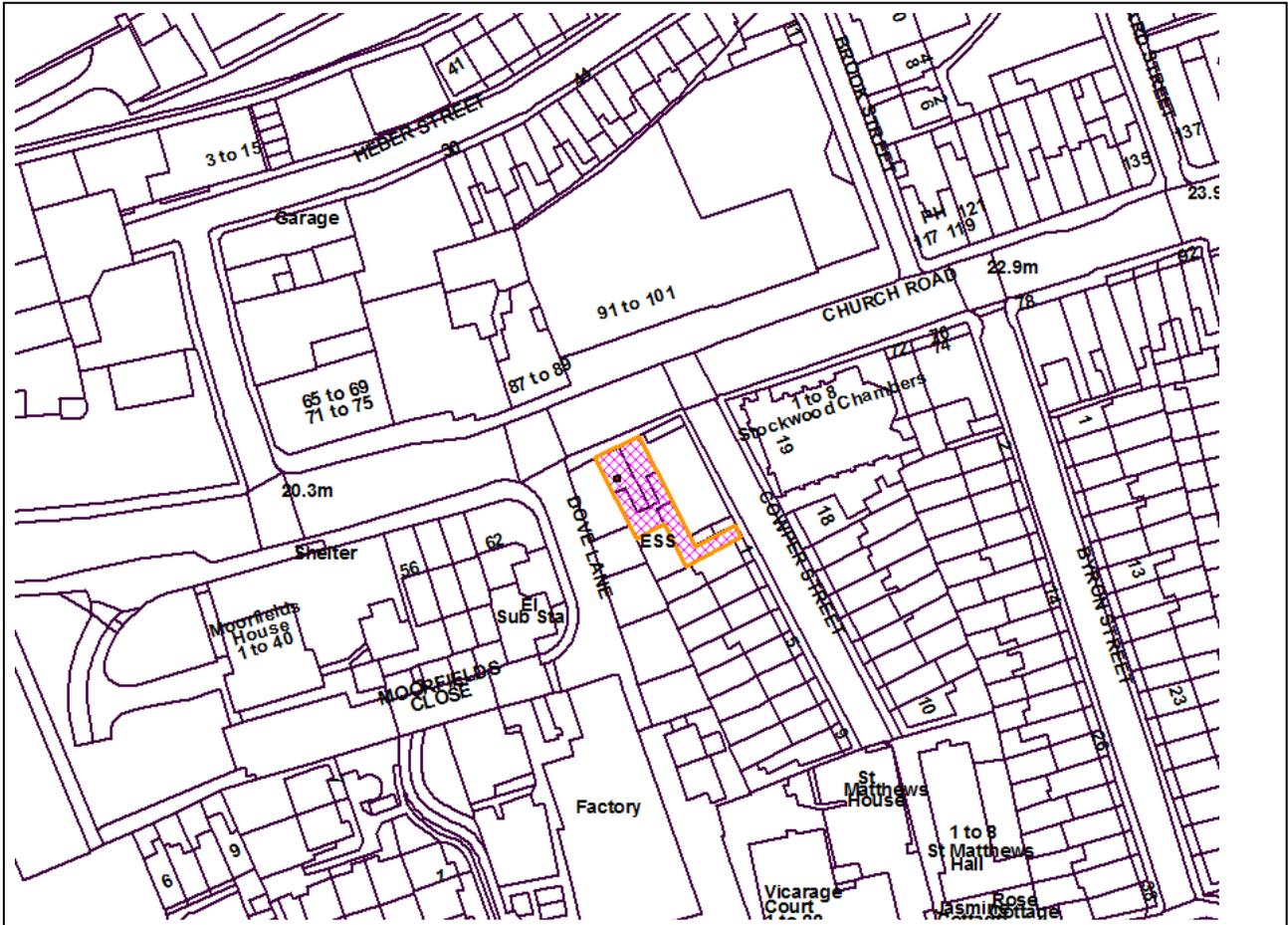
RECOMMENDATION: Refuse

AGENT: Studio Yaqub Limited  
 11 Chapel Road  
 Easton  
 Bristol  
 BS5 6DX

APPLICANT: Mr McNamee  
 100 Hudds Vale Road  
 BS5 7HN

*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 seeks planning permission for the demolition of the existing building on the site and erection of a three storey building, to contain 2no three bedroom apartments on the first and second floors and a ground floor retail/commercial unit.

The key issues raised by the application include amenity, density and quality of the living environment for future occupiers, access and servicing, design and issues surrounding the compatibility of the development with adjacent land uses. Overall, the application is found to conflict with a number of development plan policies and is recommended for refusal.

The application is brought before the committee due to its proximity to the adjacent site at 66 Church Road, subject of a concurrent planning application for mixed use residential led development under reference 17/04072/F. That application is to be considered by members following a referral from Councillor Shah.

Nine representations have been received from third parties, comprising 2 objections, 3 support comments and four neutral comments. Objections are raised on grounds of insufficient parking capacity in the area and the impact of the development on residential amenity due to the height of the building and obstruction of sunlight. Councillor Pickersgill is supportive of the application.

Design officers have raised objections on grounds of overdevelopment of the site, space standards and the design response to local context in terms of form, character and design quality. There are unresolved concerns about unsatisfactory access and servicing raised by the highways team. BCC pollution control team have also raised concerns about lack of information on noise mitigation. The development is found to conflict with relevant local plan policies and the concerns are considered unable to be addressed by way of conditions. The applicant has not provided amended plans or further information to address these concerns and as such the development is recommended for refusal.

## SITE DESCRIPTION

The red-lined site comprises the two derelict properties of 68-70 Church Road, in the Easton ward of the city. The site includes enclosed yards to the rear of each property. Application details confirm that the properties have been unoccupied since 2000 and were previously in use as commercial ground floor units, with residential accommodation above. The red-lined site also includes a narrow access strip leading between the site and Cowper Street. A two storey electricity substation lies directly adjacent to the southern site boundary. It is understood the access strip lies within the ownership of Western Power.

The property of 66 Church Road and its covered rear yard lies to the immediate west. To the east of the site is a car park providing parking for occupants of Stockwood Chambers, a converted church on the corner of Church Road and Cowper Street.

The site is not allocated within the Local Plan for any particular land use and is not located within a conservation area or in close proximity to any listed buildings. The Church Road secondary shopping frontage is also nearby but the site does not form a part of it. The surrounding area contains a mix of land uses and buildings, including commercial, residential and industrial uses. The site is close to the busy A420, with good public transport links and within walking distance of Lawrence Hill station and many bus stops.

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RELEVANT HISTORY

15/04092/F Demolition of existing building and erection of four storey building comprising 2 x 2 bed and 4 x 1 bed flats.

Refused on design, amenity and noise grounds. The applicant chose not to appeal this decision.

ADJACENT SITE 66 Church Road

16/01852/F Demolition of existing buildings on site and erection of a four-storey building fronting Church Road, to contain four apartments and a ground floor retail unit, plus 4 x three-storey townhouses fronting Dove Lane.

Refused due to loss of employment land, unacceptable design and contextual response, harm to amenity of existing development on Cowper Street, harmful living environment for future occupiers of the development and highway safety grounds.

17/04072/F Demolition of existing buildings on site and erection of a three storey building fronting Church Road, to contain three apartments (Use Class C3) and a ground floor retail/business unit, plus 3 x three storey townhouses (Use Class C3) fronting Dove Lane.

Pending determination by planning committee (due to be determined at Development Control meeting 30.01.2018)

APPLICATION

Planning permission is sought for the demolition of the existing buildings on site and the erection of a three-storey building fronting Church Road, to contain 2 3bedroom apartments on the first and second floor and a ground floor retail/business unit.

The proposed building would occupy a rectangular footprint. It would be of a contemporary design with flat roof block form with window openings to the front and rear. Materials would be rubble stone with aluminium shopfront, ashlar stone front elevation, with rendered side elevation and render and timber finish to the rear.

Retail unit

The proposal would provide a retail unit of 71 sq.m at ground floor fronting Church Road. Refuse, recycling and cycle storage is proposed to be stored within the rear yard.

Residential units.

The new building would provide two 3 bedroom 6bedspace flats. A rear yard is proposed to provide external amenity space and refuse, recycling and cycle storage.

The application documents include a Statement of Consultation and Support from Planning Solutions Residents Group confirming their support for the proposals and that at the adjacent site of 66 Church Road. The statement has not been corroborated by the Planning Solutions group during the public consultation process - an update will be provided at the committee meeting.

RESPONSE TO PUBLICITY AND CONSULTATION

The application has been advertised by site notice. Neighbouring properties were consulted. 9 representations have been received, comprising of 2 objections, 4 representations of support and 2 neutral comments from Western Power.

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Objections

The objections are focused on the lack of car parking provided and height of the proposed building. Car parking - main concerns are that the development would increase local demand for parking spaces with limited provision on Cowper Street and restrictions along Church Road.

Height of the proposed building- concerns that the building would restrict unacceptably reduce sunlight experienced by residents of Cowper Street.

Support

Councillor Pickersgill has commented -

As one of the local councillors whose ward this development is in, I am writing to support the current application. I am aware there has been a protracted process getting to this point and a number of concerns have been raised historically by officers to previous applications. The sites in question have been an eyesore and a blight of the Church Rd for some time, and local people are very keen for development to get started, as we have such a shortage of housing in the area.

I have been impressed by the way the architect and developer have engaged with the local Planning Group and councillors in a proactive manner, and have taken on board their comments in the design of the developments, adapting them considerably from the first draft. I have looked in detail at the plans and have no objections. I would like to formally support the application and would appreciate a discussion with yourselves if you have any ongoing concerns.

Neutral comments

Western Power

We would present no objection to the proposal so long as there was no interference with our substation and that the access pathway leading from Cowper Street is kept clear from any obstruction at all times. This access should be kept clear both once the project is completed and during construction, as access is required to the site at all times in case of emergency. Currently the applicant has no agreement for the use of our land within this scheme for access or any other purpose. Please note this against the application.

INTERNAL CONSULTEES (summarised by case officer)

Transport Development Management have commented as follows:-

Concerns raised about the accessibility and convenience of the refuse/recycling and cycle storage to the rear, given the restricted access. Clarification required on servicing and deliveries anticipated for the commercial unit, given the restrictions on Church Road in place since the previous commercial units on the site operated. Further details incorporated into the report.

BCC Pollution Control have commented as follows:-

Concerns raised due to insufficient information provided to demonstrate that the noise environment would be acceptable. Further details incorporated into the report.

BCC Land Contamination have been consulted and have commented as follows:

The applicants need to demonstrate the proposed development is suitable for use and there are no residual risks from contamination, this may be best achieved post demolition but prior to construction (if the applicants want to investigate post demolition we can reword the conditions if required). Standard conditions B11 B12 B13 and C1 should be applied to any future planning

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consent.

BCC Air Quality have raised no objections to the proposals.

BCC City Design Group have commented as follows:

BCC City Design have raised concerns on design grounds due to poor contextual relationship, layout, height, scale and massing, design and elevation treatment, amenity impact on adjacent property, contrary to local plan design policies. Further details incorporated into the report.

#### EXTERNAL CONSULTTEES

The Coal Authority have commented as follows - no objections raised.

**City Design Group** has commented as follows:-

surgery item

#### RELEVANT POLICIES

National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation 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 2015.

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

##### (1) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

###### i) Loss of existing uses

The buildings of 68 -70 Church Road were last in use as commercial units at ground floor with residential uses above. The replacement development would not comprise a change of use and no objections are raised on these grounds.

###### ii) Principle of mixed use commercial/residential use.

The development would be located within an existing mixed use area that includes flatted high and low rise apartment blocks, Victorian terraced housing, and retail, commercial and industrial uses in some proximity to each other. Redevelopment of the site as a mixed use commercial/residential scheme would accord with the thrust of local plan policy BCS3, which confirms that social, economic and physical regeneration will be promoted in the Inner East with the purpose of creating mixed, balanced and sustainable communities. The ground floor commercial unit would preserve an active frontage onto Church Road and contribute to economic regeneration of the area.

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol. The policy further states that the development of new homes will primarily be on previously developed sites across the city.

Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents. The development would provide housing for 12

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residents in two three double bedroom flats. Census data suggests that the Easton ward comprises approximately 77%houses/ 22% flats, with 15% 1 bedroom properties, 42% 2bedroom properties and 42 % three bedrooms. On this basis no objections are raised to the mix of housing proposed as the scheme would not create or contribute to local imbalance of housing type or size. BCS18 also requires that proposals meet relevant space standards. Each of the flats proposed would provide 82sq.m of internal living space. Minimum national space standards require provision of 95sq.m. The shortfall of internal living space by 13sq.m would therefore fail to comply with national space standards and the development is therefore found to conflict with local plan policy BCS18.

In terms of whether the development is appropriate in quantum and density, Policy BCS20 confirms that development should maximise opportunities to re-use previously developed land. Whilst the proposals would incorporate residential redevelopment of an existing brownfield site and bring it back into use, BCS20 instructs that the appropriate density for any individual site will be informed by:

- The characteristics of the site;
- The local context;
- Its current and future level of accessibility by walking, cycling and public transport to a range of employment, services and facilities;
- The opportunity for a mix of uses across the site;
- The need to provide an appropriate mix of housing to meet the community's needs and demands;
- and
- The need to achieve high quality, well designed environments.

These issues are examined in the Key Issues below.

**(2) WOULD THE PROPOSAL HAVE ANY ADVERSE IMPACT ON THE AMENITY OF SURROUNDING DEVELOPMENT?**

BCS21 provides a set of criteria for the assessment of design in new development. Proposals are expected to safeguard the amenity of existing development and deliver a high-quality environment for future occupiers. Policy DM29 states that new buildings should be designed to a high quality, ensuring that existing and proposed development achieves appropriate levels of outlook, daylight and privacy.

**i) Impact on 66 Church Road**

The impact of the development on 66 Church Road adjacent to the site to the west has been considered. It is understood that this property has been vacant since 2000 and is in a derelict condition. A separate planning proposal for redevelopment of this site (17/04072/F) is to be determined by members at the Development Control committee meeting of 30.01.2019, prior to this item. Assessment of the current scheme in terms of impact on 66 Church Road has accordingly considered two potential scenarios - a) 66 Church Road remaining undeveloped and b) the relationships between the sites in event that proposal 17/04072/F) is approved and implemented.

Scenario a) - 66 Church Road remains unaltered.

The terraced property of 66 Church Road is two storeys with an outrigger extension to the rear with windows on the inner elevation facing the application site. It is possible that there are also windows at ground floor level but this has not been confirmed due to restricted access. Separation distances between the existing rear extensions of the respective properties are some 6.5m.

The proposed scheme would result in demolition of the existing buildings and replacement with a three storey building to provide flatted residential units. The depth of the building on the boundary with 66 Church Road would increase some 3.5m, with increased height to three storeys. The main impacts arising from the new apartment block would stem from the increased scale of the new

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building and obstruction of outlook from 66 Church Road. It is acknowledged that 66 Church Road is currently derelict and uninhabited. However, should consent not be forthcoming for redevelopment of that site it is possible that the residential unit above could be renovated and occupied again. A three storey development as proposed for the site at 68-70 Church Road would unacceptably obstruct the outlook from windows in the rear of 66 due to increased scale and proximity to the shared boundary. As such, the development would harm the amenity of the adjacent site at 66 Church Road.

Overall, should the application be approved and 66 Church Road remain unaltered, the negative impacts identified above are considered to conflict with local plan policies BCS21, DM27 and DM29, as well as the objectives of the NPPF that require that development safeguards the amenity of existing development.

Scenario b) Application 17/04072/F for the redevelopment of 66 Church Road as a three storey building is approved and implemented.

Application 17/04072/F is for demolition of the existing building and erection of a three storey mixed use development with a commercial unit at ground floor and residential flats above, with houses extending along Dove Lane. Were both applications approved and implemented, the main impacts of the scheme on the development proposed at 66 Church Road relate to the amenity at internal boundaries. The external amenity spaces serving both developments would be in tight proximity to one another, and would serve a greatly increased number of residents across both sites. The rear garden of 68-70 Church Road is proposed to serve 12 residents and would be located directly beneath a first floor terrace proposed on the adjacent site at 66 Church Road serving two residents. This could result in detrimental noise and disturbance for future residents of 66 Church Road due to the proximity and layout of both sites.

ii) Impact on development to the south (Cowper Street)

Third party comments have been received objecting to the scale of the building due to restricted sunlight impacts affecting Cowper Street properties. Given the orientation of the site and distance from Cowper Street properties no unacceptable impacts are identified on this point.

**(3) WOULD THE PROPOSED DEVELOPMENT PROVIDE A HIGH QUALITY LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?**

BCS21 and DM29 require that residential development should provide a high quality living environment for future occupiers. Internal space standards, outlook, sense of enclosure, privacy, sunlight and daylight levels, quality of the external amenity areas and the impact of the adjoining site have all been considered.

i) Space Standards

As set out in Key Issue 1, the development is considered unacceptable in principle due to the shortfall in internal living space of 13sq.m when measured against national space standards. Each flat would consist of three double bedrooms with a single room providing cooking, dining and living facilities. The restricted space and cramped living conditions within each unit would impair the amenity, health and wellbeing of the 12 future occupiers of the flats and is not considered a high quality living environment as expected under BCS21 and DM29.

ii) Outlook, sense of enclosure, privacy, sunlight and daylight levels

Flats

The flats would be served by windows to the front and rear providing adequate outlook, privacy, sunlight and daylight levels.

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iii) Air Quality

BCC air quality officers have confirmed recent monitoring data has shown that air quality at the site is likely to be compliant with objectives and therefore suitable for residential usage.

iv) Quality of external courtyard

The development would provide an external amenity space of some 35sq.m. This space would include provision for refuse and cycle parking and would be directly adjacent to the rear yard provided for the commercial unit, which would also contain refuse and cycle parking. Concerns are raised at the poor quality of this external amenity space, due to the amount of residents it would serve (12 residents) and sense of enclosure, due to the two storey electrical substation to the south. Approval of the development at 66 Church Road under (17/04072/F) would also impinge on the amenity of this enclosed external yard due to the increased height and massing on the western boundary.

ii) Proximity to 66 Church Road site

Policy BCS23 states that in locating and designing development, account should be taken of the impact of existing sources of noise or other pollutions on the new development. The policy instructs that new development sensitive to pollution will not be appropriate where existing sources of noise or other pollution cannot be satisfactorily mitigated.

Policy DM35 states that noise-sensitive development in locations likely to be affected by existing sources of noise such as busy roads, and industrial/commercial developments, will be expected to provide an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers

The lawful use of the adjacent site at 66 Church Road would appear to be a mixed use residential/industrial use including storage and car-repairs. The application is not accompanied by a noise assessment (which formed a previous reason for refusal of 15/04092/F).

Whilst pollution control have requested further details including a noise report and scheme of suitable mitigation prior to commencement, given the adjacent established uses (including use of the adjacent site (66 Church Road) as storage/motorcycle repairs, it is considered that satisfactory information addressing the noise environment in the vicinity of the site (from traffic, nearby commercial uses and the electricity substation) is necessary on a pre-decision basis.

To conclude on this issue, the application fails to demonstrate that a high quality living environment will be provided for future occupiers due to the following impacts -

- failure to provide adequate living space
- poor quality external area
- failure to demonstrate that the noise environment in the vicinity of the site would be compatible with the location of the residential accommodation.

As such, the proposals are considered contrary to local plan policies BCS18, BCS20, BCS21, BCS23, DM27, DM29, DM33 and DM35.

4) IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE ?

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

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development.

Policies DM26-29 of the Site Allocations & Development Management Policies require development to contribute to the character and distinctiveness of an area through its layout, form, public realm and building design. DM26 expects developments to contribute towards local character and distinctiveness by restoring the local pattern and grain of development, responding appropriately to the height, scale, massing, shape, form, and proportion of existing buildings, building lines and set-backs from the street, as well as reflecting locally characteristic architectural styles, patterns and features. DM27 expects that proposals should not prejudice existing and future development potential of adjoining sites. Development should provide a coherent, interconnected and integrated built form that relates to its immediate context. Where development potential of adjoining sites reasonably exists, including on sites with different ownerships, development will be expected to either progress with a comprehensive scheme or by means of layout and form enable a co-ordinated approach to be adopted towards future development.

DM29 requires new buildings to be of high quality adaptable design, incorporating well proportioned elevations with high quality detailing and durable attractive materials that contribute positively to the character of the area.

Previous application 15/04092/F was refused for four reasons including design grounds. The previous design reason for refusal is reproduced for reference -

The proposed building would fail to achieve an acceptable design response and, at four storeys, would be excessive in height when compared with its neighbours. It would prejudice development opportunities on neighbouring sites due to its height and bulk, would fail to respond to established building patterns in the area and would not provide an active frontage to the public realm; resulting in an incoherent and characterless addition to the area. The scheme would therefore be contrary to BCS21 of the Core Strategy 2011 and DM26, DM27 and DM29 of Site Allocations and Development Management Policies 2014.

Officers consider that the previous reason for refusal on design grounds has not been overcome by the current scheme. The current proposal has reduced the height scale and massing of the building from 4 to 3 storeys. The applicants contended that the design is appropriate in a varied context, taking into account the fact that the surrounding area of Church Road is made up of a variety of building heights, ages and styles, with fundamental and traditional character of this area 3 storey buildings typical of an inner urban area of a major city.

Officers acknowledge that whilst there are taller buildings in the area, including along Church Road the traditional two storey form and character of the site responds well to the scale of Victorian terracing on Cowper Street and the converted church on the corner of Church Road and Cowper Street.

At three storeys in height, the proposed building would appear incongruous and visually over-dominant against its two storey neighbour at 66 Church Road. It is acknowledged that a planning application for a three storey redevelopment of that site is pending determination however, even if consent were granted for that scheme, there is no certainty that any consent would be implemented. As such, the starting point for assessment is the form and character of existing surrounding development.

The height, scale and plot coverage is considered at odds with surrounding buildings. The massing of the scheme, elevational treatment including window detailing, roof form and stark featureless elevation to the east above the carpark would provide a poor response to the local character of this part of Church Road, given the local grain, prevailing character and immediate setting of the site. The shopfront design is considered poor. The materials proposed are considered acceptable, taking into account the varied palette of surrounding development onto Church Road.

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The application has been submitted as a separate application to the concurrent application pending determination at 68-70 Church Road under 17/04072/F. Development of the two sites is not progressing as a single comprehensive scheme. The layout, form and increased massing of the proposal could impair the development potential of 66 Church Road, as any future development of that site would need to respond to a more challenging and restricted physical environment represented by the intensity and layout of the current scheme.

Overall, the scale, massing, form and character of the development would not address the local grain of development or assimilate sympathetically with the local streetscene or provide an appropriate and high quality contribution to the character, appearance and identity of the area. The development would prejudice development opportunities on the neighbouring site due to its height, bulk and layout.

As such, the proposals are considered contrary to policies BCS20, BCS21, DM26, DM27 and DM29. The application is recommended for refusal on these grounds.

**(5) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES?**

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable and/or unsafe highway impacts. Development should be designed and located to ensure the provision of safe streets. With regards to parking and servicing, development proposals should provide an appropriate level of safe, secure, accessible and usable provision having regard to the Council's parking standards.

Policies DM27, DM28 and DM32 together deal with scheme layout, public realm and recycling and refuse provision. Policy DM27 expects that the layout and form of buildings and streets should contribute to the creation of healthy, safe and sustainable places. The NPPF requires that safe and suitable access to a site can be achieved for all users and confirms that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

TDM have raised concerns about the proposals in terms of servicing, refuse and cycle parking, due to the limited information within the application and parking and loading restrictions on Church Road imposed since the site was last occupied. Concerns have also been raised with applicant regarding access and servicing due to restrictions on access over land to the rear. Western Power (WP) have confirmed that the rear access strip of land shown within the red-lined site between Cowper Street and the site lies within their ownership. WP have confirmed this land should not be used or obstructed and should be kept clear at all times, due to the electricity substation in close proximity. The proposals include gates between each of the rear yards and the access strip. Identification of this land within the redline indicates that the developer considers the land necessary to carry out the proposed development and as such there is some concern that the access strip could be used on refuse collection days, thus leading to unacceptable obstruction.

It is acknowledged that were the existing buildings renovated and brought into use, the council would have limited control over the location of refuse storage and cycle parking within the site.

Notwithstanding, given the intensification of development and potential resident numbers when compared with the fallback position, it is considered reasonable to require new development to provide accessible and convenient refuse and cycle parking provision within the site that is accessible, conveniently located and policy compliant. In summary, the development fails to provide accessible and convenient refuse storage and cycle parking and is considered contrary to Policy BCS10 and Policy DM23 of the local plan on this basis. A servicing and construction

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management plan would be required by condition in event of any approval.

#### Parking

Third parties have referred to the limited availability of on street parking in the vicinity of the site, and expressed concerns that the proposals would lead to an unacceptable increase in demand for parking. TDM have raised no objections to the lack of parking provided, taking into account the wider accessibility of the site and its location along major bus routes into the city.

#### (6) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF GROUND CONTAMINATION?

The land contamination officer has confirmed that further information would be required in event of approval of the application to demonstrate the proposed development is suitable for use and there are no residual risks from contamination. Standard conditions B11 B12 B13 and C1 should be applied to any future planning consent.

#### COALRISK

The site lies within a High Risk Zone, and as such the Coal Authority have been consulted with a Coal Mining Risk Assessment and have raised no objections.

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

Policies BCS13-15 concern climate change and sustainable design, energy and construction. The policies require development to contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. They require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%.

The Energy and Sustainability Statement submitted with the application demonstrates that through the use of PV panels across the development, a carbon dioxide saving of 21% can be achieved, which aligns with the policy requirement. The Planning statement includes reference to PV panels, although none are rendered on plan. A condition would be imposed to require this provision to be provided and maintained in the event of an approval.

#### (8) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF FLOOD RISK?

Policy BCS15 states that sustainable design and construction will be integral to new development in Bristol. As part of this, development should address conserving water resources and minimising vulnerability to flooding. The site is located with Flood Zone 1, an area identified at low risk of flooding arising. A detailed Sustainable Urban Drainage Strategy condition would be recommended for any future approval on this site.

#### (9) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF NATURE CONSERVATION?

Policy DM19 states that any development which would be likely to have any impact upon habitats, species or features which contributes to nature conservation should be designed (as practicably as possible) to avoid any harm. The nature conservation officer has requested that in event of approval conditions are applied with respect to the provision of a living roof and advisory note should be provided regarding the legal protection of bats, confirming that If bats are encountered all demolition or construction work should cease and the Bat Conservation Trust should be consulted for advice. An advisory note is also recommended regarding nesting bird protection.

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## CONCLUSION AND PLANNING BALANCE

When determining planning applications the NPPF and policy DM1 requires a positive approach to be taken that reflects the presumption in favour of sustainable development. Officers have sought revision of the scheme to reflect the identified concerns but the applicants have asked that the proposals be determined on their merits.

The application fails to satisfactorily address amenity, space standards, design, noise, access and servicing issues. These issues individually and cumulatively act to significantly and demonstrably outweigh the potential benefits associated with the development, such as the contribution to the housing supply and regeneration of an eyesore site. The proposal therefore has not been found to represent sustainable development and is recommended to be refused.

## EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of the proposal in relation to the Equalities Act 2010 in terms of 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 that different groups have or would have different needs, experiences, issues and priorities in relation to this particular proposal. 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.

## COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is £12715.18

## RECOMMENDED REFUSE

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

### Reason(s)

1. The development, by virtue of its height, scale and massing would overbear 66 Church Road and impair outlook from windows within that property facing the development. As such, the development fails to safeguard the amenity of existing development, contrary to local plan policies BCS21 of the Core Strategy 2011, DM27 and DM29 of the Site Allocations and Development Management Policies 2014 and the NPPF.
2. The proposed development, by virtue of cramped internal living space and cramped external amenity space would provide an oppressive and poor quality living environment for future residents. In addition, insufficient information has been provided to demonstrate that any existing sources of noise in the site vicinity (traffic, electricity substation and adjoining semi-industrial premises at 66 Church Road) can be suitably mitigated and would not adversely affect the health, wellbeing and residential amenity of future residents. As such the development is considered a form of overdevelopment that fails to provide a high quality environment for future residents, contrary to local plan policies BCS21, BCS20, BCS23 of the Core Strategy 2011, DM14, DM27, DM29, DM33, and DM35 of the Site Allocations and Development Management Policies 2014 and the NPPF.

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3. The proposed development, by virtue of its height, scale, massing, form, plot coverage and overall design would fail to respond to its local context and street scene and would appear as an incongruous form of overdevelopment that would not contribute positively to the area's character and identity. The layout and form of the development would prejudice the existing and future development potential of the adjoining site at 66 Church Road and the potential for the area to achieve a coherent, interconnected and integrated built form. As such the development is considered contrary to local plan policies BCS20, BCS21 of the Core Strategy 2011 and DM26, DM27 and DM29 of Site Allocations and Development Management Policies 2014 and the NPPF.
4. The development fails to provide suitable accessible and convenient cycle parking and refuse storage, reflective of the residential intensity of the scheme. As such, the proposals are considered contrary to local plan policies BCS10 and BCS21 of the Core Strategy 2011, DM23, DM27 and DM32 of the Site Allocations and Development Management Policies 2014 and the NPPF.

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

Location plan, received 8 August 2017

P002 Existing images and aerial, received 8 August 2017

P010B Existing floor plans, received 31 July 2018

P011B Existing elevations, received 31 July 2018

P012A Existing aerials and visuals, received 31 July 2018

P013A Existing aerials and visuals 2, received 31 July 2018

P015C Existing site plan, received 31 July 2018

P020E Proposed floor plans, received 31 July 2018

P021E Proposed elevations, received 31 July 2018

P022A Proposed aerials and visuals 1, received 31 July 2018

P023C Proposed aerials and visuals 2, received 31 July 2018

P025E Proposed site plan, received 31 July 2018

P030B Existing and proposed aerial view over cowper street, received 31 July 2018

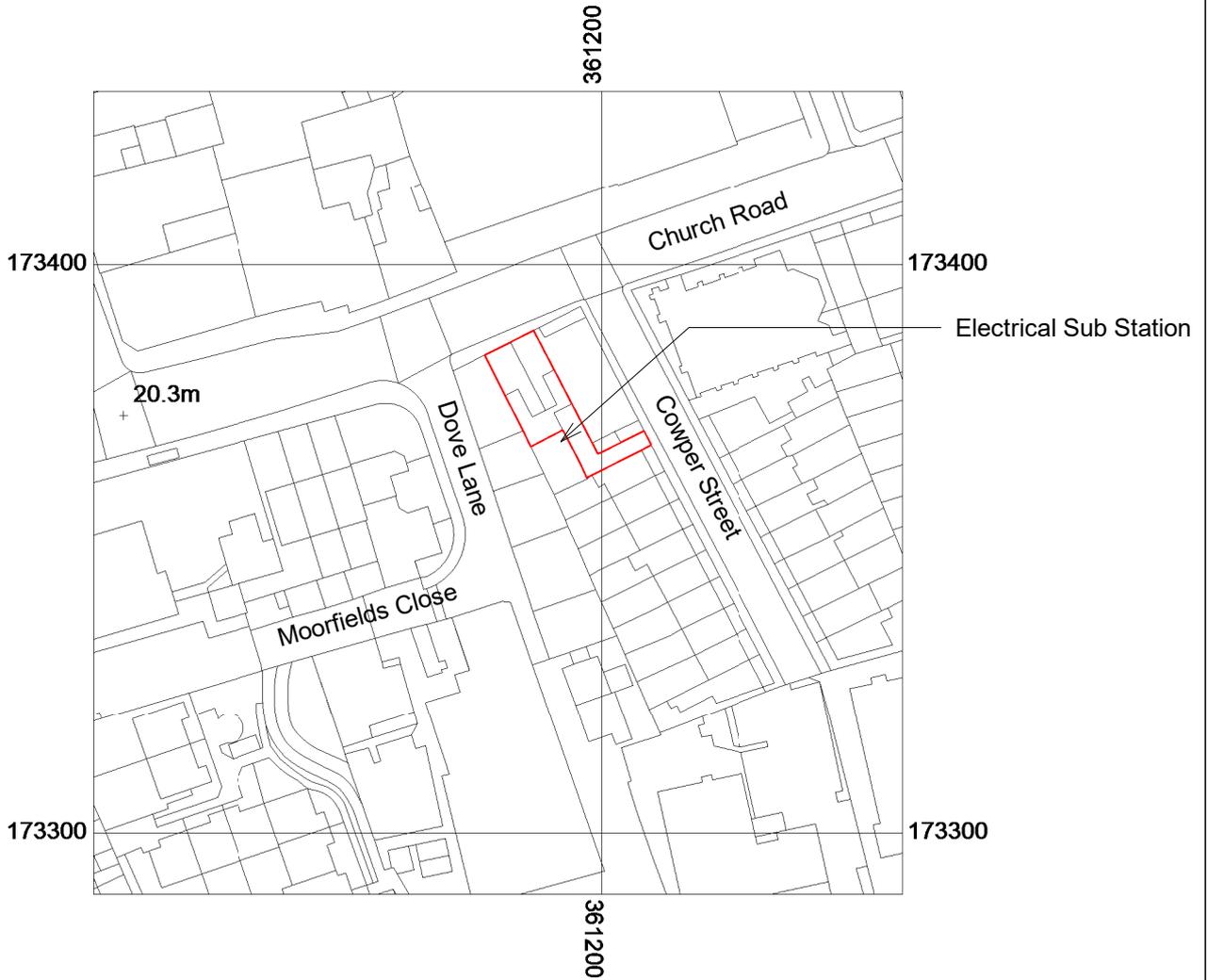
P031H Proposed bin store and bicycle store, received 31 July 2018

P040A Existing and proposed long street elevations., received 31 July 2018

## **Supporting Documents**

### **4. 68 - 70 Church Road, Redfield, Bristol, BS5 9JY**

1. Location plan
2. Proposed site plan
3. Proposed floor plans
4. Proposed elevations
5. Photograph



1

# Location Plan

1 : 1250

@A4

Rev	Date	Name	Description
B	07.08.2017	UY/UY	Red Line Altered
A	19.05.2017	UY/UY	Project Number Altered



**STUDIO YAQUB**

Mr M McNamee,  
68-70 Church Road,  
Redfield, Bristol, BS5  
9JY

## Location Plan

Project number	0153-02
Date	17.05.2017
Drawn by	UY
Checked by	UY
Scale @A4	As indicated

**P001**  
Revision **B**



Party Wall Etc Act 1996  
The works indicated on these drawings may be within the provisions of the Act. It is the building owner's responsibility to serve the requisite notice(s) to adjoining owners and otherwise comply with the Act.

Listed Building Consent  
Any material changes to the building will require the submission and approval of the relevant statutory body.

Drainage  
All drainage is subject to Utility approval and must be in accordance with Building Regulations and all relevant standards. Accuracy of drainage locations cannot be confirmed and may require further investigation on site.

All manufacturers installation requirements are to be adhered with.

All masonry works, workmanship, propping etc. to be in accordance with B.S. 5628.

All waste materials to be disposed of in accordance with current legislation and local authority guidance.

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--- Foul Sewer (As Wessex Water Asset Map)

Area (As OS Indicates):  
231.766 m<sup>2</sup>  
2,494.7 SF  
0.057 Acres  
0.023 Hectares

Rev	Date	Name	Description
E	29.05.2018	UY/UY	Rear Yard Amended
D	07.08.2017	UY/UY	Red line altered
C	21.06.2017	UY/UY	Additional bicycles added
B	19.05.2017	UY/UY	Project Number Altered
A	18.05.2017	UY/UY	Revision made following client review



**STUDIO YAQUB**

Mr M McNamee, 68-70 Church Road, Redfield, Bristol, BS5 9JY

---

**Proposed Site Plan**

Project number	0153-02
Date	17.05.2017
Drawn by	UY
Checked by	UY
Scale	1 : 100

<b>P025</b>	<b>E</b>
-------------	----------

**1 Proposed Site Plan**  
1 : 100 @A1 1:200 @A1





1 00\_Ground Floor - Pro  
1 : 100 @A1 1:200 @A3



2 01\_First Floor - Pro  
1 : 100 @A1 1:200 @A3



4 02\_Second Floor - Pro  
1 : 100 @A1 1:200 @A3

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**Areas**

	Ground Floor	First Floor	Second Floor
<b>GEA</b>	106SQM 1,141SQFT	106SQM 1,141SQFT	106SQM 1,141SQFT
<b>GIA</b>	93SQM 1,001.04	85.5SQM 920.31SQFT	85.5SQM 920.31SQFT

*Internal and External Areas as indicated*

**Retail/Business Unit**

73SQM  
785.77SQFT

**Store (two individual stores, allocated to flats/apartments above, total area of both units indicated)**

3.02SQM  
32.51SQFT

**Circulation**

	Ground Floor	First Floor	Second Floor
	13.94SQM 150.05SQFT	3.54SQM 38.10SQFT	3.54SQM 38.10SQFT

**Flats/Apartments**

	Ground Floor	First Floor	Second Floor
		82SQM 882.64SQFT	82SQM 882.64SQFT

**Rear Yard**

**Retail/Business Unit**

17SQM  
182.99SQFT

**Flats/Apartments**

35SQM  
376.74SQFT

Rev	Date	Name	Description
E	29.05.2018	UY/JUY	Rear Yard Amended
D	07.08.2017	UY/JUY	Red line altered
C	21.06.2017	UY/JUY	Additional bicycles added
B	19.05.2017	UY/JUY	Project Number Altered
A	18.05.2017	UY/JUY	Revision made following client review

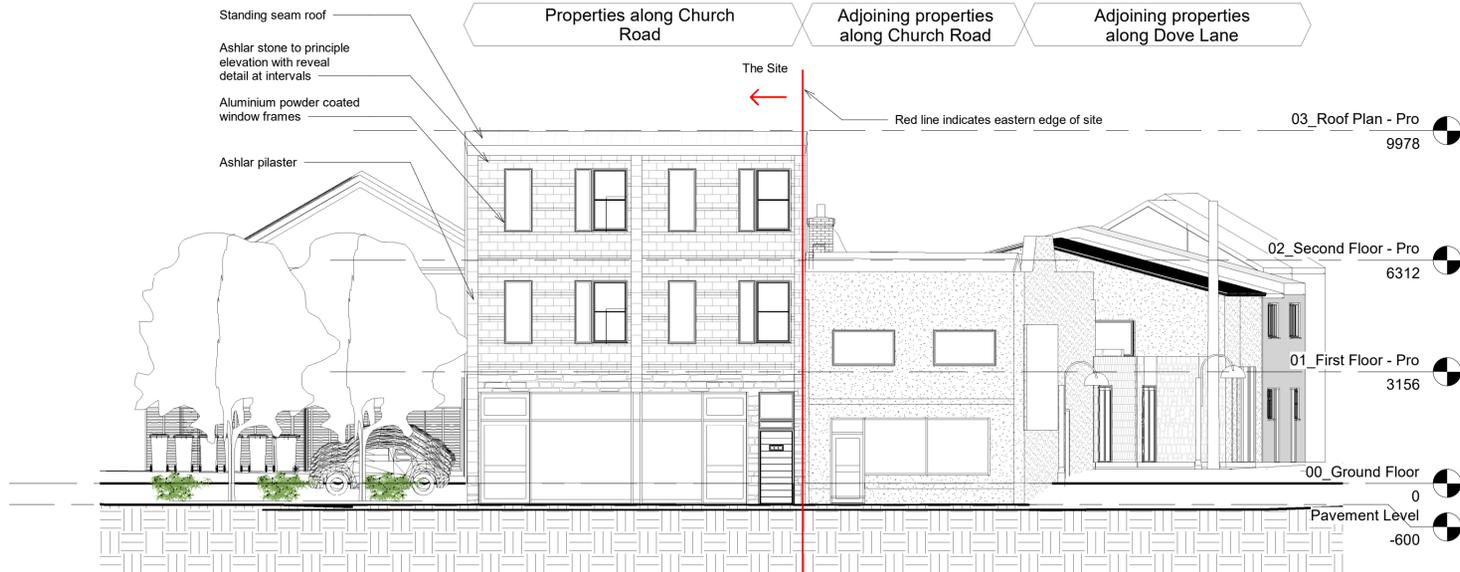
**STUDIO YAQUB**

Mr M McNamee, 68-70  
Church Road, Redfield,  
Bristol, BS5 9JY

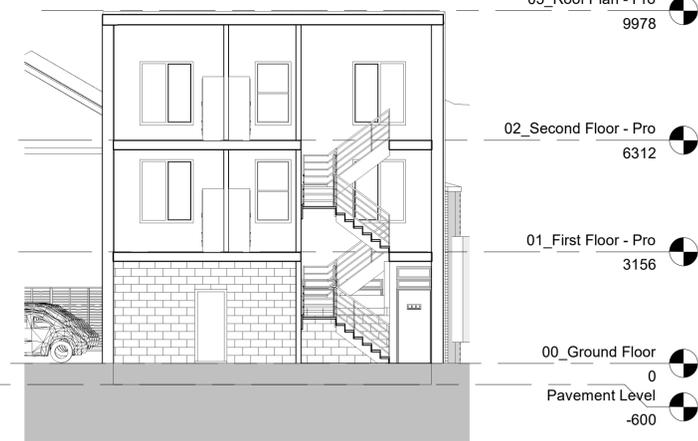
**Proposed Floor Plans**

Project number	0153-02
Date	17.05.2017
Drawn by	UY
Checked by	UY
Scale	1 : 100
<b>P020</b>	<b>E</b>

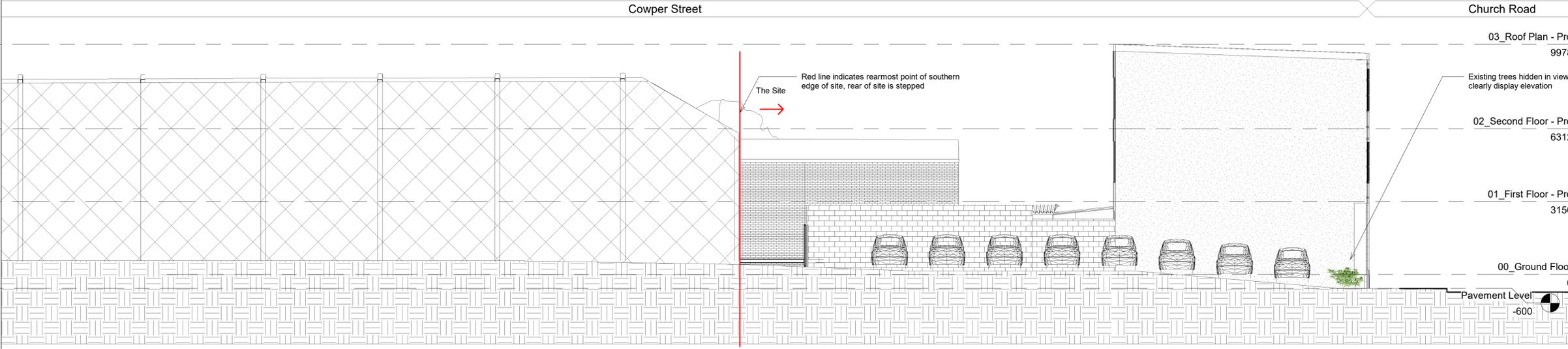




1 North Elevation - Proposed  
1 : 100 @A1 1:200 @A3



5 Section through proposed staircase  
1 : 100 @A1 1:200 @A3

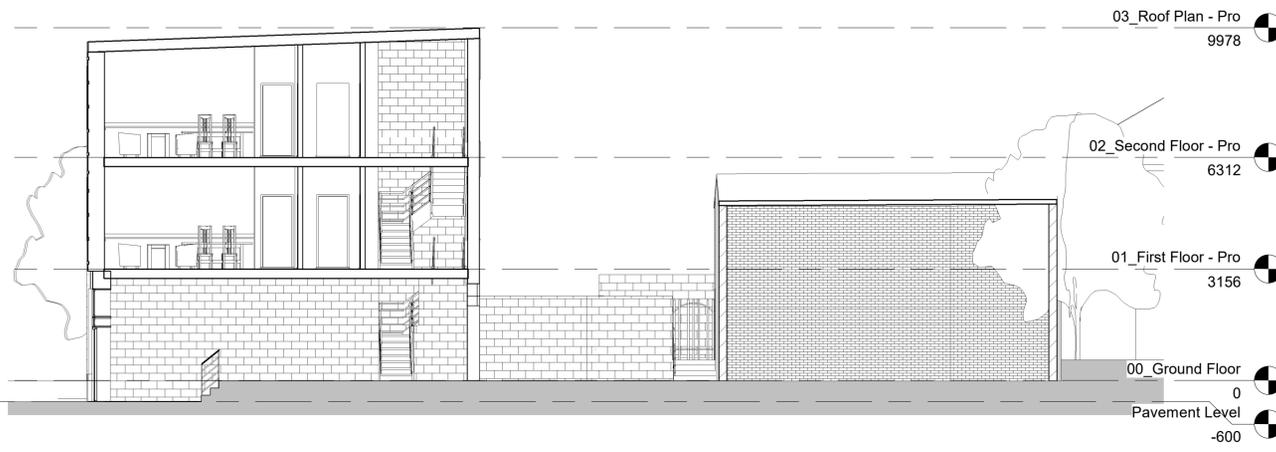


2 East Elevation - Proposed  
1 : 100 @A1 1:200 @A3

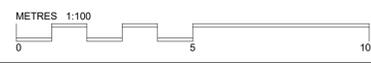
Rev	Date	Name	Description
E	29.05.2018	UY/JUY	Rear Yard Amended
D	07.08.2017	UY/JUY	Red line altered
C	21.06.2017	UY/JUY	Additional bicycles added
B	19.05.2017	UY/JUY	Project Number Altered
A	18.05.2017	UY/JUY	Revision made following client review



3 South Elevation - Proposed  
1 : 100 @A1 1:200 @A3



4 West Elevation - Proposed  
1 : 100 @A1 1:200 @A3



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**STUDIO YAQUB**

Mr M McNamee, 68-70 Church Road, Redfield, Bristol, BS5 9JY

Proposed Elevations

Project number	0153-02
Date	17.05.2017
Drawn by	UY
Checked by	UY
Scale	@A3 1:200 @A11 : 100

P021 E



FOUR COMPETITIONS ONE VENUE  
BT Sport

