

WARD: Clifton Down

SITE ADDRESS: 85 Whiteladies Road Bristol BS8 2NT

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

DETERMINATION DEADLINE: 4 September 2020

**Partial demolition of modern brick rear wall and construction of a 2-storey building for use as a 6 bedroom HMO (sui generis student use) with associated refuse and cycle storage.**

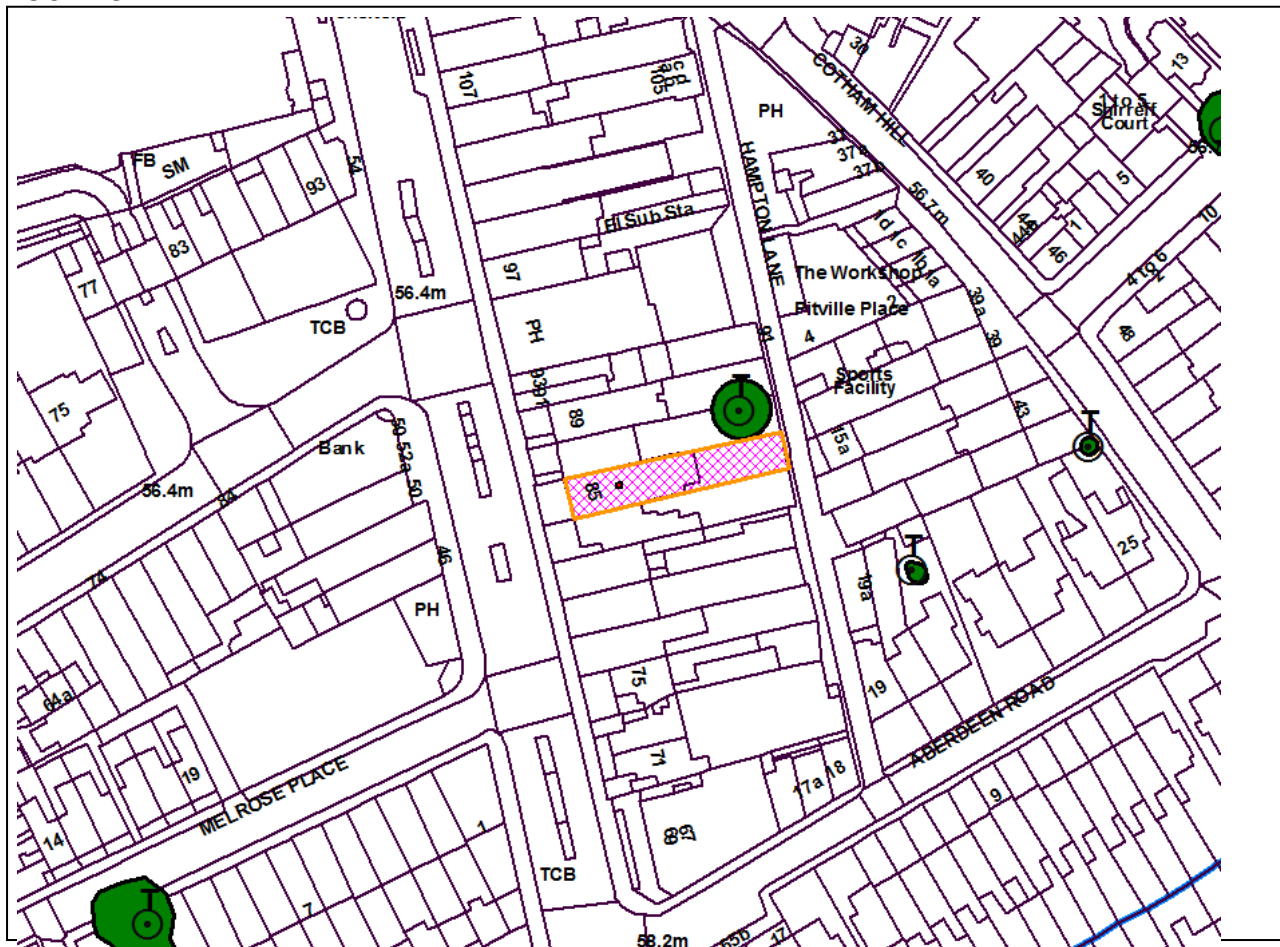
RECOMMENDATION: Grant subject to Condition(s)

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

APPLICANT: Eastman Estates Ltd  
C/o Agent

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

LOCATION PLAN:



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

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

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

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

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

Officers have scrutinised these proposals closely through an earlier application (withdrawn in November 2019) and the current application process which has extended over several months.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

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

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

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

**PLANNING HISTORY**

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

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

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

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

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

**APPLICATION**

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

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

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

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

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

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

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

**COMMUNITY INVOLVEMENT**

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

**EQUALITIES ASSESSMENT**

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

**RESPONSE FROM PUBLICITY AND CONSULTATION**

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

The deadline for responses was 8th April 2020.

Following this, a total of 14 objections were received.

Grounds of objection are summarised as follows:

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

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

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

**ELECTED MEMEBERS & AMENITY GROUP RESPONSES**

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

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

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

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

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

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

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

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

*"RCAS objects to this proposal on the following grounds:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CASE OFFICER RESPONSES TO PUBLIC CONSULTATION**

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

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

not required.

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

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

**INTERNAL & EXTERNAL CONSULTTEES*****City Design Group, Bristol City Council:***

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

***Transport Development Management, Bristol City Council:*****Highway Network**

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

**Travel Information Pack**

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

**Footway / Footpath**

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

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

**Car Parking / Cycle Parking**

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

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

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

**Waste**

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

**Construction Management**

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

***Pollution Control, Bristol City Council:***

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

**Noise Sensitive Premises Assessment**

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

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

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

**RELEVANT POLICIES**

PAN 2 Conservation Area Enhancement Statements (November 1993)

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

General issues associated with HMOs include:

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

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

### **Sustainability of location for residential use**

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

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

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

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

**Acceptability of multiple occupancy student accommodation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NEIGHBOURING AMENITY & RESIDENTIAL MANAGEMENT**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Authority is required (under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as well as the setting and significance of Listed buildings or structures. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) ("*Forge Field*") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight".

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

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

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

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

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

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

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

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

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

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

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

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

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

and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**STANDARD OF ACCOMODATION**

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

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

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

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

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

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

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

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

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

The proposed shared occupancy flats would require a Mandatory License under the Housing Act 2004. The Local Authority has adopted amenity standards which apply to HMO's under this separate legislative framework. Whilst it is recognised that this is non-planning legislation and therefore not a material consideration in planning decision making, these standards also provide an indication of the standard of accommodation expected within shared occupancy housing locally. Recognisably there is little value in gaining planning permission for a property which would then fail to obtain the required license. The Bristol HMO Licensing Amenity Standards outline that single occupancy bedrooms should provide minimum internal area of at least 6.5m<sup>2</sup> and where communal facilities are shared by 6 occupants, communal area totalling a minimum of 20m<sup>2</sup> should be provided and the kitchen should be 9m<sup>2</sup>.

All of the proposed bedrooms within the house would measure over 6.5m<sup>2</sup> in area. Most are nearer 10m<sup>2</sup>. The communal area would be located at first floor level. The communal open plan living and

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

kitchen would include area totalling 30m<sup>2</sup> thus significantly exceeding the required level for the proposed occupancy. All rooms would include good sized windows which would offer natural light, outlook and ventilation. The building is dual aspect. No outdoor amenity area is available however this is not unusual in this location. The site is in close proximity of The Downs which would offer residents public outdoor area which to an extent would compensate. A noise assessment and potential sound mitigation measures would be sought via condition as discussed above in order to ensure residents are not disturbed by commercial activity at the site and from adjacent sites. Overall, it is concluded that the building would offer sufficient space, light, outlook and ventilation for residents to attain a good standard of amenity.

**TRANSPORT & HIGHWAYS**

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

In relation to sustainable transport, the NPPF states that development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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

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

The following hierarchy for transport user priorities is set out:

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

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

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

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

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

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

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

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

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

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

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

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

development would not prejudice existing access.

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

**TREES & GREEN INFRASTRUCTURE**

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

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

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

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

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

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

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

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

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

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

Development should adapt to climate change through measures including:

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

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

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

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

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

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

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

**SUSTAINABLE URBAN DRAINAGE**

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

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

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

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

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

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

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

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

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

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

**COMMUNITY INFRASTRUCTURE LEVY**

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

CIL is payable where development comprises 100m<sup>2</sup> or more of new build floorspace or results in the creation of one or more dwellings.

The proposed development is understood not to qualify to pay CIL in this instance.

**CONCLUSION**

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

**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Full Planning Permission

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

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

**Development Control Committee A – 2 September 2020****Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT****Pre commencement condition(s)****2. Construction Management Plan**

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

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

**3. Highway works - General arrangement plan**

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

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

Where applicable indicating proposals for:

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

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

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

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

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

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

#### 4. Highway Condition Survey

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

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

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

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

#### 5. Noise Sensitive Premises Assessment

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

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

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

#### 6. Details of Photovoltaics (PV)

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

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

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement.

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

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

**7. Sustainable Drainage System (SuDS)**

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

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

**8. Further details: Materials**

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

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

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

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

**9. Further details: Brick infill panels**

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

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

**Development Control Committee A – 2 September 2020****Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT****Pre occupation condition(s)****10. Reporting of Unexpected Contamination**

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

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

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

**11. Reinstatement of Redundant Accessways - Shown on Approved Plans**

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

Reason: In the interests of pedestrian safety.

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

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

Reason: In the interests of highway safety.

**13. Further details: Cycle parking**

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

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

**Development Control Committee A – 2 September 2020****Application No. 20/01032/F & 20/01033/LA: 85 Whiteladies Road Bristol BS8 2NT****14. Waste Management Plan**

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

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

**15. Commercial waste**

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

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

**16. Sustainability and energy efficiency measures**

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

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

**List of approved plans****17. List of approved plans and drawings**

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

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

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

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

Reason: For the avoidance of doubt.

**Advices**

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

- 2 Sound insulation/acoustic reports

The recommended design criteria for dwellings are as follows:

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

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

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

- 3 Works on the Public Highway

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

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

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

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

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

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

4 Minor Works on the Public Highway

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

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

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

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

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

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

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

8 Impact on the highway network during construction

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

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

10 Highway Condition Survey

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

11 Excavation Works on the Adopted Highway

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

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

**12 Street Name and Numbering**

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

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

**13 Sustainable Drainage System (SUDS)**

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

**14 PV System**

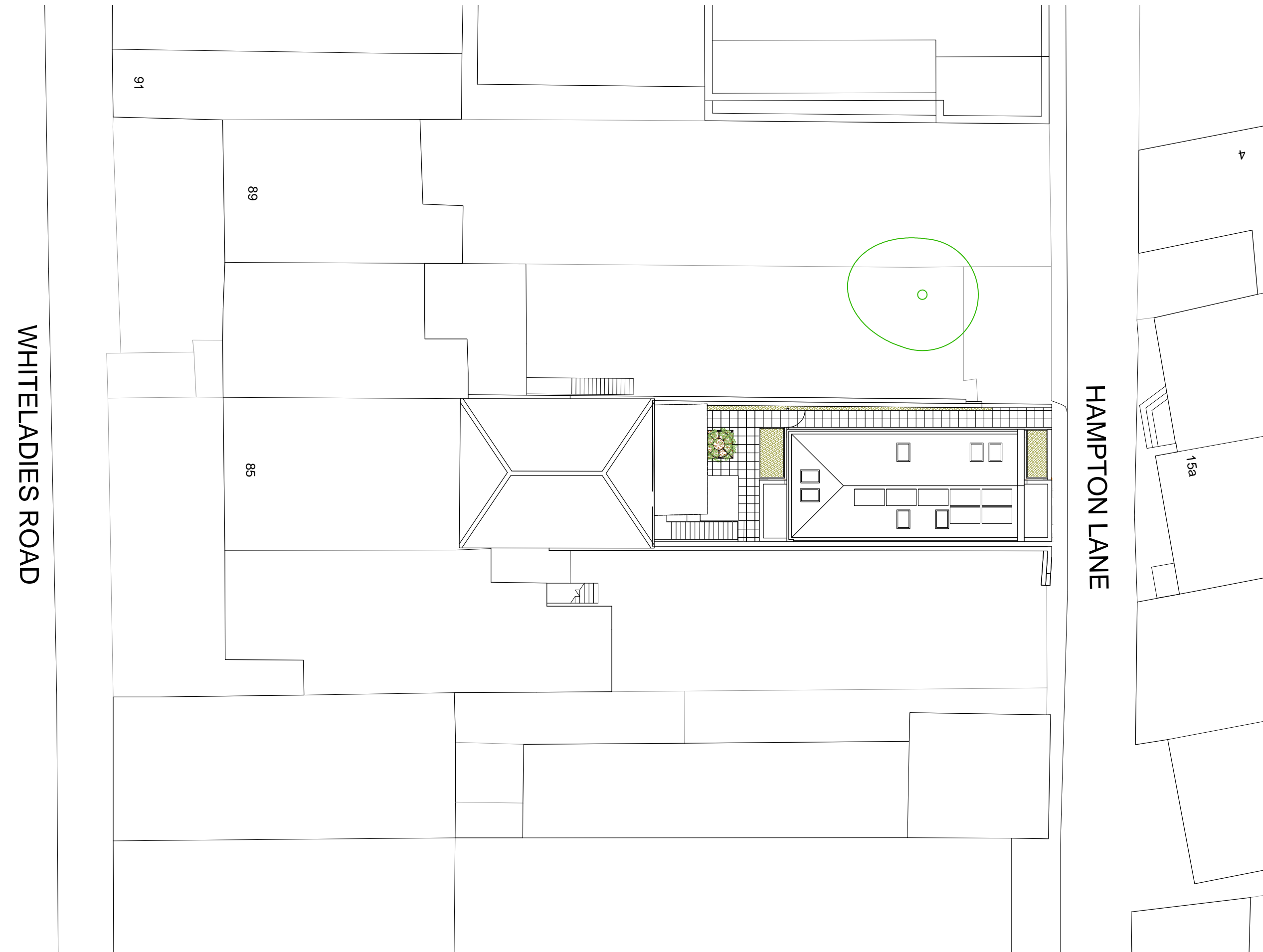
The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

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

## **Supporting Documents**

### **2. 85 Whiteladies Road, Bristol, BS8 2NT**

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



PROPOSED SITE PLAN 1:200



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

HAMPTON LANE

WHITELADIES ROAD

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



105 WEST ARCHITECTS Ltd  
107 Lower Redland Road, Redland  
Bristol. BS6 6SW

T 0117 3737596  
E info@105west.co.uk

Project 85 Whiteladies Road

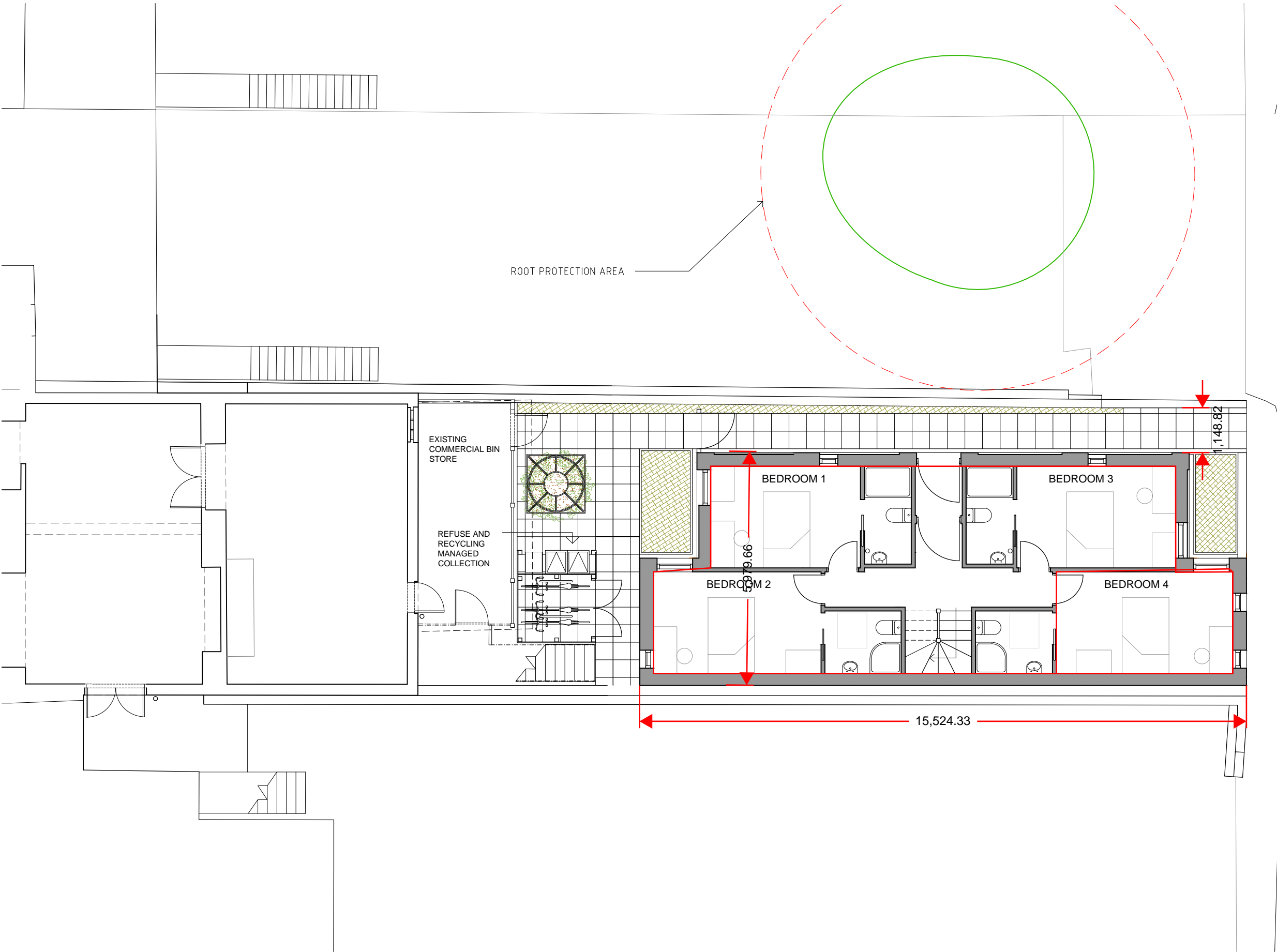
Drawing Title Proposed Site Plan

Drawing No. 1670(L)120

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



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



PROPOSED GROUND FLOOR 1:100

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



105 WEST ARCHITECTS Ltd  
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Project 85 Whiteladies Road

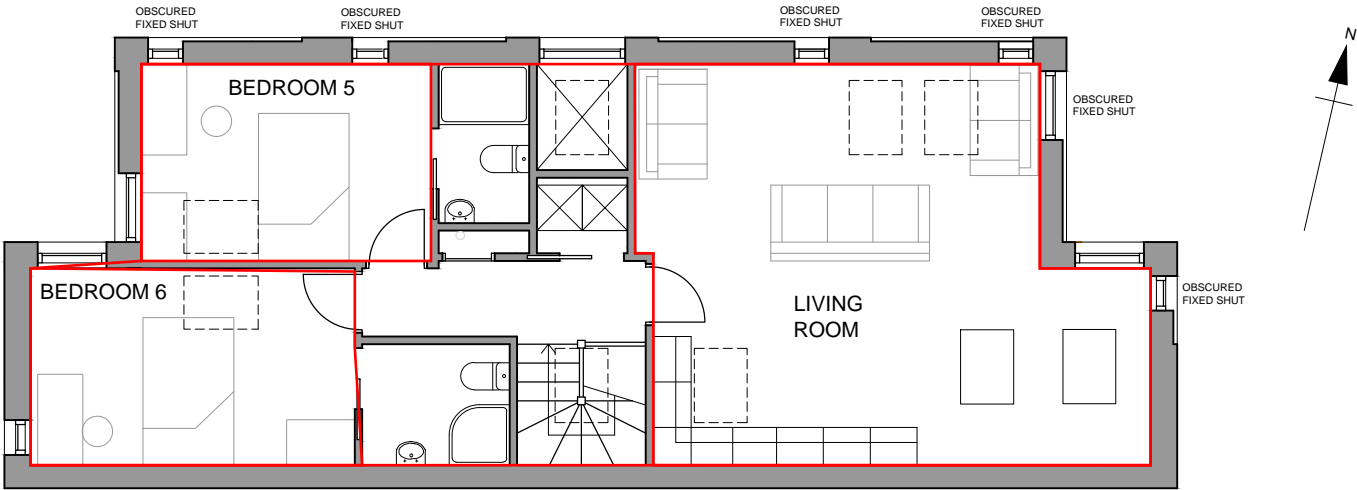
Proposed Ground Floor

Drawing No. 1670(L)121

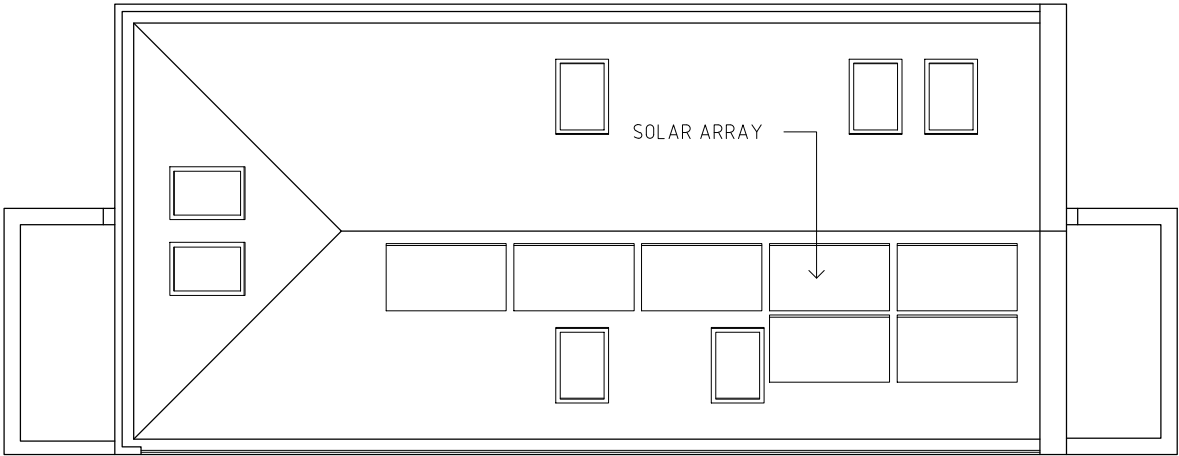
Scale @A3	drawn by	Date	Rev
1:100	LR	31/01/20	B



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



1ST FLOOR PLAN 1:100



ROOF PLAN 1:100

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



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Project 85 Whiteladies Road

Drawing Title Proposed First Floor and Roof Plan

Drawing No. 1670(L)122

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



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PROPOSED WEST ELEVATION 1:200

RIDGE HEIGHT LOWERED BY 100MM

FLOOR TO CEILING HEIGHT GROUND FLOOR  
= 2400mm

FLOOR TO CEILING HEIGHT FIRST FLOOR  
= 2350MM

LOFT SPACE HEIGHT  
=1706MM TO APEX

REV	Note	Date



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Project	85 Whiteladies Road		
Drawing Title	Proposed West Elevation Street Context		
Drawing No.	1670(L)131		
Scale @A3	drawn by	Date	Rev
1:200	LR	25/06/20	/



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

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



PROPOSED SOUTH ELEVATION 1:100

RIDGE HEIGHT LOWERED BY 100MM

FLOOR TO CEILING HEIGHT GROUND FLOOR  
= 2400mm

FLOOR TO CEILING HEIGHT FIRST FLOOR  
= 2350MM

LOFT SPACE HEIGHT  
=1706MM TO APEX

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



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Project 85 Whiteladies Road

Drawing Title Proposed South Elevation

Drawing No. 1670(L)127

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



85 Whiteladies Road





85 Whiteladies Road

Car repair garage

Hampton Lane





85 Whiteladies Road

91 Hampton Lane -  
student  
accomodation

Martial arts gym

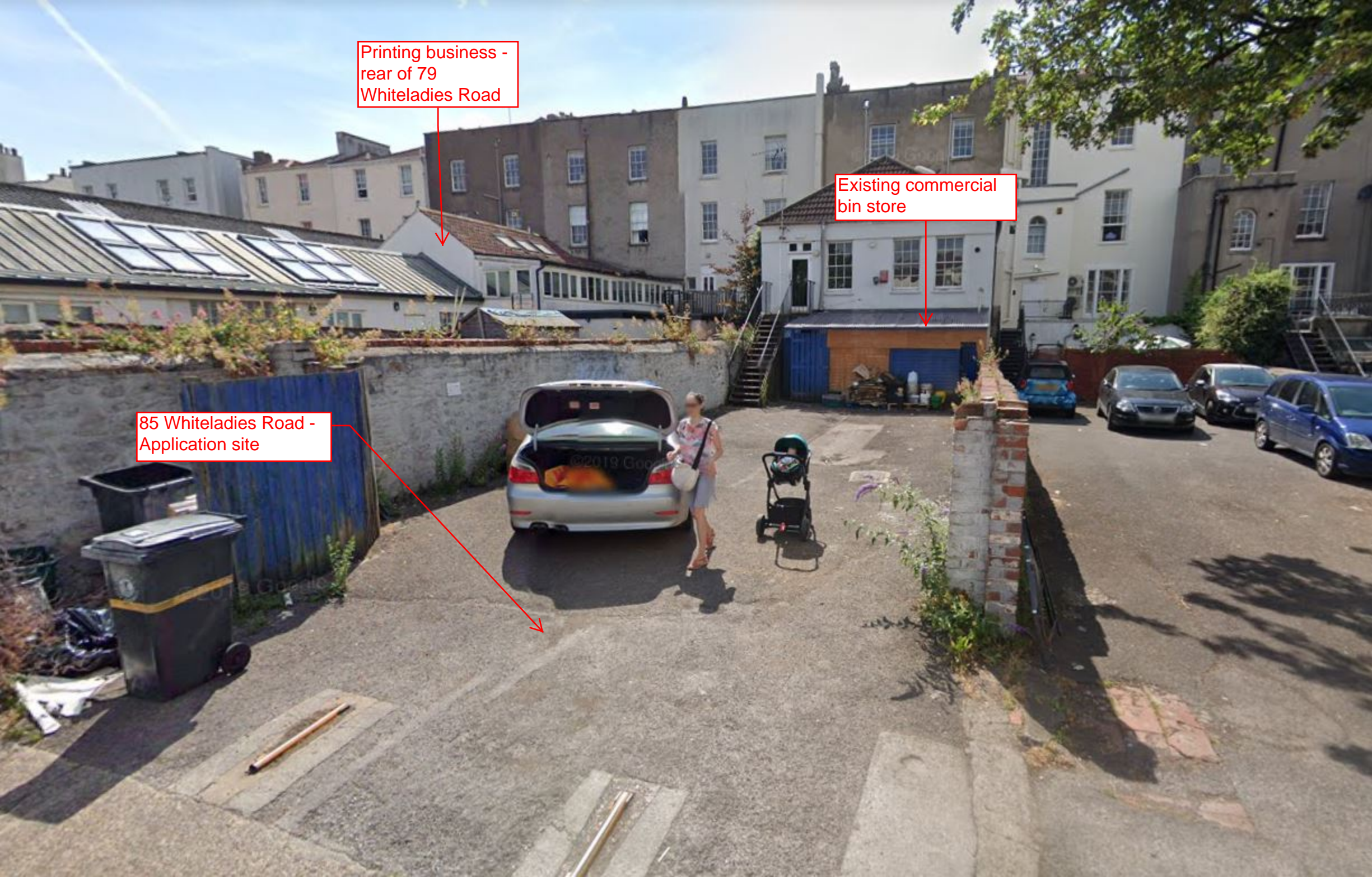
15A Hampton Lane -  
Nearest residential  
neighbour

Rear of 43 Cotham  
Hill - new dwelling  
approved

Printing business -  
rear of 79  
Whiteladies Road

Existing commercial  
bin store

85 Whiteladies Road -  
Application site



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





Application site

Hampton Lane  
looking south



15A Hampton Lane

Application site - 85  
Whiteladies Road