

## S62A/2024/0044 | 24/02222/PINS | Erection of a two-storey side extension comprising 1no self-contained dwellinghouse. | 87 Queenshill Road Bristol BS4 2XQ

We wish to comment on this application but are unable to do so for the following reasons:

### 1. There is no arboricultural evidence

Although there are clearly trees on the development site *that could influence or be affected by the development* (see Figure 1), no arboricultural evidence has been submitted even though this is a prerequisite to the validation of the application. This is set out in the LPA Planning Application Requirements Local List May 2022 which states:

*‘An arboricultural report (see Table 2) must be submitted where there are trees within a proposed application site, or on land adjacent to an application site (including trees in neighbouring gardens and street trees), that could influence or be affected by the development, including works such as site access, service routes and site compounds. Information will be required on which trees are to be removed and retained, the means of protecting those to be retained during demolition and construction works and compensatory planting for removed trees.’<sup>1</sup>*



Figure 1: Google Earth image of the proposed development site dated 03 December 2022

This requires that Householder Applications must provide:

1. Scaled plan showing exact location of trees affected by the proposal (including any work associated with the proposal such as access to the site and services runs) identified with a

<sup>1</sup> <https://www.bristol.gov.uk/files/documents/10-planning-applications-local-list-of-requirements/file> - Local List Item 23.



reference number (e.g., T1, T2), their stem diameter when measured at 1.5 metres above ground, and whether they are to be removed or retained.

2. Any pre-development tree surgery works.
3. Mitigation planting for any removed trees.
4. If any of the trees is covered by a Tree Preservation Order, then the level of requirement is as for Full Planning.

However, for the reasons set out at 2 below, this application should not be treated as a Householder Application but as a Full Planning Application. In which case, compliance with the more detail requirements for such applications will be necessary.

## 2. No Biodiversity gain evidence has been submitted

This application was validated on 03 July 2024, and so is subject to an obligation to demonstrate at least 10% biodiversity gain.<sup>2</sup>

The redline area of the site is some 435 square metres and, even though the application is described as the ‘Erection of a two-storey side extension’, the intention is also to create another ‘self-contained dwellinghouse.’

Accordingly, the application does not fall within the list of those developments which are exempt from the biodiversity gain obligation:<sup>3</sup>

- (a) It is not below the 25 square metre threshold; and
- (b) It is not a Householder application as defined by article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, which defines householder applications as:

*‘(a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or*

*(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development,*

*but does not include an application for change of use or an application to change the number of dwellings in a building’<sup>4</sup>*

As this application includes ‘*an application to change the number of dwellings in a building*’, it is not exempt. None of the other exemptions listed apply.

## Conclusion

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<sup>2</sup> <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

<sup>3</sup> <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

<sup>4</sup> <https://www.legislation.gov.uk/uksi/2015/595/article/2>



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In light of these two failures to comply with planning requirements, this application should either be put on hold until this evidence has been provided or be refused.