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Bristol City Council Development Management

Delegated Report and Decision

Application No: 24/00564/F **Registered:** 12 February 2024

Type of Application: Full Planning **Expiry Date:** 8 April 2024
Case Officer: [REDACTED]

Site Address: 8 Druid Stoke Avenue
Bristol
BS9 1DD

Description of Development: Proposed dwelling and associated works.

Ward: Stoke Bishop

Site Visit Date: **Date Photos Taken:**

Consultation Expiry Dates:

Advert and/or Site Notice: 1 May 2024 **Neighbour:** 8 Apr 2024

SITE DESCRIPTION

This application relates to a plot of garden to the rear of 8 Druid Stoke Avenue, comprising a substantial detached property within a large garden area. Druid Stoke Avenue is verdant in character with large, detached properties set behind substantial front gardens.

The application site is not located within a designated Conservation Area. The application site is located approximately 100 metres east from Grade II Listed 2 Druid Stoke Avenue. There are several trees and hedges within the application site, however these are not protected by a Tree Preservation Order.

APPLICATION

The application proposes a new dwelling and associated works.

Refer to the application form, revised plans and supporting information for further details.

RELEVANT PLANNING HISTORY

Ref. No: 88/01157/P - Creation 2 No building plots with access (REFUSED).

Ref. No: 73/00733/P_U - Erection of two three-storey blocks containing twenty-four flats and conversion of the two existing houses into two self-contained flats each (REFUSED).

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8 Druid Stoke Avenue Bristol BS9 1DD

RESPONSE TO PUBLICITY AND CONSULTATION

8 neighbouring properties were consulted on 20.02.2024 with a deadline to reply by 12.03.2024 and re-consulted following the receipt of amended plans on 18.03.2024 with a deadline to reply by 08.04.2024. The application was publicised by a site notice until 01.05.2024.

Overall, 9 responses objecting the proposal were received. These include:

Amenity

- o Loss of privacy to 1 Shirehampton Road, including overlooking to habitable room windows and private amenity spaces.
- o Loss of privacy and loss of light to neighbouring 6 Druid Stoke Avenue. Requesting that there are no windows in the NW elevation. The neighbours would be overlooking one another.
- o Concerns that the flat roof section of the development could be used as a roof terrace/balcony or similar amenity area.
- o Concerns of the siting of the new dwelling within the site and the impact to overshadowing of the neighbouring properties.

Design

- o Overbearing visual impact from the neighbouring houses.
- o The proposed house is on a small plot out of keeping with the surrounding properties.
- o The proposed dwelling would be overdevelopment of the site.
- o Incongruously modern design in comparison to the surrounding dwellings.
- o The development would result in significant built form and hardstanding. Lack of meaningful landscaping.
- o 8 Druid Stoke Avenue would look out of proportion with the reduced garden size.

Other

- o Concern regarding noise from ASHP.
- o The development site is restricted by existing covenant which limits any developments of dwelling houses to a maximum of 3 per acre. The proposed development would be exceeding the stipulated maximum.
- o Location of soakaway for water runoff
- o No detail of location of septic tank.
- o Impact to the local wildlife.
- o Concerns of the life and conditions of a tree adjacent to the proposed garage.

Officer note: material planning considerations will be addressed within the section below of this report.

OTHER COMMENTS

Pollution Control has commented as follows:-

Due to the size of the premises and positioning of the air source heat pump one could be used without causing any noise disturbance to neighbouring properties. I would however ask for the following condition should the application be approved:

Details of air source heat pump

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

There shall be no commencement of use of any air source heat pump until details including location, noise levels and any noise mitigation measures have been submitted to and been approved in writing by the Local Planning Authority.

Reason: in the interest of neighbouring amenity.

Transport Development Management has commented as follows:-

The relocated vehicle accessway is unlikely to be wide enough to enable the required vehicle access to the driveway and proposed parking spaces. The applicant should provide revised plans, showing a wider vehicle accessway and a pedestrian visibility splay from the proposed driveway.

Subject to resolving the above, please apply the standard conditions and advices.

Arboricultural Team has commented as follows:-

The proposal is for a new house in a rear garden, and the construction of a new garage by the old house. The construction of the new house itself will have no impact on trees. The trees along the boundary by the the new driveway appear to be in the neighbouring property and any impact on them will be minimal, since the surfacing need not change.

However, the new garage for the old house is proposed significantly within the Root Protection Area (RPA) of T1, a significant beech tree that merits protection. The arboricultural report proposes that an engineering solution be found to construct the garage within the RPA of T1 without causing harm, through using a method that requires minimal digging. This is possible to do but I note that no other part of the application refers to the need to do this. If the garage is to be built, close attention will need to be paid to doing it correctly, and we should add a condition that requires the applicant to submit the construction method to us.

So I have no objection to the proposal in principle, subject to conditions.

Flood Risk Manager has commented as follows:-

We note the applicant is proposing to connect to the sewer, can they please provide a sustainable drainage statement in line with our guidance available in Section 4.3 of the Bristol SFRA (<https://www.bristol.gov.uk/planning-and-building-regulations/planning-policy/planning-evidence>). This includes providing evidence of discharge rates and location being approved by Wessex Water, proposed SuDS features and storage requirements.

Contaminated Land Environmental Protection has commented as follows:-

The planning application has been reviewed in relation to land contamination.

The applicants are referred to the following

' Bristol Core Strategy - BCS23 Pollution

' Local Plan ' DM34 Contaminated Land

' National Planning Policy Framework (2024) Paragraphs 124 (c), 180 (e & f) , 189 & 190

' Applicants are reminded of paragraph 190 of the NPPF: Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

' Land Contamination Risk Management: Land contamination risk management (LCRM) - GOV.UK (www.gov.uk)

' Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>

' Planning Portal Guidance <https://www.planningportal.co.uk/permission/commercial->

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

developments/land-contamination/why-do-you-need-to-know-about-land-contamination
 ' <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

The proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the nature of the development, conditions relating to reporting of unexpected contamination as well as radon advice are recommended.

Nature Conservation Officer has commented as follows:-

It is not clear how much vegetation removal is required for this development as some hedgerow reduction is indicated and a proposed access is indicated between the proposed developments boundary and the existing property's boundary, though this space is currently occupied by what looks like a hedgerow and trees. Biodiversity loss (or gain with proposed tree planting and a living roof) as a result of this development should be demonstrated with a Small Sites Biodiversity Net Gain (BNG) assessment.

This should be completed by a suitably qualified ecologist who has completed a UKhab assessment of the site. The report should include the following:

- A written Biodiversity Net Gain plan including a non-technical summary
- A description of how the development has taken into account and delivered against each of the 10 BNG Good Practice Principles.
- Details of how strategic significance has been assigned for all habitats on site
- A map of the pre-development baseline habitats (the baseline habitats identified by the developer will be checked by the UA to validate that the baseline biodiversity will be accurately captured)
- A map of the post-development habitats proposed as mitigation and compensation for the development's impact on baseline biodiversity.
- Habitat condition assessment data for each of the baseline and post-development habitats, with any deviations from standard methods fully justified.

A copy of the statutory BNG metric should also be submitted with a completed start page (assessor and completion date details).

A 30-year Habitat Monitoring and Management Plan (HMMP) for all habitats created or enhanced on site must also be submitted.

Reason: Ecological enhancement is needed to meet the requirements of the revised National Planning Policy Framework (NPPF, 2023).

Please note that the sole use of sedum on the living roof should be avoided.

RELEVANT POLICIES

National Planning Policy Framework – December 2023

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 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 () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

KEY ISSUES

(A) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN PRINCIPLE IN LAND USE TERMS?

The site is currently garden space serving an existing dwellinghouse (8 Druid Stoke Avenue). The site is not allocated for any specific future use but given the local context, and subject to other assessments, the principle of residential use of the site is acceptable.

The development of private gardens is however assessed against policy DM21 of the Site Allocations and Development Management Policies (2014), which states that development will not be permitted unless:

(i) the proposal would represent a more efficient use of land where higher densities are more appropriate; or

(ii) the development will result in a significant improvement to the urban design of the area; or

(iii) the proposal is an extension to an existing dwelling.

In all cases any development of garden land should not result in harm to the character and appearance of the area.

Policy states that higher densities of development are appropriate in and around the city centre, in or close to other centres and along or close to main public transport routes. The proposed site will be located within approximately 260 metres of the designated Druid Hill, Stoke Bishop Local Centre and approximately 500 metres from Shirehampton Road Local Centre. The site is also within 5 min walk of bus stops along Shirehampton Road that cover bus routes to the City Centre as well as Cribbs Causeway. It is therefore considered that the application site is in a sustainable enough location and higher densities are appropriate at the site in principle.

In this case, the proposal would subsequently result in the more efficient use of land in an area where higher densities are appropriate. The loss of the garden space and creation of a new dwelling is therefore considered acceptable with regard to criterion i) of Policy DM21. However, the policy also requires that in all cases any development of garden land should not result in harm to the character and appearance of the area. As set out in Key Issue C below, the proposal would not meet the requirement of this policy and as such fails to meet the requirements of DM21.

(B) MIXED AND BALANCED COMMUNITY ISSUE

The NPPF (2023) reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy BSC18 of the adopted Core Strategy reflects this guidance and 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", with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. The inter-relationship between these and other factors is often complex and dynamic. In the circumstances, housing requirements will differ greatly across

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

the city and will be subject to change over time. With this in mind an overly prescriptive approach to housing mix would not be appropriate. However, it has been possible to identify broad housing issues that are applicable to many neighbourhoods.

Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a strategic steer for all sizes of residential scheme within each zone. A local area-based assessment is required to assess the development's contribution to housing mix as a smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (average of 1,500 residents).

The application site is located within the Stoke Bishop South LSOA within the Stoke Bishop Ward. An up-to date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2021 Census data. The Stoke Bishop South (LSOA) still has a proportion of flats to houses at 13.5% flats and 86.5% houses. 51.6% of which are households with 4 or more bedrooms. The proposal would introduce a 4-bedroom dwelling to the local area. It can consequently be concluded that the area around the application site is dominated by family housing.

It is not considered that an addition of a 4-bedroom dwelling would contribute to the diversity of the local housing stock, however there would be no loss of any smaller housing units, and there is a recognised need for family housing across the city. It is not considered that this type of development would therefore merit a refusal owing to its impact on the local housing stock in this instance.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN RESPECT OF DESIGN AND THE CHARACTER OF THE AREA?

Section 12 of the National Planning Policy Framework (2023) seeks to achieve well-designed places. Paragraph 135 states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 139 states that development which is not well designed should be refused.

The National Design Guide should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

Paragraph 41 of the National Design Guide states that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones. Paragraphs 52 and 53 outline that local identity is made up of typical characteristics such as the pattern of housing, and special features that are distinct from their surroundings. Well-designed new development is influenced by an understanding of local character including built form and includes the composition of street scenes, individual buildings and their elements; the height, scale, massing and relationship between buildings; roofscapes; and façade design, such as the degree of symmetry, variety, the pattern and proportions of windows and doors and their details.

Bristol Core Strategy Policy BCS21 (2011) 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.

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

Policy DM26 in the Site Allocations and Development Management Policies (2014) expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. This policy states that the design of development proposals will be expected to contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and setbacks from the street, skylines and roofscapes. Development should also reflect locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion. 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. Infill development will be expected to have regard to the prevailing character and quality of the surrounding townscape. The higher the quality of the building group and the more unified the character of the townscape, the greater the need to reproduce the existing pattern, form and design of existing development. Backland development will be expected to be subservient in height, scale, mass and form to the surrounding frontage buildings. It should not prejudice the opportunity to develop the adjoining land of similar potential nor should the proposed access arrangements cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.

Policy DM27 in the Site Allocations and Development Management Policies expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. DM27 further states that the layout and form of development, including the size, shape, form and configuration of blocks and plots, will be expected to establish a coherent and consistent building line and setback that relate to the street alignment.

Policy DM29 in the Site Allocations and Development Management Policies states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm. This policy further states that proposals for new buildings will be expected to be clearly organised in terms of their form and internal layout and circulation to reflect the hierarchy of function they will accommodate, the uses they will serve and the context they will address.

In addition to the above, Policy DM21 in the Site Allocations and Development Management Policies (2014) states that in all cases, development of garden land should not result in harm to the character and appearance of an area. Development involving front gardens should ensure that the character of the street is not harmed and that appropriate boundary treatments and planting are retained. Policy DM27 further states that proposals for landscape design should incorporate hard detailing and materials and planting appropriate to context and fit for purpose, for all elements including surfacing, change of level, boundary treatments, and site furniture.

Druid Stoke Avenue is located within a distinctive inter-war residential suburb which is distinguished by its landscaped setting and prevalence of mature trees. Houses along Druid Stoke Avenue are set back from the road behind high hedges, vegetation including trees and large front gardens which gives an impression of open and green spaces along the road, beyond which are large detached secluded houses on substantial plots. Buildings along the street benefit of intricate roof forms, predominantly constructed of clay/red tiles, with a mix of hipped and gabled roofs including chimneys. The roof forms rise proud above vegetation aligning the street and are particularly prominent within long views along the street. These are important components that result in attractive, distinctive, and verdant character of the locality.

8 Druid Stoke Avenue is an attractive, detached property dating back form 1930s set within a

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

generous plot and wide frontage with its principal elevation facing towards the road. It sits on the northern side of the road within a row of similarly configured and scaled detached dwellings. Whilst each property has its own individual style and detailing, there is a very definite building line and regular set back, emphasised by the largely straight alignment of this section Druid Stoke Avenue. This allows for an appreciation of the ordered yet spacious settlement pattern and is further enhanced by the verdancy of the street scene due to the prevalence of established trees and hedgerows both lining the street and within front gardens. Overall, the application site possessed qualities individually and as a wider group of dwellings on the street that make a positive contribution to the character of the locality.

The application proposes to erect a new detached dwelling and a detached garage set behind 8 Druid Stoke Avenue. In order to provide access to the proposed sub-division of the site, the existing detached garage to the side of the existing property would be demolished. A new garage within the front garden is proposed as well as a new access point with dropped kerb from Druid Stoke Avenue.

New detached dwelling

The proposed new dwelling would be sited to the rear of 8 Druid Stoke Avenue. There is existing backland and infill development within the locality including 6 Druid Stoke Avenue (LPA ref. no: 87/01804/F) as well as Nos 14, 16, 16A Druid Stoke Avenue (LPA ref. no: 86/00444/F) dating back to late 1980s/early 1990s. This development is located at the bottom/back of historic rear gardens and follows a clear pattern and approximate building line to the rear of frontage properties.

The current application proposes a plot subdivision that would result in the proposed new dwelling set between two existing properties; south of the existing backland property at 6 Druid Stoke Avenue and north of the existing frontage building at 8 Druid Stoke Avenue. As a result, the proposed sitting within the plot would have an awkward and cramped relationship with the existing frontage building and the surrounding backland development due to its proximity to No. 6 and 8 Druid Stoke Avenue and protrusion forward of the established rear building line and pattern of development in this backland position which is set at the bottom/back of historic rear gardens. No other backland developments have been constructed in the local area in such a position between frontage and backland dwellings, and therefore the proposal will be out of keeping with the existing townscape and grain in this respect.

A defining characteristic within the locality is substantial dwellings on substantial plots. Not including proposed outbuildings, the proposed dwelling would have a footprint greater than the footprint of the existing frontage building 8 Druid Stoke Avenue however it will be located in a smaller plot. As a result, the proposed development would be out of keeping with the predominant local character in this respect and not adhere to general principles for backland development which is expected to be subservient in scale, mass and form to the surrounding frontage buildings as outlined within Policy DM26.

The proposed building design compromises several distinct elements: a two-storey main portion with a gabled roof form, an intersecting two-storey structure featuring a flat roof, and various single-storey flat-roofed sections with green roofs. The overall composition appears visually cluttered due to disparate elements lacking cohesion. Each component seems disconnected from the others, result in lack of rhythm and overall poor-quality design. The fenestration, characterised by industrial style, lacks a clear pattern or consistency. Additionally, while the form is busy, the elevations - such as reveals, eaves, and roof details - lack architectural interest.

The principal elevations of the buildings along Druid Stoke Avenue typically front the street - this applies to buildings situated within backland setting. They offer clearly delineated and evenly

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

proportioned elevations which is absent to dwelling proposed. The proposed south-east elevation would directly face the frontage development and, consequently, Druid Stoke Avenue. Given its positioning, it could be considered the principal elevation of the building. However, when viewed from the south-east, the single storey elements appear visually unbalanced in relation to the two-storey element due to its significant width and form. This would represent a poor-quality overly intensive approach in design terms which when viewed in conjunction with main two storey element would lack subservience in form and proportion, appearing over-dominant and unsympathetic.

Generally contemporary style of homes are not resisted, however such an approach would likely only be successful in this setting subject to siting, scale, mass, form, architectural details and an adherence to certain overarching design principles, particularly balance and symmetry, arrangement and hierarchy. The current proposal fails to respond appropriately to these principles for the reasons set out above.

Therefore, the proposed dwelling by virtue of its siting, design, scale, form, footprint and massing would appear an unusual, incongruous and overly prominent feature which would appear out of keeping with the immediate context and surrounding properties; failing to respect the local pattern and grain of development within this part of the Druid Stoke Avenue, which is characterised by verdant streets and private gardens with substantial detached dwellings on substantial plots.

Works to the frontage of the existing 8 Druid Stoke Avenue

Garages and ancillary domestic buildings within the locality are generally located to the side/ rear of principal elevations of dwellings maintaining a strong building line and reinforced spaciousness. The proposed garage would be set substantially ahead of, and significantly breach the established building line of Druid Stoke Avenue. This would result in loss of the characteristic open space in front of the house which would not reflect the defining pattern of development. The proposal would therefore cause harm to the character of the locality. Whilst the proposed garage would be largely screened behind the vegetation, this can die or thin and could be removed in the future without permission/consent. Although it is acknowledged that the natural screening would remain in place for some time, it would not be possible to guarantee that the garage could not be seen through vegetation in the future.

The structure itself would be subdued and unremarkable, compromising a modest domestic scale. Hence, there is nothing intrinsically offensive about the appearance of the proposed garage. Rather the harm would derive from its inappropriate siting which would undermine the hierarchy seen in the prevailing established pattern of development. The resultant tension between the overly prominent placement of the structure and its secondary appearance would be discordant and harmful to the character of the host dwelling and wider area.

The application is recommended for refusal on this basis.

(D) DOES THE PROPOSAL PROVIDE A SATISFACTORY LEVEL OF RESIDENTIAL ACCOMMODATION?

Site Allocations and Development Management (2014) Policy DM27 expects proposals to enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight; enable the provision of adequate appropriate and usable private or communal amenity space, defensible space, parking and servicing where necessary. Policy DM14 in the same document requires developments to deliver a healthy living environment.

The adopted Bristol Core Strategy Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

and adaptable, by meeting appropriate space standards. The Core Strategy states that building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Under the 2015 Housing Standards Review a new nationally described space standard was introduced and in March 2015 a written ministerial statement to parliament confirmed that from 1 October 2015 existing Local Plan policies relating to internal space should be interpreted by reference to the nearest equivalent new national technical standard.

Policy DM29 in the Site Allocations and Development Management Policies (2014) also states that new development should be dual aspect where possible, particularly where one of the aspects is north-facing. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

The application proposes a 4-bedroom 8 person dwelling across 3 levels. In accordance with Core Strategy Policy BCS18 and national space standards all new 8-person three level residential units with 4 bedrooms should contain 130 square metres internal floor space as a minimum in order to meet space standards. The proposed dwelling will have an internal floor space of approximately 306 square metres. All bedrooms (at 18.3 sqm, 17.3sqm, 11.9sqm, 15.3sqm) would meet the minimum space standard for a double bedroom (minimum 11.5 square metres). The proposed dwelling would therefore meet and comfortably exceed the minimum space standards.

In relation to outlook and light levels, the property contains an appropriate amount and size of windows to all elevations, providing a dual aspect of outlook to ground and first floors. The proposal includes a basement level serving an office and a gym - these would include glazing with lightwells. Given the proposed use of the basement level, it is considered that levels of light received would not warrant a refusal on this basis. The proposed dwelling would also include adequate private outdoor amenity space.

Overall, the proposal would provide a satisfactory living environment to the future occupiers.

(E) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF NEIGHBOURING RESIDENTIAL PROPERTIES?

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

The proposed dwelling would be sited to the rear of the 8 Druid Stoke Avenue.

8 Druid Stoke Avenue

The proposed dwelling would be set approximately 18 metres from the main frontage building 8 Druid Stoke Avenue and approximately 6 metres from the boundary from this property. The proposed dwelling will include a number of habitable room windows (including upper level windows) which will directly face this neighbouring property, with No.8 Druid Stoke Avenue also containing a number of habitable room windows which will face the proposed new dwelling. Given the limited separation distance and introduction of habitable room windows located at elevated position to a

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

low density setting where there is currently no existing or expected levels of overlooking it is considered that there will be a harmful degree of mutual overlooking and direct and perceived overlooking to the private amenity areas of 8 Druid Stoke Avenue to the detriment of the privacy and amenity of occupants of that property. The proposed site plans show several silver birch trees to be planted along the rear boundary. However, trees can take a considerable time to mature, and even when matured might provide a different level of privacy throughout the year. It is therefore considered that the planting would not overcome mutual overlooking between properties.

6 Druid Stoke Avenue

The proposed building would be set approximately 14 metres from the neighbouring property 6 Druid Stoke Avenue with a distance of approximately 3 metres from the boundary to this neighbour.

The proposed building along the boundary with this neighbour would be largely single storey, however the double storey gable ended element with a ridge height of approximately 7.4 metres would be adjacent to this boundary. The part of the garden area of 6 Druid Avenue along this boundary faces south-east. Due to the scale, design and positioning of the proposed dwelling, it is considered that the development will result in harmful levels of overshadowing of the adjoining external amenity spaces and the proposal will result in an overbearing impact.

While there are no windows to the first-floor north-west elevation, it is noted that concerns regarding glazing to the ground floor within this elevation have been raised by neighbouring properties following public consultation. A proportion of the glazing would be screened by existing boundary treatments, including a high hedge. It is acknowledged that the existing hedge would provide a degree of privacy between properties at ground floor level, however it should be noted that the glazing proposed within the north-west elevation would be between 2.9 to 3.5 metres in height from ground level. Therefore, it is likely to rise above the boundary treatments and offer a degree of perceived overlooking, given the distance to the boundary of this neighbour and height of the glazing. It is also considered future occupiers of the building would be overlooked from the first floor windows of 6 Druid Stoke Avenue given the close proximity and considerable extent of glazing.

10 Druid Stoke Avenue

The proposed glazing to first floor south-west elevation would be located approximately 24 metres from the boundary of the neighbouring property and glazing to ground floor between 12-16 metres away. Given the positioning, it is considered that these would offer some views to the neighbours private amenity areas, however given the distances to the boundary, these are not considered to be detrimental to this neighbour.

1 & 3 Shirehampton Road

It is noted that objections have been raised regarding first floor windows to the north-east elevation. This elevation would include a high-level window to the proposed sitting area as well as window serving a bathroom. The separation distance between habitable rooms of the proposed dwelling and the neighbouring properties at No.1 and 3 Shirehampton Road would be over 21 metres. This separation distance is relatively significant and therefore it is considered that any levels of direct overlooking will not be significant. However, the glazing to this elevation would likely result in the perception of overlooking from the private amenity space of these properties. The perception of overlooking would be exacerbated due to development within the locality being spaced out and having significant distances between dwellings and their boundaries.

Therefore, the proposed development would be detrimental to the amenity of the neighbouring occupiers through means of overlooking, loss of privacy, and overbearing. As such, the proposal

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

would be contrary to National Planning Policy Framework (2023); Policy BCS21 of the adopted Bristol Local Plan (2011) and Policies DM27 and DM29 of the adopted Site Allocations and Development Management Policies Plan (2014).

Noise and Disturbance

It is noted that some concerns have been raised regarding the proposed ASHP and its location at first-floor level. Following consultation, the Council's Pollution Control Team raised no concerns due to the size of the premises and positioning of the air source heat pump in relation to neighbouring dwellings. It is thought that one could be used without causing any noise disturbance to neighbouring properties. However, in the interest of preserving neighbouring amenity regarding impacts on noise, a condition would be attached to a decision should a consent was forthcoming for details of proposed units, including its noise levels.

(F) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Section 9 of the NPPF (2023) states that transport issues should be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects. This policy further states that development proposals should ensure that net environmental gains, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The planning system should actively manage patterns of growth in support of these objectives. 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.

Policy BCS10 in the Bristol Core Strategy (2011) states that 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.

Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians. This policy further states that development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision (including cycle parking) and that proposals for parking should make effective and efficient use of land and be integral to the design of the development. The approach to the provision of parking aims to promote sustainable transport methods, such as walking, cycling and public transport, as encouraged by Core Strategy Policy BCS10.

Policy BCS15 in the Bristol Core Strategy states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Policy DM32 in the Site Allocations and Development Management Policies states all new developments will be expected to provided recycling facilities and refuse bins of sufficient capacity to serve the proposed development. This policy further states that the location and design of recycling and refuse provision should be integral to the design of the proposed

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

development. In assessing recycling and refuse provision, regard will be had to the level and type of provision, having regard to the above requirements and relevant space standards; and the location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives. Policy DM23 also states that the provision in new development of safe, secure, well-located cycle parking can be very important in encouraging people to cycle regularly. It is important that development proposals incorporate these facilities and parking at the outset of the design process. Applicants should refer to the council's 'Guide to Cycle Parking Provision' for guidance on this matter.

The application has been considered by the Council's Transport Development Management Team (TDM). TDM have not objected to the proposal in principle, subject to amendments.

The proposal includes the provision of a new vehicle accessway to 8 Druid Stoke Avenue. The proposed new accessway would have a high hedge on both sides, limiting visibility when exiting the drive. The accessway as submitted (at 2.8 metres wide) would be considered not wide enough due to limited visibility from boundary treatments and resulting visibility of pavement users. However, Druid Stoke Avenue is an unclassified road with relatively low footfall, and it is not considered this alone would merit a refusal on highway grounds.

The proposed new dwelling would include parking within the site. It would have an access drive to Druid Stoke Avenue and be approximately 4.5 metres wide which is the existing arrangement for 8 Druid Stoke Avenue. It is considered that the access for the new dwelling is adequate in this instance and raises no concerns from TDM with regards to highway safety.

The proposal includes the provision for waste, recycling and cycle storage, which is acceptable. Should an approval be forthcoming, conditions would be attached to a decision to ensure that the storage is implemented prior to the occupation of the dwelling.

Overall, and while it may be possible for the applicant to address the issues considering access (such as sharing the existing drive with the proposed dwelling), as a result of principle concerns regarding the suitability of the siting of the dwelling in design terms and impact to the amenities of neighbouring occupiers, revised drawings were not sought in this instance.

(G) SUSTAINABILITY AND CLIMATE CHANGE

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Policy BCS14 states that new development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:

1. Connection to existing CHP/CCHP distribution networks
2. Site-wide renewable CHP/CCHP
3. Site-wide gas-fired CHP/CCHP
4. Site-wide renewable community heating/cooling
5. Site-wide gas-fired community heating/cooling
6. Individual building renewable heating

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

The applicant has provided a sustainability/energy statement which demonstrates that a 20% reduction in carbon emissions through the use of photovoltaic panels to roof slope of the building in conjunction with an Air Source Heat Pump would be achieved. The heating and hot water system will also be achieved by the Air Source Heat Pump, which will be in accordance with the heat hierarchy referenced above. Although not included within the calculations for carbon emission reductions, thermodynamic panels would also be installed for the reduction of energy required for hot water in the new dwelling. The application is therefore considered acceptable on these grounds; further detail of the renewable measures would be secured via condition.

(H) FLOOD RISK

Bristol Core Strategy (2011) Policy BCS16 states that 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).

It is proposed to connect to the sewer; however Sustainable Urban Drainage Strategy would be secured via condition should an approval was forthcoming.

(I) ARBORICULTURE

Paragraph 136 of the NPPF (2023) states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. This paragraph of the NPPF also states that existing trees should be retained wherever possible.

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced and that 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. Policy BCS21 in the same document states that development should contribute positively to an area's character and identity and proposals should deliver high quality inclusive buildings and spaces that integrate green infrastructure. Policy BCS22 also states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including conservation areas.

Policy DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees. Where tree loss of damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development. Policy DM26 states that the design of development proposals will be expected to contribute towards local character and distinctiveness by responding appropriately to and incorporating existing green infrastructure assets. Policy DM27 states that development will be expected to incorporate existing green infrastructure to reinforce the character of streets and spaces.

The application has been submitted with an accompanying arboricultural report. The Councils

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

arboricultural officers have been consulted and no objections were raised, subject to conditions should a consent was forthcoming.

(J) BIODIVERSITY NET GAIN

Paragraph 180 of the NPPF (2023) states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Para 185 further states that to protect and enhance biodiversity and geodiversity, plans should...identify and pursue opportunities for securing measurable net gains for biodiversity.

Core Strategy Policy BCS9 states 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. Where development would have an impact on the Bristol Wildlife Network it should ensure that the integrity of the network is maintained or strengthened Policy DM19 in the Site Allocations and Development Management Policies (2014) further states that development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to:

- i. Be informed by an appropriate survey and assessment of impacts; and
- ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and
- iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network.

This application was validated on 12 February 2024. For applications submitted from 2 April 2024 for small sites it is mandatory to demonstrate a minimum Biodiversity Net Gain (BNG) of 10%. For applications submitted prior to this date, the NPPF 2023 requires a Biodiversity Net Gain to be demonstrated, however they are not required to demonstrate a 10% BNG. Ecological mitigation is required to meet the requirements of the NPPF. This states at paragraph 186(d), that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity. This requirement therefore applies to this application. Although the application sets out an intention for Biodiversity Net Gain, no metric has been provided that demonstrates how this would be achieved and maintained.

The development would be constructed on an area of garden which currently offers opportunities for wildlife however no assessment into its biodiversity value has been provided to support the application. The plans are annotated to state that the hedges would be largely retained, they also indicate a row of new tree planting along the north-west boundary of the 8 Druid Stoke Avenue. Finally, a green roof is indicated on the plans. No details of the proposed planting have been provided, however.

The application is recommended for refusal on this basis given the lack of detail showing net gains for biodiversity.

(K) DO THE PROPOSALS ADEQUATELY ADDRESS ANY CONTAMINATION ISSUES RELATING TO THE SITE?

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- ii. The proposed development will not cause the land to become contaminated, to the detriment of future use.

The proposed development could be sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the small nature of the development no objections were raised, subject to condition requiring that in the event that contamination is found at any time when carrying out the development it must be reported immediately to the Local Planning Authority.

CONCLUSION

The application is unacceptable and recommended for refusal.

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 this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

RECOMMENDED REFUSED

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

Reason(s)

1. The proposed dwelling by virtue of its siting, scale, form, footprint, height and massing would represent a cramped, intensive and incongruous form of development in the backland setting. The proposed dwelling would be of an unsympathetic design which would appear out of keeping with the immediate context and surrounding properties; failing to respect the local pattern and grain of development in this part of Druid Stoke Avenue and failing to appear subservient in scale, mass and form to the frontage building. The proposals represent over development of the site and thus are contrary to guidance contained within National Planning Policy Framework (2023) and Policy BCS21 (Quality Urban Design) of the adopted Bristol Core Strategy 2011 or policies DM21 (Development of Private Gardens), DM26 (Local Character & Distinctiveness), DM27 (Layout & Form), DM29 (Design of New Buildings) of the Site Allocations and Development Management Policies Local Plan (July 2014).
2. The proposed garage to front of 8 Druid Stoke Avenue by virtue of its principal siting, design and form would detrimentally harm the character and appearance of the application dwelling and this part of Druid Stoke Avenue. It would be an incongruous and prominent addition within the street scene harmful to the character of the street and the locality. As such, the proposals would be contrary to adopted guidance set out within SPD2 'A Guide for Designing House Alterations and Extensions' (2005), Policy BCS21 (Quality Urban Design) of the adopted Core Strategy 2011 and Policies DM26 (Local Character and Distinctiveness), DM27 (Layout and Form) and DM30 (Alterations to Existing Buildings) of

DEVELOPMENT CONTROL () DELEGATED
8 Druid Stoke Avenue Bristol BS9 1DD

the Site Allocations and Development Management Policies (2014).

3. The proposed development by virtue of its scale, bulk, form, massing, height, design, layout and siting in close proximity to neighbouring properties would have an unacceptable overbearing impact on those properties (including private external amenity spaces) and would result in an unacceptable sense of enclosure, overshadowing, loss of light and outlook to the detriment of the amenity of occupiers of those properties. The development would also result in harmful levels of direct and perceived overlooking of habitable room windows and external amenity space of neighbouring properties to the detriment of the amenity and privacy of occupiers of those properties. As such, the proposal would be contrary to National Planning Policy Framework (2023); Policy BCS21 (Quality Urban Design) of the adopted Bristol Local Plan (2011) and Policies DM27(Layout and Form) and DM29 (Design of New Buildings) of the adopted Site Allocations and Development Management Policies Plan (2014).
4. The proposed development would result in the loss of features which contribute to nature conservation (hedgerow) and fail to provide evidence of acceptable net gains for biodiversity. The application is therefore contrary to the National Planning Policy Framework (2023) and Site Allocations and Development Management Policy (2014) DM19 (Development and Nature Conservation).

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

OS extracts, received 13 March 2024
 Survey, received 13 March 2024
 Proposed basement and ground floor plan, received 13 March 2024
 Proposed ground floor plan and first floor plan, received 13 March 2024
 Proposed roof plan and visual representations, received 13 March 2024
 Proposed elevations, received 13 March 2024
 Proposed basement and ground floor plan measured, received 13 March 2024
 Proposed ground floor and first floor plan measured, received 13 March 2024
 Proposed site plan, received 13 March 2024
 Proposed green products, received 13 March 2024
 Proposed elevations measured, received 13 March 2024
 Proposed garage plans and elevations, received 13 March 2024
 Proposed bin storage plans and elevations, received 13 March 2024
 Arboricultural report, received 12 February 2024
 Energy and sustainability statement, received 12 February 2024
 Planning, design and access statement, received 12 February 2024

Case Officer: [REDACTED]

Authorisation: [REDACTED]

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