

Section 62A Applications Team  
Temple Quay House  
2 The Square  
Bristol. BS1 6PN

Our ref: PR001662

Your ref:

Date: 3<sup>rd</sup> February 2025

Sent via email

Dear Sir/Madam,

### **Town and Country Planning Act 1990**

**Outline application for the erection of a six-storey building comprising 9no. self-contained flats (Access, Layout, Scale, and Appearance to be determined).**

**House, 515-517 Stockwood Road, Bristol BS4 5LR**

This letter is provided on behalf of our client, Stockwood Land (Company number 12363342), to support their outline planning application for the above property. The letter forms a proportionate Planning Statement. The application is for the erection of a six-storey extension to Orchard House, comprising 9no. self-contained flats.

### **Application site and history**

The application site comprises land to the north of Orchard House, a former office building which has been converted to self-contained flats through the prior approval process (ref. 16/07025/COU), and then subsequently extended (planning permission ref. 17/04292/F) with additional floors at the rear to provide 9no. additional flats. These consents were implemented by the previous owners; the Applicant has since purchased the freehold of the site.

The site falls within the Flowers Hill Trading Estate PIWA; otherwise, no other policy designations or constraints apply. It is within Flood Zone 1 and at the lowest risk of flooding, and is at very low risk from surface water flooding. Tree Preservation Order ref.1415 covers six trees along the southern boundary, within the wider ownership of the Applicant (adjacent to No.513 Stockwood Road), and unaffected by the proposals.

A motorcycle showroom lies to the north, with the Brislington Park and Ride site lying to the east, across Stockwood Road. The Flowers Hill Trading Estate lies to the west.

Aside from the aforementioned consents to the main building, the Applicant has also applied for permission on the wider site ownership, concentrated to the rear, with outline consent for a five-storey care home (Use Class C2) being issued in March 2021 (ref.20/05492/P), and an alternative residential (Use Class C3) scheme, of 58no. flats within the similar building at the rear (ref. 21/04340/P), which was dismissed at appeal (ref. APP/Z0116/W/24/3341173), in October 2024 on affordable housing/viability and fire safety grounds.

In terms of this current proposal, the Applicant previously submitted outline application ref. 20/03657/P for the erection of a five-storey building comprising 9no. self-contained flats, in August 2020, which was refused by the Council and dismissed on appeal (ref. APP/Z0116/W/21/3270587), in March 2023, on two grounds relating to (i) character and appearance and (ii) living environment for future occupiers. A resubmission to the Council was made in October 2023 (ref. 23/04104/P) for a reduced quantum of 7no. units. The resubmission remained undetermined by the Council beyond the statutory assessment period, so an appeal against non-determination was submitted (ref. APP/Z0116/W/24/3341173), but subsequently withdrawn.

## **Proposal**

This application is a redesign of previous submissions, taking into account the Inspector's decision for ref. 3341173, and a revisit of the site's context, constraints, and opportunities. The current proposals now seek outline planning permission for a six-storey building attached to Orchard House, comprising 9no. self-contained flats. The building would still sit to the north of Orchard House, in effect forming a side extension. Matters of Access, Layout, Scale, and Appearance are submitted for consideration, with Landscaping to be reserved.

The site currently provides access through to the car park at the rear of Orchard House. This access will be retained, with a 4.6 metre-high entrance, to enable a fire tender access to the rear of the building, and 7.5 metre width to enable both vehicle and pedestrian access. Separate cycle and refuse storage (and a retained sub-station) is to be provided at ground floor level. All flats would be accessed from the communal entrance towards the front of the extension, which includes a lift.

The proposals are for two-bedroom units and also includes a communal roof terrace amenity space. See the Architect's Design and Access Statement for more information.

## **Analysis**

### *Principle of Development*

In terms of the principle of the development, whilst within the PIWA, the wider site has a lawful residential use, and this was never in dispute during the previous appeal. As previously developed land within South Bristol, the principle of housing would accord with policies BCS1, BCS5 and DM1. In addition, the Inspector for the previous scheme found that residential development of this site would not prejudice developments on adjoining sites, as none are proposed/planned to any degree.

### *Design*

The proposed plans present a six-storey building, commensurate in scale to the host building, Orchard House, and presenting as a wing of the building. The showroom to the north is a large, detached building, and the glazed frontage increases the sense of scale. The extension's vertical circulation and rooftop plant room would create a bookend on the northern boundary, and provides a visual stop onto the A4 Bath Road elevation. The proposed massing to the rear reflects Orchard House and its extension, maintaining similar height.

Whilst the previous Inspector noted the host building's central location within the site, it is in fact located close to the southern boundary with No.515 Stockwood Road. The frontage gap to the north of Orchard House is three-times the width of that to the south, allowing some form of extension whilst remaining within the confines of the site. The proposed extension is designed to be an identifiable modern intervention, much like the rear wing, but also incorporates a design that is clearly influenced by the existing building in its architectural language.

The undercroft access highlights the wing as a separate component from the main building, its frontage to Stockwood Road. This arrangement, to facilitate vehicular access to the rear, is a comparatively commonplace feature on twentieth century buildings, and period architecture, and many examples of converted, newly-built, and/or extended buildings and are found in former office districts of the city such as Redcliffe.

Included within the Architect's Design and Access Statement are multiple visualisations of the proposed extension (extract below), and they clearly show that the development is intended to carry through the appearance and detailing of the host building, but draw a definitive line between what is new and what was the original form of the host building. Orchard House's status

as a stand-alone building will remain and we consider that this altered design (now with Appearance for consideration), would be in keeping with the character of the area, in accordance with Policy BCS21 of the Core Strategy (2011) and the suite of design policies within the Site Allocations and Development Management Policies (2014).



Existing



Proposed



Proposed

### *Living conditions and residential amenity*

The previous scheme raised no issues in relation to impact on existing residential neighbours, and that is carried through to the current proposals. Even with the south-facing elevation approximately 18m from the rear wing of the host building; only second bedroom and secondary (first) bedroom windows are present in the extension, and these are proposed as circulation space windows. Principle outlooks for the proposed flats are to the west/rear.

The Inspector found on the dismissed scheme that the lack of amenity space was not a reason for objection, as “the Council has already accepted this arrangement when granting permission for additional floors on the rear wing [of the host building]” (paragraph 11). That said, the proposals include private balconies (with privacy screening) for the 5no. rearmost flats and Juliette style balconies for the other 4no. units. The proposals also make use of the roof space created, and propose a communal rooftop garden, accessible to all within the extension.

All proposed units are multi-aspect, with excellent outlooks, and meet the necessary internal space standards. This combined with the 18m separation, and careful design, prevents intervisibility between residents and neighbours, and ensures that the living conditions for future occupiers of the extension are acceptable.

### *Transport and highways*

The development is in a sustainable location, adjacent to the Park and Ride and with easy access to the City Centre via bus stops on Bath Road (100 metres to the north) providing multiple services. A Lidl supermarket lies 500 metres to the northeast, with the Brislington Hill local centre 600 metres

from the site. Closer to the site, via the pedestrian crossing on the A4 Bath Road, there are other local facilities including Subway, Starbucks, Greggs, and McDonalds.

Cycle storage is proposed within the within the ground floor and is shown with 20no. spaces arranged within two-tier racks (with the requisite floor-to-ceiling heights achieved), exceeding the Local Plan adopted standards of 1no. space per bedroom for one- and two-bedroom units. Refuse/recycling storage is also provided for each unit, towards the rear of the site.

Whilst the site is located on the eastern edge of the Brislington area, it is very accessible and well served by public transport and walking and cycling routes. There should be no objection to a car-free development in this location, subject to the meeting the Council's objectives with regards to encouraging alternative modes of transport to the private motor vehicle, which the proposals achieve, in accordance with policies BCS10 and DM23.

### *Energy and Sustainability*

An energy statement accompanies this application, which confirms that a >20% saving can be achieved against residual emissions, through sustainable design features and the use of high-specification materials, and the provision of renewal energy technologies.

### *Ecology*

Aside from the existing tree, at the front of the site, which remains unaffected by the proposals; the site is hard surfaced. The development is exempt from statutory Biodiversity Net Gain (BNG), as it qualifies within the *de minimis* category, affecting less than 25sq.m/5m of linear habitat. Notwithstanding, the site presents opportunities for enhancements that will undoubtedly lead to an overall BNG, such as integrated bat and bird boxes, bee bricks/invertebrate hotels, soft landscaping opportunities within the rooftop garden. All of this can be secured through condition and/or detailed within the Landscaping submission at Reserved Matters stage. In any event, a BNG is achievable on this brownfield site, in accordance with the objectives of the Framework.

### *Affordable Housing*

As noted in the site history section of this letter, planning permission was granted at Orchard House for 9no. flats in 2017, in addition to the 45no. flats created under the prior approval. These flats were completed prior to the purchase of the freehold by the Applicant. Given that the two schemes will have been submitted more than five years apart by different owners; the proposals

would not constitute artificial sub-division or phasing, and as such, no affordable housing contribution is required.

#### *Ground Conditions*

The application is once again supported by reporting in relation to land contamination, which is known to be present, and coal mining legacies. Both issues can be suitably addressed through the imposition of standard conditions, therefore complying with Local Plan requirements.

#### *Community Infrastructure Levy*

It is acknowledged that the Section 62A application route is not normally appropriate for developments that are subject to Community Infrastructure Levy (CIL) charge. This application proposes new residential floorspace, which would be chargeable, but at the point of the granting of full planning permission, whereupon a CIL Liability Notice would be issued. This application is made in Outline form, therefore the granting of consent would not result in a Liability Notice being issued (until Reserved Matters are granted).

Notwithstanding, the Applicant shows their commitment to CIL payment, with the submission of a Draft Unilateral Undertaking (UU) for the relevant amount. Should permission be forthcoming and the Applicant opt to apply for Reserved Matters in the same way, a completed UU would be supplied with any subsequent Section 62A application, and adjusted for current CIL rates and chargeable floorspace.

#### **Planning balance and conclusion**

The Council currently cannot demonstrate a compliant five-year supply of housing land, and have failed the Housing Delivery Test on past results, meaning that the Local Plan is out of date, and that the presumption in favour of sustainable development contained within paragraph 11d of the Framework applies.

The amended design ensures that the extension of the host building is read exactly as that, and the visual impacts of the previously refused scheme have been lessened. The current proposals would present a neutral impact in this regard. Final details, via planning condition and/or Landscaping matters will ensure the development integrates successfully with the character and appearance of the area.

The proposal would provide an additional 9no. flats towards the Council's current shortfall in housing delivery, in a sustainable location and utilising previously developed land. Making effective use of this part of the land would accord with the policy approach of the Framework to use suitable brownfield land for housing (and the environmental benefits contained therein). This carries substantial weight in favour of the proposal.

The site is reasonably small and could be delivered by a small or medium-sized local builder (as opposed to a volume house builder) adding to the overall mix and offer of housing in the area, bring about some social benefit – this should be given limited beneficial weight.

In addition, the scheme would bring economic benefits to the area during construction and in subsequent occupation (through new patronage for services and public transport etc.) – this should also be given limited beneficial weight.

The proposals have overcome the design and living condition concerns of the Inspector on the dismissed appeal scheme, and within the context of the titled balance, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

If you have any further queries, then please do not hesitate to contact us.

Yours faithfully,

**Stokes Morgan Planning Ltd**