

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

Our ref: PR02321

Your ref:

Date: 20th May 2025

Sent via email only

Dear Sir/Madam,

Town and Country Planning Act 1990

First-floor extension to rear of shop and creation of dwelling (Use Class C3) with associated works.

11-13 High Street, Westbury-on-Trym, Bristol. BS9 3BF

BACKGROUND

On behalf of our client South West Estates Management Ltd, we submit an application for an extension to the rear of the premises, at first-floor level, and the conversion of the rear of the site to a two-bedroom dwelling (Use Class C3). The Applicant has chosen to take the Section 62A route and submit the proposal directly to the Planning Inspectorate. Notice of this intention was given on the 23rd April 2025.

We can confirm that the development would be CIL liable. This letter should be considered a proportionate Heritage, Planning, Design, and Access Statement. Additionally, we submit the following plans and documents as part of this application: -

- Completed Application Form and Ownership Certificates;
- CIL Form 1;
- Site Location Plan;
- Existing and Proposed Site Plans;
- Existing Floor and Roof Plans;

- Existing Elevations and Sections;
- Proposed Floor and Roof Plans;
- Proposed Elevations and Sections;
- Energy Statement;
- ASHP Details/Brochure; and
- BNG Exemption Statement.

For clarity the existing plans show the converted premises, as that development has progressed to a point of 'no return' and the ancillary commercial space is now lost and the four flats are recognisable. Should the Inspector require pre-existing plans and elevations, these can be supplied.

The application site is a former Nat West Bank branch, and in March 2024 a Prior Approval change of use application (ref. 24/00831/COU) was submitted to the Council for the conversion of the upper floors to 4no. self-contained flats (two of them maisonettes spanning the second floor and roof space). With no external alterations permitted as part of the conversion, access and servicing to the flats would be from the established rear pedestrian route, via Westbury Court Road, like the adjacent flats within Nos.7-9 High Street. The Council reached no decision within the statutory 56-day timescale; therefore the change of use was Deemed Approved on 29th April 2024.

A minor external alterations application (ref. 24/00833/F) was approved on the 2nd of July 2024 for the insertion of front and rear rooflights, to provide the roof space accommodation with natural light and outlook.

A further application (ref. 24/03121/F) was approved on 18th October 2024, and proposed a new shopfront with rearranged pedestrian access points, allowing the consented residential units on the upper floors direct access to High Street. These consents are all being implemented and the residential conversion of the upper floors is significantly progressed.

A further application (ref. 24/04548/F) was submitted in October 2024 and sought the extension and conversion of part of the rear of the commercial unit to form a small HMO with five bedrooms. It was proposed to expand the cycle parking areas and bin stores, so the residential elements of the property all shared these facilities. The application was refused on 4th April 2025 for the following reasons: -

1. Impact on residential amenity (of flats under construction) and proposed living environment (HMO);
2. An absence of a parking survey to demonstrate on-street parking could cope with the whole development (including the consented flats); and
3. The absence of a waste strategy for the whole development.

The Notice of Decision, Officer's Report, and refused plans, are appended to this letter, as significant common ground was found, and these elements are repeated in this Section 62A submission.

PROPOSAL

The application is a modified submission of the refused scheme ref. 24/04548/F, but with a scaled back first-floor extension and for Use Class C3 residential, in the form of a two-bedroom backland dwellinghouse. The scheme still seeks consent to (i) extend the rearmost element of the ground floor (circa the final 8m of the building) to include a first-floor with dual pitched and flat roof elements. The extension has now been 'squared off' and pulled away from the main rear elevation of No.11-13 by 1.2m-3.7m, (ii) install additional/altered fenestration at ground floor, and (iii) convert the space in to a dwellinghouse (Use Class C3) with two bedrooms – both within the first-floor extension.

The accommodation would consist of a ground floor combined kitchen/dining/living room, entertainment room/snug, and WC. Upstairs within the extension are two double bedrooms (one with ensuite), bathroom, and home office/study. The bathroom and study are on the east side of the extension and are served by obscurely glazed and fixed shut windows (up to 1.7m above FFL). The central snug, on the ground floor, is served by a rooflight, high-level obscurely glazed window, and French doors with full-height glazing.

Access follows the approved arrangements detailed in consent ref. 24/03121/F, along with the shopfront changes, which remain unchanged. Internally, the refuse/recycling store is enlarged to accommodate an additional set of receptacles, and the cycle parking is increased to 10no. spaces (to serve 5no. residential units totalling 8no. bedrooms across the whole site). The extension would be matching render with colour coated fenestration and clay roof tiles. See plans for details.

SITE, LOCAL CONTEXT, AND HERITAGE

The application site is almost completely covered by the building, with the remainder being hard-surfaced access areas. It was last in use as a (Use Class E) Nat West bank, complete with associated office, storage, meeting, and staff space. It is understood that the bank closed in August 2023 and the space has remained vacant since then. The premises is now well progressed to be converted to a ground floor commercial unit (Use Class E) and 4no. flats above, as per the consents listed above.

The building itself is a three-storey (with attic) mid-terrace property located on the west side of the B4055 High Street, within the Westbury-on-Trym designated Town Centre. The bank use operated across the entire building, with the double-shopfront onto High Street, and a rear access via the car park off Westbury Court Road, from where the property was serviced. There is an existing access to the rear of the first-floor, via an external staircase. This external access serves the adjoining property also.

The site is located within the Westbury-on-Trym Conservation Area but is not nationally or locally listed. The site is part of the Westbury-on-Trym designated primary shopping area, within the Town Centre. The site is in Flood Zone 1 (lowest probability), and at very low risk from surface water flooding. No TPOs affect the site.

With regards to the Westbury-on-Trym Conservation Area Character Appraisal (2015, "the Appraisal"); the War Memorial, within the centre of the roundabout, opposite the site, is the closest landmark building/structure, with the immediate area defined as the 'Commercial core'. Within the Commercial core, the application site is part of a group of character buildings, forming the curved road edge to this section of High Street.

More specifically, the Appraisal notes that poor quality shopfronts and signage are general negative features within the wider conservation area. The presence of ground floor shopfronts within the Commercial core section are an intrinsic part of its character, and an opportunity exists to improve those considered poor quality – which the recent consent will do, and remains unchanged and dovetails into this current proposal, as stated on the submitted plans.

To the rear of the property, the buildings are stark and utilitarian, mostly extended within the mid-late 20th century, like the application site. The rears of these High Street/Canford Lane properties are beset with a number of large flat-roofed extensions, and also two-storey backland development, as found to the rears of Nos. 9 and 11 Canford Lane, which creates an element of containment to the rear yards, prior to the expanse of the large car park and Co-op precinct building (see below).



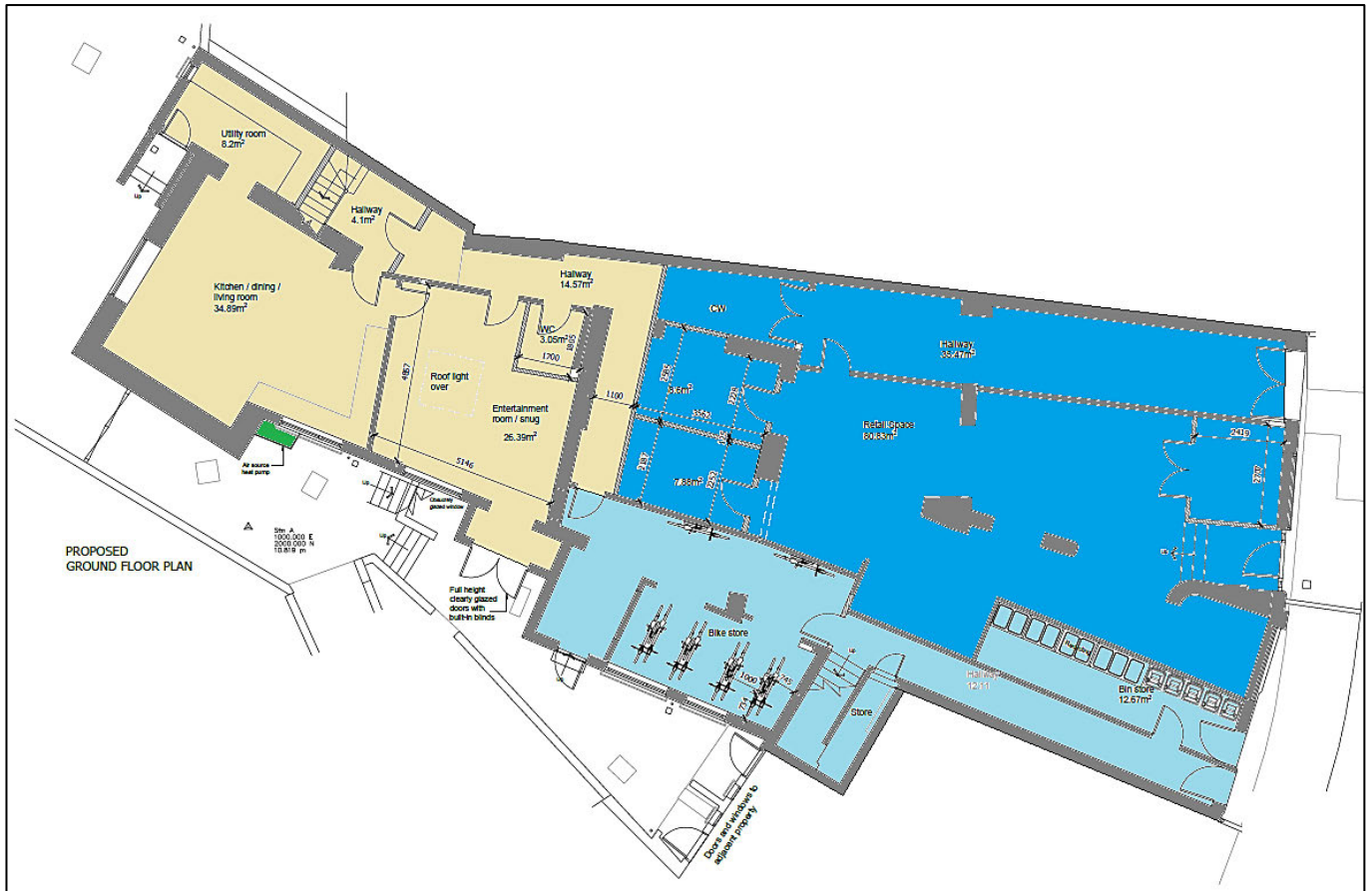
Above: aerial image, courtesy of Google Maps, showing the collection of High Street/Canford Lane buildings, and the associated development to the rear, including two-storey elements (left-centre). The application site is outlined in red.

The significance of the conservation area is derived through its unique rural village character, and defined by its small vernacular cottages and narrow country lanes contained within a green valley setting. The River Trym, which partly gives the area its name, winds through the ancient core, reinforcing the village aesthetic.

PLANNING ANALYSIS

Land-use Principle

With reference to the loss of back-of-house space for the retail unit – this area is the former vaults for the banking use. There are some staff facilities also, but the space (72sq.m) is generally superfluous to the Applicant's needs for the ground floor. The commercial space is localised within the centre of the ground floor (front), with servicing and ancillary storage etc. via the northern access door – see plans.



Above: coloured extract of the ground floor layout, showing the commercial areas (blue), shared residential areas (light blue), proposed dwelling ground floor (beige), and the dwelling's air source heat pump (green)

The retained commercial space, at 133sq.m, is still generous in size and functional for various occupiers. Importantly, it retains the shopfront, which was consented in October 2024. The commercial unit can be serviced via the northern access off High Street, which leads directly to the back-of-house area and dedicated bin store (see later issue relating to *Transport and Movement*). The loss of the rearmost areas of the commercial unit would not harm the viability or function of the premises as a town centre use, or that of the wider town centre, therefore complying with the objectives of policies BCS7, DM8 and DM9 of the Local Plan.

In terms of the introduction of a residential use policy BCS7 (Centres and Retailing) states that “Mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land”, and this would directly relate to introducing a residential use onto the site.

The site is previously developed land (PDL) within a designated Town Centre, the second highest tier of commercial area outside of the city centre. The rear of the property is surplus to the needs of the continued commercial activities of the site. Chapter 11 of the National Planning Policy Framework (“the Framework”, 2024) requires planning policies and decisions to make effective use of land.

Paragraph 125d requires decisions to 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. The chapter continues, and paragraph 128 requires local planning authorities to take a positive approach to applications for alternative uses of land, which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in the Framework. The application site and the current proposals fit this national policy objective.

Moreover, the site is immediately close to local services and transport routes, being a designated second-tier centre, and is therefore a location that is suitable for increased residential densities. There can be no in-principle objection to residential development on this PDL site, and in this regard, the proposals are in accordance with the objectives of policies BCS5, BCS7, and BCS20 of the adopted Local Plan, and section 5 of the Framework.

Residential amenity and living conditions

As a starting point, it is noted that backland development currently exists close to the site at Nos.9-11 Canford Lane, and that other residential uses are present within the upper floors of neighbouring buildings (including the application site).

That said, the previous application for the HMO was found to be unacceptable owing to the intervisibility between the proposed extension and the soon-to-be-completed residential conversion of the upper floors of Nos.11-13 itself. The Council concluded that the proximity of the extension and the inclusion of principal windows, around 14m apart, would be detrimental to the future living conditions of the consented flats in terms of privacy. The current scheme has pulled the extension away from the main rear elevation of Nos.11-13 and removed principle windows to the opposing elevation of the extension, which are also at a more oblique angle than previously refused. In their place are obscurely glazed and fixed shut windows serving a bathroom and home office. As a result, the privacy of the flats within the main building is ensured.

For completeness, given the distances from existing neighbours, the first-floor extension would not harm the residential amenities of neighbours in terms of overshadowing or overbearing impacts. It is

a material consideration that the Council found this relationship acceptable previously, and that the proposed extension has now been reduced to improve on levels of separation.

The proposed house includes two bedrooms at first-floor, with windows facing northwest, out over the adjoining car park towards Westbury Court Road. On the ground floor, what was previously proposed as a HMO bedroom (which the Council objected to), an additional reception-type room is formed. Given the spacious size of the combined kitchen/dining/living room (35sq.m), this secondary room would make a suitable entertainment room or snug. It is served by a large rooflight overhead, a high level window (obscurely glazed owing to the external stairs), and double French doors with full-height glazing and built-in blinds for privacy.

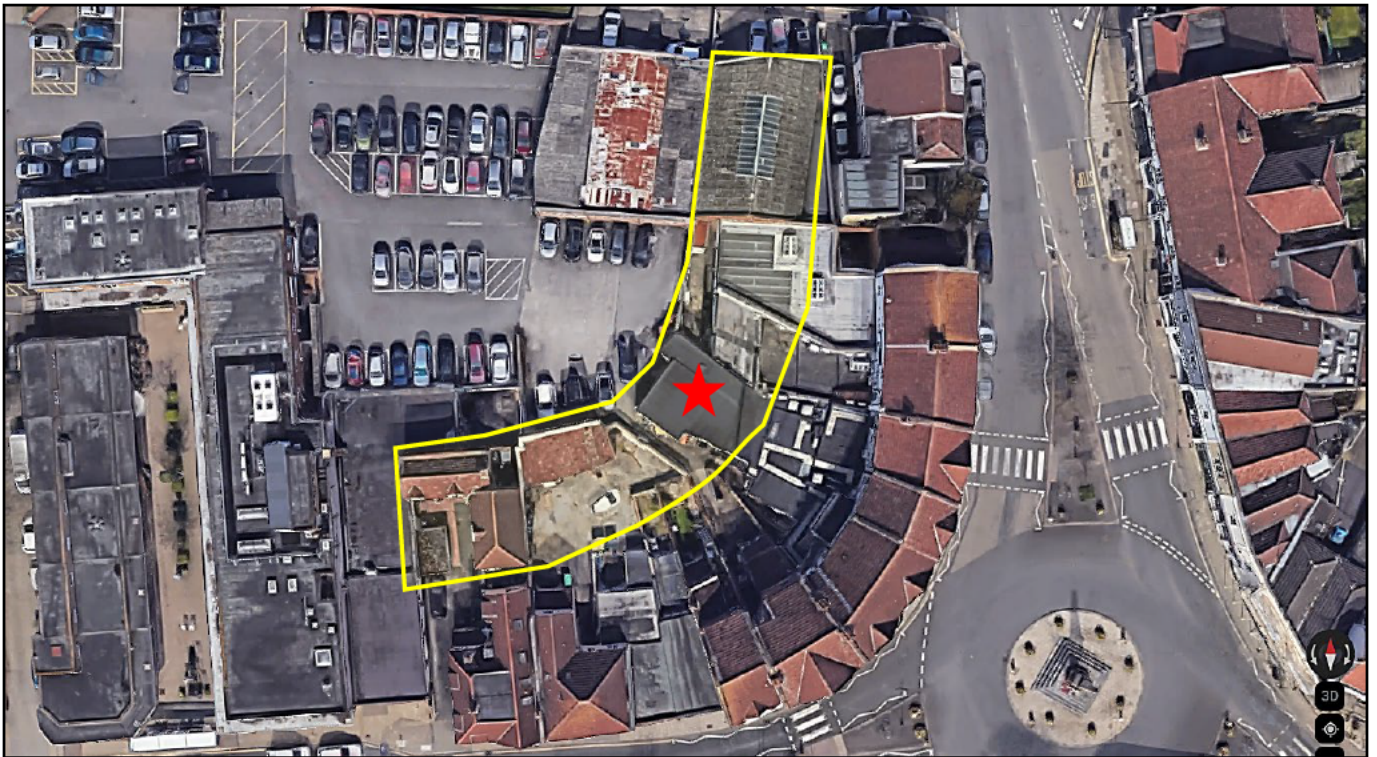
It should be noted that the property currently supports a contrived arrangement allowing access via its roof to the adjoining property (No.7) which sits at first-floor level and above. Notwithstanding, the proposals have been designed to ensure the privacy of the new dwelling, and those of existing and future residents within the High Street/Canford Lane properties.

The proposals would provide a good standard of accommodation, exceeding the Nationally Described Space Standards, and providing a multi-aspect home, for those looking to live in the heart of the Westbury-on-Trym town centre. With the modifications to the windows and size of the extension, the proposals would not harm the residential amenity of neighbouring occupiers, in accordance with policies BCS21, DM26, and DM30.

Character and appearance

No objection was raised to the previously refused scheme on design grounds. The current proposal is reduced in overall size and avoids a 'splayed' wall, essentially squaring off the proposed first-floor. Once again, the external ground floor changes to fenestration are minimal and make a noticeable approval to the appearance of the building, within this backland context.

The first-floor extension is now simplified in its design, which utilises a dual pitched roof and short sections of flat roof, which reflect both the form of traditional back-of-house structures and does not shy away from appearing as a modern addition to the building. The extension would be finished in render and clay roof tiles to match the host property. Overall, the scale and form of the extension works well with its siting and appearance, sitting within a band of buildings that are greater than single-storey scale (see below).



Above: extract from Google Maps, showing High Street/Canford Lane buildings, and a section of greater-than-single-storey development (the proposed first floor extension marked with red star)

Subject to detailing and final materials, the proposed first-floor extension would be a successful addition to the property, and sit well within this backland context. The extension is subordinate in scale and appearance, meeting the objectives of Policies BCS21, DM26, and DM30.

Heritage

Again, the refused scheme elicited no objection from the Council in terms of heritage conservation. The current proposals would make a positive contribution to this section of the conservation area (and the character buildings on High Street). Currently, the rear of the application site is negative in its appearance with multiple external staircases, walkways, flat roof sections, railings, and plant. There is little that can be done about the external walkways (to No.7), but the proposed extension would add some screening of these areas, from the car park and Westbury Court Road beyond.

There are some knock-on benefits relating to passive surveillance and increased residential activity, which would also benefit the character of the area.

The proposals would not harm the significance of heritage assets and would ultimately enhance the character and appearance of the Westbury-on-Trym Conservation Area, in accordance with the Framework, and Local Plan policies BCS22 and DM31.

Transport and movement

In terms of highways and servicing, as with the 2024 shopfront approval, the starting point is the existing situation, which is a property that is exclusively serviced from the rear, via the adjacent car park. The deemed residential development on the upper floors would have continued this arrangement, should the shopfront permission not have been issued.

The building was previously serviced by Biffa, private waste operators, who have indicated that they could continue to provide their services for the property. They have confirmed that with key code/fob entry to the respective service doorways, their operatives would collect waste directly from the front (High Street) and replace bins/receptacles into their stores prior to leaving. Biffa note that given the high street context, they would visit at the start of the day when pedestrian and traffic activity is lower. Other waste contractors have confirmed similar, and relevant correspondence is appended to this letter to confirm this. On the ground floor there are separate residential and commercial waste ("CW") stores, which can be serviced directly from the front of the site (see plans), which is a commonplace arrangement for many of the existing businesses within the surrounding town centre. Whilst the Council objected to the lack of a formal waste management plan, the proposals are yet to be granted planning permission, and there should be no reason why the final arrangements cannot be subject to further approval via a condition requiring the submission of a premises waste management plan, which captures both residential and commercial elements.

The proposals are submitted as car-free given the constraints of the site. The designated Town Centre status makes the location highly accessible and suitable for car-free development. Whilst the Council previously objected that a parking survey was not submitted (to demonstrate that on-street provision could cater for the entire development, including the consented flats in the host property), the Applicant considers this to be an unreasonable request given the minor scale of the *proposed* development.

The consented flats (2no. two-bedroom and 2no. one-bedroom units) in the main building were deemed approved via the Prior Approval (Class MA) process. At that point, the Council had the opportunity to object on highway grounds. They chose not to. The flats are consented and not for consideration in the current proposals. Notwithstanding, they are also locating within the same highly accessible location. Moreover, the current scheme for consideration has been altered to now proposed a two-bedroom/four-person dwelling, whereas previously it was a five-bedroom HMO. An additional car-free two-bed dwelling on the site would not have a material impact on the local highway network, or highway safety, within the scope of paragraph 116 of the Framework.

The application seeks to expand the cycle parking provision for the property to 10no. accessible spaces, in excess of the Local Plan standard of 8no. cycles, i.e., one per bedroom. The Applicant maintains that the site is in a highly sustainable location, suitable for increased densities and car-free development. The access to the proposed dwelling is safe and can be from the front (High Street) or the rear, like the adjacent properties. As such, the proposals raise no adverse transport and movement issues to warrant refusal.

Other matters

Biodiversity Net Gain – the site is wholly sealed surface, either building or hard-surfacing. As such, the proposals are exempt from mandatory biodiversity net gain (BNG) requirements. There are opportunities to incorporate bat and/or bird enhancements (boxes), which the Applicant would be amenable to providing, via planning condition. There is also the provision of a sedum covered blue-roof system (see below), which will add an element of BNG to the development – given that the starting point is nil.

Sustainability – the application is supported by an Energy/Sustainability Statement, which details the proposal's credentials against policies BCS13-15. An Air Source Heat pump is proposed for heating and hot water for the dwelling, in accordance with local objectives. As such, the application complies with the Council's planning policies in these respects.

Drainage – the two flat roofed sections of the proposed extension incorporate a blue-roof attenuation system. These areas will also be sedum covered, to improve the visual appearance of the extension and add some biodiversity gain to the site. The site is 100% impermeable surface, and whilst these attenuating roof elements are comparatively small, they will improve the site's overall drainage nonetheless, in accordance with policy BCS16.

Community Infrastructure Levy (CIL) liable development – it is now the case that CIL liability can be charged via the collecting authority (Bristol City Council), should the Section 62A application be granted. CIL Form 1 (Questionnaire), accompanies the application, detailing the additional floorspace created.

PLANNING BALANCE AND CONCLUSION

The proposals would not harm the function of the commercial premises or the town centre. Conversely, the newly refurbished unit with new shopfront would represent an attractive opportunity within the commercial core, in a building that has been vacant for approaching two years.

In the context of the Council not meeting the last four Housing Delivery Tests, not having a Framework complaint housing land supply, and paragraph 11d of the Framework currently being engaged, the proposal offers: social benefits through the provision of two-bedroom dwelling suitable for many different household formats, increased passive surveillance of the rear of the site; environmental benefits through visual improvements to the site, the more efficient use of PDL to provide increased housing in a district with an unmet need for new homes, the latter of which should be afforded substantial weight. Similarly, the development incorporates renewable energy technologies, further enhancing its environmental credentials. There are also minor economic benefits from the related construction activities, the refurbishment of the commercial unit, and patronage to local facilities brought about by increased residential occupation of the site.

The proposal would provide a high standard of accommodation and represent a valuable addition to the housing stock in a highly sustainable location, within good sustainable transport links.

The design of the extension is appropriate and represents a number of visual benefits for the site and this section of the conservation area. The proposals would not harm the amenities of neighbours and would improve the drainage and biodiversity of the site.

Against this package of public benefits, there is a minor loss of back-of-house floorspace for the commercial unit, which would still remain viable and attractive to business occupiers. As such, the benefits are not significantly or demonstrable outweighed by the impacts, and the proposals comply with the Framework, when taken as a whole, and planning permission should be granted.

If any further information is required, please contact us as soon as possible so that we can provide this prior to a decision being made.

Yours faithfully,

Stokes Morgan Planning Ltd

Encl. (1) Notice of Decision, Officer's Report, and refused plans application ref. 24/04548/F, and (2) Correspondence with private waste contractors.



NOTICE OF DECISION

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Decision :	REFUSED
Application no:	24/04548/F
Type of application:	Full Planning
Site address:	11 - 13 High Street, Westbury On Trym, Bristol, BS9 3BY.
Description of development:	First-floor extension to rear of shop and creation of small House in Multiple Occupation (Use Class C4) with associated works.
Applicant:	SWE Property Management Ltd
Agent:	Stokes Morgan Planning Ltd
Committee/Delegation Date:	04.04.25
Date of notice:	04.04.25

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

DECISION: REFUSED

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

Reason(s)

1. A separation distance of only 14m would be maintained between Bedroom 3 and Bedroom 4 and the existing habitable windows found above 11-13 High Street, resulting in poor levels of privacy to the detriment of the proposed living environment. It is considered that this would result in unsatisfactory levels of intervisibility between existing flats on fronting the High Street such that sufficient levels of privacy would not be maintained. Bedroom 5 would only benefit from a single top-hung window and glazed door that would result in poor levels of outlook. Concerns are also raised that the location of the development within a car park would create a poor quality living environment for future occupiers and would fail to create a high quality development as required by the NPPF. This would be contrary to Policies DM27, DM29 and DM30 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS21 of the Adopted Core Strategy 2010 and the NPPF 2024.
2. In the absence of an acceptable Parking Survey to suggest that there is off-street parking capacity for 6no. vehicles, inadequate information has been provided to suggest that there will not be a significant impact on the safety of the local highway network and local amenity and is thus not deemed to be in accordance with Policies DM2 and DM23 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS10 of the Adopted Core Strategy 2010 and the NPPF 2024.
3. The applicant did not provide a Waste Management Plan and thus it has not been demonstrated that there is sufficient protocol in place for waste operatives to collect directly from the residential bin store, nor has clarification been provided to indicate where the commercial unit's waste will be stored, which should be separate to the residential waste storage. In the absence of this information, the proposal is not deemed to be in accordance with Policy DM23 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS10 of the Adopted Core Strategy 2010 and the NPPF 2024.

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

Location plan, received 14 November 2024
HS001-24A - Existing ground floor plan, received 14 November 2024
HS002-24A - Existing first floor plan, received 14 November 2024
HS003-24 - Existing second floor plan, received 14 November 2024
HS004-24 - Existing third floor plan, received 14 November 2024
HS005-24 - Existing roof plan, received 14 November 2024
HS006-24 - Existing front and rear elevation, received 14 November 2024
HS007-24 - Existing side sectional elevation, received 14 November 2024
HS009-24A - Proposed first floor plan, received 14 November 2024
HS010-24 - Proposed second floor plan, received 14 November 2024
HS011-24 - Proposed third floor plan, received 14 November 2024
HS012-24 - Proposed roof plan, received 14 November 2024
HS013-24 - Proposed front and rear elevation, received 14 November 2024
HS014-24 - Proposed side sectional elevation, received 14 November 2024
HS008-24B - Revised Proposed Ground Floor Plan, received 27 March 2025

Extension: Revised expiry date	4 April 2025
'Hold Date'	

Bristol City Council Development Management

Delegated Report and Decision

Application No: 24/04548/F **Registered:** 14 November 2024

Type of Application: Full Planning
Case Officer: [REDACTED] **Expiry Date:** 9 January 2025

Site Address:

11 - 13 High Street
 Westbury On Trym
 Bristol
 BS9 3BY

Description of Development:

First-floor extension to rear of shop and creation of small House in Multiple Occupation (Use Class C4) with associated works.

Ward: Westbury-on-Trym & Henleaze

Consultation Expiry Dates:

Advert 18 Dec 2024
and/or Site 18 Dec 2024
Notice:

Neighbour: 10 Dec 2024

SITE DESCRIPTION

The application relates to 11-13 High Street, Westbury-on-Trym. The property is set within a primary shopping area within the Westbury-on-Trym Town Centre and is located within the Westbury-on-Trym Conservation Area.

RELEVANT HISTORY

15/00662/A - Installation of two non-illuminated fascia signs, (one above no. 11 and one above no 13 High Street), one non-illuminated projecting sign, two internally illuminated ATM surrounds and one non-illuminated sign consisting of vinyl lettering, to be affixed to ATM cladding. (GRANTED subject to conditions)

19/01685/A - Installation of 1no. 2020mm high, non-illuminated acrylic sign to cover redundant ATM. (REFUSED)

19/03348/F - Removal of 1 no. ATM and infilling of aperture with material to match existing elevation. (GRANTED subject to conditions)

23/01481/F - All fascia signage and marketing to be removed. ATM to be removed and infill to

DEVELOPMENT CONTROL () DELEGATED
11 - 13 High Street Westbury On Trym Bristol BS9 3BY

match existing finishes. Night safe plate to be removed and infill to match existing finishes.
 (GRANTED subject to conditions)

24/00831/COU - Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3) Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA - Prior Approval (Class MA) of a proposed change of use of part of the building from commercial, business and services (Use Class E) to 4no. self-contained apartments (Use Class C3). (Granted)

24/00833/F - Insertion of front and rear conservation rooflights. (Granted subject to conditions)

24/03121/F - Alterations to shopfront to create new pedestrian access points and reposition shop windows. Internal reconfiguration of ground floor to facilitate new access arrangements and residential refuse / cycle storage. (Granted subject to conditions)

APPLICATION

The application seeks a 'First-floor extension to rear of shop and creation of small House in Multiple Occupation (Use Class C4) with associated works.'

See plans and supporting documents for full details.

RESPONSE TO PUBLICITY AND CONSULTATION

32 neighbouring properties were consulted on 19/11/24 with a deadline to reply of 10/12/24.

One response was received from the Westbury-on-Trym Society:

'The Society notes that this is a further application to provide more residential accommodation to the rear of the former NatWest Bank on the High Street.

It is noted that there is already residential accommodation above the shops and Lloyds bank next door and the Society did not object to the recent proposals for the residential use of the upper floors of the former NatWest bank. However, we consider the introduction of an additional storey to the rear of the bank to accommodate part of a new HMO creates an unsatisfactory form of development to the rear of this group of buildings.

The site is within the Westbury on Trym Conservation area. It is to the rear of a characterful sweep of buildings fronting the High Street. The rear of these can be seen from the car park which forms part of the Carlton Court shopping centre. Although the rear elevations are more functional, the curve of the buildings is notable and very visible with single storey outbuildings forming an edge. As can be seen from the proposed elevations, the proposal would add a large two storey block onto the rear, which would dominate views.

This would be contrary to the scale and form of development in the area as can be seen from the elevations. There is no site plan, which we understood is a local list requirement for such applications, so it is not possible to assess distances accurately, but it does look as though it will have a significant impact on the amenities of other occupiers of flats which would have the prospect of facing onto this two storey building a short distance from living room and bedroom windows. Accordingly, we consider it fails to comply with Local Plan policies DM27, DM30 and DM31 and should be refused.'

DEVELOPMENT CONTROL () DELEGATED
11 - 13 High Street Westbury On Trym Bristol BS9 3BY

The Pollution Control team were consulted on this application and commented as follows:-

I have no objection to this application.

The Transport Development Management team were consulted on this application and commented as follows:-

Principle / Property History

The applicant is seeking approval for a first-floor extension to the rear of the shop to create a small HMO (use class C4) with associated works. Previously, the application 24/00831/COU was approved in July 2024, which proposed to change part of the building from commercial, business and services (use class E) to 4 no. self-contained apartments (use class C3). In addition, a further application (24/03121/F) was approved subject to conditions in October 2024. This was for alterations to the shopfront including the creation of new pedestrian access point, as well as adjustments to the configuration of the ground floor.

Local Conditions

The site is in Westbury on Trym which is near to the A4018 that offers a direct route between Bristol City Centre and South Gloucestershire and the M5. As well as this, the bus routes 1, 10, 11, and 13 all operate on Canford Lane to the west of the site offering routes to locations such as Bristol City Centre, Avonmouth, Brislington, and Filton. In addition, the Downs Way cycle route runs through Westbury on Trym via the High Street, providing a link between Westbury on Trym, Henbury and North Bristol with the city centre. Lastly, the High Street is a part of the LCWIP route W09, one of BCC's priority pedestrian routes.

In the last 5 years, 3 collisions have occurred within the vicinity of the site, near to the memorial roundabout. One involved a vehicle (slight), one involved a cyclist (slight), and one involved an adult pedestrian (serious).

Car Parking / RPZs

TDM request that the applicant clarifies whether any vehicle parking is being provided at the rear of the property. Looking at the census data on car ownership, TDM predict that a development of this size and type could lead to a total of 6 new vehicles parking in the area.

Therefore, we request that the applicant completes and submits a parking survey (following BCC's methodology) showing that there is enough space on the surrounding streets to accommodate 6 vehicles (11 beds x 0.52 average car ownership = 5.72). Please note, the survey must look at streets within 150m walking distance of the site and should not look at streets on the opposite side of a classified road.

Whatever the outcome of the parking survey, we recommend that the advice I45A Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme is applied, if the application is approved.

Cycle Parking

TDM approve the number of proposed cycle parking spaces, however, adjustments should be made to the cycle storage to meet the design guidance. Firstly, the doors and corridors to access the store should be 1.2m, but the proposed ground floor plan shows these to be as narrow as 83cm. Secondly, the Sheffield type stands should be spaced so that they are a minimum of 1m apart from each other and 0.6m from any wall. Lastly, TDM request that the applicant provides at

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least one larger space for non-standard cycles.

Subject to the suggested changes being made, TDM recommend that the condition C13 Completion and Maintenance of Cycle Provision - Shown on approved plans.

Waste

TDM request that the applicant submits a Waste Management Plan for both the residential and commercial refuse. Within this plan, clarification should be provided as to where the commercial unit's waste will be stored (should be separate to residential), and a plan should be put in place for waste operatives to collect directly from the residential bin store. TDM would like waste to be collected directly from the store to prevent the footway from becoming cluttered with numerous bins, particularly next to a zebra crossing. No bins should be left on the adopted highway at any time.

Subject to the above suggestions being included, TDM recommend that the condition C41 Waste Management Plan is applied.

In addition, TDM recommend that the bespoke condition CX Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans is applied:

No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway). except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

Other conditions

Subject to the outcome of the detail submitted by the applicant, TDM would recommend the following conditions are also applied:

- o C8 Completion of Pedestrians/Cyclists Access - Shown on Approved Plans
- o C13 Completion and Maintenance of Cycle Parking Provision - Shown on Approved Plans
- o C42 Car Park Management Plan
- o I043A Impact on the highway network during construction
- o I055 Street Name and Numbering

Recommendation

Before TDM are able to make a recommendation, the following items should be addressed:

- o Complete and submit a parking survey showing 6 additional vehicles can park safely on the surrounding streets.
- o Adjust the cycle store to meet TDM's design guidance

RELEVANT POLICIES

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National Planning Policy Framework – December 2024

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.

KEY ISSUES

A. WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN PRINCIPLE IN TERMS OF LAND USE AND WOULD IT IMPACT ON MIXED AND BALANCED COMMUNITIES?

Planning permission is sought for the change of use of part of the retail unit on ground floor level to C4 and a first floor extension, which would result in the creation of a 5-bedroom HMO. The existing property is retail on ground floor with 2no. flats above on first and second floor level (residential), and is located within the Primary Shopping Area of Westbury-on-Trym. The proposal would result in a reduction in retail floorspace of 19.87sqm from 100.7sqm to 80.83sqm, which is not considered to undermine the viability of the retail unit whilst also providing further residential accommodation in a mixed-use area. The proposal is therefore considered acceptable in land use terms in this instance.

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 underutilised 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.

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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". Paragraph 4.18.5, 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.

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.

Further to this, Site Allocations and Development Management Policy DM2 (2014) states that proposals for the subdivision of existing dwellings to flats will not be permitted where the development would create or contribute to a harmful concentration of such uses within the locality as a result of reducing the choice of homes in the area by changing the housing mix. 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. Furthermore, where subdivision would result in unacceptable concentrations of particular housing types within an area, which would have harmful implications for the available housing mix, subdivision will not be supported. Where subdivision is permitted, dwellings must meet relevant space standards and provide a good standard of accommodation.

The Council has produced the Houses in Multiple Occupation SPD. This 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 is yet to go through 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 recognised 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.

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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 dwelling (use class C3) is sandwiched on both sides by HMOs. 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. The proposed change of use would not result in sandwiching impacts on adjacent residential properties.

An assessment of the local area indicates an existing rate of 1.79% of dwellings within a 100m radius being listed as HMOs, which would see the total concentration rate rise to 3.57% following this dwelling's change of use. In this respect, the proposed change of use would not result in the threshold of HMOs exceeding 10% and would be of an occupation level consistent with the existing context.

There would be no sandwiching effect arising from the change of use of this dwelling.

The principle of development is considered to be well-established and therefore acceptable.

(B) WOULD THE DESIGN AND APPEARANCE OF THE DEVELOPMENT BE COMPATIBLE WITH THE HOST BUILDING, AND WOULD IT HARM THE CHARACTER OR APPEARANCE OF THIS PART OF THE WESTBURY ON TRYM CONSERVATION AREA?

The Authority is required (under Section 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.

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2023 also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

In addition, Bristol Core Strategy (2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policies DM30 and DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings. Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity,

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creating or reinforcing local distinctiveness.

Policy DM26 more specifically states that the design of development proposals should contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines, skylines and roofscapes. Policy DM27 further 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. Policy DM30 further states that any extensions and alterations to existing buildings should respect the siting, scale, form, proportions, materials and overall design and character of the host building and broader street scene.

Permission is sought for a first-floor extension to the rear of the existing commercial unit in order to create a 5-bedroom HMO (Use Class C4) with associated external alterations to the ground floor of 11-13 High Street.

Alterations have already been made to the access arrangements, for both the commercial unit at ground floor, and the residential development at upper floors, as well as improvements to the shopfront (24/03121/F). It was considered that the proposals represented an improvement to the existing, poor-quality shopfront in an area characterised by ground floor shopfronts within the commercial core of the Westbury-on-Trym Conservation Area.

The proposed first floor extension to the rear of the building would be constructed from render with clay Double Roman tiles and aluminium windows. Whilst fairly significant in footprint, the first floor extension would not be the only two-storey element found to the rear of the High Street in this location and maintains adequate subservience to the existing three-storey terrace fronting the High Street. The design would feature a simple pitched roof with some flat roofed elements to the front and rear of the extension and is not considered to be incongruent with the surrounding area in terms of character and design.

Therefore, the proposed first floor extension would not constitute an incongruent addition given the presence of other two-storey development to the rear of many of these properties on the High Street, which are highly visible from Westbury Court Road. The development is therefore considered to preserve the character and appearance of the Westbury-on-Trym Conservation Area. The proposals are acceptable in terms of design and appearance on this basis.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN TERMS OF RESIDENTIAL AMENITY?

Policy BCS21 states that new development should 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 states that alteration to existing development should safeguard the amenity of the host premises and neighbouring occupiers and leave sufficient usable external private space for the occupiers of the building.

The 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

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from intensification of the residential use and/or the potential lifestyle of occupants of such accommodation.

The proposed change of use would include a first-floor extension to the rear of the property, which would be orientated in an eastward direction towards the existing flats at first and second floor level.

In terms of the additional living accommodation afforded on the first floor by the proposed HMO unit, it is clear that there would be significant issues arising in terms of overlooking and loss of privacy. Policy BCS21 of the CS 2010 requires that new development will be expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

On first floor level, a separation distance of approximately 14m would be maintained between the existing habitable windows above the retail unit (which are in service of a kitchen/living area) and the proposed Bedrooms 3 and 4.

The best way of ensuring privacy between residential units is to avoid windows to habitable rooms directly facing one another. Where this cannot be achieved and habitable rooms face each other, as a 'rule of thumb', a gap of 21 metres should generally be provided.

Despite the applicant referring to these windows as staggered/oblique, it is clear from the plans provided that there is direct line of sight (not at an oblique angle) between Bedrooms 3 and 4 and the habitable rooms found above the existing retail unit at first floor level, with a less direct line of sight to the existing bedrooms on second floor level.

It is considered that this would result in unsatisfactory levels of intervisibility between existing flats on fronting the High Street such that sufficient levels of privacy would not be maintained. This would be contrary to Policy DM30 of the SADMP 2014, which requires extensions and alterations to existing buildings to safeguard the amenity of the host premises and neighbouring occupiers. It is not considered that the amenity of the host premises (i.e. the habitable rooms above the retail unit) and neighbouring properties (7-9 High Street) would be safeguarded sufficiently in this case, and planning permission should be refused on this basis.

(D) 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:

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'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.

The 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 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 individual bedrooms for single occupancy must provide a minimum ground floor area of 6.51m².

The proposed development provides a sufficient internal area for each bedroom that exceeds the 6.51m² minimum requirements and would include sufficient internal communal space and adequate bathroom provision. As such, it is considered that the proposed development would provide adequate living conditions.

Bedroom 5 would benefit from a single small top-hung window over 1.7m above ground level and thus would be extremely limited in terms of outlook and light. This is not considered to create a satisfactory living environment for future occupants in line with Policy DM29 of the SADMP 2014, which requires proposed developments to achieve appropriate levels of privacy, outlook and daylight. It is considered that this ground floor bedroom, orientated southwards with a single small top-hung window, would experience an extremely poor level of outlook and daylight such that the proposed HMO would not provide a good standard of accommodation for future occupiers in line with Policy DM2 of the SADMP 2014.

As discussed in the previous section, a separation distance of only 14m would be maintained between Bedroom 3 and Bedroom 4 and the existing habitable windows found above 11-13 High Street, resulting in poor levels of privacy to the detriment of the proposed living environment - this is compounded by the fact that these bedrooms are single aspect orientated towards the east.

Whilst the proposed development would be in accordance with the Bristol HMO Licensing Amenity Standards, it is not considered that the development would provide a good quality of accommodation for future occupants of Bedroom 5 due to poor outlook, nor for Bedrooms 3 and 4 due to overlooking issues, and thus significant concerns are raised with regards to Policy DM29 and the lack of privacy, outlook and daylight in this case.

Concerns are also raised by the location of the development which is essentially in a car parking/servicing yard for retail units. The communal living room would have a poor outlook into a car park, along with a number of bedrooms which does raise concerns that the quality of the outlook is poor and officers do not consider that the development would provide a high quality living environment/design as promoted by the NPPF and policies BCS21, DM27, DM29 of the Bristol

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Local Plan.

**(E) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS
TRANSPORT AND MOVEMENT ISSUES?**

Policy BCS10 states that development should be designed and located to ensure safe streets where traffic and other activities are integrated.

Policy DM2 states that development will not be permitted where the development would result in levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures.

Policy DM23 states that development should not give rise to unacceptable traffic conditions.

CAR PARKING

When consulted initially, TDM (Transport Development Management) requested that the applicant clarifies whether any vehicle parking is being provided at the rear of the property. Looking at the census data on car ownership, TDM predict that a development of this size and type could lead to a total of 6 new vehicles parking in the area. Therefore, it was requested that the applicant completes and submits a parking survey (following BCC's methodology) showing that there is enough space on the surrounding streets to accommodate 6 vehicles (11 beds x 0.52 average car ownership = 5.72). It was noted that the survey must look at streets within 150m walking distance of the site and should not look at streets on the opposite side of a classified road.

When requesting this parking survey from the applicant, it was argued that this would be wholly unreasonable when assessing the merits of the scheme, which is for a 5-bedroom single-occupancy HMO. The applicant argued that the adopted maximum parking standard for this type of use (C4) is 1.5 spaces, which represents the fact that HMO occupiers have much lower rates of access to vehicles. Given that the site is in a sustainable location (designated Town Centre), the applicant did not intend to undertake the parking survey at this stage.

Having discussed the parking survey matter further with TDM, it is considered that there is an absence of information to suggest that there will be sufficient capacity for car parking on-street, which will have an impact on safety and local amenity and thus would not be in accordance with Policies DM2 and DM23 of the SADMP 2014 and Policy BCS10 of the CS 2010.

CYCLE PARKING

When consulted, TDM approved the number of proposed cycle parking spaces, however, recommended that adjustments be made to the cycle storage to meet the design guidance. Firstly, the doors and corridors to access the store should be 1.2m, but the proposed ground floor plan shows these to be as narrow as 83cm. Secondly, the Sheffield type stands should be spaced so that they are a minimum of 1m apart from each other and 0.6m from any wall. Lastly, TDM requested that the applicant provides at least one larger space for non-standard cycles.

The applicant provided a revised ground floor plan which addressed these comments, with the 4no. Sheffield Stands now providing at least 1m apart and 0.7m away from any walls. This displaced some of the spaces, which have been accommodated in the circulation space next to the store, with 4no. Sheffield Wall Rails provided. This would provide 4no. Sheffield Stands (8no. cycle spaces) and 4no. Sheffield Wall Rails (4no. cycle spaces), resulting in an overprovision of 3no. cycle spaces

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compared to the adopted policy requirement for the whole development (2no. one-bedroom flats, 2no. two-bed flats and 1no. five-bed C4 unit) of 9no. cycle spaces.

One larger space for non-standard cycles has not been provided as part of this revised ground floor plan however this is not considered to be grounds for refusal in this case considering the overprovision of cycle parking of 3no. spaces.

WASTE STORAGE

TDM requested that the applicant submits a Waste Management Plan for both the residential and commercial refuse. Within this plan, clarification should be provided as to where the commercial unit's waste will be stored (should be separate to residential), and a plan should be put in place for waste operatives to collect directly from the residential bin store. TDM would like waste to be collected directly from the store to prevent the footway from becoming cluttered with numerous bins, particularly next to a zebra crossing. No bins should be left on the adopted highway at any time.

The applicant did not provide this Waste Management Plan and thus it has not been demonstrated that there is protocol in place for waste operatives to collect directly from the residential bin store, nor has clarification been provided to indicate where the commercial unit's waste will be stored, which should be separate to the residential waste storage.

There would thus be unacceptable highways impacts anticipated as a result of the proposed change of use and first floor extension in the absence of any parking survey to suggest there would be available off-street parking capacity for 6no. vehicles, as well as the lack of a Waste Management Plan outlining direct collection from the proposed bin stores. The proposed development thus would not accord with Policies BCS10 of the CS 2010 and Policies DM2 and DM23 of the SADMP 2014 and is therefore not considered to be acceptable in this regard.

(F) SUSTAINABILITY

Policy BCS13 (Climate Change) of Bristol's Core Strategy 2011 sets out that development should contribute to mitigating and adapting to climate change, and to meet targets to reduce CO² emissions.

Policy BCS14 (Sustainable Energy) sets out that development in Bristol must provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the development by at least 20%.

Policy BCS15 (Sustainable Design and Construction) sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

Policy BCS15 (Sustainable Design and Construction) aims to ensure that development proposals are designed and constructed to minimise their environmental impact.

An Energy and Sustainability Statement prepared by Complete Energy Consultancy (dated 11th October 2024) was submitted with the planning application as required.

The statement states that the proposed development achieves a 33% reduction over the residual emissions calculated at the be lean stage. One air source heat pump is proposed to be sited on the southwest elevation of the property.

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The proposal complies with the relevant policies and advice and is therefore acceptable.

CONCLUSION

The proposal would provide additional dwellings which would contribute towards the City's housing need. This factor is given significant weight. However, there are several concerns that are also weighed into the balance, in terms of impacts to surrounding residential amenity, impacts to future occupiers, and impact on highway safety.

It is considered that the significant negative impacts of the scheme regarding residential amenity, future living environment and impact on highway safety outweigh the benefits identified and therefore the application is 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. A separation distance of only 14m would be maintained between Bedroom 3 and Bedroom 4 and the existing habitable windows found above 11-13 High Street, resulting in poor levels of privacy to the detriment of the proposed living environment. It is considered that this would result in unsatisfactory levels of intervisibility between existing flats on fronting the High Street such that sufficient levels of privacy would not be maintained. Bedroom 5 would only benefit from a single top-hung window and glazed door that would result in poor levels of outlook. Concerns are also raised that the location of the development within a car park would create a poor quality living environment for future occupiers and would fail to create a high quality development as required by the NPPF. This would be contrary to Policies DM27, DM29 and DM30 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS21 of the Adopted Core Strategy 2010 and the NPPF 2024.
2. In the absence of an acceptable Parking Survey to suggest that there is off-street parking capacity for 6no. vehicles, inadequate information has been provided to suggest that there will not be a significant impact on the safety of the local highway network and local amenity and is thus not deemed to be in accordance with Policies DM2 and DM23 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS10 of the

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Adopted Core Strategy 2010 and the NPPF 2024.

3. The applicant did not provide a Waste Management Plan and thus it has not been demonstrated that there is sufficient protocol in place for waste operatives to collect directly from the residential bin store, nor has clarification been provided to indicate where the commercial unit's waste will be stored, which should be separate to the residential waste storage. In the absence of this information, the proposal is not deemed to be in accordance with Policy DM23 of the Site Allocations and Development Management Policies Plan 2014 and Policy BCS10 of the Adopted Core Strategy 2010 and the NPPF 2024.

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-
 Location plan, received 14 November 2024

HS001-24A Existing ground floor plan, received 14 November 2024

HS002-24A Existing first floor plan, received 14 November 2024

HS003-24 Existing second floor plan, received 14 November 2024

HS004-24 Existing third floor plan, received 14 November 2024

HS005-24 Existing roof plan, received 14 November 2024

HS006-24 Existing front and rear elevation, received 14 November 2024

HS007-24 Existing side sectional elevation, received 14 November 2024

HS009-24A Proposed first floor plan, received 14 November 2024

HS010-24 Proposed second floor plan, received 14 November 2024

HS011-24 Proposed third floor plan, received 14 November 2024

HS012-24 Proposed roof plan, received 14 November 2024

HS013-24 Proposed front and rear elevation, received 14 November 2024

HS014-24 Proposed side sectional elevation, received 14 November 2024

HS008-24B Revised Proposed Ground Floor Plan, received 27 March 2025

Case Officer: [REDACTED]

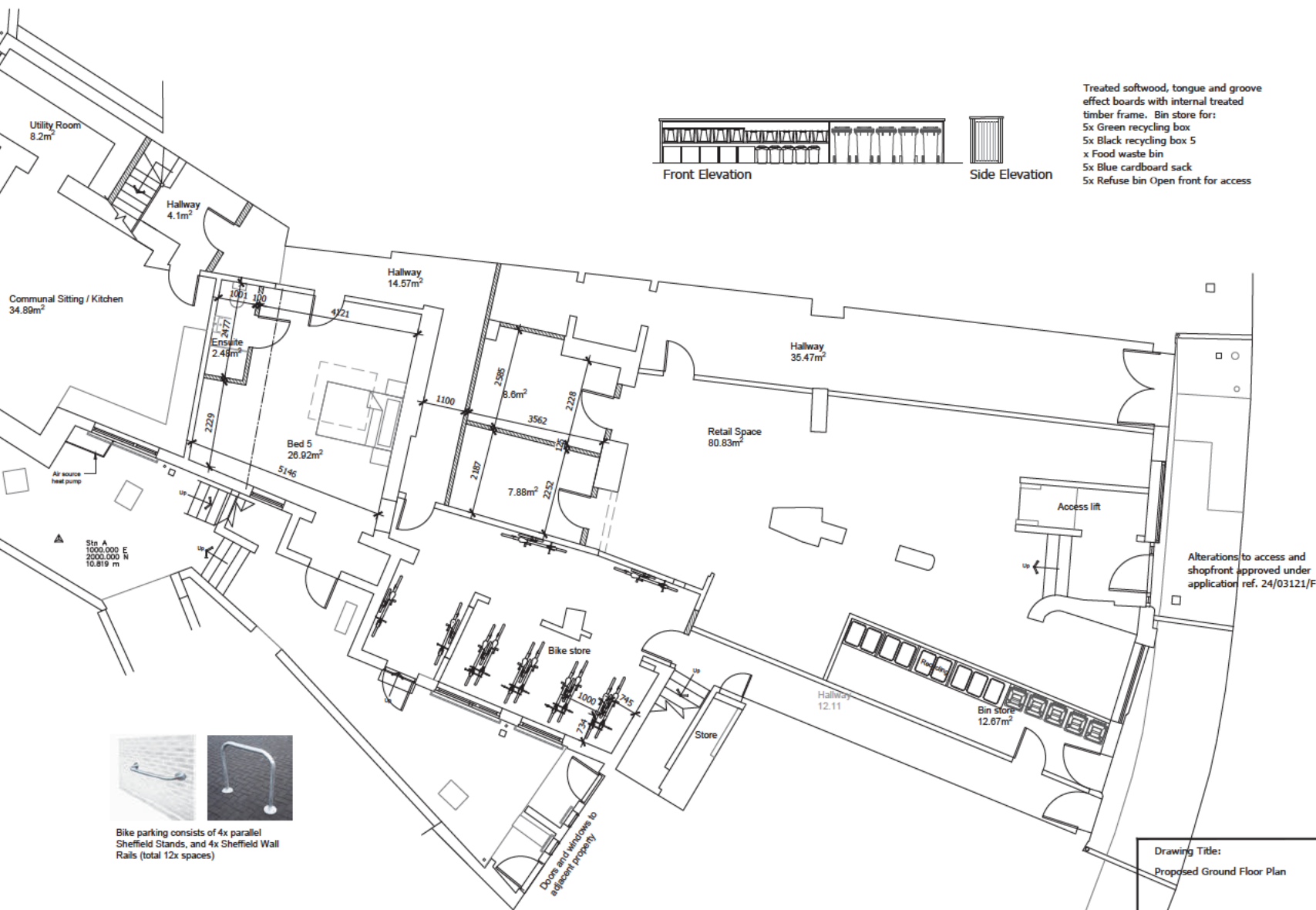
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Side Elevation

Treated softwood, tongue and groove
effect boards with internal treated
timber frame. Bin store for:
5x Green recycling box
5x Black recycling box
5x Food waste bin
5x Blue cardboard sack
5x Refuse bin Open front for access



Bike parking consists of 4x parallel Sheffield Stands, and 4x Sheffield Wall Rails (total 12x spaces)

Drawing Title:
Proposed Ground Floor Plan

Client: [REDACTED]

Location: 11-13 High Street
Wesbury-on-Trym, BS9 3BY

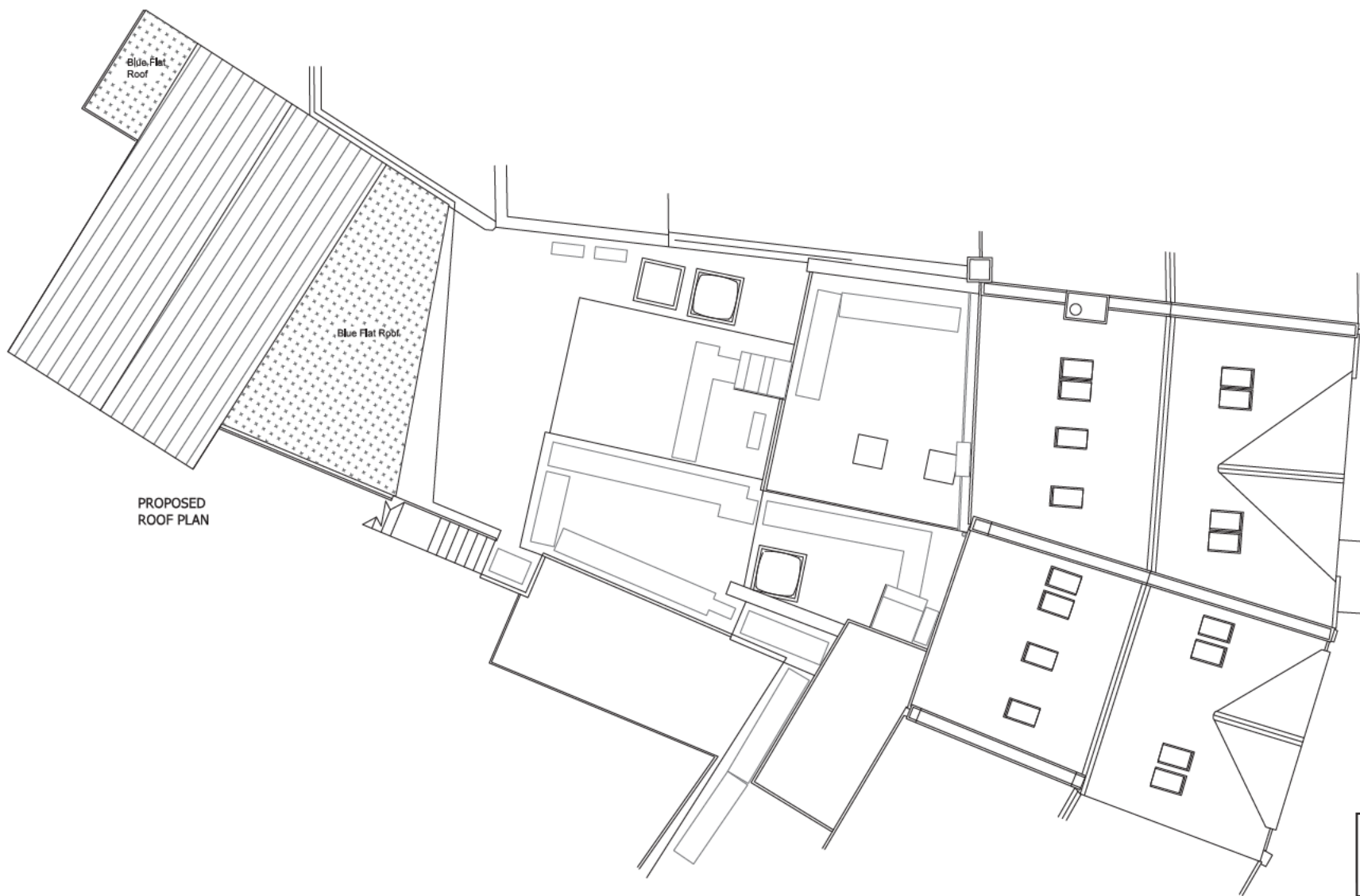
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HS008-24
Rev: B

Date created: 29/01/2025

SCALE 1:100

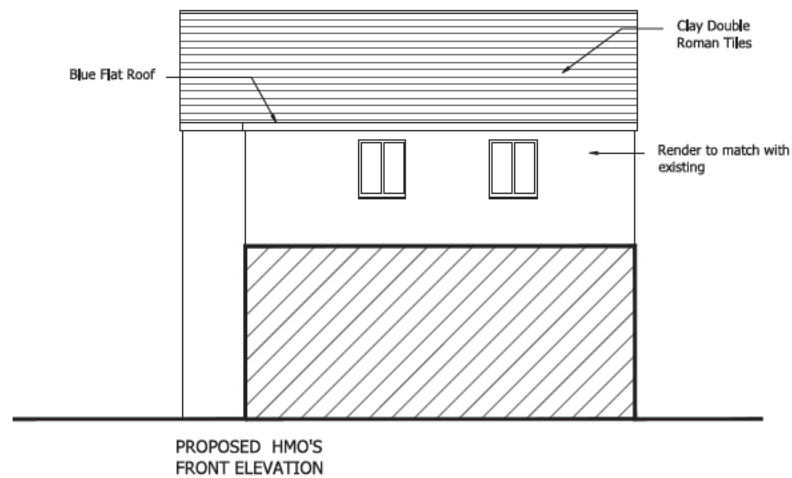
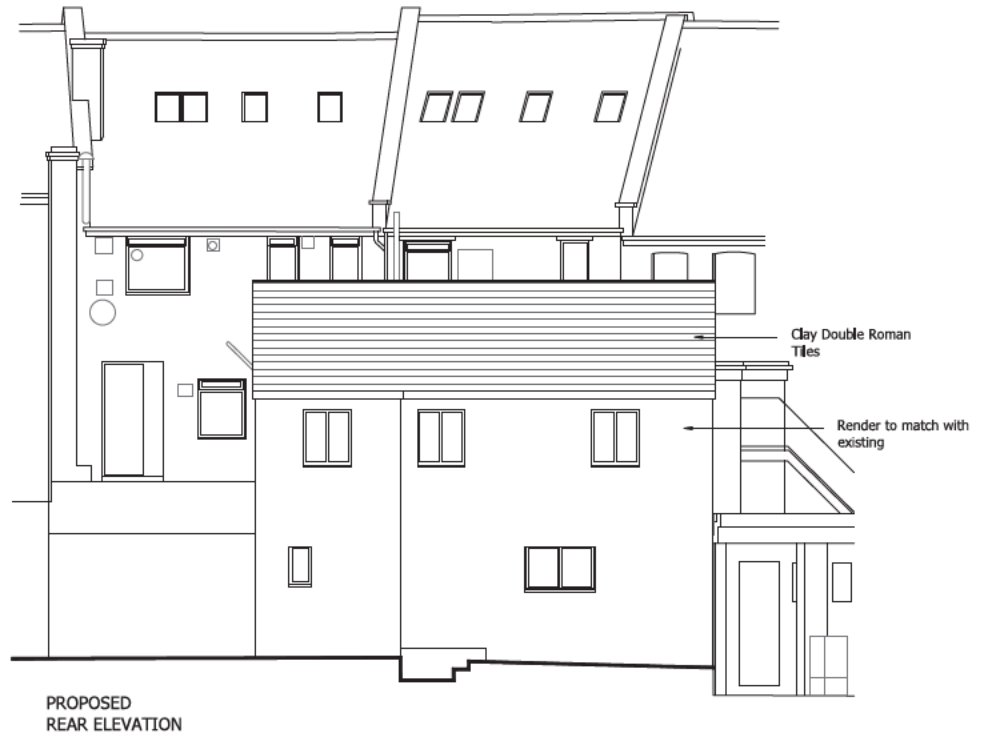




PROPOSED
ROOF PLAN

SCALE 1:100
0 1 2 3 4 5m

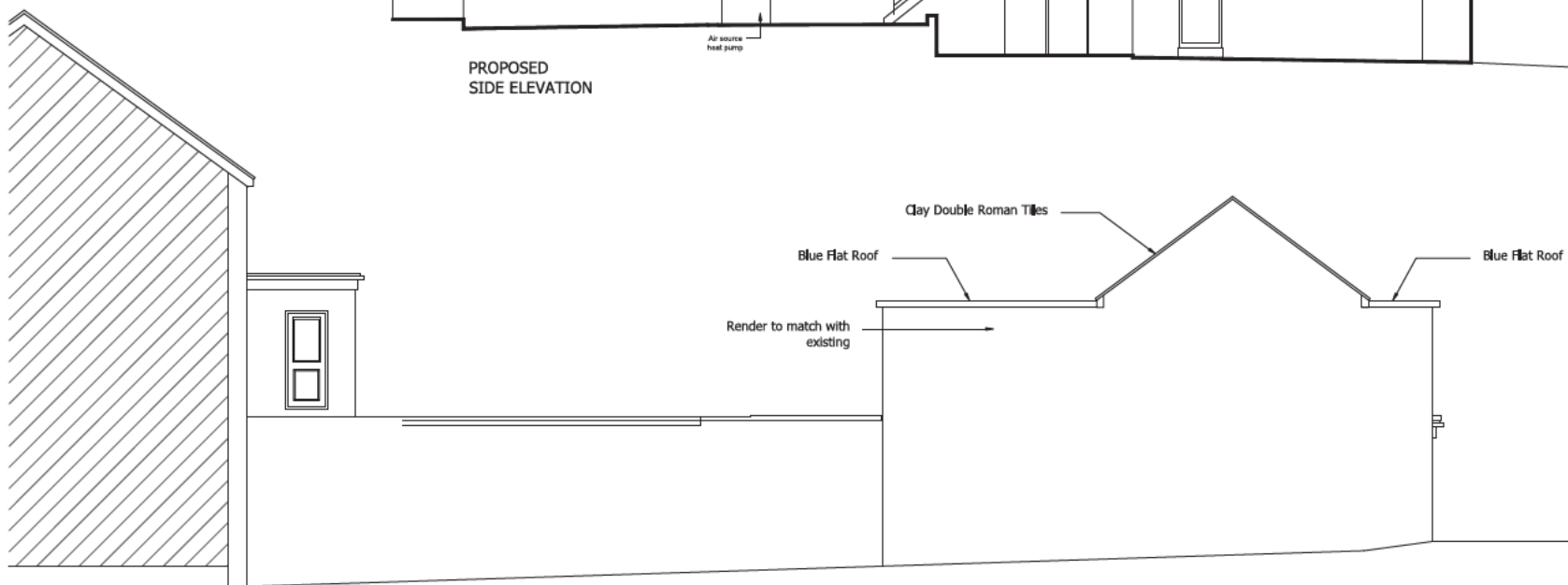
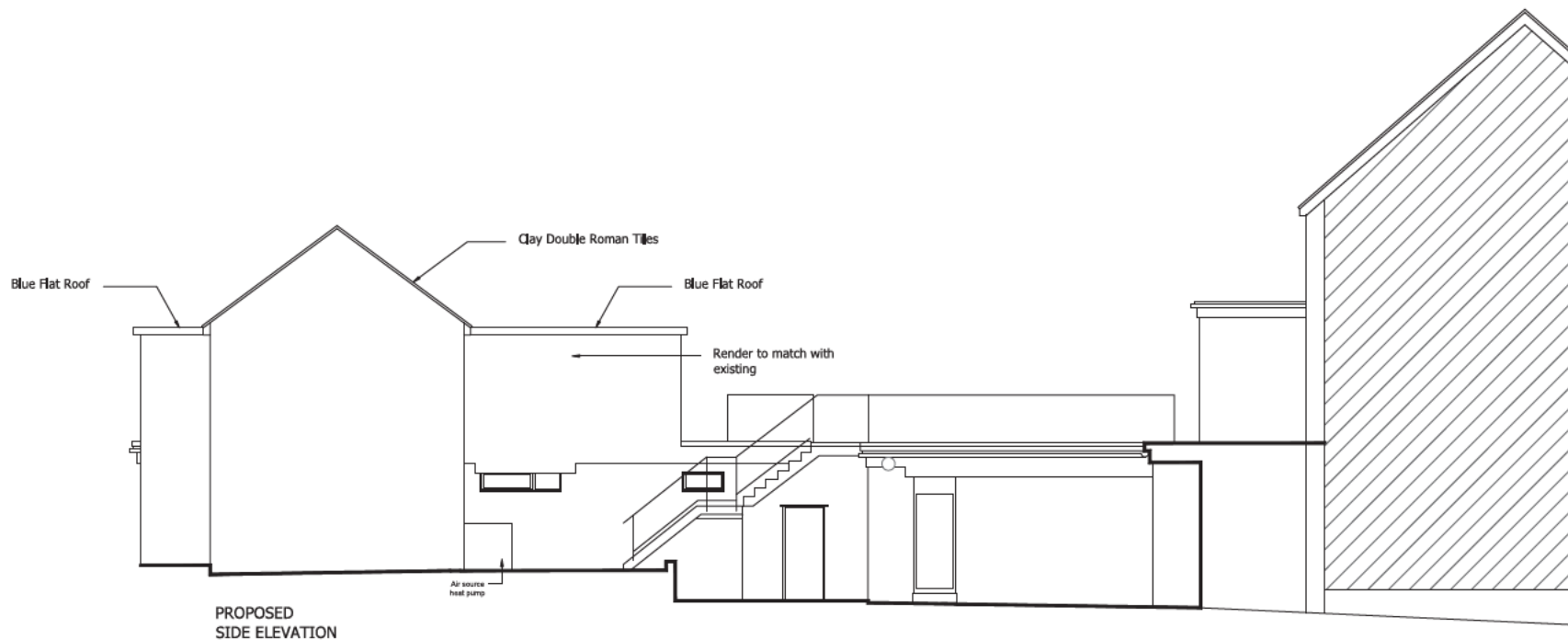
Drawing Title: Proposed Roof Plan	
Client: [REDACTED]	
Location: 11-13 High Street Wesbury-on-Trym, BS9 3BY	
Scale 1:100@A3	Drawing No: HS012-24
Date created: 13/08/2024	



SCALE 1:100

0 1 2 3 4 5m

Drawing Title: Proposed Front and Rear Elevations	
Client: [REDACTED]	
Location: 11-13 High Street Wesbury-on-Trym, BS9 3BY	
Scale 1:100@A3	Drawing No: HS013-24
Date created: 13/08/2024	



SCALE 1:100
0 1 2 3 4 5m

Drawing Title: Proposed Side Sectional Elevations	
Client: [REDACTED]	
Location: 11-13 High Street Wesbury-on-Trym, BS9 3BY	
Scale 1:100@A3	Drawing No: HS014-24
Date created: 13/08/2024	

From:
To:
Subject: Fwd: Collection
Date: 12 April 2024 11:34:18
Attachments: [image001.png](#)

FYI

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 12 April 2024 at 11:12:13 BST
To: [REDACTED]
Subject: Collection

Good morning

As advised during our telephone call, if provided with a key or code, our drivers will collect and return bins to a bin store.

As a high street, we would probably try to attend as early as possible in the morning, to avoid issues with parking, traffic or pedestrians.

I would be happy to forward a photograph to your local depot, if you have one, so they can clarify / confirm service.

Kind regards,



[REDACTED]
Telesales Executive

Office 0800 307 307 | **E-Mail** [REDACTED]
2 Midland Way, Barlborough, Chesterfield, S43 4XA
www.biffa.co.uk

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Biffa is a trading name of the companies listed below. The VAT registration number for the companies listed below is 537 911 627.

Biffa Waste Services Limited is registered in England and Wales No. 00946107; Biffa Environmental Municipal Services Limited is registered in England and Wales No. 00905800; Biffa Leicester Limited is registered in England and Wales No. 04602279; Biffa West Sussex Limited is registered in England and Wales No. 06744107; Biffa Municipal Limited is registered in England and Wales No. 04321212; Cressex Insurance Services Limited is registered in England and Wales No. 06848093; Syracuse Waste Limited is registered in England and

SWE Management
C/O Mwr Accountants, Trym
Lodge, 1 Henbury Road,
Westbury On Trym, Bristol,
United Kingdom, BS9 3HQ

The Upgrade Authority Ltd 13
Harbury Road, Henleaze,
Bristol,
BS9 4PN

Dear SWE,

Re: Feasibility Statement - Private Bin Collection at 11–13 High Street, BS9 3BF

This letter is to confirm that private waste collection for the residential property located at 11–13 High Street, Bristol, BS9 3BF is feasible.

Following an assessment of the site, I can confirm that bin collection for four (4) apartments is possible directly from High Street, subject to the appropriate service agreements and access arrangements being in place. The location allows for suitable vehicle access and safe collection conditions for our waste operatives.

Should you require any further details or wish to proceed with service setup, please do not hesitate to get in touch.

Yours faithfully,

A black rectangular box redacting the signature of the Managing Director.

Managing Director
The Upgrade Authority Ltd