



# NOTICE OF DECISION

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

<b>Decision :</b>	REFUSED
<b>Application no:</b>	19/02665/F
<b>Type of application:</b>	Full Planning
<b>Site address:</b>	66 Church Road, Redfield, Bristol, BS5 9JY.
<b>Description of development:</b>	Demolition of existing buildings on site and erection of a three storey building fronting Church Road, to contain 4No. apartments (Use Class C3) and a ground floor retail/business unit. 3No. three storey townhouses (Use Class C3) fronting Dove Lane.
<b>Applicant:</b>	Cockram
<b>Agent:</b>	Studio Yaqub Limited
<b>Committee/Delegation Date:</b>	06.11.19
<b>Date of notice:</b>	13.11.19

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. The proposed development, by virtue of the height, scale, massing and proximity of the houses proposed fronting Dove Lane would result in a bleak, over dominant and overbearing increased sense of enclosure for residents of 1-4 Cowper Street. The development would allow for unacceptable overlooking into the rear elevations and rear gardens of 1-4 Cowper Street from roof level windows and restrict daylight and sunlight experienced by residents of 1-4 Cowper Street. The development would also overbear 68 Church Road and impair outlook from windows within that property facing the development. As such, the development would fail to safeguard the amenity of existing residential development, contrary to local plan policies BCS21 of the Core Strategy 2011, DM27 and DM29 of the Site Allocations and Development Management Policies 2014 and the NPPF.
2. The proposed development, by virtue of restricted outlook, sense of enclosure, restricted daylight levels, proximity to the adjacent industrial premises and overbearing height of the rear garden boundaries of the houses would provide an overdeveloped, oppressive and poor quality living environment for future residents. As such the development fails to demonstrate that it would provide a high quality environment for future residents, contrary to local plan policies BCS20, BCS21, BCS23 of the Core Strategy 2011, DM14, DM27, DM29, DM33, DM34 and DM35 of the Site Allocations and Development Management Policies 2014 and the NPPF
3. The proposed development, by virtue of its height, scale, massing, form, plot coverage and overall design would fail to respond to its local context and street scene and would appear as an incongruous form of overdevelopment that would not contribute positively to the area's character and identity. The layout and form of the development would prejudice the existing and future development potential of the adjoining site at 68-70 Church Road and the potential for the area to achieve a coherent, interconnected and integrated built form. As such the development is considered contrary to local plan policies BCS20 and BCS21 of the Core Strategy 2011 and DM26, DM27 and DM29 of Site Allocations and Development Management Policies 2014 and the NPPF.

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

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

P001A - Site location plan, received 10 June 2019  
P031U - Proposed site plan, received 10 June 2019  
P010J - Existing floor plans, received 10 June 2019  
P025E - Existing aerials and visuals, received 10 June 2019  
P030Y - Proposed plans (ground, first and second), received 10 June 2019  
P043U - Proposed bin store and cycle store, received 10 June 2019  
P045X - Proposed aerials and visuals 1, received 10 June 2019  
P046X - Proposed aerials and visuals 2, received 10 June 2019  
P047S - Existing and proposed aerial view over cowper street, received 10 June 2019  
P051C - Proposed aerial visuals, received 10 June 2019  
P056E - Proposed ground floor plan - including Cowper street, received 10 June 2019  
P020H - Existing elevations, received 10 June 2019  
P040Y - Proposed elevations, received 10 June 2019  
P041V - Proposed elevations (East elevation), received 10 June 2019

P041V - Existing and proposed long street elevations, received 10 June 2019  
P050H - Existing and proposed long street elevations, received 10 June 2019  
SHEET 1 - Church road elevation A, received 10 June 2019  
SHEET 1 - Elevation B Cowper street rear (sheet 1 of 1), received 10 June 2019  
SHEET 2 - Church road elevation A, received 10 June 2019  
P042Y - Proposed typical house and section across site, received 10 June 2019  
P055G - Proposed sections through Cowper street, received 10 June 2019  
P057E - Existing sections through Cowper street, received 10 June 2019  
SHEET 1 - Church road sections, received 10 June 2019  
Topographical survey, received 10 June 2019  
P003L - Existing site plan, received 10 June 2019

## **Article 35 Statement**

The council always wants to work with the applicant in a positive and proactive manner. Unfortunately the proposed development is contrary to the policies of the Development Plan as set out in the officer report. Clear reasons have been given to help the applicant understand why planning permission has not been granted.

## **The right to appeal**

You have the right to appeal against this decision. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify us ([development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

You are allowed six months from the date of this notice of decision in which to lodge an appeal.

## **Negotiations**

Before making an appeal, you may wish to contact the case officer who dealt with your application, who may be able to advise you, how the council's objections to your proposal might be overcome if you amend your scheme. Please note that if negotiations are successful, you will need to submit a new planning application, which may, of course, be refused by committee.

Lodging an appeal will not prejudice your negotiations but you may need to agree with the council to postpone the appeal, to allow negotiations to take place.

## **Complaints**

Only planning matters can be considered at an appeal. If you think that the council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website [www.bristol.gov.uk/complaints-and-feedback](http://www.bristol.gov.uk/complaints-and-feedback) or by calling 0117 9223000.