



# 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>	18/01164/F
<b>Type of application:</b>	Full Planning
<b>Site address:</b>	36 Hampton Park, Bristol, BS6 6LH
<b>Description of development:</b>	Construction of a one bed house, sunken into existing rear garden.
<b>Applicant:</b>	[REDACTED]
<b>Agent:</b>	105 West Architects Ltd
<b>Committee/Delegation Date:</b>	24.05.18
<b>Date of notice:</b>	24.05.18

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. By virtue of the proposed form and siting as well as over intensive scale of infill development and overall design, the proposal would fail to respond appropriately to the back-land, garden context of the site and the established layout of adjacent buildings and general urban grain. Specifically, the proposed scale, siting and design of the flat-roofed block is contrary to the established layout and pattern of adjacent buildings, resulting in a cramped and incongruous form which would be harmful to the established character of the Conservation area and setting of adjacent listed buildings and appear visually alien to the existing garden context. These factors are individually and cumulatively contrary to the National Planning Policy Framework (2012), Bristol Core Strategy (2011) Policies BCS21 and BCS22 and Site Allocations & Development Management Policies Local Plan (2014) Policies DM21, DM26, DM27, DM29, DM30 and DM31 as well as the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance within PAN2 (Conservation area enhancement statements)
2. The proposed scheme represents an unacceptable and over intensive form of development which is demonstrated by virtue of the sunken, poor quality back-land location and mainly single aspect design and overall siting in close proximity to significant boundary treatments which would create inadequate outlook serving the new dwelling. The development would thus result in an enclosed, oppressive, poor quality and un-adaptable living environment for future occupiers. The proposal as submitted contravenes guidance within the NPPF, Policies BCS15, BCS18 and BCS21 of the Core Strategy (2011) and Policies DM27, DM29 and DM30 of the Site Allocations and Development Management Policies (Adopted 2014).
3. Insufficient information has been submitted to demonstrate that the development would not materially harm the health, or result in the loss, of the wild cherry and pear trees to the rear of the site that have a positive impact on the character of the wider street scene or that adequate mitigation measures are secured. The development is therefore contrary to the requirements of Policies BCS9, BCS11 and BCS22 Bristol Development Plan: Core Strategy (Adopted) June 2011 and Policies DM17, DM26 and DM31 of the Bristol Development Plan: Site Allocation and Development Management Policies (Adopted) July 2014; and the provisions of the National Planning Policy Framework, the Planning (Listed Buildings and Conservation Areas) Act 1990, guidance within PAN2 (Conservation area enhancement statements) and the Planning Obligations SPD.

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

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

1645(L)18 - Proposed street elevation, received 26 March 2018  
1645(L)20 - Proposed section AA, received 26 March 2018  
1645(L)00B - Location plan, received 26 March 2018  
1645(L)02 - Existing site plan, received 26 March 2018  
1645(L)03 - Existing site plan, received 26 March 2018  
1645(L)04A - Existing north elevation, received 26 March 2018  
1645(L)05A - Existing east elevation, received 26 March 2018  
1645(L)06A - Existing south elevation, received 26 March 2018  
1645(L)07A - Existing west elevation, received 26 March 2018  
1645(L)10 - Proposed site plan, received 26 March 2018  
1645(L)11A - Proposed lower ground floor plan, received 17 May 2018

1645(L)12 - Proposed ground floor plan, received 26 March 2018  
1645(L)15 - Proposed north elevation, received 26 March 2018  
1645(L)17 - Proposed south elevation, received 26 March 2018  
1645(L)16 - Proposed east elevation, received 26 March 2018  
Design and access statement, received 26 March 2018  
Arbouricultural impact assessment, received 26 March 2018  
Sunlight study, received 26 March 2018

### **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. Any such appeal should be made on a form obtainable from The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by contacting them on 0303 444 5000. Further information can also be obtained from the Planning Inspectorate's web-site, and it is possible to download copies of appeal forms and questionnaires and booklets giving guidance about the appeal process. The address is [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate)

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.