

Extension: Revised expiry date	3 March 2021
'Hold Date'	

Bristol City Council Development Management

Delegated Report and Decision

Application No: 20/06196/F **Registered:** 4 January 2021

Type of Application: Full Planning **Expiry Date:** 1 March 2021
Case Officer: Patrick Boxwell

Site Address:

44 - 46 Coldharbour
Road
Bristol
BS6 7NA

Description of Development:

Change of use from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground floor extensions.

Ward: Redland

Site Visit Date:

Date Photos Taken:

Consultation Expiry Dates:

Advert 10 Feb 2021
and/or Site 10 Feb 2021
Notice:

Neighbour: 24 Feb 2021

SITE DESCRIPTION

The proposal site is located at 44-46 Coldharbour Road in the Redland ward, part of a four unit terrace that historically supported commercial uses to all ground floor units, with residential flats above. Nos. 44-46 have recently received permission under relevant permitted development legislation to change the use of the ground floor units from A1 (retail) to C3 (residential) use, creating four flats - two first floor and two ground floor flats.

The rear of the property bounds onto the Cotham and Redland Conservation Area, and the rear gardens in this location descend steeply down to Redland Park, open space which is within the conservation area and offers views of the rear elevations to the terrace, which themselves have been substantially altered through extension. To the front the property is also on the boundary with The Downs Conservation Area.

RELEVANT HISTORY

80/04084/P_N Remedial works to front elevation, rear extension for shop & associated plant.
GRANTED 9 January 1981

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19/03558/CE Application for a Lawful Development Certificate for an Existing use - Use as a Laundrette. CERTIFICATE GIVEN 9 September 2019

19/03559/CE Application for a Lawful Development Certificate for an Existing use or operation or activity - Use of property as Dry cleaners (A1). CERTIFICATE GIVEN 9 September 2019

19/04827/COU Notification for prior approval for a proposed change of use of a building from laundrette (Class A1) to dwellinghouse (Class C3) - 2no PRIOR APPROVAL GIVEN 27 November 2019

19/04832/COU Notification for prior approval for a proposed change of use of a building from Laundrette (Class A1) to dwellinghouse (Class C3). (1 unit) PRIOR APPROVAL GIVEN 27 November 2019

19/05692/F Conversion of existing buildings from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground and roof extensions, and roof terraces. REFUSED 14 February 2020

19/06129/F Erection of a single storey dwelling, in rear garden. REFUSED 18 February 2020

20/20059/REF Conversion of existing buildings from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground and roof extensions, and roof terraces.
DISMISSED 17 December 2020

APPLICATION

The scheme seeks permission to carry out internal and external alterations to accommodate for the creation of 5 no. flats - two ground floor flats, two first floor flats and a fifth flat in the roof. The proposal is a resubmitted scheme coming after the refusal of a previous scheme and its dismissal at appeal. Appropriate weight will be afforded to the Inspector's conclusions when assessing the revised scheme.

External alterations would include enlarging existing first floor terraces to the rear elevation by way of increasing the depth of the associated ground floor extension.

To the roof a small existing roof dormer with associated balcony would be matched by a second addition in size and design.

The terraces created by the lower floor extensions would be separated and screened from view of neighbours to either side by solid masonry walls to either side and fencing in the middle.

Bin and bike storage would be situated to the side of the terrace, no off-street parking would be provided.

RESPONSE TO PUBLICITY AND CONSULTATION

The application has been advertised by site notice, press advert and direct neighbour notification. The deadline period for comments closed on 24.02.2021.

1 neutral comment was received in relation to the scheme.

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RELEVANT POLICIES

PAN 2 Conservation Area Enhancement Statements (November 1993)
Cotham and Redland Conservation Area Character Appraisal
Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations 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 2016 and Lawrence Weston Neighbourhood Development Plan 2017 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. IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

The National Planning Policy Framework (NPPF) outlines that housing applications should be considered within a context of the presumption in favour of sustainable development. The NPPF states local planning authorities should plan to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policies BCS5 (Housing Provision) and BCS18 (Housing Type) of the Bristol Core Strategy as well as Policy DM1 (Presumption in Favour of Sustainable Development) of the Site Allocations and Development Management Policies Local Plan (SADMP) reflect this guidance. 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.

- RESIDENTIAL SUBDIVISION AND DEVELOPMENT OF GARDEN SPACE

DM2 of the Site Allocations and Development Management Policies states that proposals for the subdivision of existing dwellings to flats will not be permitted where:

i. The development would harm the residential amenity or character of the locality as a result of any of the following:

- o Levels of activity that cause excessive noise and disturbance to residents; or
- o Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- o Cumulative detrimental impact of physical alterations to buildings and structures; or
- o Inadequate storage for recycling/refuse and cycles.

ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

- o Exacerbating existing harmful conditions including those listed at (i) above; or
- o Reducing the choice of homes in the area by changing the housing mix.

Where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

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DM21 of the Site Allocations and Development Management Policies states that development involving the loss of gardens will not be permitted unless:

- i. The proposal would represent a more efficient use of land at a location where higher densities are appropriate; or
- ii. The development would result in a significant improvement to the urban design of an area; or
- iii. The proposal is an extension to an existing single dwelling and would retain an adequate area of functional garden.

In all cases, any development of garden land should not result in harm to the character and appearance of an area. Development involving front gardens should ensure that the character of the street is not harmed and that appropriate boundary treatments and planting are retained.

The current scheme is materially similar to the previously refused scheme under application 19/05692/F except for the removal of a side dormer from the current proposal, and more robust screening of raised terraces to the rear. The refused scheme was appealed, and the appeal was dismissed on grounds of design and amenity impact only, specifically overlooking to the neighbour from a rear terrace and the addition of a side dormer to the main roof.

On this basis many of the conclusions reached remain the same as those reached under the previous scheme. In this regard a Pollution Control Officer was (previously) verbally consulted and did not raise concern in relation to the intensity of the sub-division and the potential for noise levels above what should reasonably be expected for a residential area. Following consultation with a Transport Development Management Officer a level of concern was raised in relation to a lack of parking, however it has not been considered overall that this would not warrant refusal of the scheme (see Key Issue E). The refuse and cycle storage is also found to be acceptable on balance following weight being afforded to the conclusions of the Inspector. Under the previous scheme there was significant concern with regard to the cumulative detrimental impact of physical alterations to buildings and structures as well as the impact of the development on the character and appearance of the area. This impact would actually be lessened to a small degree owing to the removal of the side dormer, and this was the only element that formed a point of objection by the inspector. Full discussion of this can be found in the proceeding key issues, however in terms of the principle of development the proposal is on balance and in light of the findings of the Inspector found to successfully overcome the tests of policies DM2 and DM21 in this instance.

- **LOSS OF RETAIL USE**

The proposal site forms part of two terraces which have historically supported 9 ground floor retail units forming a small shopping frontage to the eastern side of Coldharbour Road. The retail units are not designated under relevant local plan policies that encourage the protection of shopping frontages, and to date four of the 9 ground floor units have been converted, with or without consent, to residential use. Furthermore, the applicant has already received prior approval for the change of use of the ground floor units to the subject property to residential. Given the current level of erosion to the historical shopping rank, a lack of relevant policy seeking its preservation, and the prior approval for change of use, the loss of the retail units is not resisted in this instance.

The proposal site is set within a typical medium density primarily residential suburb of Bristol close to the Coldharbour Road Local Centre.

- **MIX AND BALANCE OF LOCAL HOUSING STOCK**

The application site is located within the Westbury Park South LSOA within the Redland Ward. An up-

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to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2011 Census data. The Westbury Park South LSOA has a proportion of flats to houses at 66.6% houses to 33.4% flats. 3 and 4 bedroom houses comprise the largest percentage of housing units in the area.

It can subsequently be concluded that there is a modest imbalance in the local housing stock with a dominance of medium to large family houses in the subject LSOA. Within this context the addition of flatted units is unlikely to prove harmful to the local housing stock.

Overall and with weight afforded to the comments of an Inspector in relation to design and character impact under previously refused scheme 19/05692/F the proposal adequately satisfies all considerations in this regard and is supported in principle.

B. IS THE PROPOSAL ACCEPTABLE ON DESIGN AND CHARACTER GROUNDS?

The Authority is also 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. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

o Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 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, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.134 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

o Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2018 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, with any harm or loss requiring clear and convincing justification. Paragraph 194 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.195 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, Para 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

o Policy DM26 Local Character & Distinctiveness of the Site Allocations and Development Management Policies of the Local Plan outlines that development proposals should contribute to local character and distinctiveness by means of design. This will be achieved by responding to local patterns and the grain of historic development within the area. Policy DM27 'Layout and Form' provides consideration to factors such as layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes and how they contribute toward achieving high quality urban design. Policy DM29 'Design of New Buildings' states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting

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their function and role in relation to the public realm. As detailed in Policy DM30: Alterations to Existing Buildings of the Site Allocations and Development Management Policies of the Local Plan, the proposed side extension should respect siting, scale, form, proportions, materials, design and character of the host building.

The subject property originally formed two units of a four unit terrace, set back from the eastern side of Coldharbour Road. The units are of a typical 1930's design with a material palette of brick and light render. The ground floors are fitted with shop fronts owing to the historical shopping frontage. The applicant proposed material alterations to the front elevations to include the removal of the first floor bay windows and their replacement with standard fixed windows, and the replacement of the shop fronts with two smaller fixed windows to each unit. Concern has been raised in this regard that it is not a very sympathetic alteration, and while it is considered that the retention of the first floor bay windows and/or the establishment of a stronger window hierarchy would have been preferable, given the surrounding context the arrangement is not considered to be harmful to the extent that refusal of the scheme is warranted.

Under previously refused scheme 19/05692/F substantial concern was raised on design grounds in relation to the degree of pre-existing alteration to the property (especially to the rear) in conjunction with the proposed further enlargement and addition to the rear elevation and roof slopes in particular. This was concluded to cumulatively represent an over-intensive development of the site that would be expressed by means of unsympathetic and incongruous additions. It was also concluded to fail to preserve or enhance the appearance of the adjacent Cotham and Redland Conservation Area, as the rear elevation is clearly visible from Redland Green and therefore forms part of the setting. The refusal reason read:

The proposed scheme represents unacceptable development by virtue of a poor quality, single aspect outlook and cramped living environment to the loft flat; the conversion of which also relies on unsympathetic roof extensions; alongside the over dominant enlargement of existing rear extensions; an excessive number of solar panels to the publicly visible front roof slope of the building and inadequate and impractical provision for the parking and manoeuvring of bicycles. Individually and cumulatively these elements are fundamentally symptomatic of an over intensive form of development that fails to provide an adequate living environment for future occupiers; fails to promote alternative forms of transport and fails to preserve or enhance the character of the subject property or wider terrace and the nearby Cotham and Redland and The Downs Conservation Areas.

The applicant appealed the refusal and in this regard an inspector concluded the following:

The proposal involves a new rear dormer. However, this would match an adjoining dormer and is sufficiently set apart and sized not to dominate the roofline. The metal railings on the existing balconies would be replaced with glass panels. This would look more contemporary and in keeping with a domestic context.

The rear elevations of the existing dwelling and its neighbours have a considerable array of extensions, adaptations and offshoots. There is little coherency with the style although the intent to capture the outward view is clear. The dwelling therefore has the potential to absorb changes as it lacks a regimented form and detailing. The changes to the rear elevation would not be particularly different to the existing and would not harm the character and appearance of the building.

The rear of the site is adjacent to the boundary of Cotham and Redland Conservation Area, also a heritage asset. This is characterised in the Cotham and Redland Character Appraisal and Management Proposals as high quality Victorian townscape, verdant character, parkland, historic estate layout, topography, views and landmark buildings. The rear of the site is visible from a park within Cotham and Redland Conservation Area. However, this building is very altered and presents a

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poor façade to the park and as I have found above, the proposed changes to the rear are very limited and would not impair any of these characteristics. Accordingly, the proposal would not harm the setting of the Cotham and Redland Conservation Area.'

The applicant responded to the concern raised by the Inspector by removing the side dormer from drawings, but retaining the additional rear dormer, and the other features such as the ground floor extension and terrace. Furthermore the sail partitions to provide privacy were replaced with masonry partitions in response to Inspector concern over the longevity of the sails. The alterations to the terrace screening are sympathetic to the overall appearance of the altered rear elevation and so this alteration would not in itself warrant refusal of the scheme.

The Inspector also concluded that 'The two new rooflights, solar panels, new upper floor windows and replacement ground floor glazing are not considered harmful'. On this basis and despite concern in relation to the scale of the proposed array above the front elevation to the building, no concern is upheld in this regard.

Therefore and in response to the amendments made as well as the conclusions of the Inspector there are no longer any elements in design and character terms that would warrant refusal of the scheme, either in terms of harm to the character of the building, or harm to the settings of either of the adjacent conservation areas.

C. HOUSING TYPE AND LIVING STANDARDS FOR FUTURE OCCUPIERS

o The NPPF outlines 'core planning principles' which should underpin both plan-making and decision-taking. One of these principles is that decision making should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

o 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. In addition, Policy BCS21 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 safeguard the amenity of existing developments and create a high-quality environment for future occupiers. Furthermore, as set out above, Core Strategy Policy BCS15 requires development to address issues of flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting. Policy DM30 in the Site Allocations and Development Management Policies (2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers.

o The national standards outline that a 2 bedroom, 4 occupant dwellings of a single storey should provide a minimum of 70m² of gross internal floor area and a single bedroom, single storey, 2 occupant dwelling an area of 50m². Double bedrooms should have a floor area of 11.5m² and a minimum width of 2.75m. It is also noted that the space standards outline that all rooms should ensure 2.3m in floor to ceiling height for 75% of the area.

Unit 1 - 82sqm (2 bedroom 4 bed-space minimum (70sqm + 2sqm)

Unit 2 - 82sqm (2 bedroom 4 bed-space minimum (70sqm + 2sqm)

Unit A - 54sqm (1 bedroom 2 bed-space minimum 50sqm + 1.5sqm)

Unit B - 73sqm (2 bedroom 4 bed-space minimum (70sqm + 2sqm)

Loft flat - 55.3sqm (1 bedroom 2 bed-space minimum 50sqm + 1.5sqm)

The previous scheme was refused permission over concerns of an over-intensive development of the site. Specifically it was considered that the loft flat, while exceeding minimum space standards, would

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offer a poor quality of single aspect outlook and offer a cramped and oppressive standard of living accommodation as a result of the restrictive sloping roof. The applicant appealed this decision and the Inspector concluded the following:

The dwellings would only have a single aspect which is not ideal but a frequent situation for flats. Moreover, they would have extensive views over the nearby park and the wider city, particularly as the habitable areas would be in direct view. The full-length glazed windows would allow these views to be fully utilised and the eastern aspect would offer pleasant morning sunlight.

The top floor flat would be 66sqm. This would exceed the national standard of 50sqm for a 2-person one bedroom flat. Whilst this would be within the roof, the main habitable area would be directly below the ridge leaving the utilitarian areas underneath the hipped end. The smallest flat would be 46sqm which would also surpass the standard at 39sqm for a one person one bedroom flat.'

The inspector concluded that the proposal would provide reasonable living conditions for future occupiers of the development and although several square metres of space would be lost from the loft flat as a result of the removal of the side dormer, the floor area would still exceed the minimum standard including for additional storage provision. While bedrooms generally are marginal in terms of area and width especially, the Inspector raised no concern in this regard.

Overall and with weight given to the conclusions of the inspector it is considered that the resubmitted scheme would not warrant refusal on grounds of poor living conditions for future occupiers and there are no outstanding concerns in this regard that would warrant refusal of the scheme.

D. AMENITY OF NEIGHBOURING RESIDENTS

o Policy BCS21 (Quality Urban Design) of the Core Strategy states that New development in Bristol should deliver high quality urban design. Development in Bristol will be expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

o Policy DM29 (Design of New Buildings) of the SADMP states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

The previous scheme was refused on the basis that the terrace structures to the rear would harmfully overlook neighbouring properties, specifically No. 42.

'The neighbour to the west is no 42. The appeal building has a tiered form which projects outwards as it follows a downward slope. There is an existing first floor balcony which would be unchanged.

However, a new balcony would be formed off the ground floor of the building. This would project outwards which would lead to overlooking of the rear elevation of no 42.

Fabric sails are proposed to the sides of the balconies to provide screening. However, the longevity of these sails would be limited, and more robust and weatherproof boundaries would be essential to guarantee this screening in the longer term, without which the overlooking would be unacceptable.

Whilst the proposal would provide reasonable living conditions for its occupants, it would harm the living conditions of no 42 due to overlooking from the ground floor balcony. Policy BCS 21 of the CS and Policies DM15, DM18, DM21, DM29, DM30 of the LP seek to provide and protect living conditions for now and the future, and as I have found above the proposal would be in conflict.'

The appeal was dismissed partly on grounds of impact to the design and appearance of the building

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owing to the side dormer, as well as due to overlooking of neighbouring No. 42. The applicant has responded to this in the current application by installing a more robust masonry screen to the southern boundary of the terrace in order to stop all overlooking to No. 42. In light of the Inspectors comments this is found to be acceptable and would no longer warrant refusal of the scheme.

Given the number of units proposed within the development and the stepped nature of external amenity spaces there would be a fairly high degree of mutual overlooking between flats - i.e. from the balconies of the loft flats to the areas below. However the application has proposed partitions between flats on the lower terrace. The Inspector raised no concern regarding these relationships and so it does not form a reason for refusal of this application.

Overall and with weight afforded to the Inspector's conclusions as well as the amendments made, the revised proposed is found to satisfactorily preserve the living conditions of surrounding residents.

E. HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

- Refuse and Recycling Storage and Collection

o The Waste and Recycling guidance for developers, owners and occupiers (2010) states that all new development must provide accommodation for a minimum footprint size of 0.6m x 1.5m or a volume of 1.5m³ to enable a 25 litre capacity storage for organic waste and 2 kerbside boxes to be stored. Bins should be housed within a storage solution which avoids harm to the visual amenity of the area as well as a location which avoids prejudice to neighbouring amenity. The storage location should have easy access to the highway for collection.

Refuse storage would be situated to the side of the property. This would be separated from cycle storage and there would be sufficient space to accommodate for it. The storage would be screened from view and so there are no further concerns in this regard.

- Cycle Parking

o Policy DM23 sets standards for the level of cycle parking within new houses. Cycle parking should be secure, weather tight and have easy and direct access to the public highway. Generally Sheffield stands are preferred as bikes can be individually secured and easily accessed.

Cycle storage would be situated to the side of the property. This would be separated from refuse storage, however a vertical storage solution is proposed. Concern was raised under the previous refusal that this is another indicator that created 5no. dwelling units within the subject property represents a harmful and overly intensive development of the site, and as a result of a lack of space allocated to a sufficiently high quality cycle storage facility.

The refusal was appealed and the Inspector disagreed with this conclusion, noting:

'The plans show bicycle storage on the ground floor, which would be practical and accessible to the occupants, with space provided for their manoeuvring.

Equally it would be within the grounds of the building and potentially a reasonably secure location subject to appropriate racking and lighting.

The facility would be vertically orientated. I note that this would comply with the example shown in the Council's Supplementary Planning Guidance: A Guide to Cycle Parking Provision. A purposely designed facility would therefore be readily useable and could be the subject of a condition.

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I therefore conclude that subject to details, which would need to be conditioned, the bicycle storage facilities would be appropriate. Accordingly, the proposal does not conflict with Policy DM23 of the LP which seeks to ensure adequate bicycle parking.'

The current proposals incorporate the same system as originally proposed, and the number of storage spaces meets the minimum requirement. On this basis and with weight afforded to the conclusions of the Inspector, the proposed refuse and cycle storage would not warrant refusal of the scheme in this instance.

- Off-street parking

The proposal does not seek any off street parking provision and it is noted that the area is in a sustainable location on Coldharbour Road, with good access to public transport links across the city. Concern had previously been raised by surrounding residents in relation to the existing parking situation and the additional pressures that the proposal could introduce in this regard. A TDM officer was consulted and noted that the area in front of the site is adopted, and concern was raised that should the area be used informally for parking in the future, which would be made more likely owing to the number of flatted units proposed, this would create a highways safety hazard owing to excessive manoeuvring on the public highway. Given that the area is not demarcated for parking in this application it cannot be decisively concluded that the proposal would cause harm, however any forthcoming consent should be accompanied by conditions for the reinstatement of the kerb to remove parking access. In terms of additional cars parking on surrounding streets, while this is possible, owing to the sustainable location it is not considered likely that 5 units alone would cause harm or have safety implications to the extent that refusal of the scheme would be warranted.

Overall the revised proposal is found to meet all material consideration relating to transport and highways safety issues.

F. SUSTAINABILITY AND CLIMATE CHANGE

- Climate Change and Sustainability

o Since the adoption of the Bristol Development Framework Core Strategy (2011) and with it Policies BCS13-16 applications are required to demonstrate how the proposed development would secure a saving in CO2 emissions from energy use through efficiency measures and incorporate of renewable forms of energy as well as protecting and ensuring against flooding.

The supporting sustainability statement proposes using solar PV panels to secure a 21.23% offset in residual emissions. This is acceptable in principle, and following the outcome of a recent appeal and the conclusions of the Inspector, the arrangement of 16 No 330Wp solar panels, eight on the roof facing Coldharbour Road and eight installed at the rear of the first floor terrace no longer raises concern on design grounds. In sustainability terms the proposal is acceptable, subject to conditions for further details.

CONCLUSION

Following the refusal and appeal decision relating to former application 19/05692/F the revised scheme is found to successfully overcome the reasons for dismissal that the Inspector raised, specifically by removing a side dormer to the main roof which was found to be harmful on design and character grounds, and improving the screening to the southern side of the ground floor terrace in order to prevent overlooking to neighbouring No. 42. On this basis and with weight given to these being the only sources of objection from the Inspector, the revised scheme is found to be acceptable on all grounds and is recommended for approval subject to conditions.

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CIL

The CIL liability has been calculated to be £416.25

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 Equalities Act 2010.

RECOMMENDED GRANTED subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

2. Prior to the commencement of the relevant element, details (including the exact location, dimensions, design/ technical specification and method of fixing) relating to the PV panels shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

Pre occupation condition(s)

3. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on Approved Plans

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

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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.

4. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

5. Reinstatement of Redundant Accessways - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety.

6. Privacy screen wall

The privacy screen wall as shown on the approved plans shall be erected prior to the first use of the new raised terrace/balcony hereby approved and shall thereafter be maintained in perpetuity.

Reason: to protect the residential amenity of neighbouring properties

Post occupation management

7. External Works to Match

All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

Reason: In the interests of visual amenity and the character of the area.

8. The development shall be carried out in complete accordance with the Sustainability Statement prepared by Noma Architects dated 21 February 2020 and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the development makes sufficient contribution towards mitigating and adapting to climate change.

List of approved plans

9. List of approved plans and drawings

**DEVELOPMENT CONTROL () DELEGATED
44 - 46 Coldharbour Road Bristol BS6 7NA**

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

2102-0004 rev. 02 Site Location Plan, received 4 January 2021
 2102-0110 rev. 07 Existing Site and Ground Floor Plan, received 4 January 2021
 2102-0111 rev. 04 Existing First and Loft Floor Plan, received 4 January 2021
 2102-0211 rev. 02 Existing Elevations, received 4 January 2021
 2102-2122 rev. 09 Proposed First Floor Plan, received 4 January 2021
 2102-2124 rev. 05 Proposed Site Plan, received 4 January 2021
 2102-2125 rev. 01 Proposed Ground Floor Plan, received 4 January 2021
 2102-2126 rev. 01 Proposed Loft Floor Plan, received 4 January 2021
 2102-2220 rev. 09 Proposed Front and Side Elevations, received 4 January 2021
 2102-2225 rev. 03 Proposed Rear Elevation, received 4 January 2021
 2102-2222 rev. 06 Proposed Perspectives, received 4 January 2021
 Sustainability Statement by NOMA architects (Ref. 2102), received 4 January 2021

Reason: For the avoidance of doubt.

Advices

1 Stopping Up/Diversion of Adopted Highway

You are advised that to facilitate the development an order must be obtained to stop up or divert the adopted highway under sections 247 and 248 of the Town and Country Planning Act 1990. Please see www.gov.uk/government/publications/stopping-up-and-diversion-of-highways or contact the National Transport Casework Team at nationalcasework@df.gov.uk

2 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

Case Officer: Patrick Boxwell

Authorisation: Kate Cottrell

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