

Development Control B Committee Agenda



Date: Wednesday, 19 August 2020

Time: 2.00 pm

Venue: Remote Zoom Meeting

Distribution:

Councillors: Tom Brook (Chair), Richard Eddy (Vice-Chair), Lesley Alexander, Clive Stevens, Mike Davies, Fi Hance, Chris Jackson, Olly Mead, Jo Sergeant, Nicola Bowden-Jones and Sultan Khan

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Date: Tuesday, 11 August 2020



Agenda

7. Public Forum

Anyone may participate in public forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

(Pages 3 - 11)

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest **by 5pm on Thursday 13th August 2020.**

Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Tuesday 18th August 2020.**

The statement should be addressed to the Service Director, Legal Services, c/o The Democratic Services Team, City Hall, 3rd Floor Deanery Wing, College Green,
P O Box 3176, Bristol, BS3 9FS or email - democratic.services@bristol.gov.uk

Anyone who wishes to present their public forum statement, question or petition at the zoom meeting must register their interest by giving at least two clear working days' notice prior to the meeting **by 2pm on Monday 17th August 2020.**

PLEASE NOTE THAT IN ACCORDANCE WITH THE NEW STANDING ORDERS AGREED BY BRISTOL CITY COUNCIL, YOU MUST SUBMIT EITHER A STATEMENT, PETITION OR QUESTION TO ACCOMPANY YOUR REGISTER TO SPEAK.

In accordance with previous practice adopted for people wishing to speak at Development Control Committees, please note that you may only be allowed 1 minute subject to the number of requests received for the meeting.

10. Amendments Sheet

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Public Forum

D C Committee B (Remote)

2pm on 19th August 2020



1. **Members of the Development Control Committee B**

Councillors: Tom Brook (Chair), Richard Eddy (Vice-Chair), Lesley Alexander, Nicola Bowden-Jones, Mike Davies, Fi Hance, Sultan Khan, Olly Mead and Jo Sergeant/Chris Jackson (Role Share) and Clive Stevens

Statements/Petitions			
Statement	Request To Speak Made Where Indicated S=Speaker	Name	Application
A1	S	Councillor Carla Denyer	20/01491/F – Old Shoe Factory, Cobbler Lane
A2		Quentin Alder	
B1	S	Councillor Tom Brook	20/02274/F – Unit 7, Merton Road
B2		Martin Pearce	

Statement Number A1

Application ref. no: 20/01491/F

Application address: The Old Shoe Factory Cobbler Lane Bristol BS8 2AQ

Statement from ward councillor Carla Denyer

I apologise for calling in such a small application that should normally easily be made under delegated powers. I do so because I am concerned that the applicant did not get a fair chance during their previous application, so I want this to be decided once and for all by committee.

There have been a number of previous applications at the site, with small changes to the proposal in response to feedback. I agree with the refusal of earlier applications but I think the proposal is now reasonable and worth considering afresh.

The most recent previous application at this site, 19/04989/F, was refused for two reasons (paraphrased):

1. Amenity for residents of the development itself due to poor outlook from the windows and low ceiling heights;
2. Impact on outlook from window of First Floor Flat 118 Whiteladies Road.

On the first point, I have visited the premises, including the interior, and even on a January morning I found it light, airy and pleasant. Outlook is constrained at some windows (not unusually so for a backland development) but has very good outlook through one window, which I think adequately compensates, and further skylights are proposed to be added. The ceiling heights in the plan are in accordance with the National Space Standards.

On the second point, this reason for refusal was *only introduced in this application*, having not been cited as a reason in any of the previous applications, despite no change in how this property would be affected. The applicant and architect are understandably aggrieved, because had the issue been raised in an earlier application then the applicants could have demonstrated that it was not a problem by providing an assessment, [which they now have done](#). They are also aggrieved because another recent application, a short walk away in the same ward, which causes much greater impact on the outlook of an existing property, was permitted. See screenshot at bottom of this statement.

I am also concerned that during the previous application it seems the applicant and architect were unable to get any response from officers about how they could amend the application in order to meet his requirements until after the determination deadline. Officers are meant to communicate clearly with the applicant about the view that they are taking early in the process to allow the applicant to make adjustments if necessary.

Overall, although I accept that there are some issues with amenity, I think they may cause less than substantial harm, and I am concerned that the previous application was treated unfairly in comparison to other backland developments in this regard. I am therefore calling this in so that it is seen by a 'fresh set of eyes'.

I encourage the committee to read the [Design and Access Statement](#) submitted by the architect, and to view photos of the inside of the property. These will give you an appreciation of the issues at hand.

Thank you.

Appendix: Another recent application, a short walk away in the same ward, which causes much greater impact on the outlook of an existing property, yet was permitted. Why has this been allowed despite impact on outlook of the existing building, while the Old Shoe Factory application has been turned down for a much smaller impact?



QUENTIN ALDER ARCHITECTS

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THE OLD SHOE FACTORY 20 / 01491 / F

STATEMENT TO COMMITTEE 19th AUGUST 2020

Consultation: 14 neighbours were notified with 3 letters in support and no objections.

Officer's Report:

Key Issues:

A) Principle of Development:

The officer's report raises no objection to residential use and we welcome this.

B) Residential Amenity of Future and Neighbouring Occupiers:

The National Space Standards require a 2 storey, 1 bedroom, 2 person dwelling to have a floor area of 58 square metres. The proposed total internal floor area is 59 square metres which exceeds the requirement.

The officer's report states that the total floor area 'does not account for the built in storage' – this is incorrect as the government guidance states that storage is included in the total floor area.

The report describes the mezzanine as 'windowless and cramped' – although there will be two large Velux roof lights over this study/sleeping area and the ceiling rises from 1.9m (6 foot 3 inches) to 2.3m (7 foot 7 inches).



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The area with a ceiling height of at least 2.3m will be 77% of the total which exceeds the minimum of 75%. The seating area under the mezzanine will have headroom of 2.05m (6 foot 9 inches). The dwelling will not be ‘cramped’ as alleged.

It is noted that the Pollution Control Officer has no objections. Provided the proposal exceeds all the minimum criteria it should be approved.

Our client has commissioned an expensive daylighting study which refutes the accusations of a ‘poor level of light’. For the bedroom the Building Research Establishment recommendation is 1% and the measured level is 1.3%. This is not an increase of 0.3% as reported but exceeds the minimum by 30%. The recommendation for the living room is 2.0% and the measured level is 4.6% which exceeds the minimum by 230% or 2.3 times.

The report states that the kitchen extension will detrimentally impact on the outlook from the rear of 118 Whiteladies Road 5.5m away, however the Building Research Establishment guidance states that, if the new building is below a line at 25 degrees there will not be any adverse impact. In addition, this was not a reason for refusal for the applications in 2015 and 2019.

The application behind the old NatWest bank on Whiteladies Road (19/05004/F and 5/LA) granted by the same officer, has bedroom windows only 5.8m away from the windows in the existing houses and looking down into the bedroom windows below.

C) Are the proposals designed satisfactorily and will the visual amenity of the Whiteladies Road Conservation Area be protected:

The report refers to considering ‘development which affects a listed building or its setting’ – the Old Shoe Factory is not listed and neither are any of the adjoining buildings.

The walls which are 2.0m away from the windows are outside the bedroom. This is similar to many garden flats in Clifton and other areas. The bedroom has very wide windows in two walls providing a generous amount of daylight.

The report dramatically condemns the potential living conditions as ‘cramped, oppressive and claustrophobic’. On the contrary they will not be ‘cramped’ – the floor area exceeds the Space Standards; not ‘oppressive’ – the daylighting to the living room exceeds the minimum by 2.3 times; and not ‘claustrophobic’ – the ceiling heights exceed the minimum rising to over 4.0m which will create a light, airy and comfortable dwelling.

The proposals will bring this building back into viable use as a much needed small dwelling. We hope that you can see the merits of the proposals and will grant consent.

STATEMENT NUMBER B1

For many years, areas of the Merton Rd industrial estate have been the bane of the lives of neighbouring residents, with noise pollution, burning of rubbish and chemicals, unlawful development, light pollution, breach of planning conditions and more. This application would add to that already harmful mix and serve to further degrade residential amenity.

In particular, I would like to draw the committee's attention to the following issues:

- Proximity – 1.5m is not a sufficient distance between these proposed industrial units and residential properties. The close proximity is sure to degrade residential amenity.
- Overdevelopment – This is an already congested and labyrinthine estate with a multitude of users, some of which who do not keep within the law and cause untold misery for residents. To add to this mix with three further units would present acute overdevelopment.
- Noise – The noise generated from three industrial units in close proximity to residential properties (including children's bedrooms and space for those working from home) would be unacceptable.
- Air Quality – Burning of rubbish and other materials at this property is likely given the industrial use of the site and existing precedent on the estate, adding to the already deadly air pollution in this vicinity (mere meters from the Gloucester Road arm of the Air Quality Management Area).
- Light pollution – In line with the industrial nature of the development, light pollution shining into the windows of residential properties is a near certainty.
- Overbearing & Massing – Whilst acknowledging that the design meets the BRE Guidance Note requirement for developments to fall below a 25° line taken from ground level, the industrial units would nonetheless form an unacceptably overbearing mass in close proximity to neighbouring properties.
- Design – Whilst the design of the application is quite standard for the Merton Rd estate, it is not the high-quality urban design, sensitive to the location, which the council expects from developers.

Overall, I share my constituents' view that this application is not in-keeping with the requirements of the council's planning policies and would damage residential amenity to a degree that the application should be refused.

Martin Pearce

Subject: Statement regarding planning application 20/02274/F

Statement regarding planning application for Merton Road 20/02274/F

I am a local resident living close to the proposed development.

My objections to the development are as follows:

There is already considerable noise from the estate, and whilst I accept noise is inevitable from such a place, noise outside of business hours is unacceptable, especially when it happens late at night, or even into the early hours of the morning.

Many of the properties adjacent to the estate house families with children, how will they be protected from further breaches and disturbances? What guarantees are being given as to safety on the site and beyond, when homes are literally a few yards away from whatever activity takes place?

How are any of the above issues to be monitored and policed? How does the current owner of the site monitor what occurs under his ownership and management of the site? Is there any such oversight? I think this is a question you really need to get answers to.

How does the Planning Committee propose to act upon breaches and disturbances? Current arrangements seem to have little effect.

We are already dealing with the knock-on effects from an unlicensed party with no social distancing, no PPE, and loud music at the time of a pandemic, at which the local constabulary were called on to attend (16/08/2020 - Incident Number AS-20200816-76). This is the sort of thing that happens when your systems are simply not robust enough to deal with breaches.

The proposed development may have an adverse effect on the value of my property should I seek to relocate.

Finally, I would like to ask members of this committee how they would feel about the numerous breaches on this site - many of which are known to the police - if they lived adjacent to it. What would they do about it?

At the bottom of this statement, I will be adding my name and contact details. In the interest of transparency, I am requesting that I receive notice of the formal decision of this application. I am also requesting that I am informed of the names and details of all those involved in this decision. I believe in transparency; I also believe in responsibility. If I am not provided with these details I will be seeking them under a Freedom of Information Request.

Martin Pearce

Amendment Sheet 19 August 2020

Item 1: - The Old Shoe Factory Cobbler Lane Bristol BS8 2AQ

Page no.	Amendment/additional information
	No amendments

Item 2: - Unit 7 Merton Road Bristol BS7 8TL

Page no.	Amendment/additional information
	No amendments