

Development Control A Committee Agenda



Date: Wednesday, 2 September 2020

Time: 2.00 pm

Venue: Remote Zoom Meeting

Distribution:

Councillors: Donald Alexander (Chair), Chris Windows (Vice-Chair), Clive Stevens, Mark Wright, Fabian Breckels, Paul Goggin, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead, Afzal Shah and Steve Smith

Copies to: Gary Collins

Issued by: , Democratic Services
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Date: Monday, 24 August 2020



Agenda

7. Public Forum

Up to 30 minutes is allowed for this item.

(Pages 3 - 41)

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. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office **at the latest by 5pm on Wednesday 26th August 2020.**

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office **at the latest by 12 Noon on Tuesday 1st September 2020.**

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 Friday 28th 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.

Please note, your time allocated to speak may have to be strictly limited if there are a lot of submissions. This may be as short as one minute.

10. Amendments Sheet

(Pages 42 - 45)



Public Forum

D C Committee A (Remote)

2pm on 2nd September 2020



1. Members of the Development Control Committee A

Councillors: Don Alexander (Chair), Fabian Breckels, Stephen Clarke, Mike Davies, Paul Goggin, Margaret Hickman, Olly Mead (Job Share), Afzal Shah (Job Share), Steve Smith, Clive Stevens, Chris Windows (Vice-Chair) and Tony Carey (substitute for Mark Wright);

2. Officers:

Gary Collins - Development Management, Norman Cornthwaite



		Statements/Petitions	
Statement (Agenda Item Number Must Precede It In Each Case)	Request To Speak Made Where Indicated S = Speaker	Name	Application
A1	S	Joyce Ward	13/05023/F – 493 to 499 Bath Road, Brislington
A2	S	Mark Sommerville	
A3		Harriet Bradley	
A4		ClIr Jos Clark	
B1	S	ClIr Clive Stevens	20/01032/F and 20/01033/LA – Land To Rear of 85 Whiteladies Road, Bristol BS8 2NT
B2	S	Caroline Dix	
B3	S	Merche Clark	
B4		TRESA	
B5		Abigail Shepherd	
B6		Andrew Waller	
B7		Nick Sargent	

B8		Clr Carla Denyer	
B9		Colin Pemble	
C1		Clr Paula O'Rourke	20/02205/F and 20/02296/LA – 8 Harley Place BS8 3JT
C2	S	Ian Larkin (Petition and Statement)	
C3		Leila Wynn	
C4		Sarah Clark	
C5		Paul Kenyon	
C6		Jane Marsden	
C7		Tony Buss	



STATEMENT A1

Statement in Support of Planning Application ref. 18/05023/F at 493-499 Bath Road, Bristol

Joyce Ward, Chair of Resident and Board Partnership, Sovereign Housing Association

My name is Joyce Ward and I speak to you as Chair of the Resident and Board Partnership within Sovereign Housing Association and an affordable housing resident of 11 years.

I represent about 120,000 affordable housing residents that live in Sovereign's properties, by scrutinising everything Sovereign do in terms of strategy, policy, quality and housing standards. It's my job to give Sovereign a hard time!

One of residents' biggest concerns is how to manage money, a key part of which is fuel poverty.

The type of heating systems residents have is crucial to having warm homes and avoiding stress and debt. Residents must be able to have choice over their energy suppliers, monthly billings and a regular understanding of how much they are spending. Many of the heating systems in the Council's Policy BCS14 simply don't allow that, and to ask housing associations to install them and to ignore the reasons Sovereign have given for not doing so (without any reference to them in the Committee Report) is **totally and absolutely irresponsible**.

These proposals give affordable housing residents choice and control, and puts us first; something that the planning process too often fails to do.

For all those people in Bristol not fortunate enough to already have a place to live, please approve these plans.

Thank you.

STATEMENT A2

439 to 499 Bath Road, Bristol – Application Reference 18/05023/F

Bristol City Council Development Control Committee A – 2nd September 2020

Savills' Statement on behalf of the Applicant

This application from Sovereign Housing Association, a HomesWest housing partner of the Council, proposes:

- a 100% affordable housing scheme of 146 high quality apartments and houses;
- a mix of affordable housing tenures including social rent, affordable rent and shared ownership; and
- redevelopment of an allocated, brownfield, vacant site in a highly sustainable location.

It proposes all of this at a time when the housing waiting list in Bristol stands at 14,658 households.

The proposals are the result of over 4 years engagement with the Council, design review panel, the local community and other stakeholders. Crucially, they are supported by the Council's Housing Delivery Team.

On design, the local ward Councillor praised Sovereign for positively responding to design points raised at public consultation, and other positive changes have been made at every stage of officer feedback during determination. It is also relevant to note that the original design concept was sketched by the Council's Design Officers.

With regard to heat and energy, with gas systems heading rapidly toward obsolescence in favour of clean and renewable energy sources, the scheme proposes a combination of highly efficient building materials, air source heat pumps, electric hot water and heating, and solar panels, and achieves in excess of the 20% carbon reduction target. A barrister's opinion has been provided to officers confirming this approach accords with Policy BCS14.

We are disappointed that the Committee Report does not reference any of the social or financial responsibility factors behind the proposed heating and energy systems. Instead it focusses primarily on viability, which is only part of the complex and detailed evidence that has been submitted to the Council. The impact of this is to ignore Sovereign's expertise as a housing association and, more importantly, the voice of affordable housing residents. The same concerns were raised by the Bristol Housing Partnership in an open letter to the Council over a year ago.

Good planning should be about achieving sustainable outcomes; and what this scheme proposes is both environmentally sustainable, and socially and economically responsible for social housing residents, both now and in the future.

In making your decision, we urge you to think of those on the housing waiting list in Bristol who are desperate need of good quality housing. Please approve this scheme.

Thank you.

Harriet Bradley

Subject: Comments for Planning Application 18/05023/F

Application Summary

Address: 493 - 499 Bath Road Brislington Bristol BS4 3JU

Proposal: Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application).

Case Officer: David Grattan

[Click for further information](#)

Customer Details

Name: Dr Harriet Bradley

Comments Details

Commenter Type: Other

Stance: Customer made comments in support of the Planning Application

Reasons for comment:

Comments: I am writing as former councillor for Brislington West. During my 5 years time as candidate/councillor this site has been standing vacant and is a blot on the landscape. Moreover, given the lack of affordable and social housing in Bristol and the length of the waiting list for council property, I consider it almost criminal that this site is still not under construction.

Brislington is a sought after area for housing and the demand is likely to increase after the new university campus opens. While I am not a fan of high rise on principle, I think the site has been well designed; the blocks are not too high, there is public space with planting, and good availability of bicycle and car parking. I note that the skyline has been lowered by the developer. The accommodation would suit starter couples or singles. I think this kind of development is far preferable to the spread of HMOs in existing terraced housing which is a creeping problem in Brislington. The design is acceptable and Bath Road is not a beauty spot! This is not the easiest site and the application makes good use of it. There have not been a huge number of

local objections

I note the ongoing wrangle over heating systems. I am no expert in this area so I cannot comment on the technical issues (though I note the current problems with Bristol Energy). I would hope that BCC and Sovereign can find a compromise solution and wonder if this could be made a condition of acceptance.

However, the main issue is that this applications offers a good number of social and affordable units which are desperately needed, in a location in good reach of the city centre employment, and I really would hate to see further delays in the utilization of the site.

Cllr Jos Clark

Statement to planning committee A to be held on 2.9.20

Item 8

- a. Application number 13/05023/F

I would like to submit a statement regarding the above application and speak not only as the councillor for the ward where the development is proposed but also as a resident in the area. There is no doubt that I support a development on this site and want the best for the area.

The site is a well know landmark in the area because a lot of people have fond memories of the building when it used to make demob suits after the war, but over the past 50yrs it has gradually fallen into disrepair. Even though it was being used for warehousing it gradually became a blot on the landscape.

Residents in Brislington and further afield want to get the site sorted so that the area can present itself in the best possible terms, as this is one of the main arterial routes into the city along the A4 corridor. I aspire to a settled community in Brislington with the high's quality building available so that we have buildings that complement the surrounding architecture and don't work against it, and homes that people love and are proud to call home.

The report highlights a number of issues which appear not to have been resolved even though the dialogue has been going on since 2017, it seems a real shame that this site has proved so difficult to deliver a plan that meets the needs of the housing association, the planners and also those people who want to settle in Brislington.

Thank you for your time.

Dear Councillor

1) Introduction

I am objecting to this application. I hope you do too. I see this as simply one more fight in the chain of battles that have been necessary to bring Bristol's long awaited HMO SPD to life. As you can see in Appendix B of this statement, I have selected 16 cities from the Council's own evidence which already have material planning policies for HMOs. Most use 10% within a 100m radius as the dividing line beyond which this type of property becomes a harmful concentration. Bristol's HMO SPD also has 10% and is scheduled to be adopted by Cabinet this November.

Although Bristol's SPD doesn't have full weight now I will argue that if you reject this application and if it is then taken to appeal then the SPD will be in full force by the time the inspector gets to look at it. In fact, for me, that is a preferred outcome because then we would have the Planning Inspectorate's approval for the HMO SPD (which many other cities have already achieved).

2) Full Council's wishes

Let me take you back to that heady Summer of 2017.

Full Council voted unanimously on a motion to control the expansion of the universities and thus manage the harm caused: loss of income to the Council, impact on the housing market and impact of harmful concentrations of HMOs. One of the things voted for was an HMO SPD.

Eight months later, Full Council voted £25,000 in a Budget Amendment to fund Planning Department to start collecting evidence to support an SPD. To everyone's credit the HMO SPD is nearly across the line. It has been internally consulted upon, it has been externally consulted upon, revised and is now out for final consultation (ends 11th Sept.) with a view to being formally adopted by Cabinet on 3rd November, this year, just two months away.

3) The emerging HMO SPD (Bristol's) and existing policy DM2

And so today and to your landmark decision (either way it will be landmark),

This developer proposes to build a new HMO (House of Multiple Occupation). These property types have been identified in policy DM2 (from 2014 and is fully in force) as causing harm when in "harmful concentrations". The problem with DM2 is it doesn't numerically define harmful concentrations and relies on a subjective approach to do with bins, noise, parking etc. which was always open to, "well one more HMO won't cause extra harm surely". And that is essentially what I think your planning officer is saying today.

Policy DM2 (from 2104) listed 4 categories of harm. We understand the issues better now. Bristol's new HMO SPD adds 6 new, extra categories of harm (see Appendix A below).

In Clifton Down, some HMOs used to be available as inexpensive accommodation to single people on low incomes. The change in demographics caused in part by university expansion has limited such use. The harm is not just about residential amenity, it is about providing an adequate choice of local housing for all.

The Council has defined (in their evidence paper) what other councils have set as harmful concentrations. Many have chosen 10% of HMOs within 50m or 100m. I have included 16 examples in Appendix A to this statement. Given that HMOs can house from three up to 10 people or even more (this application is for six) and with average occupation of other dwelling types being about 2.1 that means that 10% HMOs corresponds roughly to nearly 25% of the local population being HMO dwellers. Add purpose built accommodation (e.g. for students) and a community is dramatically changed and becomes unbalanced. It affects the retail offer, school intakes and ability for communities to support one another.

Therefore if you are required to determine this against DM2 there is enough national evidence to support 10% within 100m as being a harmful concentration.

If you are permitted to consider the HMO SPD (even if it is limited weight) then read on...

Bristol's emerging HMO SPD (scheduled for Cabinet approval Nov 2020) has two tests: 10% within a 100m radius and a no sandwich rule looking at the immediate surroundings. The latter allows for variations of the sandwich shapes that may occur.

The Article 4 directions are in place for many wards in Bristol now. They remove permitted development rights and mean you have to apply to Planning for a change of use. The residents of those wards are relying on you to support this SPD today and thus to reject this application.

This application: Rear of 85 Whiteladies Road

The officer has calculated the HMO concentration within 100m of this proposed development, it is shown to be nearly 13%. This 100m measurement has risen from 7.6% to 13% in just the last three months. Not because so many more HMOs were created since then, but it is because the new Additional Licensing requirement means landlords are applying for a license and the HMOs are finally being recorded by the Council's Housing Licensing Department. We expect this process of recording more HMOs to continue. In all likelihood, at the moment, the % of HMOs within 100m is actually higher than 13% (Next measurement is due late October).

Using the same data source I measured the concentration in the immediate area (within 50m) and it is closer to 30%. And again the reality is the concentration is probably higher still.

The second test in the HMO SPD is the street test. There is a property, 15a Hampton Lane, which will have all HMOs opposite (93, 91 and this at 85). In fact it seems that there is also purpose built student accommodation along this road too. One resident has estimated that 95% of the population of Hampton Lane will be of one demographic. That's not a sandwich, that's a campus. It is not a broad housing mix as required within DM2 (and the HMO SPD).

Conclusion

As your decision is mainly based on DM2 (because the HMO SPD has limited weight today) I argue that the evidence you should consider regarding a harmful concentration of HMOs should include the evidence of harmful concentrations from other cities. Most have chosen 10% as the level of harmful concentration (this application is already at 13% and the amount being registered is going up). You should look at the 50m concentration which is 30% (my estimate) and the fact that Hampton Lane is 95% of just one demographic and therefore too much shared housing.

Your Planning Officer has included 2011 Census information for Cotham Hill output area (remember the University of Bristol has increased by some 30% or more since then). The 2011 figures are already high.

And finally and why so many residents' groups have responded is if you approve this you will blow a hole in three or more years of work, go against Full Council's vote (you have a right to change your mind I agree) and you will be going against the previously stated policy wishes of the Cabinet Member for Planning and the Cabinet Member for Homes and Housing.

Please refuse this application. If the developer appeals then in all likelihood the HMO SPD will be in force by then.

Thank you for reading and thinking about this,

Councillor Clive Stevens (Clifton Down ward)

Appendix A – Six extra categories of harm added to the HMO SPD (not in DM2)

- Reduced social cohesion resulting from demographic imbalance.
- Reduced housing choice resulting from housing type/tenure imbalance (e.g. a shift from permanent family housing to more transient accommodation);
- Reduced community engagement from residents resulting from an increase in the transient population of an area;
- Overlooking and loss of privacy resulting from poorly considered internal layouts and intensification of use
- Detriment to visual amenity and use of frontage areas for off-street parking;
- Reduced community facilities resulting from a shift in the character of shops and businesses;

Appendix B (taken from BCC's HMO SPD Evidence paper, Appendix C)

<https://www.bristol.gov.uk/planning-and-building-regulations/review-draft-hmo-planning-document>

These are the levels that 16 other cities have set as harmful concentrations of HMOs

Bath – 10% within 100m SPD adopted 2017

Birmingham – 10% within 100m DM Policy currently at examination stage

Brighton – 10% within 50m Adopted Plan 2016

Canterbury – 10% within 100m Adopted Plan 2017

Cardiff – 10% and 20% depending on wards Adopted SPG Oct 2016

Durham – 10% within 100m Policy currently at examination stage

Liverpool – 10% (in a neighbourhood) currently being consulted upon

Manchester – 10% within 100m. In 2012 adopted plan.

Nottingham – 10% within a census output area Adopted Plan Jan 2020

Oxford – 20% within 100m of street Adopted Plan June 2020

Portsmouth – 10% within 50m Adopted SPD October 2019

Reading – 25% within 50m Adopted Plan Nov 2019

Southampton – 10% within 40m Adopted SPD May 2016

Swansea – 10% and 25% (within an HMO managed area) Adopted Plan Feb 2019

Trafford – 10% within 40m Adopted SPD March 2018

Warwick – 10% within 100m Adopted Plan September 2017

York – 10% and 20% depending on area Adopted SPD April 2012 amended July 2014

From: Action for Balanced Communities (ABC) Bristol

To: Councillors of Development Control Committee A

Planning application for HMO development at 85 Whiteladies Road (2 Sep 2020).

As a constituted group of local Residents Associations across Bristol we object strongly to the proposed development and would like to note additional points following release of the Officers Report and in addition to the Group's original objection to this application:

- **HMO Concentration.** The officer reports that HMO Licensing data shows 13% of housing stock within 100m as being HMOs. **This is understood nationally to be a harmful level for social cohesion and ensuring a functioning community.**
 - It is understood from planning documents that 10% of housing stock in HMOs typically represents 20% of the local population, but in this instance due to the already high levels of HMOs, as at 2011, the officer reports that over 44% of the population in the immediate area surrounding the development were students as at 2011 (and it is noted that student numbers at UoB have dramatically increased since 2011).
 - The officer fails to consider that the negative impact of HMOs is not only caused by student occupation (which has been their focus), but the negative impacts are in how this type of housing tenure creates transitory neighbourhoods with lack of residents' investment in community, along with noise and waste impacts due to how they are managed and a lack of responsibility felt by occupiers. Enforcement is known to be ineffective and therefore issues are not reported to the NET.
 - This means that in accordance with the emerging planning policy a harmful concentration of HMOs likely existed within this area in 2011, further HMOs have been permitted for development since this time, therefore it is understood that local residents suffer from harmful impacts as articulated within the HMO SPD.
 - Experience and information from Private Housing at BCC means that it is widely known that not all HMOs are currently shown on the PinPoint map nor in the list of licensed HMOs (due to delays processing applications). The % of HMOs is therefore highly likely to be higher than 13%.
- **Health and Wellbeing.** The officer fails to acknowledge the impact of further HMO development on local residents, referring only to the residents of the development to analyse impact of the proposal on health and Wellbeing (DM14).
 - Addition of a further HMO has a huge impact on the residential (C3) properties already in this area as the proportion of HMOs, and the negative impacts from these are further increased.
- **Housing Mix.** The officer states that the housing mix does not change with the addition of a further HMO; this is clearly incorrect - a greater proportion become HMOs.
- **Site Suitability.** The officer states in the report that he believes the site is unsuitable for a residential (C3) development and that as more housing is needed, development as an HMO is most appropriate. The reality faced by this community is that by approving further HMOs in an area where a harmful concentration already exists means that the Officers statement will become a self-fulfilling prophecy;
 - it should be noted that this site was considered suitable for residential development in the draft local plan and Hampton Lane already contains C3 residential developments.
 - Other sites very locally that are very similar in nature to that of Hampton Lane have successfully been developed for family homes (eg Brighton Mews); it is therefore strongly believed that HMO use does not have to be the only option for this site.
- **Objections.** The Officer states that the majority of objections are against the initial 9 bed proposal, not the revised 6 bed proposal in consideration; this is untrue – the vast majority of objections raised by individuals and community representatives have been against the development of another HMO in this area, regardless of its size.
- **Vacant Properties.** Undergraduate student housing (which is the applicant's stated intent for this property) has a particular impact on the retail offer locally in that is normally occupied only 32 weeks a year, so stands empty the other 20 weeks. This also denies permanent homes for other people who need to live and work in the city.
- **Green Space (DM15).** There is no consideration given by the officer to the lack of green space this development provides, contrary to planning requirements, this is a negative for residents' mental health.

Merche Clark

To: Democratic Services

Subject: Public Forum DCA - 85 Whiteladies Rd

Dear Sirs,

It is surprising that this development is considered suitable by the officers.

As mentioned by many other respondents the concentration of HMOs in the area is already too high. The fact that the draft HMO SPD, out for consultation, would provide grounds to reject the application should carry significant weight. The reasons for the HMO SPD are clear: a high concentration of HMOs creates imbalance in the community. Not only this but there is a tendency for HMO's, especially student HMO's, to have poor waste management and generate much noise to the detriment of the lives of their nearby neighbours. The fact that student HMO's are often empty for significant times of the year impacts local businesses and gives a sense of dereliction to an area during these times.

I am also surprised that the design is considered acceptable. The site is completely over used. The small windows; the lack of sufficient waste storage, the location of the storage, the strange roof design - which sits so uncomfortably on the road, combine to create a poor development. It appears yet another opportunity for developers to earn lots of money from students and in return give them unhealthy accommodation. I would be very unhappy for any of my children to stay in such a development.

Hampton Lane has suffered over the years from poor curation of planning applications. All the gardens from the listed buildings have been lost. There is a haphazard collection of all types of buildings, with several existing student accommodations. Let's not condone another poor building to the Lane.

Merche Clark

TRESA cic

To: Democratic Services

Subject: Statement to Development Control A Committee, 2 Sept 2020

TRESA (Totterdown Residents Environmental & Social Action) has objected to this proposal. Although we are south of the city, we have tremendous sympathy with people who are struggling in communities that have become seriously 'unbalanced' by the proliferation of HMOs for student accommodation.

We are extremely disappointed to see that the officer has recommended approval. We urge the members of the development committee to carefully consider the long list of legitimate concerns, and reject this application.

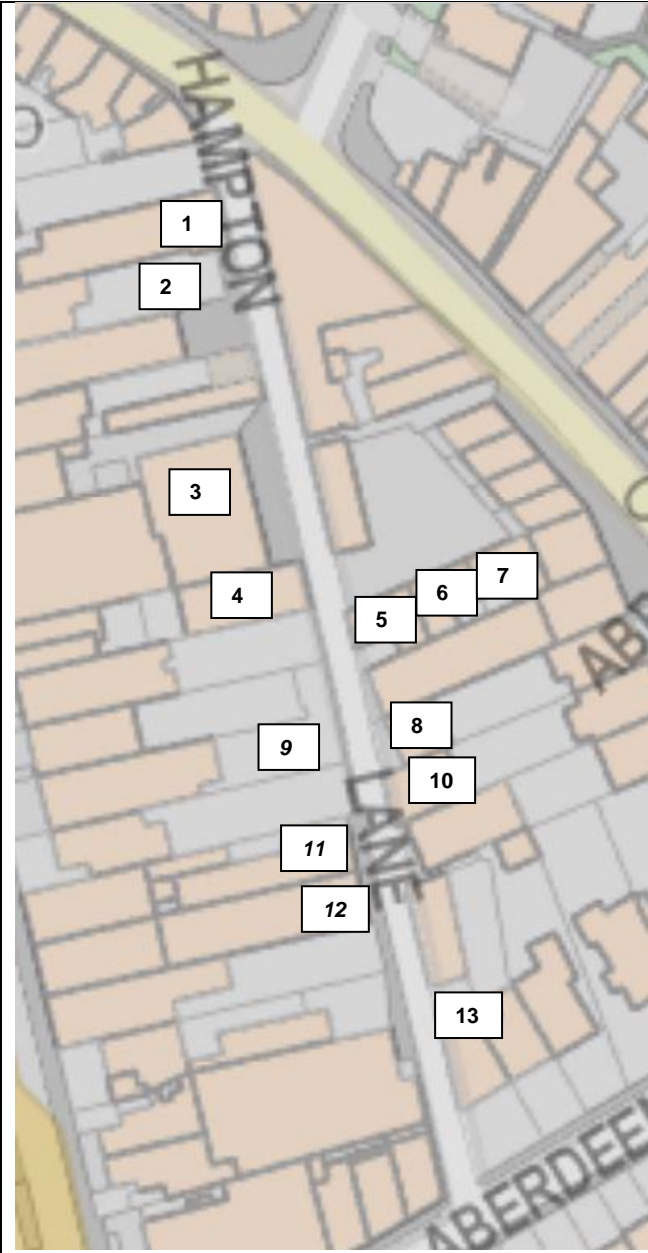
Our objections are below for your information.

20/01032/F | Partial demolition of modern brick rear wall and construction of a 2-storey building for use as a 6 bedroom HMO (sui generis student use) with associated refuse and cycle storage. | 85 Whiteladies Road Bristol BS8 2NT

TRESA strongly objects to the proposed HMO development for 6 residents (Class C4) for the following reasons:

- the area already has a high concentration of HMOs and this will add to the lack of balance (in terms of community mix and social cohesion) in the surrounding area, with provision for students undermining provision for families
- this proposal undermines the emerging HMO SPD through which Bristol City Council is attempting to ensure that no more than 10% of properties in an area are HMOs (that figure is already exceeded in the Whiteladies/Hampton Lane area)
- the harm caused to residents' lives from the over concentration of HMOs contravenes DM14 of the site allocation policy
- an HMO in a back lane is likely to attract anti-social behaviour e.g. house parties spilling out into the lane which is hidden from view
- it is our understanding that residents in the area are already experiencing stress, resulting in physical and mental health problems, through an over-concentration of student HMOs in the area and this is driving older residents and families out
- the negative impacts of high concentrations of HMOs are well-known i.e. noise, litter and fly tipping, pressure of additional car parking
- the 2011 census showed over 54% of the population were students in the relevant LSOA (Hampton Lane, Whiteladies Road, north side of Aberdeen Road and Cotham Hill), and the proposed HMO is likely to add to this imbalance in the residential population
- the proposed design is not complementary to the conservation area and does not enable conversion to a suitable C3 dwelling house in the future
- no green space is proposed despite concerns about the ecological emergency

Harmful concentrations will also result where the choice of housing is reduced and no longer provides for the needs of different groups within the community. (2.2.6) Assessments should consider the relative impacts at street, neighbourhood and ward levels. (2.2.7) Policy DM2, Bristol Local Plan

	1	105 HL 3x 6 bed, 1x 3 bed – student lets with PoshPads (not shown on Pinpoint map)	02/02567/F 08/04540/F
	2	103 WR building for student use (Use Class Sui Generis) 1x 3 bed, 1x 7 bed (not built yet)	18/00508/F PP granted 26.03.18
	3	93-95 WR 8 bed student HMO	13/01182/F
	4	91&93 WR 11 bed-space student development	13/02241/F
	5-7	HMOs 2-4 Pittville Place: 3 bed flats in basements, 5 bed maisonettes above	
	8	41 CH 1 bed flat over garage	02/04599/F
	9	85 Whiteladies Road 6 bedroom HMO (sui generis student use)	20/01032/F (this application)
	10	43 CH two storey two bedroom house (use class C3) (not built yet)	20/00420/F PP granted 13.08.20
	11	81 WR 3 storey development including 2x 4x bed student accommodation (Use Class Sui Generis)	18/03850/F PP refused 13.09.18 Appeal dismissed 31.07.19
	12	Hampton Lane Garage sold for £575,000 in February 2020 (Hollis Morgan)	
	13	20 HL 2 bed cottage	

Hampton Lane currently has 50 HMO/sui generis student bedrooms (and planning permission granted for another 10). That's a total of 60 HMO/sui generis bedrooms. If you include the HMO basement flats and upper maisonettes of 2-4 Pittville Place (which is end-on to Hampton Lane) then the total is 74 HMO/sui generis student bedrooms.

19 of these bedrooms belong to student developments built since the 2011 Census.

By comparison, there is a 1 bedroom flat over a garage, a 2 bedroom cottage and planning permission granted for a 2 bedroom 2 storey house. That's a total of 5 bedrooms in the C3 category.

Land to the west of Hampton Lane is the only proposed site in Clifton Down Ward under the Draft Development Allocations of the Bristol Local Plan Review. It is a blank sheet but at the same time is already dominated by housing for one specific age group, occupation (students) and tenancy type.

To: Bristol City Council
For the attention of Development Control Committee A – 2 Sept 2020

From: Andrew Waller, resident, Hampton Road, Bristol BS6 6JG
Publisher, The Noise Pages (www.thenoisepages.com)

1 September 2020

Dear Committee Chairman, Councillors:

85 Whiteladies Road – Planning consent for HMO

I would like to submit the following written comments with regard to the officers' report, which has only recently become available.

(I object to the proposal for multiple reasons but since these have been well set out by Clifton Down Community Association and Redland & Cotham Amenity Society I will not list them here. My comments below focus on the key objection, which is that this area already has a high concentration of HMOs and as a result suffers problems of noise, poor waste management and negative impacts on community cohesion.)

Reasons for Rejection: Harmful Concentration

The officers discuss whether the proposal might tend to create a harmful concentration of HMOs in the district, and conclude it does not. I suggest the information in the report points the other way:

1. The report at times comments on numbers of HMOs and at others student-occupied HMOs. The LPA cannot control who occupies an HMO. While there is particular concern among residents about student occupants, there are examples of non-student occupants of HMOs giving rise to noise nuisance and other negative impacts. The essential concern about HMOs is that by their nature they attract a more mobile population who may live in a district for only a short time and are less invested in their locality than established long-term residents, which can lead to friction. These concerns are not exclusively about students. The proper planning criterion is how many HMOs there are in the area.
2. As the report notes (page 11), census data from 2011 is now 9 years out of date. The University of Bristol has expanded massively during this period, many new HMOs have been created and the picture both at ward and local (Cotham Hill) level may now be very different. This data should therefore not be relied upon in deciding this proposal.
3. Fortunately we have the August 2020 numbers for HMO licences. This provides a sensible basis on which to assess the concentration of HMOs in the relevant area. This data should be given priority in the assessment.
4. The report rightly assesses concentration by reference to the 10% rule proposed in the emerging HMO SPD, but then wrongly discounts this approach as a defensible means of assessment because the SPD has yet to pass. Regardless of whether the SPD methodology passes, the underlying arguments are sound, reasonable and valid, as set out in the

Evidence Paper which the council published in August in support of the proposed SPD.ⁱ As noted in that paper:

[Page 7] Some 27 English and Welsh authorities are known to have existing or emerging Local Plan policies or Supplementary Planning Documents that set out this approach. The majority identify 10% of properties in use as HMOs in a given area as the upper limit, above which a community may become imbalanced. Many authorities have also identified a 100 metre radius around the application property or site as the defined area for the threshold assessment.

and

[Page 8] It is clear that numbers of local authorities across the country are now using the 10% threshold approach, either as a policy tool or as additional policy guidance, to support the assessment of new HMO development. This would indicate that such policies are considered sound by the Planning Inspectorate and are supported by local communities. The proposed use of a threshold approach in Bristol has gained widespread support from communities responding to the initial consultation on the draft SPD.

Given that the LPA is obliged by Policy DM2 to assess whether a development may contribute to a harmful concentrationⁱⁱ of certain types of housing, including HMOs, the officers' use of an established means of assessment is perfectly defensible. A decision must be made *somehow*; this approach is well established and should not be discounted simply because Bristol's attempt to codify it and enshrine it explicitly in planning policy has yet to reach formal conclusion.

5. In light of the above, the report's finding (page 12) that "approximately 13% of total residential properties within a 100m radius surrounding the site are HMOs"ⁱⁱⁱ is an adequate basis on which to conclude that a harmful concentration of HMOs already exists, and that the proposal for 85 Whiteladies Road would add to that harmful concentration. For this reason, the proposal should be rejected.

Other Comments: Unjustified Reliance on Enforcement

The officers' report invites the committee to believe that any residual doubts that members may have in relation to noise disturbance or anti-social behaviour can be adequately dealt with, if and when they arise, by enforcement—either by the Private Housing Team, which licenses HMO landlords, or by "Pollution Control" (real name: the Neighbourhood Enforcement Team):

[Page 14] The LPA is considering the proposed use on the basis of typical characteristics of normal living. Exceptional circumstances or possible anti-social behaviour by eventual individual occupiers cannot be accounted for given that this may not occur. If such scenarios do arise and become a regular issue, this can be reported to the Pollution Control team who will investigate further. The property will also require an Additional HMO License. If granted, this will include conditions which require the landlord "must take all reasonable steps to deal with anti-social behaviour perpetrated by occupiers and/or visitors to the property". They also "must ensure that the property is inspected on a regular basis to assess if there is evidence of anti-social behaviour; this should be at least quarterly, but more frequently if anti-social behaviour has been established". If there are regular issues with the site, the terms of the license may be reviewed or alternatively a renewed license may not be granted. Consequently, there are courses available to manage the situation if disruptive noise does occur however the proposed use itself is not found to cause undue risk of harmful noise and disturbance. The refusal of planning permission on this ground would therefore be unwarranted.

These optimistic statements do not accord with reality, as residents who live near HMOs well know. It is extremely difficult to get PHS or NET to take timely and effective enforcement action, or, in many cases, any enforcement at all. Having corresponded with PHS and spoken to councillors, it is not even

clear that review or refusal of HMO licences by PHS is legally feasible. (What a law says and what can be achieved under that law may in practice be two very different things.)

It should be obvious that if the rosy picture painted in the quoted paragraph were true, and effective enforcement were available, problems at HMOs would be quickly dealt with, people would not be so implacably opposed to having more HMOs in their area, and we would not be jumping through hoops to produce an HMO SPD. It is precisely because enforcement has failed—over a long period—that HMOs have come to be associated with the kinds of problems acknowledged in the report. It could even be said that the “HMO problem” is more accurately identified not as a planning failure but as an enforcement failure.

I ask the LPA to refrain from making these misleading statements in future. The committee considering this application might in the meantime test these statements by asking for some evidence that the enforcement talked about actually takes place and successfully deals with the kinds of problems discussed. Collective experience in the community suggests it does not.

Thank you for your time,



Andrew Waller

ⁱ Managing the development of houses in multiple occupation. Supplementary Planning Document Reg. 13 Version (August 2020). Evidence Paper. Published August 2020.
<https://www.bristol.gov.uk/documents/20182/4026562/Evidence+Paper.pdf/17f99556-fe66-bdec-9593-3a6078760688>

ⁱⁱ Bristol Local Plan – Site Allocations and Development Management Policies – Adopted July 2014.
<https://www.bristol.gov.uk/documents/20182/34540/BD5605%20Site%20Allocations MAIN text%20V8 0.pdf/46c75ec0-634e-4f78-a00f-7f6c3cb68398>

See Page 8, Residential Sub-divisions, Shared and Specialist Housing – General Criteria:

Proposals ... will not be permitted where ... 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: Exacerbating existing harmful conditions including those listed at (i) above; ...

ⁱⁱⁱ In passing, I note that this is based on “a total of 226 residential properties of which 29 are associated with an HMO license.” Not having the council’s computer software, I made a manual count from the Bristol Pinpoint Map, and got 31 properties marked with an HMO icon, whether Mandatory or Additional. This might be due to the precise placement of the centre of the 100m-radius circle. Assuming the SPD passes, I suggest it will be necessary in future reports for the LPA to include a screenshot of its circle. In this case, I believe the circle should be positioned in relation to the proposed new structure, not the existing structures on the site. Also, the phrase “associated with an HMO license” is problematic (and not only for spelling: *licence*). Clicking on an HMO icon on the map sometimes brings up data indicating there are several licences at the property, not just one. (An example is Hampton House, at 91 Hampton Lane, which has three licences.) For the purposes of future reports, and possibly the SPD itself, it will be necessary to clarify what is being counted. In this case, I found 31 properties within a 100m radius but 42 licences, potentially lifting the concentration to 19%. It will similarly be necessary to clarify whether “226 residential properties” counts buildings or dwellings—the latter accounts for subdivision of buildings into flats.

31st Aug 20

To: Bristol City Council Planning Development Control Committee A

Oakfield Residents Association (ORA). Objection Statement to the development of 85 Whiteladies Road. 20/01032/F.

ORA objects strongly to the development of 85 Whiteladies Rd as a House of Multiple Occupancy (HMO) Suis Generis for the following reasons:

- The area is already out of balance as recognised by the officer's report (13%, which is based on incomplete data). The recognised national % whereby a harmful concentration occurs is 10%. As such, despite the emergent HMO SPD not appearing to be valued by the Planning Officer, and of 'limited weight', the HMO should not be permitted on the false statement that this development is of 'no adverse' impact.
- An increased student population will create yet further negative impact on the area, driving out hard-working long-term residents. Our members experience of HMO's has included some significant long-term anti-social issues which are not resolved by the Council, and make peoples lives a misery and affects their personal mental wellbeing and livelihoods.
- HMO's reduce the residential amenity to local professionals, families and retired people through the increased noise and waste management issues that they frequently present. Noise complaints to UoB and ORA due to HMOs are significant and show a lack of ownership of the problems by letting agents, landlords and Bristol Council Private housing who provide the HMO license. The licensing of further HMO rubs salt into sore wounds of people who have been kept awake on numerous occasions by late night parties and anti-social noise in this area. Please note that it is pointless to use Council noise complaint data (as has the planning officer) to assess if there are problems in the local area because it is impossible to use this method to report HMO nuisance; each individual dwelling needs its own noise diary which completely misses the point about cumulative impact OF HMOs.
- The mess left during the year is frequently not managed properly by either the residents or the management companies, despite assurances to the contrary. Local council tax paying residents will be the ones cleaning up the mess unless they want to live in an area with stinking bins, broken bottles and pizza boxes under their feet! At the end of the academic year, there are frequently large piles of unwanted and unsorted waste at HMOs including recycling which are frequently sorted out by the permanent residents by making complaints to the landlords/letting agents and UoB, or by them personally sorting waste and putting bins out. More HMO's means more unmanaged waste and further impact on these people which is completely unfair on them.
- Increased student population also negatively impacts the local retail sector by changing the shops/retailers to those which are biased toward a transient population of students (drinking venues, fast food) and not those desired/needed by families, professionals and retirees.
- The combined affect of all these issues is to drive hard-working, council tax paying, families and professional people away from the area thereby creating areas which are only suitable

for HMO living. Long term this will create entire areas which are completely unsuitable for families or professionals.

- The development design is such that it could only ever be used as a HMO. This makes the change to the local housing situation permanent and further reduces the availability of affordable housing for first time buyers and families. Whilst this doesn't reduce the current housing available (as stated in the planning officers report) it ensure that there is no increase in further housing available for families. It is not accepted that this area would only ever be suitable for a HMO or business use; this itself admits that the area is becoming unliveable for families and professionals and further reinforces the point that these people are being driven out of the area and thus itself calls for refusal of this application.s
- The increased density of people in a small area, all with cars, has significant potential to adversely impact the environment and create congestion in a highly congested area.

Thank you for your consideration

Yours Sincerely

N Sargent
Chair
Oakfield Residents Association

Councillor Carla Denyer
Sent: 01 September 2020 10:00
To: Democratic Services
Cc: Councillor Clive Stevens; Abigail Shepherd
Subject: Statement to DCA: 85 Whiteladies Road 20/01032/F

Dear Democratic Services, please find my brief statement to DCA below. Thanks, Carla

Statement to DCA: 85 Whiteladies Road, 20/01032/F
Councillor Carla Denyer

I agree with the statements submitted by Councillor Clive Stevens and Abigail Shepherd. Yes, this is only one HMO. But the point is that it is one of many, and the cumulative effect of the high concentration of HMOs in this area is having a marked negative effect on the wellbeing of all residents – those who live in HMOs, and those in other housing. I believe the case for "harmful concentration" is clear now, regardless of the weight of the incoming HMO SPD.

Carla Denyer
Councillor for Clifton Down

Application Refs. 20/01032/F & 20/01033/LA

Proposed Development at the Rear of 85 Whiteladies Road Bristol BS8 2NT

Statement of Behalf of the Applicants by Aspect360 Planning Consultants

1. The applicants are seeking consent to develop the site with a small House in Multiple Occupation for 6no. students.
2. The development will front Hampton Lane which is a back lane that runs behind Whiteladies Road between Aberdeen Road and Cotham Hill. The lane is characterised by a range of small commercial units, car parking courts and residential development. Buildings are generally two or three storeys in height and are built in red brick or have rendered elevations. The function of the route has been slowly evolving as small scale development has taken place. However, the lane maintains a rundown appearance but there is a genuine opportunity to create a townscape and place where people want to be.
3. The proposed use is perfectly suited to the particular location being within the designated Whiteladies Road Town Centre where there is easy access to a range of shops and services, along with public transport services (bus and rail). It is also a short walk to the University of Bristol Precinct.
4. Following an initial officer assessment and public consultation, the design proposals have gone through a couple of iterations to address concerns raised. The scale and quantum of development has as a consequence been significantly reduced thus addressing the majority of the objections. Indeed, the Council's conservation and design officers are now satisfied with the appropriateness of the development. This is because it will result in a positive contribution to the townscape in Hampton Lane, will preserve the setting of the nearby listed buildings and because it will enhance the character and appearance of the conservation area.
5. The Planning Officer has undertaken a diligent and thorough assessment of all the planning issues (notably land use and design) and carefully considered relevant adopted policy and guidance. As made clear in his report, adopted policy promotes higher density development and a mix of uses within town centre locations because of its accessibility and sustainability credentials. There are no land use policies that weight against the development and when balancing all material considerations, the proposals should be regarded as entirely acceptable.
6. The Officer has made the correct professional recommendation based on the facts of the case and merits of the development and on this basis, we trust the Committee will concur with this and approve the applications.

Councillor Paula O'Rourke

To: Democratic Services

Subject: DC meeting on Wednesday

Application no. 20/02205/F & 20/02206/LA

Site address: 8 Harley Place Bristol BS8 3JT

Proposal: Convert existing living accommodation over the garage to be self contained.

Statement from Cllr O'Rourke

I am disappointed that this application will be recommended for approval as I still have concerns.

The area is very small and waste management is an issue. It's all fine and well to say 'if the bins are kept inside' but that rarely happens in Clifton. Too often, landlords pack in dwellings in such a high density that tenants cannot store the bins inside as there is genuinely no room to do so. The changes to the plans support my point about high density. Because it is too small to be turned into a dwelling, the designers have taken away a section of the garage to allow for bike and waste storage. The result of this is that there will be neither a working garage (too small to bother trying to get the car in, so leaving it in the curl-de-sac) and a waste store that is too removed to encourage residents to use it. So, a confined area will have added cars and waste boxes to endure.

I'm also concerned about the growth in AirBnB in Clifton. I am dealing with a lot of neighbour complaints about flats that are being used as noisy weekend party venues and this is not tolerable for local residents.

I am also concerned about a precedent being set; there are other garages in the area and once permission is given to make this garage a dwelling, others will follow and the problem of congestion gets even worse.

There is difference between what looks ok on paper and reality!

Paula O'Rourke

Councillor for Clifton

Dear Committee,

There are four inaccuracies in the Planning Officer's report which impact the recommendation:

1. The report says that proposal would constitute effective land use in accordance with BCS2 and BCS5. However, BCS2 is specific to Bristol City Centre. And Clifton is declared in BCS5 as an area where there is not a desire to increase density. So, the reference to these Bristol Core Strategy policies is at best irrelevant but potentially misleading.
2. Harley Mews was a dirt track until 2011 when neighbours invested in paving the road. The paving material suffices for cars entering, parking and exiting. It is not durable in the context of residential development, the nature of which is required for the development proposed in the Application, and there is no provision in the Application to renovate the surface to address the wear and tear that will come with the development.
3. The proposed self-contained dwelling would add 2 adults, so 2 cars, and remove 1 parking space - net +3 vehicles and no new parking permits. The report states "There is also parking in-front of the garage and within the Mews", but parking there would block access to the garage taking 2 parking spaces out of commission. Parking spaces are delineated on the Mews in order to ensure that there remains sufficient space for vehicles to safely enter, turn, park and exit. The area in front of the garage is part of this general passageway, not a parking space. Parking there prevents other vehicles from turning and my wife and I cannot get our car in/out of our parking space. Finally, the use of the parking spaces on Harley Mews is restricted to the residents who contributed to the cost of the surfacing in 2011, and 8 Harley Place was not one of them so has no right to use these spaces
4. The report says, "Bristol Waste provides a kerbside collection for properties on Harley Mews". Bristol Waste collects the refuse at a kerb on Canynge Road, over 55 meters from the proposed development. This risks residents leaving bins on Canynge Road for longer increasing unsightliness and risk of disease. That kerb is already full of bins on collection days. Adding demand to this space creates a risk that refuse and recycling bins start to block Canynge Road and/or the entrance to Harley Mews.

There have also been anomalies with the process pursued in relation to this Application:

- Bristol City Council approved the first Application in March with a Use Restriction, which was that the annex would serve only for occasional use in conjunction with the main house. Two months later the owner submitted a new Application to make the annex a self-contained dwelling, which is the Application now being considered. The implicit request that this recent restriction be lifted and is not mentioned in the Planning Officer's report
- The Neighbour Consultation Expiry Date on the Application was June 30th. On June 30th the applicant submitted a new plan and there was no extension or renewal of the neighbour consultation timeline.

Finally, Harley Mews is an unadopted road ill- equipped to support multiple residential dwellings. Approving this Application creates a precedent whereby other Harley Place owners convert annexes into self-contained properties, exacerbating the concerns raised. BCC is pursuing increased housing density through the broader strategy of the BDF, which was developed with the intention of achieving the goal whilst avoiding unintended consequences like overuse of Harley Mews. I would ask that the Committee consider this Application in the context of the BDF.

I thank the Committee for their attention to this matter.

Yours sincerely, Ian

For the Attention of Development Control Committee A – 2 September 2020

Subject: Application No. 20/02205/F & 20/02206/LA: 8 Harley Place Bristol BS8 3JT

I write this petition as a neighbour and a previous objector. Rather than rehash the points of my objection I will point material inaccuracies in the report of the Planning Officer which have a fundamental bearing on the recommendation. I will also call out concerns that I have in relation to the process through which the Application has been pursued and processed.

There are 4 sections of the Planning Officer's report which contain inaccuracies which I believe impact the recommendation:

A) IS THE PRINCIPLE OF DEVELOPMENT APPROPRIATE AND ACCEPTABLE?

The report says that proposal would constitute effective land use in accordance with BCS2 and BCS5. However, the BCS2 policy is specific to Bristol City Centre so has no relevance on this Proposal which is for a Clifton property. And Clifton is specifically declared in BCS5 as an area where there is not a desire to increase residential density. So, the reference to these Bristol Core Strategy policies is at best irrelevant but potentially misleading.

For convenience I include two Bristol City Council documents at the end of my petition:

- Appendix 1: Map from "Bristol Central Area Plan" showing scope perimeter for BCS2
- Appendix 2: Map and legend from the "Bristol Development Framework Core Strategy" showing the locations where Bristol City Council intends to increase residential density

However, if we accept a desire to increase housing density in areas not targeted in the BDF, we get to another issue - there is no commitment in the Application to sell the new self-contained property. This creates a scenario whereby owner will rent out to the property to temporary dwellers, through Airbnb or other such means. Labour members recently successfully presented a motion to the Council for greater regulation of short-term lets with Councillor Nicola Beech, Cabinet Member with responsibility for Spatial Planning and City Design, stating "There are 2,000 registered properties for Airbnb and this is rising year on year. Meanwhile we have 12,000 people on our housing waiting list, hundreds in temporary accommodation and a generation of people renting." I would not expect the Committee to want to exacerbate this situation so the Application should only be approved on the Condition that the property is sold rather than rented.

C) WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO THE RESIDENTIAL AMENITY OF ADJACENT OR FUTURE OCCUPIERS?

The report references that Harley Mews is an unadopted road but does not mention the nature of the road. Harley Mews was a dirt track until 2011 when neighbours invested in paving the road for the first time. The paving is a light material which suffices for cars entering, parking and exiting. It is not durable in the context of residential development, the nature of which is required for the development proposed in the Application, and there is no provision in the Application to renovate the surface to address the wear and tear that will come with the development. I would ask that if

the Committee is going to approve the Application it comes with a Condition that the owner pay for the resurfacing of Harley Mews once the works are complete.

D) TRANSPORT DEVELOPMENT MANAGEMENT

There are two important inaccuracies in this section of the report.

First is that, contrary to the conclusion of Transport Development Management, the proposed development would exacerbate the parking issues in Clifton – the development would add two adults, so probably two cars, and remove one parking space, with the net impact of adding three more vehicles and, with this being an RPZ area, no new parking permits available. The Mews garages exist to provide parking for the residents of Harley Place and the garage in this Application currently provides 3 parking spaces for the residents of 8 Harley Place. The proposed development is to reduce the 3 spaces to 2, so as to create refuse storage and a staircase to the new self-contained dwelling, and to give the 2 spaces to the new dwelling. This leaves no parking for 8 Harley Place, a 5-bedroom house.

The report is incorrect where it states, “There is also parking in-front of the garage and within the Mews”. Parking there would block access to the garage in effect taking two parking spaces out of commission, so that is not workable. But there are two further errors with this statement:

- The area in front of the 8 Harley Place garage is not a parking space. When Harley Mews was surfaced in 2011 the residents delineated parking spaces in order to ensure that there remained sufficient general passageway for vehicles to safely enter, turn, park and exit. The area outside of the 8 Harley Place garage was determined to be part of this general passageway and not a parking space. If a vehicle is parked there, and this has been happening of late, other vehicles cannot turn in the Mews and my wife and I cannot get our car in/out of our parking space
- This property has no right to use the parking spaces on Harley Mews – the use of the parking spaces on Harley Mews has been restricted to the residents who contributed to the cost of the surfacing in 2011, and 8 Harley Place was not one of them.

So, contrary to the statement in the report, the occupants of the proposed self-contained development will neither be able to park in front of the garage nor on the Mews. It should also be noted that Harley Mews is an unadopted road, so this element of the report is outside of the remit and conclusions of Transport Development Management.

E) WASTE AND RECYCLING

The report says, “Bristol Waste provides a kerbside collection for properties on Harley Mews”.

That is misleading in that Bristol Waste does not enter Harley Mews and collects Harley Mews refuse at a kerb on Canynge Road, over 55 meters from the proposed development. This raises the risk that the occupants leave their bins on Canynge Road for longer than usual increasing unsightliness and risk of disease. I note the recommended Condition that “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.” – the phrase in this recommendation “the adopted highway(including the footway)” is vague and I would suggest that the Condition be clarified to ensure that the materials can only be left at the Bristol Waste collection point.

It should also be noted that the kerb at which Bristol Waste collects is already full of bins on collection days. I can only see that adding demand to this space creates a real risk that refuse and recycling bins start to block Canynge Road and/or the entrance to Harley Mews.

I would also like to criticise the process that has been pursued in relation to this matter:

- The owners bought the property in September 2019 since when their pursuit of Planning Applications indicates that their intention has always been for commercial development of the garage/annex. They filed Applications in January and in May. The proposal in January was to develop the annex for occasional use of the family in 8 Harley Place and included a door to Harley Mews. This door was a footnote with no relevance to the proposed family use. However, in the May Application the existence of this door is cited as a reason for no incremental security risk. It seems that inclusion of the door in the January Application was to lay the trail for the May Application
- Bristol City Council approved the first Application in March with a Use Restriction, which was that the annex would serve only for occasional use in conjunction with the main house. Two months later the owner submitted a new Application to make the annex a self-contained dwelling, which is the Application now being considered. The implicit request that this recent restriction be lifted and is not mentioned in the Planning Officer's report
- The Neighbour Consultation Expiry Date on the Planning Application process was June 30th. On June 30th the applicant submitted a new plan and there was no extension or renewal of the neighbour consultation timeline. NB The Council website shows that the new plan was submitted on July 30th but that is erroneous, and June 30th as referenced in the Planning Officer report is correct – hence the second round of neighbour objections in early July
- Neighbours were told in July that the Application had been referred to Committee and to await further notice. There was no update until August 25th when the neighbours were told that the matter was on the agenda for the Committee in September 2nd, the Planning Officer published his report and recommendation. The neighbours are not planning professionals and this left them very little time, including a Bank Holiday weekend, to reasonably assess what they are being presented with and to respond accordingly.

I draw my petition to a close by reiterating a point I made in my original objection which is not addressed in the report. Harley Mews is an unadopted road that was never designed or equipped to support multiple residential dwellings. By approving this Application, the Committee would create a precedent whereby the other Harley Place properties could convert their mews annexes into separately owned/rented properties, exacerbating all of the concerns raised by neighbours in their objection to this Application. Increased housing density is a priority which Bristol City Council is pursuing through the broader strategy of the Bristol Development Framework. The BDF was developed with the intention of achieving the important goal whilst avoiding unintended consequences like overuse of Harley Mews. I would ask that the Committee consider this Application in the context of the BDF.

I thank the Committee for their attention to this matter.

Yours sincerely,

Ian Larkin

APPENDIX 1

Boundary of the City Centre

2.14 Figure 2.2 shows the boundary of Bristol City Centre as compared to the area covered by the Central Area Plan. Bristol City Centre is a smaller area than the area covered by the plan. Where policies in this document refer specifically to Bristol City Centre they are only applicable within this smaller boundary. The city centre boundary is also shown on the Policies Map.

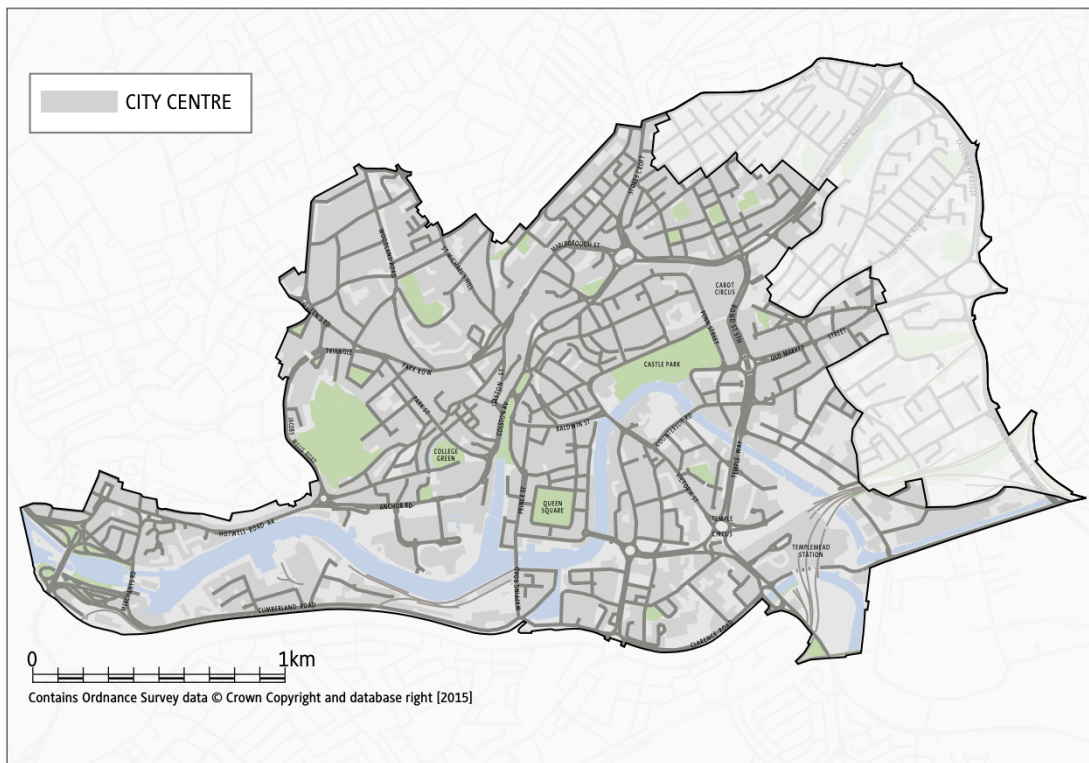
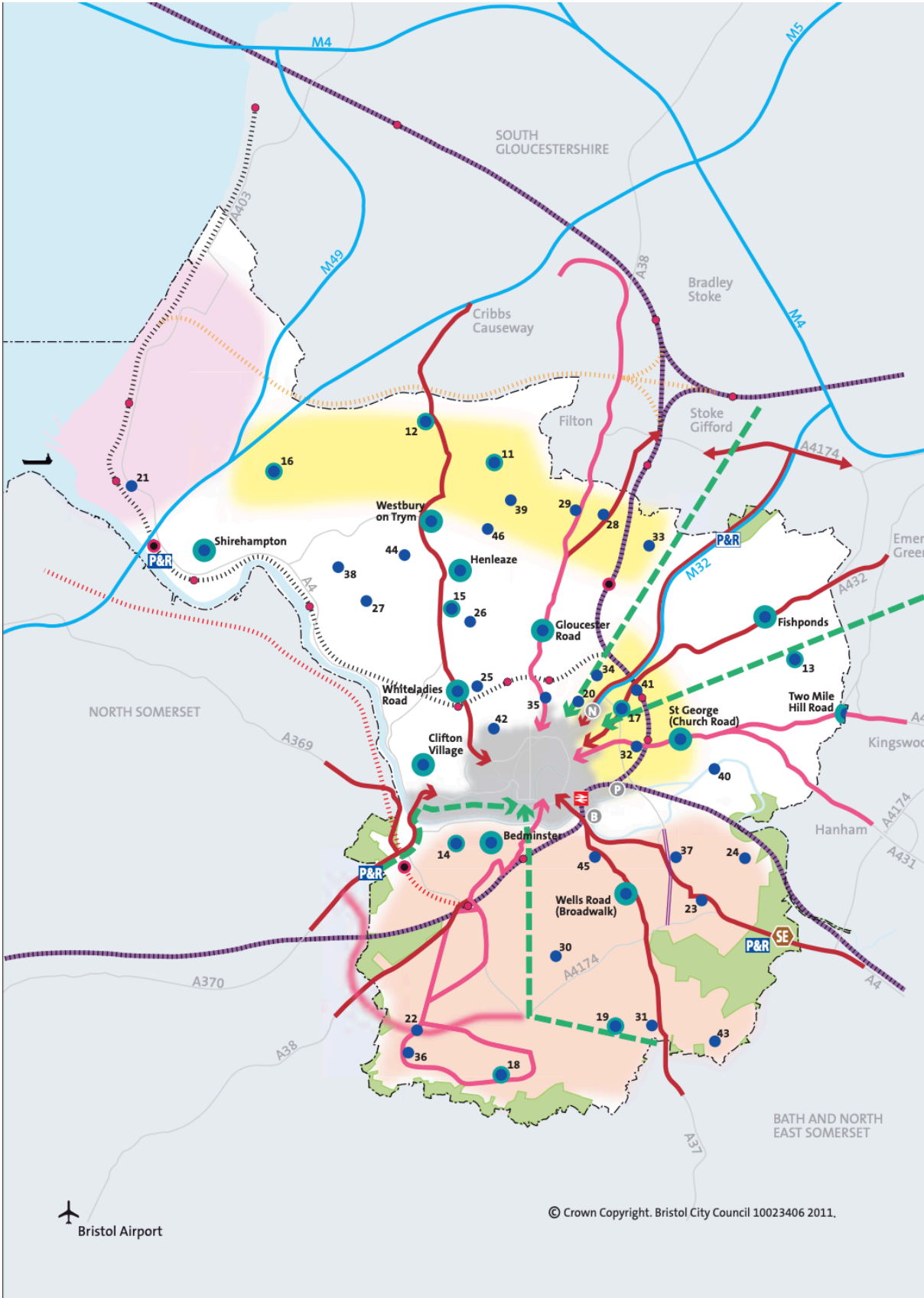


Fig.2.2: Bristol City Centre and Central Area Plan boundaries

Key Diagram





FAO Development Control Committee A – 2 September 2020

Application No. 20/02205/F & 20/02206/LA: 8 Harley Place Bristol BS8 3JT

I would like to submit my petition regarding this application.

I endorse all of the comments which have been supplied to the Committee by Mr Ian Larkin (Freemantle) in his petition regarding the errors and misleading statements in the Committee Report. I also agree with his points criticising the process which has been followed by the Planning department in this case.

In addition to the issues raised by Mr Larkin, I have the following further comments on the Committee Report statements highlighted below.

“Neighbouring properties were notified in relation to the proposed development on June 9th 2020. 19 objections have been received in relation to the original plans. 7 objections have been received in relation to the revised plans (submitted on June 30th 2020).”

1. When the original application was submitted, many neighbours in Harley Place and Canynge Rd were not consulted. Harley Place, Harley Mews and Canynge Rd residents will be affected by the proposal due to increased strain on parking, impact on rubbish/recycling, increased noise, increased traffic in Harley Mews, etc. In contrast, the original application details went to 13 households in Harley Court, a nearby block of flats that are not affected by development in Harley Mews as their entrances are in Harley Place and their car parking is in Camp Road.
2. June 30th was the last date which neighbours were allowed to submit comments on the plans. The applicants submitted revisions on that exact date, leaving no time for neighbours to comment on them.
3. The statement in the Report on the number of objections is misleading as it makes it appear that there are only 7 objectors to the revised plans. In fact, it's almost certain that all of the original 19 objectors would still object to the revised plans, if they had been given any time to do so. In many cases, objectors weren't even aware that revised plans had been submitted, as no notification was given.
4. The many detailed points raised in the 19 (+7) objection letters from all of the local residents who are directly affected by the development have been summarised very briefly in a list but have not been at all adequately addressed in the Committee Report. [There were no letters from local residents in favour of the proposed new dwelling.]
5. The Delegated Report issued in March 2020 by BCC Planning department when granting planning permission for the internal and external works to the garage earlier this year specifically stated that *“...it is deemed necessary to restrict the use of the garage/annex to ensure that the proposal is only used for purposes incidental or*

ancillary to the enjoyment of the dwelling house and not as a separate dwelling. It is considered that this condition would overcome the concerns raised by the case officer and neighbour. The condition which restricts the use of the garage from the previous applications 98/00740/H and 98/00742/LD is also deemed necessary to ensure its use remains incidental to the use of the dwelling house.” And yet only a few months later an approval for the new separate dwelling is proposed, with no explanation of why the original decisions were overturned.

6. The Delegated Report issued in March 2020 by BCC Planning department also noted that *“The case officer has been reassured that the annex would be used by family members and that the annex would not be used as a separate dwelling, rented privately or used for lodging.”* Three months after this report was issued, a submission was made by the applicants to turn it into a separate dwelling.

“The proposed development would have little impact on neighbouring properties on Harley Place. The garage/annex is located approximately 27.5m from neighbouring properties on Harley Place which is considered to be a sufficient distance from adjacent residential occupiers to not give rise to any unacceptable residential amenity impacts. “

This statement is incorrect. Neighbouring properties to the proposed new dwelling are not located on Harley Place, but on Harley Mews. Bell House, Freemantle, and No 6 Harley Mews are all close to the property. Bell House in particular is only approximately 2 metres away and is overlooked by the main window of the proposed new dwelling, as discussed in their objection letter.

“The proposed development is not considered to increase parking provision or impact on highway safety. The proposed site would be accessed from a private mews and the garage which contains two parking spaces is to be retained. “

This statement is incorrect. If the building is to be designated a new dwelling, then there will be an additional parking requirement for 1 or 2 cars. (Either for the main house at No.8, or for the new dwelling). There are only 4 unallocated car parking spaces in Harley Mews which are shared by residents of Harley Place and Harley Mews, and are also used by Canynge Rd residents. It is certain therefore that the current parking problems will be exacerbated by the creation of this new dwelling.

L.Wynn

Sarah Clark

To: Democratic Services

Subject: FAO Clerk to the Committee, Development Control Committee A. 2nd. September 2020

Application No. 20/02205/F and 20/02206/LA

Site Address 8 Harley Place, Bristol BS8 3JT

Proposal Convert existing living accommodation over the garage to be self contained.

My name is Sarah Clark, owner of neighbouring property, and I wish to make the following statement:-

When permission was granted in March 2020 for work on this building the Council considered a restrictive condition to be necessary. This stated that "the annexe should ONLY be used for purposes incidental or ancillary to the enjoyment of the dwelling house AND SHALL NOT BE USED AS A SEPARATE DWELLING".

Nothing has changed since March so why would the Council consider lifting the restriction it put in place only a few months ago?

I object to the proposal to create a self-contained dwelling for the following reasons:-

1. SETTING A PRECEDENT.

Harley Mews is a cul de sac. The buildings there are mostly garages. If permission is granted to convert this garage to a self contained residential dwelling it would set a precedent for all the other mews garages on this road to be converted into dwellings. This small unadopted road is not suitable for this.

2. PARKING.

The existing large garage provides parking for 8 Harley Place and can accommodate at least 3 cars. The proposed self-contained dwelling provides garage space for 2 cars and obviously 8 Harley Place will lose all its parking spaces.

3. TRAFFIC MOVEMENT IN HARLEY MEWS.

The annexe at 8 Harley Place is at the far end of the cul de sac at right angles to neighbouring properties. It is where vehicles need to turn round to be able to exit the mews. Manoeuvring around other vehicles is already difficult at times and having more parked vehicles will make this worse.

4. RUBBISH COLLECTION.

More rubbish from yet another dwelling will increase the amount which has to be taken to where it is collected in Canyng Road. The collection point is already crowded.

5. NOISE.

The proposed self-contained dwelling will have no outside space and I can foresee that there is potential for the new residents to use the road at the end of the cul de sac as their outside space which would affect the amenity of nearby premises.

Dear Committee,

I regret that I am unable to attend the meeting, due to the short notice given. I support all of the points raised by Ian Larkin in his submission and in the interests of time will not repeat them here. I do however wish to draw the committee's attention to the previous Planning Officer report in connection with the works on the garage at 8, Harley Place:

At present, the garage/annex has permission for garage/storage on the ground floor and for a gym on the first floor granted under applications 98/00740/H and 98/00742/LD. The proposal would change the first floor use to ancillary living accommodation. The case officer has been reassured that the annex would be used by family members and that the annex would not be used as a separate dwelling, rented privately or used for lodging.

Following the concern from a neighbouring property, it is deemed necessary to restrict the use of the garage/annex to ensure that the proposal is only used for purposes incidental or ancillary to the enjoyment of the dwelling house and not as a separate dwelling. It is considered that this condition would overcome the concerns raised by the case officer and neighbour.

Use Restriction - Annex

The hereby approved annex shall only be used for purposes incidental or ancillary to the enjoyment of the dwellinghouse and shall not be used as a separate dwelling.

Reason: To safeguard the residential character of the neighbourhood and to safeguard the amenity of nearby premises.

There are three points that I wish to make:

1. That whatever reassurances were received by the case officer at the time of his report in March 2020 were disregarded by the applicants after a matter of weeks when they submitted their application in May 2020 to change the annex to a separate dwelling. I would therefore contend that any further reassurances given by the applicants should be disregarded by the committee in their deliberations.
2. The Case Officer was clear about the necessity to "restrict the use of the annex to purposes incidental or ancillary to the enjoyment of the dwelling house and not as a separate dwelling" in order to "safeguard the residential character of the neighbourhood and to safeguard the amenity of nearby premises" No explanation is given in the latest report as to why this "necessary restriction" is to be removed and in the absence of such justification I would respectfully request that the committee maintain this condition, which is consistent with the restrictions placed upon the other garages and annexes on the mews.
3. It is wrong to state that the parking situation is not impacted by this proposal: the garage currently has space for three cars, and the proposed ground floor storage area removes one of those spaces. To say that it is replaced by the ability to park outside the garage is wrong on two counts since a) that space is already available, and b) by using it, access to the garage is blocked preventing use of the other two spaces.

I thank the committee for their consideration.
Paul Kenyon

Jane Marsden

To: Democratic Services

Subject: Development Control Committee A. - Application No. 20/02205/F & 20/02206/LA

Dear Committee members

I write as a previous objector to the above application.

My previous objection was mainly on the grounds of the full existing capacity use of the Mews, where parking for the current owners is becoming increasingly difficult. The proposed plan will actually reduce the number of parking spaces in a RPZ whilst increasing the demand for space. In addition, the requirement for the new occupants to add their refuse bins for collection at the end of the unadopted mews, especially if they are very short term tenants, will add to congestion, even if complied with.

There is also the risk of setting a precedent which will have the effect of materially altering the nature of the unadopted lane in a conservation area whilst also exacerbating the existing parking problems.

I note that the planning officer's report contains several factually misleading statements, as listed by Ian Larkin in his objection. This is worrying if any application is granted not on the facts.

Yours sincerely

Jane Marsden (neighbour)

For the Attention of Development Control Committee A – 2 September 2020
Subject: Application No. 20/02205/F & 20/02206/LA: 8 Harley Place Bristol BS8 3JT

I wish to lodge this petition in connection with the above Application.

Firstly, I would ask the Committee to review whether due process has been properly followed, particularly with regard to neighbour consultation. Most neighbours were not notified or made aware of previous applications 98/00740/H and/or 98/00742/LD, and indeed the recent application amended on the 30th June gave almost no time for a response to be considered further. The latest deadline to submit to this Committee is also challenging, especially so during these difficult times of a pandemic.

It would also be very hard to understand on what grounds the Committee could now withdraw the conditions it recently imposed on such previous applications, which themselves had not been open to full consultation with neighbours. Any reversal would undermine the LPA decision in March 2020 that was based on the Case Officer being reassured that the annex would not be used as a separate dwelling, rented privately, or used for lodging.

No doubt the Committee will also take into account the likely motives and background of the Applicant who we understand to be an experienced property professional who has a track record of such development applications.

I would urge the Committee to carefully consider the following concerns:

1. The property is accessed only via an unadopted road that is privately maintained. It is not designed for constant heavy usage and indeed the lane surface has recently been substantially damaged by the constant heavy vehicle and equipment traffic working on No.8. It also has no pavement and limited street lighting rendering it as a safety hazard.
2. The limited available parking on the lane would undoubtedly come under further strain, contrary to the Transport Development Management conclusion. Availability in the unadopted road is not an option so extra parking spaces, not fewer, would be required.
3. The many refuse containers having to be moved over 50 metres to Canynge Road for collections would lead to unsightly weekly obstructions
4. It would act as a precedent and have a significant negative collateral impact on nearby similar covenants. Harley Mews has many garages that would then be open to possible future development.

I trust the Committee will carefully consider these points and make the appropriate decision.

Yours sincerely

Tony Buss

Amendment Sheet 2 September 2020

Item 1: - 493 - 499 Bath Road Brislington Bristol BS4 3JU

Page no.	Amendment/additional information																																						
Page 26	<p>Minor edit/addition to the proposed bed space mix and levels of car/cycle parking as set out in Page 26 of the Committee Report. See red text amends below.</p> <p>The bed space mix is:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Type of dwelling</th> <th style="text-align: right;">No. of dwellings</th> </tr> </thead> <tbody> <tr> <td>1 bed, 2 person</td> <td style="text-align: right;">63</td> </tr> <tr> <td style="color: red;">2 bed, 3 person</td> <td style="text-align: right; color: red;">74</td> </tr> <tr> <td style="color: red;">2 bed, 4 person</td> <td style="text-align: right; color: red;">6</td> </tr> <tr> <td>3 bed, 5 person dwellinghouse</td> <td style="text-align: right;">2</td> </tr> <tr> <td>3 bed, 6 person dwellinghouse</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">146</td> </tr> </tbody> </table> <p>The proposed cycle and car parking would be:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Block</th> <th style="text-align: center;">Cycle Parking</th> <th style="text-align: center;">Car Parking</th> </tr> </thead> <tbody> <tr> <td>A</td> <td style="text-align: center;">130</td> <td style="text-align: center;">44</td> </tr> <tr> <td>B</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>C</td> <td style="text-align: center;">94</td> <td style="text-align: center;">35</td> </tr> <tr> <td>D</td> <td style="text-align: center;">8</td> <td style="text-align: center;">9</td> </tr> <tr> <td>E</td> <td style="text-align: center;">6</td> <td style="text-align: center;">6</td> </tr> <tr> <td style="color: red;">Visitor</td> <td style="text-align: center; color: red;">42</td> <td style="text-align: center; color: red;">3</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">280</td> <td style="text-align: center;">97</td> </tr> </tbody> </table>	Type of dwelling	No. of dwellings	1 bed, 2 person	63	2 bed, 3 person	74	2 bed, 4 person	6	3 bed, 5 person dwellinghouse	2	3 bed, 6 person dwellinghouse	1	Total	146	Block	Cycle Parking	Car Parking	A	130	44	B	0	0	C	94	35	D	8	9	E	6	6	Visitor	42	3	Total	280	97
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Page 27	<p>Following the publication of the Committee Report for this application, a total of two further public comments have been received.</p> <p>One comment was neutral (neither in support or objection to the application); and one comment was in support of the application.</p> <p>In terms of the neutral comment this did not object to the redevelopment of the site, it related to Roman Walk and car parking pressures in the area. These concerns are similar to those raised previously and are addressed within the report.</p> <p>In terms of the comment in support of the application, it cited:</p> <ul style="list-style-type: none"> ▪ The lack of affordable and social housing in Bristol and the length of the waiting list for council property, and the length of time that this site is still not under construction. ▪ Brislington is a sought after area for housing and the demand is likely to increase after the new university campus opens. ▪ Consider that the site has been well designed; the blocks are not too high, there is public space with planting, and good availability of bicycle and car parking ▪ Consider this type of development is preferable to the spread of HMOs in existing terraced housing which is considered a problem in Brislington. ▪ Cite that this is not the easiest site and the application makes good use of it. 																																						

Page no.	Amendment/additional information
	<ul style="list-style-type: none"> ▪ There have not been a huge number of local objections ▪ Note the disagreement over the proposed heating systems and suggested if this could be made a condition of acceptance. ▪ The application offers a good number of social and affordable units which are desperately needed, in a location in reach of the city centre employment, and they would not want to see further delays in the utilization of the site.
Page 36 and 45/46	<p>As noted in the conclusion of Key Issue B:</p> <p><i>Should committee be minded to refuse the application, then one of the reasons must be due to a lack of affordable housing provision. This is because there is currently not a Section 106 Agreement in place to secure the affordable housing. However, if the applicant wished to appeal the refusal, the lack of affordable housing reason could be overcome by the applicant and the Council concluding a Section 106 Agreement to secure the affordable housing, and presenting it to the inspector prior to the subsequent appeal.</i></p> <p>As such the following reason for refusal has been added:</p> <p>The proposed development fails to make an appropriate contribution towards the provision of affordable housing and is therefore contrary to Core Strategy Policy BCS17.</p> <p>As noted above, this is because there is currently not a Section 106 Agreement in place to secure the affordable housing proposed.</p> <p>If the applicant wished to appeal the refusal, the lack of affordable housing reason could be overcome by the applicant and the Council concluding a Section 106 Agreement to secure the affordable housing, and presenting it to the inspector prior to the subsequent appeal.</p>

Item 2: - 85 Whiteladies Road Bristol BS8 2NT

Page no.	Amendment/additional information
70	<p>Addition to public consultation response section</p> <p>Following publication of the Committee Report for this application (finalised Friday 21st August), a total of 8 further public comments have been submitted prior to the 2nd September Committee meeting. These all raised further objections to the application.</p> <p>Objections have been received from the following amenity/residents groups:</p> <ul style="list-style-type: none"> ▪ Redland & Cotham Amenities Society ▪ The Richmond Area Residents Association ▪ Clifton Down Community Association ▪ Totterdown Residents Environmental & Social Action <p>Objections have now therefore been received from a total of 19 parties.</p>

Page no.	Amendment/additional information
	<p>Grounds of objection are similar to those raised previously, with key grounds summarised as follows:</p> <ul style="list-style-type: none"> ▪ Over concentration of student residential use in the area ▪ Building would not be adaptable to other uses ▪ Waste storage inaccessible leading to bins left on pavements ▪ Poor living environment within bedroom adjacent to Hampton Lane ▪ Lack of outdoor amenity space ▪ Poor quality living environment due to proximity of rooms to commercial uses at 85 Whiteladies Road ▪ Further HMO would have negative impact on residents through noise from parties ▪ Design does not complement the conservation area ▪ Building will impinge on servicing/amenity space to rear of existing site ▪ Building will make passing/access on narrow Hampton Lane more difficult ▪ Building makes access to adjacent garages more difficult ▪ Building too tall and too near the footway ▪ Impact to privacy ▪ Seasonality of student occupation is detrimental to community cohesion ▪ Proposal undermines the emerging HMO SPD ▪ No green space ▪ Application will set a precedent for the area
Page 71	<p>Addition to Councillor Clive Stevens comments</p> <p>A further comment on the application was made by Councillor Clive Stevens on 28th August. This reads as follows:</p> <p><i>"I object to this application. I note that there are 13 other objections put in recently after the amendment of size (from 9 rooms to 6). And that's without any further notices from the Council. Indeed 2 of the respondents listed in the officer's report (RCAS and CHIS) have objected again at this reduced size.</i></p> <p><i>I am saving my main reasons for objection for my presentation to Committee, here I list the smaller ones:</i></p> <ul style="list-style-type: none"> - <i>the rear garage of no. 43 Cotham Hill (on Hampton Lane) would become unuseable as the road width will be just 3.5m, not enough to turn most cars in.</i> - <i>the proposed bins and bike storage are inadequate. The bins are to be collected by a private contractor presumably the same one servicing the restaurant 85 WL RD. That needs to be conditioned. The space is not big enough for two operators. And when the offices above the restaurant are converted to flats (which could well be permitted development) then the officer says (to me) there isn't enough room in the planned bin store to accommodate all. It would be a reason for objection in the future. But you can't object then as it would be permitted development.</i> - <i>noise from one off events (as typical from the occupants of HMOs) isn't recorded by Neighbourhood Enforcement (NET - see their website) and so when Planning Officers seek the evidence to comply (or not) with policy DM2 then it's not there. I have some residents who are surrounded by HMOs and woken regularly (most weekends) but NET have no records of this as they are different properties each weekend. I note that this application has its living room on the first floor thus maximising the impact of one off noise events.</i> <p><i>But as I have said, I am leaving the main reasons for objection for the Committee Meeting on Wednesday."</i></p>

Page no.	Amendment/additional information
Page 74	<p>Addition to internal consultation section</p> <p>Strategic City Planning, Bristol City Council:</p> <p>Further guidance has been sought from the Strategic City Planning Policy team regarding the emerging HMO SPD. The following comment has been provided:</p> <p><i>“Policy DM2 should be relied on for all decisions relating to proposed HMOs. The SPD won’t replace DM2 but provides further detail on its implementation. It will have full weight only once adopted.</i></p> <p><i>The additional guidance in the SPD on what constitutes a harmful concentration does not state that proposals should be refused where HMO proportions are over 10%. It does state that such proposals 'are unlikely to be consistent with Local Plan policy'. This provides a degree of flexibility. There may be some situations where officers consider that exceeding the threshold does not constitute a harmful concentration and will need to explain their reasoning in such cases with reference to policy DM2.”</i></p>

Item 3: - 8 Harley Place Bristol BS8 3JT

Page no.	Amendment/additional information
	No amendments