

Development Control A Committee Agenda



Date: Wednesday, 28 October 2020

Time: 2.00 pm

Venue: Remote 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 and Steve Smith

Copies to: Claudette Campbell (Democratic Services Officer), Gary Collins, Matthew Cockburn, Laurence Fallon and Stephen Peacock (Executive Director for Growth and Regeneration)

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Date: Tuesday, 20 October 2020



Agenda

7. Public Forum

Up to 30 minutes is allowed for this item.

(Pages 4 - 34)

Any member of the public or Councillor 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:-

Register to Speak by Noon Monday 26 October: The meeting will be held via Zoom meeting app. For this meeting we ask that you let us know by Monday whether you intend to speak to your statement or question, which you must submit as outlined below. This will greatly assist us manage the flow of the 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 **5 pm on Thursday 22 October**.

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 **12.00 noon on Tuesday 27 October**.

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.

12. Amendment Sheet

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Agenda Item 7

Development Control Committee A

		Statements/Petitions	
Statement (Agenda Item Number Must Precede It In Each Case)	Request To Speak Made Where Indicated S = Speaker	Name	Application
A1		Vicky Savage	20/01535/F – Yard Woodland Terrace
A2		Abi Campbell	
A3		Meri Rizk	
A4	S	Rod McCulloch	
A5	S	Simon Redpath	
A6	S	Jason Bailey	
A7	S	Cllr Carla Denyer	
A8		Rose Jennings	
A9		Graham Rivers	
A10		Nick Brady	
B1	S	Michael Broggio	19/04398/F – New Kings Court
B2	S	Caroline Harrison	
B3	S	Angelika Claridge & Graham Thomas	
B4		Caroline & David Evans	
B5		Dean Budd	
B6		Robert Massey	
B7	S	Cllr Martin Fodor	



Comments for Planning Application 20/01535/F

Application Summary

Application Number: 20/01535/F

Address: Yard Woodland Terrace Bristol BS6 9UD

Proposal: Demolition of existing garages and proposed one-half storey dwelling with parking and a rear garden.

Case Officer: Natalie Queffurus

Customer Details

Name: Mrs Vicki Savage

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We would like to register our objection to the proposed build due to the following points:

We are upset about this application due to the squeezing in and infill of a much needed breathing space in a Conservation area that is already densely developed. Looking at the aerial shot of the plot only emphasises the dominance of the green canopies of the trees which I believe would have to be so severely pruned and roots cut, that survival would be extremely unlikely.

Bristol is meant to be a green city so anything that would endanger large healthy air cleaning trees and destroy habitat for the amazing wildlife we benefit from in the corridor behind Auburn Road would be unforgivable. (especially as many of our trees are also being killed off by viruses!!)

Also, with much reluctance many of us have had to donate a significant patch of our front gardens for parking due to the lack of on street parking - the build would only impact on this further.

Being located within a conservation area, the garages are part of the historic development of Redland and are still in great demand.

We appreciate the council is under pressure to facilitate any proposed builds to meet national targets however, the impact of this build, together with type, location and further adding to the high level of inner city pollution, does not seem aligned with council policy.

Lastly, we feel for the properties that would be the immediate neighbours and are on three out of the four boundaries, it will have a massive and unfair impact on their outlook.

STATEMENT A2

Application 20/01535/F

Dr Abigail Campbell

As a direct neighbour of the proposed planning application I have a myriad of concerns, but my principal opposition to this project is regarding the infringement on privacy of those living at 26 Westfield Park. As a tenant, my garden facing flat runs the length of the building and is private from overlooking properties due to existing tree canopy cover. Therefore, I am hugely concerned regarding the level of pruning of these established trees and believe that any extensive pruning or impact on their canopy will substantially affect the privacy of those at 26 Westfield Park. I understand that in keeping with legal principle there is a right to prune overhanging branches, however, I have serious concerns that pruning may extend beyond this and without direct consultation with residents. I understand the need to ensure the overall health of the trees, but do not agree that any of these trees being deemed of poor quality provides a caveat / defence to additional pruning given their direct impact on our privacy. There is also a concern that such extensive pruning may prove a threat to the survival of these trees. My understanding of the proposed planning / arboricultural assessment is that no trees will be removed, however, paragraph 7.8 of the arboricultural assessment directly contradicts this; "an appropriate system has been designed allowing for further moisture loss from the ground as a result of the trees and also allowing for ground recovery when the trees are ultimately removed." Presumably this only applies to trees being removed from the planning site, however, clarification and assurances need to be provided.

I am also concerned regarding the need to remove the garden wall of 26 Westfield Park and replace it with a lower wall and fencing. I have 2 direct queries regarding this:

- 1) Has this been discussed with those on the management board of 26 Westfield Park?;
- 2) Will the final height of this structure be at least that of the current wall?

I do not understand the need for this during the construction process. However, should this wall need to be removed, I would like assurances that an appropriate screen of similar height be constructed to provide privacy for our properties during construction, as without the wall I will have no privacy in my flat for the duration of construction and will undoubtedly have additional noise pollution. This is of serious concern to me as the primary reason for living in this property for the past 2 years is the privacy, tranquillity and nature of the area. I am a hospital doctor working a shift pattern and the above attributes of my home ensure I am able to rest between shifts and during time off. A lack of privacy and additional noise resulting from ongoing construction would have a direct impact on the quality of life for neighbouring residents. I would also request a consideration that no construction work be carried out at a weekend.

For the reasons above, I would implore the committee to seriously and thoughtfully consider the above application as I believe it will have a detrimental effect on those currently living in the area. I would request assurances that should the existing privacy of those at 26 Westfield Park be affected, a right to redress should be afforded to us by either increasing the height of the wall / fence or replacing established trees with like for like. This should not impact the new property given their repeated assurances that there are no overlooking windows but would only secure the current level of privacy that we have at 26 Westfield Park. I have tried during consideration of the above to show a balanced view for ongoing development projects and the existing rights of established residents.

STATEMENT A3

Name: Ms Meri Rizk

Address: The Coach House 26 Westfield Park Bristol BS6 6LT Comments Objection to 20/01535/F

I object to the planned development for the following reasons:

1. I have a party wall between myself and the proposed development. There seems to be no mention of this. Yet in Design and Access Statement it mentions development being set away from 25 Westfield Park but nothing about my property at The Coach House, 26 Westfield Park.
2. This is a conservation area yet this new planning seems to ignore this.
3. The facing wall in my garden will change from about 2.4m to 4.8m plus a pitched roof. A 4.8m high wall will be very imposing in my small garden and cut out light from my property.
4. Trees are hugely important in this area as well as having an incredibly serious effect on the environment. I am not convinced that the tree in the corner of my property would survive thus changing the nature of this area when combined with the other trees.
5. My objection is that with such a big wall to the new development I would lose substantial light and view from my house. The gazebo in my garden is far lower than the planned development.
6. Any pile driving could cause problems to my house as it was built as a coach house and therefore not with substantial foundations.
7. As I live so closely to the planned development, I believe the proposals will adversely impact my living conditions.

STATEMENT A4

Roderick McCulloch

Objection to Planning Application No 20/01535/F

Woodland Terrace Bristol BS69UD

Rod McCulloch, resident, and neighbor. Flat 8 Redland Court is the ground floor flat to the rear which would directly face the North facing end of the proposed new build.

My objections to the build remain.

The proposed dwelling is described as one-half story when it is two floors and therefore a two-story dwelling.

The gable end of the two-story portion of the building is to be sited almost on the boundary of 24 Redland Park protruding above the boundary wall and clad in zinc plated metal which is not a materials that is innkeeping with the architecture of the area. This is the view from Redland Court that the residents will see.

I was unaware that the plans had been changed on 15/10/20 when I sent my original objection, I believe the cladding will now be slate which. This will still dominate the skyline with a large grey block.

The building does not follow the line of the existing properties making the tin gable end more obtrusive. The material, position of the build, reduction of space between properties all adversely impact the character of the area which should be protected under its conservation status.

In the report that has been supplied to the committee much is made of the proximity of the proposed development to the boundary of Auburn Rd. This proximity was revised and moved in June. The Northern end of the dwelling will be close to the boundary of Redland Park. 12 meters from the property but less than 10meters from my private terrace. The proximity to Redland Court does not appear to have been given the same consideration. The rear of Redland Court is used for car parking but not exclusively. It has two private terraces and is an outdoor amenity for the residents of the flats that do not have any private external space. It is more private than the front and is sunny into the late afternoon. Residents use it to meet, sunbath and take exercise. One of the residents is a sports coach and during lock down took his exercise equipment down into the sun to work out in the fresh air. It is the sun in the late afternoon which the residents sit in that will be impacted by this construction. The shadow report confirms that light will be lost to this area and there impacting our use of the amenity.

The rear of Redland Court was vital to the mental wellbeing of all the residents of Redland Court during the lockdown and may be again.

The developers seek to minimize the loss of light in the shadow study, but they must admit there will be some. I do not believe there has been a visit to Redland Court and the report is subjective and not independent as it was produced by the developer's architect. The rear of Redland Court is repletely described as a car park which is wholly inaccurate. It is the front of Flats 7 & 8 and their private gardens / terraces. The view has been described as mainly the boundary wall when in fact the view from the terrace or the flats windows is of the pristine Victorian Terraces and gardens of Auburn Rd / Westfield Park. The description of the rear of Redland Court as a car park has, I believe meant that insufficient consideration of the impact to the residents has been given by the planners. They believe it is only used for parking which is not correct. The area is an amenity and therefore the impact of the potential new build on the residents is significant.

6 no of the flats are rented and some have recently changed tenants therefore they are residents who are not aware that planning has been applied for; some are intimidated by the process and not sure as tenant if they are in a position to object. The owner of flat 7 has recently changed, the original owner was a vocal critic of the build. The new owners are in the process of moving in and not up to speed with this process.

There is a difference in levels between Redland park and Woodland terrace. It is my understanding that some piling will have to take place on the site. As the proposed two-story element of the new build is sited on the boundary it is likely that piling may be required close to the retaining wall of Redland Court and only 12 meters from our Victorian dwelling. Piling creates vibration and can cause subsidence I therefore I do not believe it is acceptable to undertake this activity with the height, age, and difference in levels to 24 Redland Park. Any damage to a property of this age would be difficult and expensive to repair if it could be repaired. There are 8no dwelling in 24 Redland Park which could be potentially affected by any structural damage.

The outlook from the rear windows and terraces of Redland Court will be materially changed from pristine Victorian architecture with large gardens, mature trees and open space to a modern slate clad property wall which will dominate the outlook and obscure much of the existing views. I appreciate an outlook is not protected but when living in a conservation area it should be safe to assume that the character and visual appearance of the area was protected.

In Short

The look and proximity of the new build does not appear to have been given the due consideration with regard Redland Park.

The rear of Redland park is an amenity used by the residents for various activities not just parking. It is the rear of the property but the front entrance to flats 7 & 8 that have private terraces facing the build. The development will be 10m from the front of Flats 7 & 8 which I believe is insufficient spacing from the front of a property.

The two-story Gable end of the build will be on the close to the boundary of Redland Park with insufficient spacing, circa 10m from the terraces for flats 7 & 8. Accentuating the impact of the loss of light and outlook.

The outlook from the terraces is not as stated the boundary wall but a clear uninhibited view of the houses, garden and vegetation of Auburn Rd and Westfield Park. This would become a blank building clad is grey slate, circa 10m from the terrace.

The gable end will dominate the skyline, obscure the outlook, and reduce the light to the rear of Redland Court.

The height, position, and scale of the build on the plot will alter the character of area. It infills the space, is does not follow the existing street lines, will dominate the skyline

The garages have not been offered for rents and allowed to deteriorate to maximize the potential to develop the site. The area cries out for off street parking and storage.

Construction of a two-story dwelling on this site is inappropriate. There are currently single-story buildings on the plot and any redevelopment should be restricted to single story. This would minimize the impact on neighbor's, the visual impact on the area, disruption of the build.

The residents of 24 Redland Park have had to and still are enduring the works to convert 22 Redland Park from a care home to 9 Flats and a rebuild coach house. During the current restriction I am working from home as are others in the property. Construction works to the rear and in such close proximity of the property will impact our ability to continue to do this.

Due consideration of the impact on Redland has not been given possibly due to the inaccuracy of some of the information provided.

Regards

Rod McCulloch

STATEMENT A5

We are writing as a directly adjacent neighbour to the proposed plans for the demolition of existing garages and proposed one-half storey dwelling at Yard Woodland Terrace Bristol BS6 9UD. Our family home at 14 Auburn Road, BS6 6LS is the closest dwelling and will be greatly affected by the proposed building being constructed less than 5m from our property. It is not possible to conclude that there will be no adverse impact on our living conditions. In an already stressful time already impacting mental health and well being, open spaces are one of the things left to hold onto. This property will rob our immediate home and the local conservation area of what little space we have. We have 3 teenage girls who's rooms will face this property and are approaching critical times in their schooling. This application has already and will going forward have a significant emotional impact.

Our objections to the proposal are on the following grounds:

- 1) Loss of privacy, overlooking and overshadowing of our home
- 2) Loss of light for our home
- 3) Loss of view
- 4) Out of character with local Conservation Area
- 5) Accuracy of statement one-half storey dwelling
- 6) No precedence of similar erected buildings along the intersection of Auburn and Bramford Terrace
- 7) Lack of supply of garages in the local area 8) Potential Impact on adjacent trees

We note that case on Elliston Road (20/02239/F) was rejected for the same reasons as above. We see no reason why this case is any different.

1) Loss of privacy, overlooking and overshadowing of our home Our property is in the closest proximity to the proposal. We strongly believe that the proposal has unacceptable levels of overbearing features that will result in reduced privacy, increased noise, disturbance and overshadowing Specific points to support our objection are as follows: - The kitchen wall of the proposal adjoins to our garden wall and will protrude 1.5m above the height of our garden wall by 4m in length. This 6m² area will all be less than 5m from our kitchen window. How can that not be overbearing and impact light levels.

The first level bedroom window will be only 13.4m from our neighbouring window versus the 21m rule. We object to the height of the proposal as it will significantly increase the overlooking of our home and garden. The oversized widows of the two non master bedrooms will overlook all four levels of our property. We do not deem the building to be 'moderately sized' as stated in the application and it is NOT a 1.5m storey building, which has been raised but the property still refers to needs. A significant proportion materially exceeds the heights of the boundary walls.

2) Loss of light for our home The plans of the proposal show significant height to the apex of the roof and 12m in length. With such close proximity to our building (detailed in the above point), this will inevitably result in a significant loss of light and affect our right of light enjoyed by our property. This is a private right that has been acquired during our time in our property.

3) Loss of view It is often said that "there is no right to a view". Whilst this is correct in strictly legal terms, it does not mean that the loss of a view is necessarily irrelevant to planning. The enjoyment of a view is an important part of the residential amenity of our property, and its loss will therefore have an adverse impact. In addition, the National Planning Policy states the setting and views into and out of a Conservation Area should be safeguarded (NPPF February 2019). The views of the surrounding properties on Auburn Road, Bramford Terrace, Woodland Terrace and Redland Park will be greatly affected.

4) Out of character with local Conservation Area Policy BCS22 of the Bristol Development Framework Core Strategy Policy refers to the safeguard and preservation of heritage assets including conservation areas. The proposed development is out of character in terms of its appearance compared with existing development in the vicinity of Woodland Terrace and Auburn Road and would result in an intrusion on the conservation area.

5) No precedence of similar buildings along the borderline of Auburn Road and Bramford Terrace The geography along the North to South dividing border of Auburn Road and Bramford Terrace are gardens from both streets that back onto each other divided by the original brick walls. There is no precedence along this borderline for the proposal to draw upon and it will be out of character with the rest of the dividing border.

6) Potential Impact on adjacent trees The canopies of the surrounding trees covers a significant area of the site of the proposal. The requirement to cut such a large proportion of the tree would likely cause lasting damage. With these trees residing in a conservation area and being of good specimen (Goats Willow), careful consideration will be required. All trees in a conservation area with a trunk diameter of 75mm when measured at 1.5m above the ground are protected. Goats Willow are fantastic trees for wildlife providing food not just for bees, but also for moth caterpillars, and as shelter for bats, small mammals and birds. We also believe the answer of 'no' in the application form to the below question is inaccurate: 'Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?'

7) Lack of supply of garages in the local area The yard currently has the functionality for off-road parking and storage for 7 vehicles. Not all of the garages are currently occupied, however this is a choice of the current owner rather than need and demand for off street parking. We are aware of numerous inhabitants who have looked to rent or buy a garage in the area but there is a material lack of supply. If garages continue to be demolished to increase the value of the land, this can only result in increased demand for on street parking. This is at odds with the strategy to reduce on street parking which is an aim of Bristol Council.

Yours, Simon Redpath and Joleen Keizer

Auburn Rd/ Westfield Park / Redland Road/ Woodland Terrace Residents BS6

Development Control Committee
Bristol City Council
Development Management
City Hall
PO Box 3399
Bristol
BS1 9NE

Objection to Planning Application 20/01535/F

. I would like to draw your attention to two very similar local planning applications where both were refused or withdrawn. Elliston Road (20/02239/F) and Apsley Rd (16/06979/F). Extracts from the refusals are as follows which are in line with our own objections:

Out of character with existing properties and fail to respond to the surrounding environment
Overdevelopment of a small site
Minimal separation between habitable rooms with direct and perceived overlooking
Architectural style is incongruous to the character of the surroundings
Fails to respond to the surrounding historic environment.
Fundamentally, a single storey dwelling is more likely to be required.

To recap on our original objections:

. The plans have still incorrectly assumed that the living areas of both 13 and 14 Auburn road are in their basements whereas they are actually on the hall floors, one storey up and look directly across to the proposed development 13m away.

. Habitable windows are within the recommended 21m distance even if some are at an angle

. A comparison is made between the proposed 5.5m, 2 storey building and the surrounding 4 storey buildings but fails to compare the impact the extra 3.5m (over current height) has on the surrounding area.

. The views from the surrounding residents into the Conservation area have not been taken into account. National Planning Policy states that the setting of a Conservation Area [NPPF February 2019] and views into or out of a Conservation Area [Planning Practice Guidance 23rd July 2019] should be safeguarded.

. All East facing windows have now been lowered to 0.9m from 1.7m. Increasing visibility into and out of these rooms. The minimum opening needs to be 1.7m high. My child's bedroom is only 13m away and he will be able to see through the obscure glass into the bathrooms when the lights are on.

. Potential loss of 7 garages/work units for the community. Worth £30,000 each and there are over 20 potential buyers. Especially of importance now that more people need to work remotely.

. Although a foundation report was undertaken this still does not absolutely guarantee that the trees in 26 Westfield Park will not be lost. The RPA clearly shows the foundations will effect these trees. The proposed solution is of driving piles into the ground. We are very concerned about the damage this may cause to the our boundary wall (1m away) and to our houses and foundations (8m away). We would expect a survey of our houses before and after the pile-driving to be paid by the developers.

. These plans are submitted and redrawn purely to obtain planning permission to sell to the highest bidder and not with the property and surroundings at heart. Our biggest concern is if this application is granted the new owners will radically alter the plans as has been proven in the past.

. There would be very strong objections if the development failed to adhere to the proposed planting of 6 suitable trees, sedum roof and the use of sympathetic building materials.

. These are an artist's impression and scaled to the best of their ability; the timing of this proposal with self isolation enforced due to Coronavirus has made it incredibly difficult to gain access and take pinpoint accurate measurements of the proposed plans. However, the height of the proposed dwelling on these drawings is accurate to +/- 30cm.



View from Woodland Terrace



View from 24 Redland Park



View from 14 Auburn Road



View from 13 Auburn Road



View from Woodland Terrace





View from The Coach house 26a Westfield Park

STATEMENT A7

Application ref. no: 20/01535/F

Application address: Yard, Woodland Terrace Bristol BS6 9UD

Statement from ward councillor Carla Denyer

I initially called this in to committee on 5 grounds:

- Proposed kitchen wall is right up against garden wall of 14 Auburn Road but taller, adding 1.5m height, plus chimney. This seems it would have a significant impact on amenity of residents of no 14.
- There may be a loss of sunlight to neighbouring windows and gardens - has or could a shadow study be done to address this?
- Possible overlooking - applicant statement says this won't happen, which I think is conceivable given the angles of the windows but I would like to see an independent assessment of this.
- I disagree with the applicant that the design is unobtrusive. A standing seam metal roof, while I agree the style becoming ubiquitous in newbuilds in the area, would stand out very visibly in that location I think. [Amended plans removed metal roof but some neighbours still consider design obtrusive in other ways.]
- Impact on adjacent trees – I agree with a couple of the objectors who have queried the applicant's assurance that nearby trees would only need to be pruned, not removed. I think one of the trees would end up losing so much of its canopy that its survival might be compromised, so would like to see an independent assessment of this.

The applicants have attempted to address these points with their amended plans.

The first two bulletpoints have now been solved.

However, the latter three bulletpoints are more subjective, and a lot of local residents still have concerns. Therefore given the level of public interest I am calling this in to be decided by committee. I do not have an objection to the principle of development on the site, providing these issues are adequately resolved, perhaps by conditions.

Thank you.

STATEMENT A8

We wish to resubmit our previous letter of objection to the proposed development for your consideration. Our objections remain unchanged but we would ask you to also consider the disturbance to the lives of our neighbours whose back garden boundaries immediately about the proposed site. Disruption and the noise of a building site, which could be ongoing for a considerable time, will add to the pressures these families are already experiencing during the Coronavirus pandemic.

I am writing on behalf of myself and my husband, Simon Jennings.

While our property does not share a boundary with the proposed development, we are aware it will seriously impact on the lives of our friends and neighbours living closer to the site, and we are in sympathy with their objections. We do not think we are precluded from making a comment.

Conservation relating to buildings and the built environment.

Auburn Road and Woodland Terrace are within a conservation area, the former buildings being 19C and the latter a Grade 11 listed terrace. We believe the proposed building will neither 'safeguard or enhance' these surrounding important buildings, as highlighted in Bristol's Development Strategy Policy BCS 22. We are pleased there are some changes and/or modification to some of the building materials, a slight lowering of the apex and angle of the roof and some shifting of windows. However, this is still a substantially sized building which will be imposing and jar uncomfortably with its surroundings.

Conservation relating to the natural environment.

The gardens Of Auburn Road form a natural green corridor running behind the houses, with mature trees adjacent to the site. We think there is potential for serious damage to be done to the trees when they are pruned and reduced as proposed, and loss of canopy to the largest could compromise its survival. The gardens and trees are home to many birds and small mammals, foxes, bats, and a sparrow hawk is often seen. The area is a big part of our "distinctive neighbourhood, helping to define the city's appeal to both residence and visitors., as valued by BCC.

While new trees may be planted on the site, which is good to see as there was no planned planting previously, it will be many years before they reach maturity. The conservation of these pockets of life is very important for the life of animals and the wellbeing of people.

While we understand the owner's wish to capitalise on their site, we would ask that any development protects trees and that the building itself is further reduced in height so it does not dominate and infringe on existing homes, or spoil the architectural impact of the listed buildings in this conservation area.



The Yard, Woodland Terrace - 20/01535/F

STATEMENT TO COMMITTEE MEMBERS

We believe that this development will be a significant improvement to the immediate environment and will be a positive contribution of housing mix to the Redland area.

We have been through a thorough design process with Bristol City Council, dating back to a pre-application made in November 2019. Throughout the planning process we have made significant alterations to the scheme to accommodate the local residents' and councillor's concerns, while also satisfying local and national planning policy.

We have made the following changes to take account of local residents views:

- Reduced the eaves height by 950mm, ridge by 1650mm and roof pitch by a further 2.5 degrees.
- Moved the house away from the north-east boundary to No.14 Auburn Road.
- Proposed a foundation solution to demonstrate that no trees will be harmed in the construction.
- Planted 7 more trees on the site along with landscaping and shrubs around the borders.
- Removed the rooflight in the Kitchen closest to no.14 Auburn Road.
- Relocated the Photovoltaic panels onto the main roof, while increasing the area of green roof.
- Relocated the windows to the bedrooms facing Woodland Terrace to the centre of the building.
- Relocated the windows in the Master Bedroom to the centre of the room.
- Recessed all windows at first floor level to further restrict views out from the first-floor windows.
- Provided natural slate tiles to the first floor and roof instead of zinc standing seam.

The proposed development is clearly subservient in comparison to the three and four-storey buildings which surround the site, as demonstrated in the site sections and shadow study.

A previous planning approval was granted for a two-storey dwelling and garage on this site, with a similar footprint but much taller and pastiche in its design.

We believe that the development is of high-quality design using a contemporary arrangement of traditional building materials. It will also create new wildlife habitats and biodiversity, with the addition of tree planting, shrubs and a sedum green roof. The building will be heated and powered using solar energy, with an electric car charging point for one vehicle. This will be a low-car development with a I044A restriction on parking permits which will encourage the use of sustainable travel in the form of cycling and public transportation and a push towards a car-less lifestyle.

Graham Rivers Architects

STATEMENT A10

We are writing as a resident of Woodland Terrace to the proposed plans for the demolition of existing garages and proposed one-half storey dwelling at Yard Woodland Terrace Bristol BS6 9UD. We have recently moved into our family home at No.4 Woodland Terrace, three doors down from the proposed building. As with any house purchase we took into account many factors about the property and its location. One of the reasons for buying Woodland Terrace is its quiet positioning relative to other streets in the neighbourhood. We feel that the proposed development will create significant disruption during the construction period, especially when we are all working from home, it is out of character to the surrounding buildings and that removing off street parking opportunities will only add to the parking problems we experience on a day to day basis.

Our objections to the proposal are on the following grounds:

- 1) Out of character with local Conservation Area and not in keeping with the listed building in the area**
- 2) Lack of supply of garages in the local area resulting in parking issues**
- 3) No precedence of similar erected buildings along the intersection of Auburn and Bramford Terrace**
- 4) General disruption from construction works**
- 5) Potential Impact on adjacent trees**

We note that case on Elliston Road (20/02239/F) was rejected for the same reasons as above. We see no reason why this case is any different.

1) Out of character with local Conservation Area Policy BCS22 of the Bristol Development Framework Core Strategy Policy refers to the safeguard and preservation of heritage assets including conservation areas. The proposed development is out of character in terms of its appearance compared with existing development in the vicinity of Woodland Terrace and Auburn Road and would result in an intrusion on the conservation area. Those residents on Woodland Terrace and Auburn Road are required to keep any alterations to their building within the character of the conservation area and listed building status, why should a new property not be required to do the same?

2) Lack of supply of garages in the local area The yard currently has the functionality for off-road parking and storage for 7 vehicles. Not all of the garages are currently occupied, however this is a choice of the current owner rather than need and demand for off street parking. We are aware of numerous inhabitants who have looked to rent or buy a garage in the area but there is a material lack of supply. If garages continue to be demolished to increase the value of the land, this can only result in increased demand for on street parking. This is at odds with the strategy to reduce on street parking which is an aim

3) No precedence of similar buildings along the borderline of Auburn Road and Bramford Terrace The geography along the North to South dividing border of Auburn Road and Bramford Terrace are gardens from both streets that back onto each other divided by the original brick walls. There is no precedence along this borderline for the proposal to draw upon and it will be out of character with the rest of the dividing border.

4) We understand that the developer will have to pile to create sufficient foundations as they cannot remove enough tree roots for standard footings. This will add significantly to the disruption we will experience during the construction works, and being so close to our property we are concerned about the impact piling may have to the fabric of our building.

5) Potential Impact on adjacent trees The canopies of the surrounding trees covers a significant area of the site of the proposal. The requirement to cut such a large proportion of the tree would likely cause lasting damage. With these trees residing in a conservation area and being of good specimen (Goats Willow), careful consideration will be required. All trees in a conservation area with a trunk diameter of 75mm when measured at 1.5m above the ground are protected. Goats Willow are fantastic trees for wildlife providing food not just for bees, but also for moth caterpillars, and as shelter for bats, small mammals and birds. We also believe the answer of 'no' in the application form to the below question is inaccurate: 'Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?'

Yours Nick and Pippa Brady

Statement B1

PROCEDURAL COMPLAINT

- According to the Meeting notice "From the Wednesday before the committee date, a copy of the officer's report and recommendation can be viewed with the planning application documents .." and continues with details of making submissions. The implication is that no more documents will be added after then.
 - I have applied to speak and have submitted a statement within the given time frames.
 - A supporting document was added to the portal last Friday (23rd October) - beyond that deadline; also, although I had tracked the application, I have not had any notification. The supporting document is 37 pages long and contains controversial statements; no-one who has submitted statements for the committee has had the chance to examine them or challenge them.
 - I ask that the committee (a) disregard the new document and (b) note the procedural behaviour which has led to its addition to the portal out of time.
-
- As well as living near to New Kings Court (NKC), I have been active in promoting urban walking in Bristol – most recently the "Walk Your Way To Health" and "Bishopston Walking Map" projects as well as having developed over 20 other accessible walks in several parts of the city.
 - As a neighbour, my concerns are about the **safety and health aspects** of using NKC as vehicle access for yet another house. (I'd be happy to see the plot developed if the application was resubmitted using the back lane access for the derelict garages as its vehicle access.)
 - As a walks developer I am concerned about the **knock-on effects of exceeding the limit of 5 houses on an unadopted road**. Money which ought to be used for much-needed highway improvements might instead subsidise a private road that can never be widened to an acceptable standard.
 - The March 2020 TDM report says, "Once this limit is exceeded, there is more of a risk for the Council to be requested or indeed be forced to adopt the lane." The earlier (October 2019) TDM report adds "We can't exempt the road from this as other frontagers have an interest and can't apply a land charge on this to prevent the frontagers from forcing the council to do so in the future. 5 dwellings is the accepted cut off point for private roads, and is used nationally."
 - **Setting a precedent here** could also extend the problem to other sites across the city.
 - **Safety and health aspects.** Pedestrian usage of NKC is high; there are 5 houses, a church and a church hall, which hosts a pre-school and many other activities, for which most attendees come on foot. In addition, NKC acts as a level walking route from sheltered accommodation (31 flats in Good Shepherd Close) to Kings Drive and beyond.
 - For 50 metres from Kings Drive to the car park, the usable width is 3 metres or less; to put that into context, at 2mph, (faster than some walkers can manage) that means 56 seconds without room to be passed safely. While a walker can wait if a vehicle is already in the lane, drivers can and do turn off Kings Drive into NKC before seeing that people are already there. Some drivers force their way, making the walker seek refuge in the hedge - particularly difficult with a toddler, a pushchair or a dog. (Unless someone is killed or injured, there is of course no report of the incident.)
 - Any increase in the amount of vehicle traffic increases this direct risk. An additional effect is to deter people from walking on local journeys, meaning that either they take less exercise (to the detriment of their health) or that they use a vehicle instead (to everyone's detriment.)
 - **Unverified assumptions and inaccuracies.** Several statements in the March 2020 TDM report are unverified; some are inaccurate. "... the applicant has demonstrated that the use of the access is relatively irregular, a car can pass a pedestrian, and the lane is being better maintained." Nothing on the planning portal gives any evidence that can be checked. (An email from the applicant, dated in January but not put on the portal until 29 September, only has assertions not backed by evidence.)
 - The TDM report also says "...it is unlikely that there will be more development accessed from this location." The church which owns the lane stated publicly in 2016 that they intend to sell off the

whole site. When this happens, there will be scope for future development, and no guarantee for the future maintenance of the lane.

- The Planning Officer's report (only on the portal last week) refers to TRICS data: did this data cover a situation where a resident runs an emergency callout service from home, as is the case here? What mix of vehicle and pedestrian use was considered? If a lane is already over-used, adding even a few extra vehicle movements can only make the situation worse – for the pedestrian majority.
- **The National Planning Policy Framework (NPPF)** The Planning Officer's report quotes section 109; it could have continued with **section 110**. "Within this context, applications for development should:
(a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second (... access to public transport ..);
(b) address the needs of people with disabilities and reduced mobility (re) all modes of transport;
(c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, ..."
- **Conclusion:** I ask the committee to refuse the application in its present form. It is in breach of NPPF section 110 parts (a), (b) and (c) and thus, within this context, of section 109 by having "an unacceptable impact on highway safety" (and NKC is a public highway, albeit a private lane.)

STATEMENT B2

- The proposed house is a self-build and has been designed to accommodate our family.
- The plot is formed from 2 old garages and the scrub land surrounding them plus an area of our extended garden.
- We live directly behind the plot on Bishop Road and have lived there for nearly 15 years.
- The house and garden have been designed simultaneously to make the most of the unusually shaped plot and to be sustainable in terms of build materials, energy usage and CO2 emissions, scoring A ratings in both categories on the Sustainability Report.
- We have worked hard throughout the application process to create a design that has minimal impact on all our neighbours and one which satisfies all the planning requirements.
- As a Garden Designer by profession I have designed the outside areas to be highly biodiverse and sustainable and to make the best use of the space and southerly aspect. The garden includes a rainwater run off harvesting system linked to an automated watering system, 25 square meters of sedum roof, 16 square meters of biodiverse brown roof, an additional 13 trees, mixed planting for successional flowering and a pond. We will have space for 2 cars, one inside the garage and one alongside with an electric car charging point.
- Our plot is accessed via a private lane owned by the Church of the Good Shepherd and we have an agreement in place with the Church which provides access along the lane. Within this agreement there is a covenant which includes joint maintenance responsibilities between the Church and each of the residents that use the lane as access.
- The church lane currently provides vehicular access from Kings Drive to the Church car park which serves the Church and the Church hall plus 5 residential properties which each have their own parking areas or garages within their plots. There is also separate pedestrian only access from Bishop Road to the Church, the Church Hall and the existing 5 houses.
- The Church hall is used by Magic Dragon Pre-school 4 mornings per week in term time and this has been their base for 50 years. In normal times the hall is used for various activities at other times.
- Some of our neighbours are concerned that an additional 2 cars using the lane infrequently (please see TRICS data in the letter from Highgate Transportation and in the report written by the Planning Officer, Matthew Bunt) will pose a risk to pedestrians and that currently the lane is not wide enough for a car to pass a pedestrian safely. I have included some photos of a large family car passing different types of pedestrians in the lane. I would also like to reassure our neighbours that my husband and myself are experienced and considerate drivers and that we would pose no danger to pedestrians using the lane.
- As a long-standing member of the local community I have walked along the Church Lane with my children when they were very young, and more recently with my dog and I know there is adequate width for a car to pass safely and even larger vehicles. The lane is very straight and there is excellent visibility so as a driver it is easy to see pedestrians when entering the lane from Kings Drive or the Church car park.

- We now have the support of the Planning Department, the Transport Department, Bristol Waste, the Church of the Good Shepherd, the PCC and many of the neighbours and I sincerely hope we will have your support.



STATEMENT B3

We are writing in support of planning application **19/04398/F (New Kings Court)** as we believe this is an excellent use of a brownfield site that is currently dominated by overgrown vegetation and garages in a poor state of repair. We are particularly impressed by the eco-credentials of the proposed build and the thought given to the landscaping, which would be a marked improvement on the current condition of the site.

Our understanding is that this application has been brought to Committee because of the concerns raised by other neighbours on the use of the church lane to access the property.

Having lived in the area for over 10 years and been regular pedestrian users of the lane, we strongly believe these concerns to be unfounded. From whichever way the lane is approached, there is easy line of sight for pedestrians, cyclists and car drivers. We have never had any concerns for our safety when walking in the lane, even in the company of small children and dogs.

Since we have lived here, two large family homes have been built that use the church lane for access and there has been no noticeable difference to the level of traffic. Given the, at times, high level of traffic through usage of the church hall and its facilities we cannot see how one extra dwelling would have any significant impact on traffic levels.

We also feel that the proposed build would do much to improve the safety and security of the area at night for pedestrians, the church and surrounding properties.

Angelika Claridge & Graham Thomas

STATEMENT B4

We have already submitted our statement for the committee with regard to the above application being discussed at the meeting tomorrow.

I have since seen that a further document has been submitted for the applicant and put on the portal 3 days after the officer's report. Please can I ensure that the committee notes that this evidence has been supplied late and does not give objectors a fair opportunity to respond. If it is included in the committee's deliberations, please can I highlight to the committee that the evidence supplied only gives one example of a car (possibly stationary) passing a pedestrian in daylight. It does not provide evidence of the junction or with a delivery/recycling/larger vehicle driving up.

Statement of Caroline & David Evans 23 Kings Drive Bristol BS7 8JW
Application No: 19/04398/F

We are not against the proposed dwelling itself. We agree it would enhance the site. Were the applicant to submit a revised application, using the alternative lane as the access to the property (the existing access for the garages on the site) and including the sewerage details that have been outlined in the applicant's circular letter to neighbours, this would cover our objections. We accept that New Kings Court would still be the route used by emergency vehicles. However, as the application currently stands, our concerns remain predominantly with the proposed vehicular access along New Kings Court (the "proposed access lane") on the following planning grounds:

Highway Safety/Amenity for Pedestrians

- The proposed access lane not only serves 5 dwellings currently but also a pre-school, church and church hall (with various groups e.g. dance classes and other clubs for young children).
- The users of the pre-school and church/church hall are mainly the elderly and young families on foot, with pushchairs/scooters etc. The suggestion that pedestrians could use the alternative route to Bishop Road is discriminative given there are 20 steps to navigate.
- Pedestrians need a safe access route from the site. Currently, the vehicular use of the lane is at best inconvenient to pedestrians and potentially very dangerous.
- Regularly pedestrians have to wait for vehicles to pass to avoid conflict with them and whilst there are no recorded accidents it is clear that there is a risk of accident and there have been several near misses – does the Council need to wait for an accident for action? There has been property damage a number of times to the wall of 21 Kings Drive and to the signage next to 23 Kings Drive.
- No evidence has been disclosed on the planning portal to support the applicant demonstrating that the lane use is irregular – we dispute this, it is used regularly by the groups referred to above.
- We accept that one additional dwelling does not significantly increase the vehicular traffic but we disagree that there is unlikely to be more development using the proposed access lane – the church announced in 2016 that they intend to sell their whole site (church, hall and road).
- We agree that the lane is better maintained at the moment but this means that vehicles drive along it at greater speed as there are no potholes etc. to avoid and the 5mph limit is often ignored.

Local Policy

- We note the Planning Officer's comments that guidance has changed since the planning refusal in 2006. However, the TDM relied on this previous guidance as a ground to initially object to the application as it would take the number of dwellings using the proposed access lane over the permitted 5 dwellings.
- It would, therefore, seem that even though Design Bulletin 32 has been superseded by the MfS the road adoption limit of 5 dwellings is still applicable and should be taken into account.
- In any event, the guidance would have been put in place for safety reasons and these reasons of safety (as set out above) have not changed. The MfS specifically refers to concerns about neglecting the needs of pedestrians and adding to the traffic using the proposed access lane does this.
- The proposed access lane is said to be not capable of adoption because it does not conform with the Council's adoption standards. However, if the Council was forced to adopt the lane should the number of users increase there would be significant costs to do this, which would be taken away from other projects across the City. In addition, it potentially opens the doors to other sites increasing their dwelling limit and requiring their access lanes to be adopted.
- Taking the site over 5 dwellings using the proposed access lane is not necessary as there is an alternative lane that could serve the dwelling (a separate lane used to access the garages on the site of the proposed dwelling). If that access was used then the Council would not have the risk of being forced to adopt the proposed access lane – we appreciate that the Council Officer cannot consider this access as it does not form part of the application but we feel that it is an important consideration for the Committee.

STATEMENT B5

I have lived at 169 Bishop road, which is adjacent to the Church car park, for over 12 years. During this time, I have walked along the Church Lane without experiencing any problems from passing vehicles.

Two and a half years ago my partner, who lives with me, gave birth to our daughter. Since then we have walked along the Church Lane with our daughter in a pram and then in a buggy and more recently with my daughter walking along side. We have never experienced any difficulties when vehicles are passing, we have not felt unsafe or at risk in any way.

The lane is very straight with good visibility which allows vehicles to see pedestrians very easily. The lane is also tarmacked and well maintained and there is plenty of room for a car to pass a pedestrian, even one with a young child or buggy.

We are very much in favour of the proposed new house as it will greatly improve the outlook from the back of our house and garden. At the moment we are looking at 3 garages in a poor state of repair which are quite an eyesore. The areas to the side and behind the garages are overgrown with brambles and we have seen a number of rats in this area.

The area is not well lit at night and we feel that a house being there would improve security for all the houses that back onto this area, including our own. We like the idea that there will be more trees being planted and we also like to look of the house and the wooden cladding.

STATEMENT B6

Application no: 19/04398/F

Statement of Robert and Annie Massey

Bristol needs new housing, and we have no objection to using this brownfield site for a new building. Thought has been put into the design of both house and garden and there has been consideration of wildlife and conservation issues. However, there are several grounds for deep concern about this application because it means using New Kings Court as the vehicle access route.

Our property is directly adjacent to New Kings Court. We see every day the results of vehicle and pedestrian use of the lane and the picture is a mixed one: at times it is quiet, but at other times it is busy and the potential for conflict between cyclists, pedestrians and cars is high. The church hall is used on a regular basis by the Magic Dragon pre-school, cub scouts and dance classes, among others, along with many one-off bookings for children's parties and social gatherings, all of which generate car and pedestrian traffic in a narrow lane not designed for such use. The 5mph speed limit is clearly indicated but often broken. There are children living in nos. 4 and 5 New Kings Court and some elderly residents in Good Shepherd Close beyond the church use the lane.

To add one more house and its traffic may not seem much, but why take the risk? These are not theoretical issues. Our property wall has twice been knocked down, once by a builder's lorry and once by a delivery vehicle.

If there is a limit of five houses on an unadopted road, how can this be exceeded? We are not experts on the technicalities of these legal and technical points, so are the councillors on the Planning Committee satisfied that this application would not force the council at some point in the future to adopt the lane?

We are also aware that each planning application should be judged on its merits at the time and that officers and councillors will not concern themselves about what may or may not happen in the future, but surely that principle cannot be allowed to override the future risks of a dangerous and potentially expensive precedent being set? The church and the church hall have been for sale and their future is uncertain: what future development proposals might be put forward for this land?

In sum, there are persuasive arguments in our view to reject this application. The 'floodgates' argument of the rule of five houses is in itself important, because allowing one more house means allowing potentially any future number. When allied to the parallel floodgates argument of the consequences of the council having to adopt an unadopted private lane then the grounds for rejection are overwhelming.

Public Statement

Application ref. no: 19/04398/F - Land And Garages Adjacent To 5 New Kings Court BS7 8JS

I'm making a statement as a local ward councillor who has asked for this application to be determined by committee. I call in applications extremely rarely and I've not done so lightly on this occasion. I feel things haven't been clear enough and our own roles as planning and highways authorities has raised some questions. This call in is the only way to ensure that all sides can be seen and heard to make their points and to settle the position as clearly as possible for everyone.

As details emerged I found concerns rising among some residents and I myself found clarity of what was or was not expected of the development still unclear, especially in relation to proposed use of an unadopted road and our past limits for this use.

The application has been through a prolonged process with two consultations. As the second one took place I was still being asked by some residents to get clarity on key highway issues which I sought to do.

Previous applications on this site have been refused on highways grounds. The reasons these grounds have changed and therefore a proposed additional house may now be approved have been unclear.

Both road safety and adoption issues [implications for the council of pressure to adopt] for an unadopted road needed to be clarified. Existing residents and users of the surrounding community facilities need to be able to debate their concerns and make objections for committee to decide these issues, as equally does the applicant need their chance to explain their position. I also hope that the need to clarify the basis by which the authority manages and recommends for this application is helpful for future backlands developments with private access, as I am sure there will be more in future.

Cllr Martin Fodor
Redland ward.

Amendment Sheet 28 October 2020

Item 1: - Yard Woodland Terrace Bristol BS6 9UD

Page no.	Amendment/additional information
	No amendments

Item 2: - Land And Garages Adjacent To 5 New Kings Court Bristol BS7 8JS

Page no.	Amendment/additional information
	No amendments