

Development Control B Committee Agenda



Date: Wednesday, 10 May 2023

Time: 2.00 pm

Venue: The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

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Councillors: Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Lesley Alexander, Amal Ali, Fabian Breckels, Sarah Classick, Lorraine Francis, Katja Hornchen and Guy Poultney

Copies to: Gary Collins, Matthew Cockburn, Norman Cornthwaite, Allison Taylor (Democratic Services Officer), Jeremy Livitt, Rachael Dando, David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Paul Shanks, Stephen Peacock (Chief Executive), Philippa Howson and John Smith (Executive Director: Growth & Regeneration)

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E-mail: democratic.services@bristol.gov.uk

Date: Tuesday, 2 May 2023

Agenda

13. Public Forum

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. Please note that the following deadlines will apply in relation to this meeting:

(Pages 4 - 127)

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest **by 5pm on Wednesday 3rd May 2023.**

Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Tuesday 9th May 2023.**

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

PLEASE NOTE THAT IF YOU WISH TO SPEAK AT THE COMMITTEE, YOU ARE REQUESTED TO INDICATE THIS WHEN SUBMITTING YOUR STATEMENT OR PETITION. ALL REQUESTS TO SPEAK MUST BE ACCOMPANIED BY A WRITTEN STATEMENT.

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



16. Amendment Sheet

(Pages 128 - 130)



Public Forum

D C Committee B

2.00pm 10th May 2023



1. **Members of the Development Control Committee B**
Councillors: Ani Stafford-Townsend (Chair), Lesley Alexander, Amal Ali, Fabian Breckels, Sarah Classick, Lorraine Francis, Katja Hornchen and Guy Poultney and Chris Windows.
2. **Officers:**
Peter Westbury, Matthew Cockburn, Luke Phillips, Stephen Rockey, Phillipa Howson, John Smith, DSO

No.	Speaking	Name	
		A 21/03767/F - 102 Gloucester Road	
A1	S	Mark C D Ashdown	
A2	S	Cllr Martin Fodor	
A3	S	Mrs S Whale and Dr K Whale	
A4		Ben and Naomi Smith	
A5		Jon and Liz Mackley	
A6		Helen Marsden	
A7	S	Christine and Gerard Duffy	
A8		Jonathan Kittow	
A9		Pauline Holmes	
		B 22/02345/F - Inns Court Open Space (Withdrawn from Agenda)	
		C 22/06080/FB - Capricorn Place Pontoon	
C1	S	Sally Davis	
C2		John Whalley	
C3	S	Dave Hopkin	
C4	S	Frazer Bridgeford	
C5	S	Cllr Patrick McAllister	
C6	S	Nick Cater	
C7		Alison Hope	
C8		Ian Peacock	
C9		Lynda Thomas	
C10	S	Steve Carpenter	
C11		Angela Curnock	
C12	S	Gordon Bottoms	
C13		Ian Curnock	
C14	S	Frank Jones	
C15		Rakel Hanson	
C16		Cherry Froude	
C17		Anne Lee	
C18		Kevin Slade	
C19	S	James Scrivens	
C20		Valentina Diaz Saravia	
C21		Susan and David Lyons	
C22		Louisa Smith	

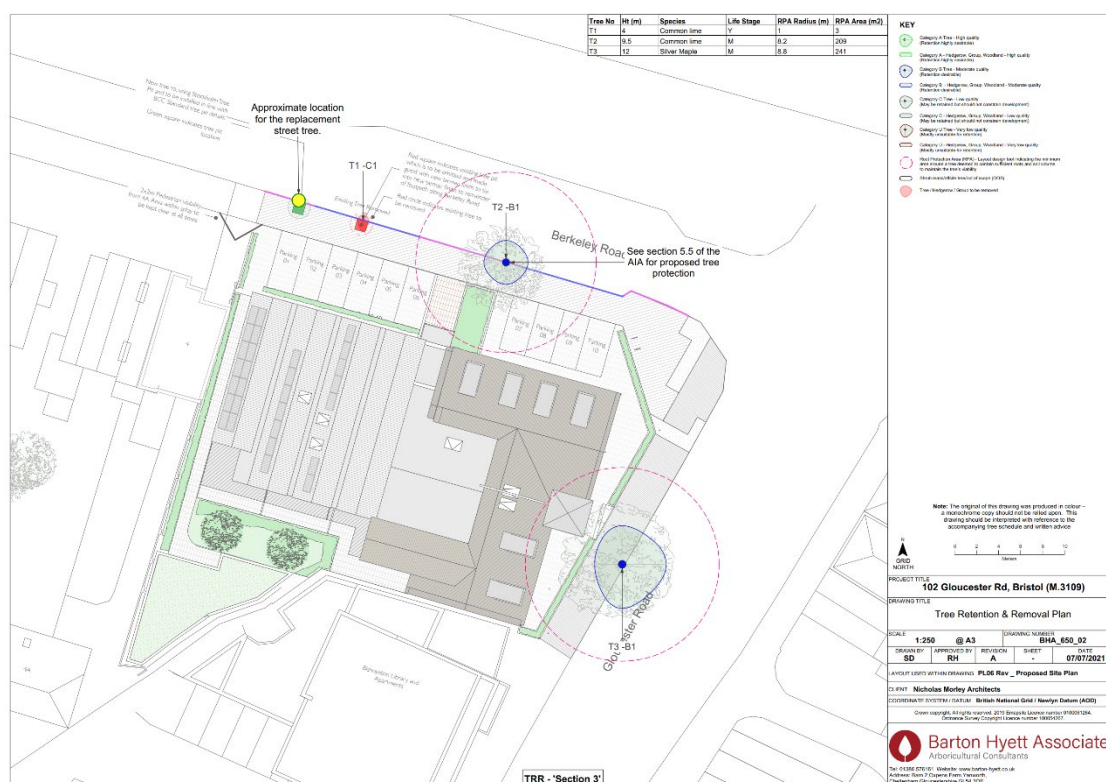
		D 22/05943/X - (Bathurst Basin Bridge Commercial Road) Land Between the A370 Long Ashton Bypass in North Somerset and Cater Road Roundabout	
D1		Ruth Goodman	
D2		Felix Zukina	
D3		Leon Zukina	
D4		Grace Bascombe	
D5		Christine Smart	
D6	S	Valerie Steel	
D7		Gary Shenton	
D8		Ian Pond	
D9		Cllr Patrick McAllister	
D10		Bethan Grant	
D11		Marton Balazs	
D12	S (Mark Ashdown)	John Tarlton	
D13	S	Richard Walker	
D14		Peter Metelerkamp	
D15		Martin Rands	
D16		Mandy Rose	
D17		Emily Herbert	
D18	S	Andrew Clay	
D19		Amy Hutchings	
D20		Simon King	
D21		Anna Haydock-Wilson	
D22		Mark Deacon	
D23		Adam Cattle	
D24		Kathleen Woodhouse	
D25		Ed Roberts	
D26	S	Mark Ashdown	
D27		Angus Gregson	
D28		Nigel Cooke	
D29		Penny Russell	
D30		Cllr Ed Plowden	
D31		Rob Harding	
D32		Corinne Comrie	
D33		Peter Herridge	
D34		Yasmeen Ismail	
D35		Dominic	
D36	S	Anna Busko	
D37		Robin Woodford	
D38		Sonia Smale	

D39		Oli Timmins	
D40		Stephen Wickham	
D41		Jon Tearle	
		Questions	
Q1		Dan Ackroyd	

Dear Charlotte,

I see this matter is coming before the DCC B for a decision on 10 May. Looking at the current published documents, I still cannot see any report from the arb Officer. Was one ever produced? If so, may I see it please.

Looking at the revised proposed site and landscape plan - attached - it appears that the street tree, T1 will not now be replaced further up Berkeley Rd as was previously shown below. Is this correct?



If so, what compensation will be paid for its loss. When the tree was surveyed in October 2019, it had a stem diameter of 80 mm (8 cm). When I measured it again today it had not grown. Normally a healthy tree can be expected to put on around 2.5 cm a year in girth which means its DBH should be about 10 cm by now. However, given the insults it has suffered over the years for delivery vehicles etc making deliveries to the old Nailsea Electrical site, this is perhaps hardly surprising - it has had to have its rootball reset at least twice. These photographs, taken today, show the current sorry state of the tree

- <https://photos.app.goo.gl/1Ndb2rJsefsZWhfF8>.

In these circumstances, and even though it does not meet the threshold for replacement under DM17, the fact that it is a street tree, planted with sponsorship money, means that it really should be replaced with another street tree planted nearby.

We also note that the RPAs of trees T2 & T3 both fall within the proposed development area. What proposals have been made to protect these both during construction and thereafter? Also, tree T2 looks like it may be in conflict with the proposed off-street parking spaces. What steps will be taken to ensure that it is not damaged as a result? Assuming that the committee decides to grant this application then we ask that these matters will be dealt with by Condition.

Dear Development Management and Democratic Services - Please publish this email on the planning portal and place it, as our statement, before the committee when it meets on the 10th. We do not plan to attend to speak to it on the day.

Regards

Mark CD Ashdown

Chair - [Bristol Tree Forum](#)

Development Control Committee B – 10 May 2023

Application No. 21/03767/F : 102 Gloucester Road Bishopston Bristol BS7 8BN

I referred this application to be heard at Committee should it be recommended for approval by officers.

I wish to raise several issues about this below, and ask for your careful consideration for the following reasons:

- The application is in the Gloucester Rd Conservation Area and is a site with a previous permission recently gained by the same applicant still in place. It now seeks to build 17 flats where previously 9 had been approved just a year earlier following extensive negotiations. The 9 grew to 14 and then the total rose again to 17 units in the same site.
- There are residents' concerns regarding privacy due to proposed balconies overlooking the adjacent Bishopston Library flats. These need to be resolved.
- There are worries over parking, as this area has long been excluded from any parking management and is widely used by commuters, retail staff, high street customers, and for storage of additional cars from households within the RPS areas. The double yellow lines at the corner are widely abused and never enforced and create traffic dangers for those turning from Gloucester Road.
- I share concerns about overdevelopment being attempted and barely adequate space standards as a result. Instead of the previously and extensively negotiated 9 flat development we now have a 17 flat development with retail space on the same site and 13 are confined to single aspect homes.
- The proposal develops by two mature trees and a replacement tree sponsored by residents for one that was lost from the tree lined Berkeley Road. The sponsored tree has suffered extensive abuse by the outgoing business. All need to be either protected properly or the immature and damaged tree relocated as promised to a safe place. This isn't good enough otherwise.
- The site is adjacent to a very busy pavement constantly in use to access the busy Gloucester Road shops, neighbouring library, and this footway is in use day and night. If closed for the duration of the construction this would create hazards for residents young and old crisis-crossing the road next to a very busy crossroads - just to get around the corner. I don't believe this would be an acceptable situation to accept the convenience of the developer. I'd like to see safe pedestrian access maintained.

I wanted all these issues to be raised and adequately resolved by committee in the meeting so statements and concerns submitted by residents through the lengthy negotiations and any presented in person by those able to attend and have their say can be properly considered.

I urge committee to weight the many issues carefully and pay attention to residents' statements plus consider if conditions are good enough before considering the officer recommendation.

Cllr Martin Fodor



I am a resident of The Library Apartments and our apartment and balcony immediately adjoins the proposed development which will adversely affect all ten apartments here.

A site visit will show it is evident that there will be a substantial adverse impact on the amenity and enjoyment of our building and on the quality of life for all Library Apartment residents.

Has the planning officer made a personal site visit?

If not then there should be - we ask for that visit, and an adjournment.

The scale and extent of the plans would mean extensive overlooking into our homes, with a consequent lack of privacy and amenity.

Any windows terraces or balconies should have opaque glass

The development windows, terraces and balconies will be looking directly in to our sitting rooms, onto balconies, straight into our bedrooms.

The plans also allow looking into our apartments from other oblique and indirect vantages

The noise of a densely populated building so close will further erode the amenity. Directly opening windows and balconies adjoining would allow this noise to travel.

Sound insulation must be sufficient and proper consideration given to impact of so many more homes and people living in such close proximity.

MRS SUE WHALE

DR KATIE WHALE



We, Ben and Naomi Smith (of no. 4 Berkeley Road) are unable to attend the Appeal meeting in person, but wish the following comments to be considered by the committee:

We generally support the proposal for residential development of the former Nailsea Electrical site. We welcome the removal of a commercial presence on Berkeley Road, the reduction in balconies overlooking our back garden and others, the inclusion of a landscaped garden to the rear of the site and the addition of air-source heat pumps to power the properties.

However, as the closest neighbours to this proposed development, we are keen to ensure certain issues are properly addressed:

1. We feel the number of units is too high and constitutes overdevelopment (and have been professionally advised that this is the case). Seventeen separate units on this site has meant their footprints can meet only the minimum legal standard. How much better would it be to provide people with something more spacious and less claustrophobic? Is it really necessary to squeeze the maximum number of units into this space to make it financially viable? Does the committee genuinely feel this represents “best practice” for quality urban development in our city?

This number puts too great a demand on the current infrastructure specifically parking spaces. We appreciate the will of the council to reduce car use in the city, but if these really are “high-end” flats, they will inevitably draw residents who may use public transport but will also want the convenience of car ownership.

2. The landscaping at the front of the property is welcomed, but we would like to see as much landscaping and “greening” of the site as possible, and a written commitment to maintenance of this in perpetuity. And we see no reason why the tree on Berkeley Road in front of the development needs replacing now no access is needed for the rear of the site. It was paid for by the residents at the eastern end of Berkeley Rd.
3. The flats over the library are directly and closely overlooked... It’s regretful that the same architect who penned those living spaces now proposes a new development that will be very overbearing on the established residents.
4. We were informed by the developer last year that the pavement outside the site would be closed for the duration of construction – up to 2 years. This is unacceptable and we request that the developer find an alternative solution. We accept that it may need to close temporarily during certain periods for work on the pavement itself, but this should be kept to a minimum.
5. During construction, it is imperative that the working hours are considerate of the residential neighbours. Neither work, nor deliveries should begin before 8am and all activities should finish by 5pm. This needs to be documented and enforced. Some

residents of Berkeley Road are shift workers and some have small children.
Consideration must be made for the existing residents nearby.

Objection to Proposed Flats on the old Nailsea Elec Site

We are encouraged by the move from commercial to residential use of this space in order to maintain the residential character of Berkeley Road but have the following concerns and objections to the plans:

- 1) The lack of parking for the new residents and the inevitable increase in parking on the rest of Berkeley road which is already regularly overcrowded. Assuming one car per proposed bedroom, we could be looking at up to 18 new cars . The view that no parking is required to be provided as the flats are close to the Gloucester Road so people living there will get the bus everywhere, walk or cycle will be far from reality. This really means that the already overcrowded street parking on Berkeley Road will get a lot worse so please can one change the plans to put some parking in.
- 2) Currently there is customer parking spaces nearest the traffic lights which could be dangerous to access. If these are removed it will reduce the amount of parking on Berkeley Road even further so one needs to reconsider having parking within the plans.
- 3) The height of the new building which from the plans will be almost as tall as the existing church tower, well above the roof line of the church, dwarfing what is a listed and attractive feature of the road. It is proposed to be even higher than the new library flats. The overall feel of the 2 sets of flats will be very imposing for us who live nearby.
- 4) There is a lack of any soft landscaping to improve the residential feel of the place for the new residents and us existing neighbours
- 5) The proximity of the edge of the main block to our house (it is closer and much taller than the current brick building).
- 6) The very tightly packed nature of nine dwellings in a small space, in particular how their balconies interact with each other, plus how they overlook both the new library flats and the gardens of the houses at the bottom of Berkeley Road.
- 7) The ambiguous intentions for the commercial space at the bottom of the development. By infilling the entire existing yard, it will make for a large space, which is just described as "shop" on the drawings. The use of this space needs clarification because if it is a warehouse, this would require lorry deliveries which we have been promised will stop with this development. Could this ground floor space not be used for flats thereby rendering the top floor unnecessary?
- 8) This commercial ground floor structure is much taller than the existing wall between the driveway to 4a and the Nailsea boundary, meaning a much greater mass of structure in this space; without modification it will look imposing and unpleasant to those of us close to it.
- 9) The design drawings are either inaccurate or insufficiently thought through. It is, for instance, impossible to work out how Flat 1 which is at the front on the road can access its terrace, which is at the back and connected to Flat 2! Clear dimensions in the drawings are lacking, and there are no 3D views to help us visualise the ideas being presented.

Therefore please can the plans be changed to: -

- Make it a 3 storey (rather than 4 storey) development with improved soft landscaping between it and its immediate neighbours as well as improved attention to design detail so it is more sympathetic to the Victorian architecture that surrounds it.
- The number of flats needs to be reduced to better suit the footprint of the building and to reduce the number of potential cars on Berkeley Road.

- There should not be balconies looking directly onto Berkeley Road, nor onto the gardens of the houses it neighbours.
- The height of the ground floor development needs to be reduced so as to make it less imposing for us next door at 4 and 4A.
- There must be some parking provided.

From Jon and Liz Mackley

Dear Planning Committee

The developers' description of this site as a 'sustainable location' (ie one that requires no parking provision) is disingenuous. While there are indeed bus stops and local stations within walking distance of the site, unless the inhabitants work at Cribbs or in the Centre, never go anywhere else, and are prepared to deal with the city's lamentably unreliable public transport system, there will be around 30 new cars parking in Berkeley Road (assuming that the flats will be priced at a level that requires a mortgage serviced by two incomes). The pressures on on-street parking in Berkeley Road are already intense, leading several residents to turn their front gardens into car parks, further reducing the on-street parking, wildlife and soak away on the road, and should you green light this proposal, this trend will intensify. For the most part, at the moment the residents, shoppers and workers manage to make the parking work -just- but there are moments when perfectly legitimate parking - and some not quite so legal - means that HGVs have to reverse back up the hill. Rather less frequent are the 'stand offs' where drivers are not able to pass each other on the hill. The air quality at the junction is appalling. With a primary school and a nursery at the top of Berkeley Road, and the children attending Cotham and Redland Green using it as their main route to school, I would question the use of the word 'sustainable'. It's just another example of developers using a greenwashing agenda to squeeze every last penny from a project. I have never seen a traffic warden in Berkeley Road, and nor are there any plans to introduce an RPZ, so if you accept this proposal, you are building in a number of problems which you clearly have no intention of addressing, now or in the foreseeable future.

Please say no, and ask the developers to make a sensible and sustainable parking provision for their development.

Yours faithfully

Helen Marsden

Dear Democratic Services Team,

I would like to be present and read the following statement at tomorrow's planning meeting.

'I live on Berkeley Road. I don't object in principle to this development for housing and I think the original proposal for 9 flats with parking perfectly acceptable. However the increase from 9 to 17 flats and the lack of parking creates a lot of problems.

Parking is the main issue. Berkeley Road is just outside an existing RPZ and so is already heavily used by both commuter and Gloucester Road shoppers. It is already difficult for residents to park and those with drives often find them blocked or encroached. This development will make matters worse. Regardless of available public transport links, it is inevitable that many of the new residents will have cars. These will add to the parking problems, which in turn will add to the congestion on this already very busy rat run.

Congested parking on Berkeley Road already poses safety risks, e.g. obstructed visibility when driving onto the road from a driveway and speeding motorists trying to beat each other to a gap in the road.'

End of statement.

Regards,

Christine and Gerard Duffy

Dear Sirs

I write with reference to application no 21/03767/F and I set out below brief comments to be considered by Development

Control Committee B at its meeting on Wednesday 10 May 2023 in lieu of my attendance in person. I am resident at 6 Berkeley Road, in the vicinity of the site.

1) Pursuant to my original, comprehensive comments, I welcome residential development of the site in principle (as opposed to commercial). However the Southwood aspect is too large for the site, amounting to overdevelopment, to the detriment of near neighbours.

2) The above issue may be ameliorated to a degree by effective soft landscaping along the Westerly edge of the site at the boundary of 4 Berkeley road. The developer has already intimated that this is acceptable, so it is frustrating that this has been removed from the latest plans.

3) A previous iteration of the plans included a large tree in the Southerly garden of the development which has also now been "value engineered" out of the plans. This would make a big difference and I ask the committee to ensure it, along with better soft landscaping generally on the North, West and South aspects be included as conditions in any consent.

4) The Library development adjacent to the site included a tree as part of its planning consent. The tree has never materialised. It is vital that this type of detail is included explicitly and enforced in this new development as it makes a big difference to near neighbours and assists in the City's aims for carbon reduction generally.

Best regards

Jonathan Kittow

102 Gloucester Road, Bishopston, Bristol BS7 8BN

Having lived on Berkeley Road for over fifty years, the problems with traffic density, speeding, parking and pollution has just continued to get worse and worse. Getting up and down Berkeley Road from the junction outside the proposed development is bad at the best of times but will only deteriorate further if this new development is approved.

We strongly oppose this development due to it adversely impacting the quality of life of those living nearby.

A & P Holmes

Capricorn Quay – 22/06080/FB

10th May 2023 - Bristol City Council Development Control Committee B –
Written Statement

Members,

Thank you for the opportunity to submit this statement. I am Sally Davis from Avison Young and the planning consultant for this application which seeks to provide a mooring facility within Bristol's Floating Harbour and a single storey facilities building. The application also seeks to introduce floating reed beds to provide valuable ecological habitat and biodiversity net gain within the Harbour.

Bristol City Council wish to introduce the proposed mooring facilities to significantly improve the Floating Harbour's declining infrastructure and create income which will fund other improvements, both on the Harbour Quayside and on the water. The proposals will help to create sustainable income growth for the Harbour, while also upgrading its boating facilities in line with those which can be readily found in other locations. In turn, this will contribute to the Floating Harbour's, and by extension Bristol's, role as a vibrant economic and cultural hub and tourist attraction. Given the Harbour's historic and ongoing maritime role, the proposed pontoon is entirely in keeping with its location and the heritage of the area.

Policies BCS2 and BCAP41 of the Development Plan are clear that Bristol City Centre should be promoted and maintained as a regional focus for leisure and water related recreational facilities and activities. BCAP41 particularly seeks to enhance the Harbourside and Floating Harbour's role as an informal leisure destination, detailing that the Harbourside should act as a focus for water-based recreation and accommodate additional vessel moorings. In line with the above policies, this application will create additional boat moorings and additional revenue, which in turn will maintain and enhance the Floating Harbour and Harbourside's focus as a place for leisure and water related recreational facilities and activities. The principle of providing a pontoon in this location is supported by adopted planning policy.

This application has been prepared alongside pre-application engagement with the Local Planning Authority who confirmed that the principle of the development was acceptable, subject to amendment to address consultee comments regarding impacts to surrounding heritage assets and the operation of existing uses throughout the harbour, including the dry dock to the south. The scheme has consequently been amended in line with these recommendations. The constructed pontoon will be towed up the harbour to Capricorn Quay to minimise disruption during construction and the existing operations within the Harbour will be maintained by considered placement and ability to move the pontoon if access to the dry dock is required. Several drop-in sessions were also held with local residents where they were provided with illustrations of the scheme prior to submission and comments received have informed the contents of the submitted Management Plan.

Throughout the application process we have also responded to Officers quickly with amendments and clarification where needed, and we are pleased that the application is before you with an Officer recommendation for approval.

-
- The scheme has been amended both before and during the application process to reduce Officer concern regarding impacts to the Conservation Area and other heritage assets such as the SS Great Britain, and we note that BCC Urban Design and Conservation Officers do not object to the proposals.
 - Our submission, including additional information during the course of the application, demonstrates that the proposals will not adversely impact the amenity of surrounding residents including through pollution, noise or crime. As such, Pollution, Crime and Air Quality consultees consequently do not object to the scheme subject to appropriate conditions, including adherence to the submitted Management Plan.
 - Given the location of the proposals, no adverse impact will occur to the highway or walking routes around the harbourside and the Site is well connected to public transport routes. As such, BCC's Highway Authority have no objections to the application subject to appropriate conditions such as provision of a waste management plan.
 - The proposed mooring facility will be connected to the Harbourside by a new ramp and will complement existing accessible facilities at the adjacent Brunel Quay which will remain available to visiting boaters with specific accessibility needs.
 - The proposal will secure valuable ecological habitat in an area of the Floating Harbour which offers little in the way of provision currently, resulting in biodiversity net gain overall.

In light of the above, this proposal is a well-considered, policy-compliant scheme which will contribute to the vibrancy of Bristol and the ongoing funding, management and provision of water-related leisure facilities offered along the Floating Harbour. BCC Officers and other external consultees do not object to the proposal, and I urge Members to agree with the Officer's recommendation and approve this application.

Thank you.

Planning Application No.22/06080/FB

Having read through the above application I wish to confirm my objection to the proposed Marina development. This cuts across the original planning consent for Capricorn Place which was based on, amongst other things, open views across the harbour to the SS Great Britain site. Despite the passage of time, this concept should be honoured.

The proximity of my property to the proposed moorings (I am on the ground floor/ base level of Capricorn Place) means potential loss of privacy inwards and outwards i.e, boat crews will be able to see in (depending on the size of boat and cockpit design) and conversely I will be able to see activity on the boats whether I like it or not.

There is potential for unacceptable levels of noise, particularly from the clanging of the access gate and wind induced rigging (frapping?) noise, even in light breezes at any time of day or night.

There does not appear to be any controls proposed to safeguard air quality from engine fumes which is a concern as I have an air circulation system which draws clean air from the harbour side of Capricorn place.

If demand for leisure moorings is there, (I assume this has been validated) all berths will be regularly occupied. Making an assumption that the average crew per boat is three, this means a total complement of 102 (34 X 3) boaters wishing to use washroom/toilet facilities Two shower cubicles for females and two for men are shown on the plan Will this be sufficient? Will they be attended on a daily basis?

John Whalley

Dave Hopkin

Introduction

My overriding objection to the proposed development is based on a misrepresentation of the area in the planning proposal. Although it claims to recognise that the area has a residential component, it appears to minimise the significance of this aspect and fails to recognise that the impact of the development will be almost entirely felt by the residents living 5 metres away from it, rather than by the commercial components cited nearby. This imbalance in perspective, with the significant number of objections raised being dismissed, has, I believe, resulted in a proposal that may be valid in a purely commercial/leisure environment but not in the context in which it will be situated. The main issues for me which have not been fully addressed are those relating to the visual impact of the vessels, the increase in noise and the impact on air and water pollution.

Visual impact and noise

My concern is that the proposal has deliberately minimised the visual impact of the vessels and the noise that they will generate. Visual representations provided misleadingly only show 3 vessels, rather than the 34 that could be moored and so it fails to show the cumulative obstruction that masts and rigging will have, especially from ground level and from the gardens of Capricorn Place. I dispute the claim that 34 boats will “not obscure key views throughout the Floating Harbour or further beyond it”. Previous planning rules that prevented any visual obstruction to the SS Great Britain seem to have been ignored, suggesting that any further proposals to develop the area, including any construction within the gardens of Capricorn Place, would also not have to comply with that rule.

Similarly, the considerable noise that masts and rigging of 34 boats would generate has not been recognised within the report. This would add to the already considerable noise generated by the heavy volume of traffic and emergency vehicle sirens that currently affect residents. No evidence-based research has been provided to support the view that planned strategies will mitigate such noise and a visit to any site similarly situated in an area exposed frequently to high winds that moors a similar number of vessels would support my view.

Air and water pollution

I also remain unconvinced that the concerns of residents about air and water pollution have been addressed sufficiently. The report lacks any system of monitoring the behaviours of boat owners (CCTV is almost always retrospective and will not identify fuel spillage and improper waste disposal) and seems to assume naively that owners will automatically adhere to the rules set for them. The provision of electricity for boat owners to use whilst moored at the site, for example, does not in itself guarantee that diesel engines will not be run. The report itself acknowledges that the electricity supply will “**mostly** negate” the running of diesel engines which seems to suggest an acceptance that some pollution will occur.

It seems contradictory to me to introduce new potential threats to water and air pollution at a time when the area has become a Clean Air Zone and that open water swimming has been

introduced to the river. Decisions taken should consolidate and strengthen such initiatives, rather than risk reducing their benefits to local residents.

Fire risk

Finally, the light of the recent fire at the Ship Yard, I would urge you to delay any decision about the proposal until the result of the investigation in to its causes has been published. Regardless of recent events, I feel that the proposal should include a fire risk assessment, considering that Capricorn Place apartments are only 5 metres away from the development. This is imperative within the current national focus on minimising risk to apartment blocks through fire.

Frazer Bridgeford

**Statement for Development Control B Committee 10th May Meeting
Item 14c 22/06080/FB - Capricorn Place**

Context

This planning application is for a major marina development in a residential area, with moorings for 34 boats. Porto Quay is unmistakably a residential environment and has a very pleasant amenity which is greatly valued by residents and visitors alike.

The marina will generate excessive disturbing noise on a regular basis.

The development is within 5 metres of our home. The height of masts on yachts will reach to the level of the ceilings in 3rd floor flats impacting 90% of our flats.

No dialogue has taken place with residents to address our concerns about the development or ongoing management of the marina. Dialogue has only been between council officers.

A very significant number of 35 objections have been lodged. Capricorn Place consists of 43 homes.

There have been **no supporting comments** for this development. This is very surprising as you might expect that the reported 300+ people on the waiting list for a berth might like to support a development such as this.

A “Living on board” category for leisure berths is being developed that will allow extended occupation of boats within the harbour.

This development does not conform to policies BCC planning policies BCS21, BCS23, CACA or the planning permission that was originally given for the Capricorn Place development.

This planning application should be rejected.

Noise

Noise will be generated from rigging on yachts, pontoons, engine noise and people on board boats.

A high level of rigging noise will be a regular occurrence. This can be demonstrated by the regularity that the SS Great Britain takes down its flags during frequent high winds that we observe from our homes. With climate change these occurrences are becoming more regular.

During the consultation process it was claimed that the reed beds would help reduce the level of noise from the pontoons and associated craft. In the first instance, this is an

admission that it will be a noisy environment. There is however **no evidence whatsoever** that the reed beds will reduce the level of noise. It is a false claim.

There has been no environmental noise impact assessment or acoustic analysis done. One would expect with a development of this scale that one should have been carried out. Referencing impact assessments on other similar sites it is highly likely that such an assessment would show that the level of noise would be unacceptable for a residential environment.

Pollution Control raised issues that have not been resolved, questioning:

“What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners? Is someone on duty 24/7 who would be able to witness/deal with any issues?”.

This has not been answered.

Bristol Docks Mooring Policy stated that “Noise may be a factor in the proposed use of vessels, therefore again locations must not detrimentally affect any nearby residential amenity”. This development goes against that policy.

BCS21 adherence.

It is evident that the officer’s opinion that the development accords with the requirement of policy BCS21 to safeguard the amenity of existing developments is **incorrect**.

This development and its associated noise will be within 5m of our flats. It certainly does **not** safeguard the existing amenity of our homes.

To quote the policy:

“Safeguard the amenity of existing development and create a high-quality environment for future occupiers.”

The policy also states that one of the key issues that needs to be addressed is:

“Reducing pollution throughout the city and improving air and water quality, noise and light pollution particularly in the inner city and within the Air Quality Management Areas”.

And that:

“A high-quality built environment should consider the amenity of both existing and future development. Consideration should be given to matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Development should also take account of local climatic conditions.

These conditions are not met with this development. This development does none of the above.

BCS23 adherence

The officer fails to mention Policy BCS23 at all, which states:

“Development should be sited and designed in a way as to avoid adversely impacting upon: Environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution...”

And that:

“The impact of the new development should take account of the viability of existing uses by reason of its sensitivity to noise or other pollution”.

This development with its associated sources of noise and air pollution clearly **does not** conform to this policy.

Conservation Area Character Appraisal

Although Capricorn is a recent development, the Conservation Area Character Appraisal lists Capricorn Place as character building within the conservation area, which in the words of the CACA:

(Character buildings) “...make a positive contribution to the overall character and sense of place of the Conservation Area. Their value is in their overall scale, form, materials, or date, which helps form the built backcloth for the area”.

This key planning document also mentions: “Protecting key views and key panoramas in future development.”

The Urban Design officer has noted that “that the development proposals cause harm” which is at odds with the claim that Urban Design and Conservation did not have issues with the proposals.

This development therefore does not conform to the requirements outlined in the CACA.

Nonadherence to planning permission granted for Capricorn Place.

This development neither makes a positive contribution nor protects key views. The carefully designed scale and context of Capricorn Place will be overwhelmed by the proposed marina. This new development be contrary to the planning permission given to Capricorn Place. The setting and form that was developed to support the location will not be adhered to.

Transport

There is no provision for disabled access or facilities provided at this development. Although City Transport have cited that the area “is sufficiently protected to prevent fly-servicing”, as residents, we know this not to be the case as when the Balmoral was moored to the west of Capricorn Place, vehicles were regularly parked on the harbour walkway.

This is at odds with their assertion that the area is “sufficiently protected”.

Maintenance of reed beds

Urban design asked the question:

“Are there sufficient maintenance provisions for the proposed reed beds?”

It is evident with only 3 litter picks planned in 12 months that this is not the case. The reedbeds will become an eyesore and be detrimental to the area. This is evidenced by the neglect that the existing reed beds further along the harbour at The Crescent.

Justification of development

There is no clear and compelling justification for this development as claimed. When asked for details at Cabinet on the costs versus income for the proposal no detail was forthcoming.

There is no robust business plan that details a return on investment for the £1,000,000+ of residents’ money to be invested in this venture.

Creating an additional income stream for Bristol City Council is not a compelling justification.

Conditions for development.

A condition has been inserted to address part of our concerns on pollution with the development in that:

“There shall be no burning of solid fuels for heating at any time by boats within the Capricorn Quay Pontoon.”

There is however no condition that this should be policed and adhered to other than by the signing of a ‘mooring agreement’. This is insufficient.

Construction method

It has been highlighted that the proposed method of construction of the pontoons does not meet RYA standards due to the location of the pontoons at the end of a long reach of water with the associated wave heights. This has not been addressed.

I called this application to committee primarily to enable concerned residents to have their say directly on a matter which directly impacted them. The concerns that residents of Capricorn Place contacted me about include:

- That the design of the proposed pontoon system is inappropriate for a heritage area, as it will obscure the public sightline from Hotwell Road and the promenade towards the SS Great Britain and Albion dockyard.
- Unacceptable levels of noise created by engines, wind and wave-induced movement of boats, rigging, and walkways as well as potentially noisy parties caused by users of the leisure moorings.
- Increases in air pollution in the area from engine fumes and solid fuel usage, especially considering the already dangerous levels of air pollution along Hotwell Road. This is particularly concerning to residents of the abutting Capricorn Place, who rely on air circulation systems which draw in air from the harbourside of the development.
- Concerns that the proposed reedbeds will not be maintained adequately in the long-term due to costs and the difficulty of removing litter from them on a regular basis, potentially creating a public eyesore.

I was relieved to hear from Avison Young their commitment to a maintenance plan which would ensure funding for the reed beds in perpetuity; it is important that the Committee considers whether this plan is adequate and will not leave Bristol City Council landed with the maintenance in the future. I was also pleased to hear that resident requests for additional CCTV will be honoured, and that the use of solid fuel will be prohibited.

Nonetheless, the concerns raised by residents merited a fuller discussion of the application. Additionally, if we are to build sustainable and inclusive developments in our city that will last into the future, this must come with opportunities for community engagement with the decision making. It would not be a conscionable path to not permit residents to make their concerns heard directly at planning committee, in their own words.

Wider opinion on these proposals is mixed: the Bristol boat-dwelling and harbour community is broadly supportive for instance, although they are concerned that these facilities will be too exclusive and available only to leisure users. I therefore ask for DCB Committee to fully take into account the feelings and submissions of residents and the long-term prospects of this proposed development when making its decision.

Many thanks,

Patrick McAllister

Councillor for Hotwells & Harbourside

Nick Carter

Sir/madam

Having lived in Brighton marina for a year, I can testify that the noise and clamour from rigging of sailing boats causes an excessive cacophony especially for a residential area. Even in the mildest of breezes, the unimpeded winds in Bristol harbour will cause constant movement of vessels against pontoons, adding to the noise. (It was not the idyl that I expected and I was forced to move due to the excessive noise)

For most residents adjacent to the proposed commercial development scheme, the vessels moored there will be mere feet away from bedroom windows.

Submitting this to the residents of Capricorn place that live here for the views and peaceful location is without consideration and empathy. The noise level will be totally unacceptable for a residential area.

All this upheaval and interruption of the residents enjoyment of their properties for the sake of a theoretical and unfounded income for Bristol county council is also unacceptable. We already pay a higher council tax because of the location and views, the council cannot have their cake and eat it.

I may add that the proposal is at odds with bcc's very own BCS 21 to wit section 4.21.13 privacy. This major development does not take into consideration the amenity of our existing development. The occupants of the boats will have direct views into the apartments of Capricorn place.

I am providing a statement below for the meeting and would like to speak to it.

Kind regards

Alison Hope

Statement for Development Control B Committee 10th May Meeting Item 14c 22/06080/FB - Capricorn Place

I am devastated to hear about this proposal

1. The pontoon will be less than six meters from my home. At present the property has an uninterrupted outlook across to the SS Great Britain and harbour and this is the main reason for living at Capricorn Place. Given the size of boats suggested, it is more than likely that many will have up to 12m masts. The plans indicate that twelve boats could moor directly in front of my flat, so that means that I might have up to twelve masts interrupting my view. This would be similar to having 12 lampposts in the fore view.
2. Moored boats make a lot of noise, especially in wind. The prevailing winds funnel through the harbour at this location. I am an experienced sailor and had many a sleepless night on while moored alongside a pontoon, due to the noise of clanging masts, booms and rigging. 30+ boats would create an unacceptable level of disturbance.
3. I believe that we will be disturbed by engine noise and by noise created by boat users, who will generally be visitors coming to enjoy the city rather than serious sailors. At present all commercial party boats in the harbour have stop by 10.30. However, moored boat crews could end up partying, playing music through the night, almost certainly on deck in good weather. The sound carries clearly across the harbour, so it will affect my quality of life but also many others further away.
4. I am deeply concerned about the pollution effects, particularly air pollution from wood and solid fuel stoves and fumes which although prohibited, will not be monitored. This would travel straight into our home. The increase in boat traffic will also cause diesel pollution.
5. Finally, while the idea of reed beds sounds attractive, the proposal does not indicate how they will be maintained and in particular, kept free from rubbish which will naturally collect. I believe they will become an eyesore and a health hazard.



Service Director
 Legal Services
 c/o The Democratic Services Team
 City Hall
 College Green
 Bristol, BS3 9FS

By email only -democratic.services@bristol.gov.uk

8 May 2023

Dear Sirs

Urgent- 9 May Deadline
Capricorn Place Pontoon
Statement in relation to planning application 22/06080/FB

My wife and I own the ground floor flat at 26 Capricorn Place, Bristol. We hope that this letter can be added to the significant number of objections that have been lodged in response to the above referenced planning application.

In summary I say that

- Bristol City Council (**BCC**) have allowed self-interest to colour their analysis of this planning application.
- That has led BCC to fail to properly interpret and apply the Policies and legislation that has been quoted in the Officers Report.
- In particular there has been too much emphasis on the pontoons being at low level without properly considering the impact of 34 high masts on the public's view of the conservation area and upon the "amenity" enjoyed by the owners of flats in Capricorn Place.

Am I right in understanding that on 10 May 2023 BCC will effectively rule on the planning application that has effectively been lodged by BCC? If I am right in that regard then can I ask what steps have been taken to ensure that the application is assessed fairly and objectively?

The reason I start by questioning the objectivity that has been applied in the Officers Report is that many of the statements in the Officers Report seem to fly in the face of any objective analysis.

So when it is said that "*No objections to the proposal have been raised by Council Officers.....*" Is that in any way surprising? Were BCC's Council Officers ever likely to object to their own proposals?

This lack of objectivity continues with the Officers Report on Policy BCAP9. It is said that "*Existing cultural, tourist and water-based recreation facilities should beenhanced where possible unless appropriate replacement facilities are provided in a suitable alternative location.*" So that begs the question of what efforts were made to identify and assess the viability of an "*alternative location*"? Are we not entitled to know what alternative locations were considered and whether any of those alternative locations could have been developed without affecting "*the setting of a conservation area*"...?

A further illustration of the lack of objectivity arises in the context of the comments on Policy BCS22. That policy is said to require "*development proposals to safeguard or enhancethe character and setting of areas of acknowledged importance*" (my emphasis)". How can it be fairly asserted that

allowing up to 34 tall masts to block the cross harbour view provides a safeguard or enhancement to *"the character and setting"* of the conservation area?

Likewise in relation to Policy DM31. We are reminded that *"development within or which would affect the setting of a conservation area will be expected to preserve or...enhance those elements which contribute to their special character or appearance"*. The elements must surely include the view which will be obstructed by up to 34 sets of masts and rigging. The only thing that is *"enhanced"* if this planning application is allowed is BCC's ability to maximise their income from mooring fees!

A similar point arises in relation to the comments made about the relevant sections of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). We are reminded that Section 72 required that BCC *"must also pay special attention to the desirability of preserving or enhancing the character or appearance of that area."*

Even though Section 72 refers to *"must"* and *"special attention"* the Officers Report does nothing to explain how this mandatory requirement to pay *"special attention"* has been dealt with. Instead the Officers Report treats us to a discussion about the technical meaning of a *"heritage asset"*.

What makes the failing to address the mandatory requirement in Section 72 all the more surprising is that the Officers Report acknowledges that the Heritage Statement accepts that the proposal *"will result in a change to the character and appearance of the City Docks Conservation Area and to the setting of nearby heritage assets."* However the point is *"brushed off"* because BCC does not consider the proposal *"to amount to any harm to the historicsettingof the designated heritage assets detailed above."* But is no harm the test set out in Section 72? Is it not accepted that Section 72 requires that the *"the character or appearance"* of the area is preserved or enhanced?

In my respectful submission the Officers Report has tried to steer away from the obvious problems here by asserting that the pontoon will be a *"low rise feature....which...will not obscure key views throughout the Floating Harbour..."*. I can quite see that the problem is not the pontoon per se. The problem is the masts for those vessels using the pontoons.

As to the masts it is noted that the Officers Report says *"... it is not considered that the presence of any masts or rigging from any moored vessels in this location will significantly restrict views across the harbour when viewed from the elevated walkway or flats adjacent to the proposal site."* What is the basis of that assertion? How many flats at Capricorn Place has the Officer visited? If the masts are as high as those shown on page 19 of the Officers Report then I would estimate that the *"elevated walkway"* and the flats on the first 3 floors of Capricorn Place will all have their views *"significantly"* restricted.

Finally we are reminded that BCS21 requires that proposals are expected to safeguard the amenity of existing development. Bearing in mind my comments about the impact of the masts how does BCC think that these proposals *"safeguard the amenity of existing development"*?

In summary it seems to me that BCC have abandoned any intent to be fair and objective in their assessment of their proposal. It seems to me that BCC have instead decided that their ability to maximise their mooring fee income will be best achieved by siting new moorings alongside Capricorn Quay and thereby taking advantage of views which the council tax payers in flats in Capricorn Place paid a premium price to enjoy.

I am afraid that I cannot attend the meeting on 10 May 2023 but if I can provide any further info then please email me on ian.d.peacock@btinternet.com or call me on 07530 727383.

Yours sincerely

Lynda Thomas
Application No: 22/06080/FB

As the owner of 22 Capricorn Place I would like the Development Committee to consider this statement regarding material considerations re the proposed development of 17 perpendicular finger pontoons, amenities buildings etc at Porto Quay. This is a major marina development being considered in a residential environment.

Firstly there has been NO dialogue with residents to address our 35 objections, just random extracts addressed in your report.

There is no infrastructure to deal with how the pontoon will be managed or how harbour regulations will be adhered to except a signed mooring licence agreement. Who, when and how will these rules and regulations be monitored eg general increased noise, anti social behaviour, rigging noise, pollution etc?

There has been no objection from the Council's Air Quality Officer, which seems strange as air pollution is the largest environmental risk to public health and Anchor Road exceeds the legal limit of 40 $\mu\text{g}/\text{m}^3$. In 2022, from Anchor Road to CAZ Lamppost it was recorded as 42.682 $\mu\text{g}/\text{m}^3$ (Count 9). Certainly the air quality from 34 yacht's diesel engines will increase this figure. Capricorn Place relies on an air circulation system that draws in air from the harbourside.

In your recommendations you state when yachts are moored they can attach to the power supply from the pontoon for power and this will negate the need for diesel engines to be run – that is true, but they could also use their generators instead, which can be noisy. However yachts need their engines to moor and depart, and they need to let engines idle so oil can circulate throughout the engine for a period of time particularly after mooring or they won't restart. Surely Air Quality needs to reassess these issues?

Noise levels could exceed the maximum acceptable level of 30 dBA for a bedroom and 55 dBA for outdoor living areas. Noise levels from engines, generators, halyards slapping, pontoons, people chatting/laughing, loud music will regularly exceed these acceptable levels. Some of the apartments have bedrooms close to and balconies close to the harbour wall walkway and are only circa 7 metres away from the river wall. This level of intrusive noise will be unacceptable and an assessment should be carried out to determine the level of impact to residents.

The majority of visiting boats will generally be pre 2018 when black water tanks were not compulsory. Older yachts have Elsan toilets. Will the waste management facilities at the Elsan point be checked and emptied regularly? Generally a 20 litre tank provides enough capacity for 2 people for 2 days, therefore the Elsan point will need constant up keep to accommodate 34 yachts with the possible influx of >200 visitors.

Certainly the residential amenity and living conditions of Capricorn Place will be severely compromised. This development does not comply with the requirements of BCS21 and a different location should be sought.

Steve Carpenter

Statement against Application No: 22/06080/FB

“My apartment is around 6 metres from the planned Marina development with two bedrooms, a dining area and front room as well as my balcony all being in direct view from the proposed pontoons. I fail to see why the 21 metre amenity and privacy planning rule has not been applied in this situation with boat owners sitting on their boats all having direct views into my property.

The environmental impact from both noise and pollution will mean I will be unable to leave my windows open due to the noise from clattering masts and the noise and fumes from engines running whilst boat owners charge their batteries. Engine fumes will directly affect the air circulation system which all Capricorn Place apartments use.

I have a concern that boats will be used for parties/entertaining friends which will mean that all flats will again be disturbed by these thoughtless people partying through the night.

The lack of any waste management plan with a toilet block and Elson point and the inevitable amount of rubbish from 36 boats is also of great concern with the smell and potential for overflowing bins less than 30 meters away.”

Dear Service Director

I object to planning application 22/06089/FB for a major marina development in front of my home, Capricorn Place (CP).

My basis for objection is as follows:

- this development is within 5 metres of my home and will disrupt the view I currently have of the SS Great Britain. The original design of CP was to allow open vistas to the SS Great Britain.
- it will bring with it addition noise from masts, anti-social behaviour, crew, music, which disrupts the current quietness we experience at CP.
- you have put in place a clean air zone in Bristol which we are in yet you are considering installing 34 moorings which brings with it the associated pollution of engines, solid fuel and wood burning stoves - how does that make any sense?
- the moorings would be an unsustainable development and a visual intrusion in this heritage area.

Please consider all these factors when making your decisions and have a real think how you would feel if you were to have 34 moorings installed right outside your door.

Please confirm receipt of my email.

Kind regards

Angela Curnock

I moved home to Capricorn Place when the apartments were built in 2003 and have lived here ever since. It is my dream retirement home overlooking the Harbourside across to the SS Great Britain. I knew when I moved in that being on the waterfront, no one would ever be able to build in front of me and spoil the view. Now BCC plan a large Marina development right in front of Capricorn Place.

My major objection to the development of the Marina, which has not been addressed in any way during the so called Consultation process, regards Fumes and Noise.

Capricorn Place lies within the Clean Air Zone (CAZ) which recently became operative in Bristol.

Several residents of Capricorn Place have recently had to spend Thousands of Pounds to replace their cars to conform with the CAZ restrictions. Yet less than 1 year after its introduction, BCC now invites up to 34 boats - usually with the oldest and dirtiest diesel engines - to enter the CAZ.

Will the boat owners be charged £9/day ? and if not, What is the point of the CAZ ?

I raised this in writing during Consultation, but it has not been addressed in any way by the Planning Officer in his recommendation to grant permission.

If Consultation is to mean anything, this question needs to be answered.

Additionally, wood burners and solid fuel stoves should be totally banned, not only for heating, but for any use whatsoever.

With respect to NOISE : Quite apart from 34 boats mooring and leaving the development at all hours of day and night - the tides on the Bristol Channel determine when boats arrive and leave - there is the likelihood of on board parties, late night drinking immediately outside our windows, The sound of rigging and lanyards flapping against aluminium masts when we regularly have a South Westerly wind up the Bristol Channel will keep people awake at night. I have experienced it on board a yacht, so believe me, it is annoying.

The great danger of people in nice apartments complaining about Revellers outside their windows is that it just comes across as NIMBYism.

I understand the need to increase the Income of the Docks to support the running expenses.

It is the siting which I believe is wrong.

How about siting the Pontoons by the M Shed cranes which is on a wider stretch of the Harbour and is not a residential area.

It would allow easy access to the City Centre for boat users who would spend more in local businesses and would not be a disturbance to any residents.

Again, I raised this alternative in Consultation, but it has not been addressed by the Planning Officer.

Finally. The Planning Officer reports that there is plenty of Parking for Boat owners cars at Mardyke steps Public Car Park.

This is factually incorrect, quite apart from the fact that it is 200 metres from the proposed Marina.

In fact, there are 9 Parking Places at Mardyke steps and these are invariably full.

There is no suitable parking adjacent to the proposed development from which boat owners can replenish stocks on board.

I plan to attend the Planning Committee meeting on 10th May and intend to speak on this proposal.

Gordon Bottoms

Dear Service Director

I object to planning application 22/06089/FB for a major marina development in front of my home, Capricorn Place (CP).

My basis for objection is as follows:

- this development is within 5 metres of my home and will disrupt the view I currently have of the SS Great Britain. The original design of Capricorn Place was to allow open vistas to the SS Great Britain.
- it will bring with it addition noise from masts, anti-social behaviour, crew, music, which disrupts the current quietness we experience at CP.
- you have put in place a clean air zone in Bristol which we are in yet you are considering installing 34 moorings which brings with it the associated pollution of engines, solid fuel and wood burning stoves
- how does that make any sense?
- the moorings would be an unsustainable development and a visual intrusion in this heritage area.

Please consider all these factors when making your decisions and have a real think how you would feel if you were to have 34 moorings installed right outside your door.

Please confirm receipt of my email.

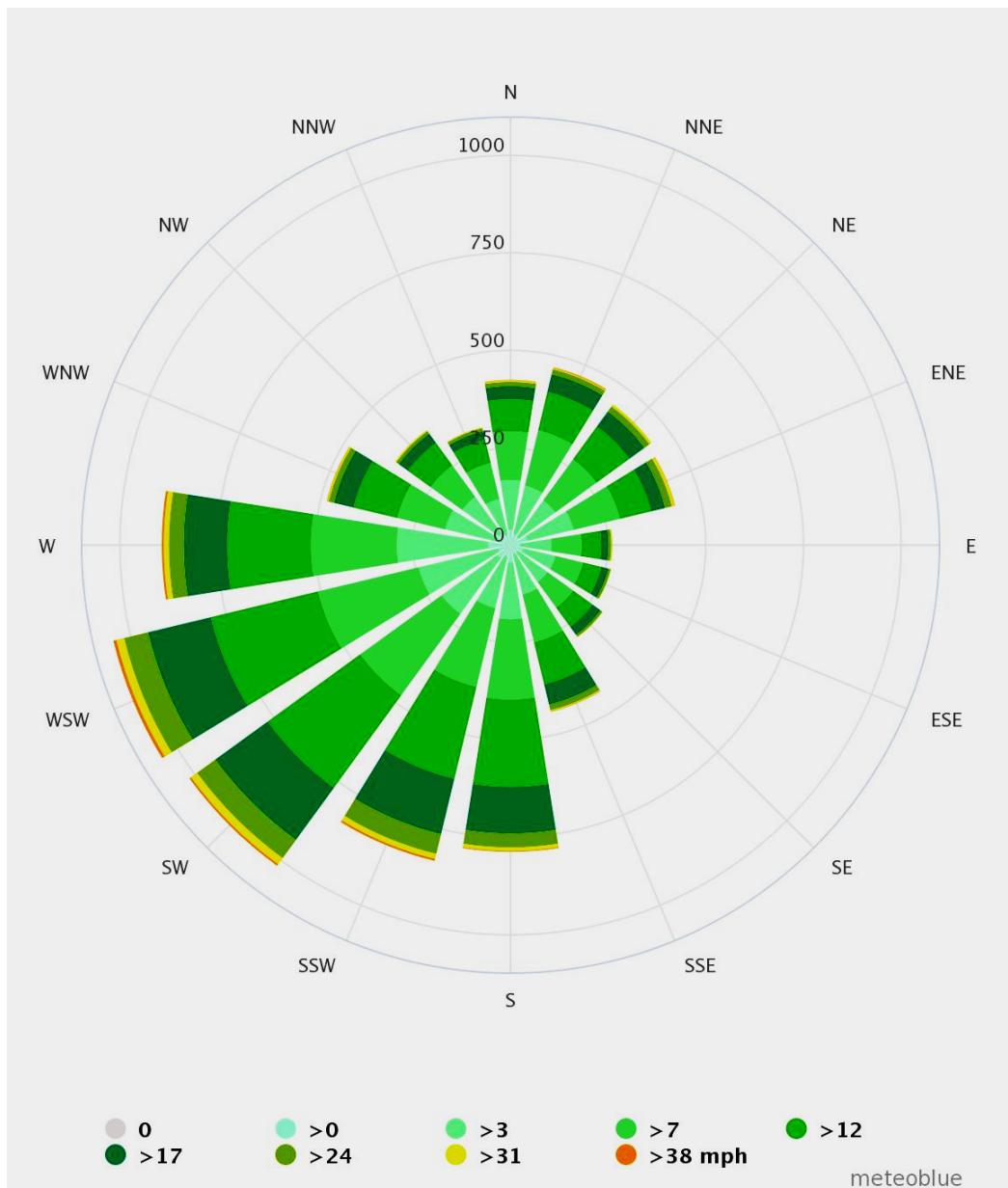
Kind regards

Ian Curnock

Proposed Marina Capricorn Place



Source: [Simulated historical climate & weather data for Bristol - meteoblue](#)



The wind rose for Bristol shows how many hours per year the wind blows from the indicated direction. Example SW: Wind is blowing from South-West (SW) to North-East (NE).about 1000 hrs/year. Note >38mph means greater than.

1. <https://youtu.be/a51qb8axAN4>
2. <https://m.facebook.com/groups/23614742012/permalink/10159509934107013/>
3. <https://m.facebook.com/groups/23614742012/permalink/10158480058442013/>

ENVIRONMENT

At about wind speeds of 20 mph , classified as a Fresh Breeze, small trees begin to sway. About 40 mph the wind will be classified as a Strong to Severe Gale, structural damage will feature such as removing chimney pots and slates from roof tops. The wind across the whole range will be typically very unstable and will contain considerably higher gusts. The unstable winds will be added to by the influence of the local terrain and buildings in particular will funnel the wind down the fetch from Underfall Yard to Capricorn Place creating a Gunbarrel effect . Winds with all these characteristics are well within common experience.

This defines the very local environment for the whole of the Marina and it must be seen as unique to the 800 metre fetch from Underfall Yard to a little beyond Capricorn Place. No other area in the Harbour has all three elements acting together needed to create significant waves/noise :-

- (a) Facing West
- (b) The long Fetch
- (c) Deep water

All thoughts that this location is an extension of something akin to a sleepy backwater must be discarded. In strong Westerlies it is a dangerous stretch of water.

NOISE

The RYA and Yacht Harbour Association Code of Practice implicitly recognizes all of this and specifies that the height of waves within any Marina should not exceed 300mm , and that vessels should be moored with the bow facing into the prevailing wind. Analysis, confirmed by observation, suggests that wave heights of 300 mm will be exceeded in the fetch between Underfall Yard and Capricorn Place. The length of this fetch is exactly aligned to the strong prevailing winds from the West South/West Quadrant. Mooring vessels broadside to these winds would place them in a severe environment, generating noise and the potential for damage. This arrangement does not comply with the recommended Best Practice of the Code. On this count the proposal should be rejected.

By far and away the major noise within the marina will be from the wind, exciting yacht masts, booms ,rope and wire rigging, together with vast amounts of other paraphernalia all adding to general mayhem . The marina will be located in an especially vulnerable position. The wind from the West is deflected along Capricorn Place accelerating and increasing in strength ,sweeping through the Marina thereby further increasing noise, a frenetic cocktail party is an apt quipe. Anyone approaching Capricorn Place has to hang onto their hats and umbrellas are problematic. On this count the proposal should be rejected.

The second area of interest comes from the movement of the rafted system of pontoons secured to the structures bounding Capricorn Place. The overall movement of the system will cause impact loading at each of the several attachment points and this will be transmitted into and through the harborside structures into the ground floor apartments. This is not speculation it is a fact. Pontoons now stored alongside despite being cushioned by fenders do produce exactly that effect. On this count the proposal should be rejected.

Rakel Hanson

To Whom it May Concern,

I am writing in response of the suggested building of a new pontoon in the harbour outside of Capricorn Place (22/06080/FB). I am opposed to the building of the pontoon in this location. There are a number of reasons why but I would like to highlight that I don't believe this is the right location for such a build. This location will impact the residents in the surrounding flats, the pedestrians and also the individuals who will be mooring their boats there.

Firstly the residents. Individuals especially in the lower levels will have their view and privacy impacted by this construction. People mooring will be able to see into the flats easily and because they are mooring it will give them a continuous view of these peoples' private lives, as opposed to pedestrians that walk quickly by. Also it has been raised that this particular area of the harbour experiences high winds, whereas further down or up the river it is more shielded. This will impact the residents as the ropes will bang into the masts of the boats at a higher rate, as well as the boats themselves hitting into the pontoons, which will cause major disturbance to the people trying to relax or sleep.

In regards to the pedestrians and general public. This area is a site of great heritage. Vast amounts of memorabilia of the S.S Great Britain and that stretch of the river, including an uninterrupted view of Capricorn Place, can be seen on posters, mugs and multiple other items. I believe it is because Bristol is an open, serene city, which people find endearing. Bristol sets itself apart from places like London because there is still room to breathe and not be over crowded. Placing 34 pontoons right in the middle of the city centre will make it feel a lot more crowded and take away from the serenity of that area. People walk down that path to get away from the busy streets and crowded town centres. Adding more pontoons to the area will ruin this. This will also take away from the uninterrupted view of the SS Great Britain which thousands of people flock to see each year.

Furthermore this area is especially used for youth water activities. Almost every day kids are out on the water learning to sail, paddleboarding, kayaking, and because there is open room for them to do so they have a greater experience. They almost always go up past the SS Great Britain and along the edges of the river. This means that their recreational activity will be limited with the new pontoons, taking away from their experience. I would also like to note that these children are screaming and laughing loudly from excitement on the river. I can hear it from my top flat with windows closed. This means the people mooring up will hear it even better. It is like building a pontoon next to a kindergarten. This will not be ideal for those inhabitants.

I also strongly believe that this is not a good location and will impact the people mooring themselves. First is in regards to accessing the pontoons from land. Individuals mooring there will at some point have to restock their boats and if they aim to do that by car then there will not be any safe place to park. There has been a recommendation to park down the road at Mardyke Wharf car park but there are very few spaces there that are quickly filled. The other option is from Lime Kiln Road. This is a very tight road, only used by residences and there is no room for people to load and unload. I believe that the moorers will use this road as it's a lot more quiet, creating a great number of difficulties for themselves and residents, blocking the street and potentially getting stuck. Either option will lead to dangerous parking and the taking away of access for residents or parking for the public. Furthermore, we are located in the clean air zone which was brought in to address air pollution in the city, especially from diesel engines. Under the current plan, boats will be allowed to run diesel engines, and although they're not allowed to burn solid fuels, there is no mention of this being policed in anyway. This goes against the whole purpose of the clean air zone, for which every day people are being charged large amounts to use their cars. Why then is it okay for such a large development that will allow for the running of diesel engines on boats? Additionally, clean air zones have not been implemented in many other

parts of the country and so individuals that use the marina will not only be forced to pay mooring fees but also the clean air charge when they bring their cars in. I think this will deter many boaters from actually using it.

On the subject of cars. These pontoons will be extremely close to one of Bristol's busiest roads, Anchor Road, which is one of the main roads in and out of the city. People who are paying high mooring fees will be subjected to the noise of these cars day and night, this is another reason why I think the location is not suitable. People would get a better night's rest in other locations. On the subject of noise, there is a boat yard right next to the SS Great Britain which is in use daily and is incredibly noisy for the residents already there. The people paying a lot of money to moor there will be incredibly dissatisfied with the noise pollution in the area.

Water samples taken this year from waters below the SS Great Britain have shown high levels of E.coli. This is just one pathogen that has been found in the Bristol river that can be transferred to people. E.coli and other similar diseases can be passed to people if they are exposed to waters containing them. As mentioned before, this particular part of the river experiences very high winds compared to other stretches of the river. This means that there is a far greater chance for the wind to blow over the river, bringing with it E.coli and landing on people mooring in the proposed marina, exposing them to a greater risk of illness. I expect with the waste facility to be built there for the boaters, E.coli concentrations will become even higher. I doubt the boaters will want to spend much time on the deck of their boats if there is a higher chance they'll get sick.

Regarding the reed beds, I find the justifications for this lacking. Reed beds in themselves will provide shelter for nesting water fowl. However, water fowl breeding success is severely impacted by human and boat presence, leading the water fowl to have fewer successful chicks due to high stress from constant interruption. Also, the severe lack of foresight on waste cleaning in the area, i.e. there is very little provision for cleaning and maintaining the reed beds, will not only mean that pedestrians will be exposed to more plastic and waste in the area, but also the water fowl that it is claimed it will benefit. The animals and their chicks will have to 'breed' and raise their young in a heavily contaminated area and will no doubt be mistaking plastic debris for food, further endangering themselves.

I strongly believe that building a large pontoon in that location is rash and not thought through. It would not benefit the residents, members of public and the boaters will be subject to mechanical noise, road noise, high winds and an increased risk of pathogens. I encourage the committee to decline the planning permission and to think of other locations.

Dear Sir or Madam

I write to inform you of my concerns about the planned boat berthing pontoons near my residence and the floating reed beds outside my building.

The concerns I have are as follows:

A) Litter and the councils frequency of removing it. The council has not set a very good example as they don't maintain an existing reed bed within a 100 metres or so, it looks an eyesore most the time.

B) Noise nuisance from boat masts and boat occupants as I believe boat moorings are possibly going to be introduced outside the property next door to me (Capricorn Place)

C) Fixing of the reed beds to the harbour wall and possible concerns related to such fixings and ongoing maintenance issues.

In my opinion this project has not been given sufficient site investigation and this scheme is just a very rushed effort to raise revenue for the council, whilst I appreciate the harbour is an asset to the council and a draw for visitors it will only stay that way if it is managed in an efficient way and I'm not convinced it will be, unfortunately.

Cherry Froude

Statement for Development Control B Committee 10th May Meeting Item 14c 22/06080/FB – Brandon Yard

Background and Summary

This planning application is for a major marina development in a residential area, with moorings for 34 boats and reed beds directly underneath Brandon Yard. Porto Quay is unmistakably a residential environment and has a very pleasant amenity which is greatly valued by residents and visitors alike.

The marina will generate excessive disturbing noise on a regular basis and is directly adjacent to Brandon Yard. The proposed reed beds are immediately below the residential Brandon Yard development where there are 54 residential units. There is no reassurance that these reed beds will stay, how they are to be connected and what might replace them if they move.

The proposed marina is within 10 metres of our homes. The height of masts on yachts and associated rigging will result in considerable torturous noise for residents such as ours who are all downwind of the proposed marina.

Although we are appreciative of the written responses made in the report to the concerns raised they are still very inadequate. No dialogue has taken place with residents to address our concerns about the development or ongoing management of the marina. Dialogue has only been between council officers.

We understand that there have been no supporting comments from mariners for this development. This is very surprising as you might expect that the reported 300+ people on the waiting list for a berth might like to support a development such as this. The business case is non-existent and whilst I recognise this is not a planning matter, the Committee should contrast the extensive facilities and permanent staffing required to make the Bristol Marina (almost opposite) work smoothly.

A “Living on board” category for leisure berths is being developed that will allow extended occupation of boats within the harbour. A floating caravan park in the harbour could result.

This development does not conform to policies BCC planning policies BCS21, BCS23, CACA or the planning permission that was originally given for the Capricorn Place development. There is also an unresolved question about the condition that was put on the Brandon Yard Development which referred to the listed harbour wall. Why has this suddenly changed?

This planning application should be rejected.

Specifically about Noise

The proposal will result in continuous clanking from rigging and other attachments to the boats when there is wind (which there usually is in the harbour). This will be Chinese torture for residents in their beds unless it is regulated. The marinas in Portishead have very careful detailed regulation (which residents are aware of and which we should be consulted upon here before they are drafted and then become a planning condition) about how it is to be

managed. This prevents noise and other types of pollution. Residents deserve to be consulted on regulations that could control this and be reassured that monitoring and control will be readily available should there be transgression.

Noise will be generated from rigging on yachts, pontoons, engine noise and people on board boats.

During the consultation process it was claimed that the reed beds would help reduce the level of noise from the pontoons and associated craft. This is an admission that it will be a noisy environment.

There has been no environmental noise impact assessment or acoustic analysis done. One would expect with a development of this scale that one should have been carried out. Referencing impact assessments on other similar sites it is highly likely that such an assessment would show that the level of noise would be unacceptable for a residential environment.

Pollution Control raised issues that have not been resolved, questioning:

“What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners? Is someone on duty 24/7 who would be able to witness/deal with any issues?”.

This has not been answered.

Bristol Docks Mooring Policy stated that “Noise may be a factor in the proposed use of vessels, therefore again locations must not detrimentally affect any nearby residential amenity”. This development goes against that policy.

BCS21 adherence.

It is evident that the officer’s opinion that the development accords with the requirement of policy BCS21 to safeguard the amenity of existing developments is **incorrect**.

This development and its associated noise will be within 5m of our flats. It certainly does **not** safeguard the existing amenity of our homes.

To quote the policy: “Safeguard the amenity of existing development and create a high-quality environment for future occupiers.”

The policy also states that one of the key issues that needs to be addressed is: “Reducing pollution throughout the city and improving air and water quality, noise and light pollution particularly in the inner city and within the Air Quality Management Areas”.

And that: “A high-quality built environment should consider the amenity of both existing and future development. Consideration should be given to matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Development should also take account of local climatic conditions.

These conditions are not met with this development. This development does none of the above.

BCS23 adherence

The officer fails to mention Policy BCS23 at all, which states: “Development should be sited and designed in a way as to avoid adversely impacting upon: Environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution...”

And that: “The impact of the new development should take account of the viability of existing uses by reason of its sensitivity to noise or other pollution”.

This development with its associated sources of noise and air pollution clearly **does not** conform to this policy.

Conservation Area Character Appraisal and Harbour Wall Listing

Brandon Yard is a very recent development, it is in the conservation area. The value is in their overall scale, form, materials, or date, which helps form the built backcloth for the area”.

This key planning document also mentions: “Protecting key views and key panoramas in future development.”

The Urban Design officer has noted that “that the development proposals cause harm” which is at odds with the claim that Urban Design and Conservation did not have issues with the proposals.

Please find attached a copy of the Minutes of the Development Control A Committee held on 5 April 2017 at 6pm. It would appear that the Council is trying to decide whether or not the harbour wall is listed as it suits their purposes>

8. Planning Application Numbers 16/05329/F and 16/05330/LA - Former Gas Works (West Purifier House), Lime Kiln Road

Page 3 of 6 states;

In response to Councillors’ questions, officers made the following comments:

(4) It was confirmed that any temporary or permanent works to the existing Listed Dock Wall would definitely require an additional listed building consent;

No information has been supplied on how the proposed reed bed will be secured, whether to the adjacent harbour wall or to the bottom of the Harbour. The Minutes indicate if the former building consent would be required.

This development therefore does not conform to the requirements outlined in the CACA.

Nonadherence to planning permission granted for Brandon Yard.

There is no protection that the marina could be extended to be in front of Brandon Yard should it be deemed that the reed beds could be moved in future.

Transport

There is no provision for disabled access or facilities provided at this development.

Although City Transport have cited that the area “is sufficiently protected to prevent fly- servicing”, as residents, we know this not to be the case as when the Balmoral was moored to the west of Capricorn Place, vehicles were regularly parked on the harbour walkway.

This is at odds with their assertion that the area is “sufficiently protected”.

Maintenance of reed beds

Urban design asked the question: “Are there sufficient maintenance provisions for the proposed reed beds?”

It is evident with only 3 litter picks planned in 12 months that this is not the case. The reedbeds will become an eyesore and be detrimental to the area. This is evidenced by the neglect that the existing reed beds further along the harbour at The Crescent.

Justification of development

There is no clear and compelling justification for this development as claimed. When asked for details at Cabinet on the costs versus income for the proposal no detail was forthcoming.

There is no robust business plan that details a return on investment for the £1,000,000+ of residents’ money to be invested in this venture.

Creating an additional income stream for Bristol City Council is not a compelling justification.

Conditions for development.

A condition has been inserted to address part of our concerns on pollution with the development in that: “There shall be no burning of solid fuels for heating at any time by boats within the Capricorn Quay Pontoon.”

There is however no condition that this should be policed and adhered to other than by the signing of a ‘mooring agreement’. This is insufficient.

Construction method

It has been highlighted that the proposed method of construction of the pontoons does not meet RYA standards due to the location of the pontoons at the end of a long reach of water with the associated wave heights. This has not been addressed.

Anne Lee

Chair of Brandon Yard Residents Committee

Bristol City Council

Minutes of the Development Control A Committee



5 April 2017 at 6.00 pm

Members Present:-

Councillors: Lesley Alexander (Chair), Fabian Breckels (Vice-Chair), Stephen Clarke, Mike Davies, Kye Dudd, Olly Mead (substitute for Harriet Bradley), Jo Sergeant, Clive Stevens, Chris Windows and Mark Wright

Officers in Attendance:-

Gary Collins, Susannah Pettit, Laurence Fallon and Jeremy Livitt

Apologies for Absence: Councillor Harriet Bradley (Councillor Olly Mead substituting) and Councillor Stephen Pearce

1. Apologies for Absence and Substitutions

Apologies for absence and substitutions are set out above.

2. Declarations of Interest

The following declarations of interest were made:

Councillor Stephen Clarke indicated that he had been involved in a meeting with the agent for Linear Park but that he retained an open mind concerning the application.

Councillor Mark Wright stated that he had commented on previous applications for the Former Gas Works Site but that he retained an open mind concerning the application.

3. Minutes of the previous meeting

Resolved – that the Minutes of the previous meeting held on 22nd February 2017 be approved as a correct record and signed by the Chair.



4. Appeals

The Service Manager (Development Management) made the following points:

- (1) Somerset House 18 Canynge Road Bristol BS8 3JX – the Appellant has formally applied for an award of costs. Officers have sent a rebuttal on the costs application but the position remains that the Council will not be defending the appeal in accordance with the Committee decision of 22nd February 2017;
- (2) Avonbank, Feeder Road Bristol BS2 0TH – this appeal had been lodged late last month
- (3) Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL – the appeal against non-determination had been received and would not be defended in accordance with the Committee decision of 22nd February 2017.

Resolved – that the report be noted.

5. Enforcement

The Service Manager (Development Management) advised the Committee that 2 enforcement notices had been issued since the last meeting.

Resolved – that the report be noted.

6. Public Forum

The Committee received 8 Public Forum Statements in advance of the meeting (including one late statement, agreed by the Chair). The Statements were heard before the application they relate to and were taken fully into consideration by the Committee prior to reaching a decision. (A copy of the public forum statements are held on public record by Democratic Services). democratic.services@bristol.gov.uk

7. Planning and Development

The Committee considered the following Planning Applications.

8. Planning Application Numbers 16/05329/F and 16/05330/LA - Former Gas Works (West Purifier House), Lime Kiln Road

Officers gave a presentation for this item and made the following key points:

- (1) Details of the proposed building were provided which would contain 58 residential units over West Purifier House, a new 6-storey building in the north-eastern area of the site and two houses in the Engine House;



- (2) Information was given concerning the previous permitted scheme at the site for the Soil Association which had expired;
- (3) Objections had been received from the SS Great Britain (the loss of sight lines and potential impact of this) and from Historic England (excessive scale, materials and articulation, cause harm to the character of the Conservation Area and to the views to and from Brandon Hill);
- (4) Space standards had been met. Town Scape views indicating the visual impact analysis had been included;
- (5) The development complies with the Site Allocation policy criteria for the site since it would use re-use the existing listed buildings on the site and bring them back into a sustainable use;
- (6) The development would improve the Harbourside Walkway;
- (7) The development would provide vehicular access from Lime Kiln Road;
- (8) The development would preserve and enhance the character and appearance of the Conservation Area and is supported by Flood Risk Assessment;
- (9) The scheme mitigates its impact through Section 106 obligations and would provide a financial contribution towards affordable housing;
- (10) Whilst acknowledging the objection from Historic England, officers had applied the appropriate assessment and had concluded that the impacts on the heritage assets are acceptable when balanced with the interests of bringing the site and buildings back into use;
- (11) The scheme provides a policy compliant sustainability response and includes robust supporting information on protection of nearby residents' amenity;
- (12) Transport conditions were acceptable and conditions would ensure that design details of the development were also acceptable;
- (13) The scheme will bring a long –term derelict site back into sustainable use.

In response to Councillors' questions, officers made the following comments:

- (1) There is an electric charging point;
- (2) Highways officers had examined the concerns raised about the level of traffic that would occur during the construction phase and had deemed that it was acceptable;
- (3) Officers felt the land value in excess of £3 Million proposed by the applicant was too high given the significant level of abnormal costs associated with this site. Following advice from Property Services, officers considered that a land value of in the region of £2 Million is the minimum that a reasonable land owner would be prepared to dispose of the land for, given its highly desirable location. Consequently, a land value of £2 Million has been adopted by the Council;
- (4) It was confirmed that any temporary or permanent works to the existing Listed Dock Wall would definitely require an additional listed building consent;
- (5) The future views from Cabot Tower had been indicated in the plans;
- (6) Public access around the site will be maintained as part of the Construction Management Plan and would also include access to Lime Kiln Road;
- (7) Housing Associations were generally reluctant to provide a small number of flats but were happy to agree to an off-site contribution. Whilst it might in theory be possible to deliver affordable housing ourselves, Bristol City Council had never previously taken on the provision of units in a private development. Officers were carrying out a separate piece of work with the Housing Delivery Team to



investigate options for this – the Cabinet Member for Housing had requested investigation into possibilities for particular suburban locations;

(8) If one of the storeys was removed from the building, it would make the scheme undeliverable as other costs would still need to be met;

(9) Officers maintained flexibility for options for affordable housing. If they were to make a requirement that any expenditure needed to be made within a particular radius (ie 1 mile) and no development could be provided within the required time period, funding might need to be returned;

(10) The development would be publicly accessible;

(11) The Neighbourhood Partnership in question (Cabot Clifton Harbourside NP) had not yet made a decision to apply CIL to these types of schemes. Therefore, the option of using some CIL to improve the public realm and hence assist scheme viability, was not an option at this stage;

(12) The provision of larger flats had been agreed to assist in providing housing for families. Smaller flats would be unlikely to provide more revenue and improve liability;

(13) By working with a Housing Association, the Council obtained match funding for a particular scheme;

(14) Officers confirmed that, despite the reduction in the enforcement team, a full reactive enforcement service remained in place and would address any complaints if a developer failed to meet the relevant conditions of any agreed development.

Councillors made the following comments:

(15) It was important to re-use this site which was not inconsistent with buildings in the vicinity;

(16) The comments from SS Great Britain were noted and were of concern. The building was too high and would cause significant damage to the character of the area;

(17) The level of affordable housing is unacceptable;

(18) The development could cause “reverse ghettoization” and mitigate against mixed communities;

(19) The developer has done reasonably well in the pre-Application stage. Whilst it had an industrial look, this was in keeping with other buildings in the area but would require good quality materials;

(20) It was very important that this site was developed;

(21) The large block did seem too big;

(22) The lack of sufficient affordable housing was disappointing but the reluctance of the Housing Association to take on the site without certain requirements being put in place was understandable;

(23) Since the financial crash, there was an increasing amount of social housing in the wider Harbourside area as Housing Associations had brought units from the developer;

(24) The scheme complimented the listed buildings without being a pastiche;

(25) Whilst it seemed a severe design compared to the Listed Buildings, it would not cause harm particular harm to the conservation area;

(26) The Equalities Impact of the scheme Assessment was bad due to the lack of affordable units in this central location;

(27) Whilst this site needed to be developed, the proposed scheme was in the wrong location;

(28) £34,000 from the scheme proposed for the bus stop improvement should be transferred towards the provision of affordable housing.



Councillor Olly Mead moved, seconded by Councillor Fabian Breckels that “the application be approved, together with the amendments set out in the Amendment Sheet”.

Councillor Stephen Clarke moved an amendment, seconded by Councillor Clive Stevens that “ £34,488 identified for bus stop improvements be re-allocated to affordable housing and to be provided within a 1.5 Mile radius of the scheme”. Upon being put to the vote, this amendment was LOST (Voting: 4 for, 8 against, 0 Abstentions).

Councillor Clive Stevens moved a further amendment, seconded by Councillor Stephen Clarke that “ £34,488 identified for bus stop improvements be re-allocated to affordable housing”. It was noted that the applicants agreed to this proposal. Upon being out to the vote, this amendment was CARRIED (Voting: 5 For, 3 Against, 2 Abstentions).

Upon being put to the vote, Councillor Mead’s motion (as amended by Councillor Stevens) was CARRIED (Voting: 7 for, 2 against, 1 abstention). It was, therefore,

Resolved: that the recommendations contained in the report be approved, together with the amendments set out in the Amendment Sheet and with the Heads of terms of the required Section 106 agreement amended to re-allocate the £34,488 originally secured for bus stop improvements to the affordable housing contribution.

9. Application Number 16/04561/F - Linear Park, Avon Street, Bristol

Item 7 (b) – Application Number 16/04561/F – Linear Park, Avon Street, Bristol – Erection Of An 8-11 Storey Building Comprising 255 No. Residential Units, 536 Square Metres of Flexible Commercial/Community Floor Space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) At Ground Floor Level, Basement Car Park and Associated Development, Including Access, Landscaping, Bin Storage and Cycle Parking (Amendment To Planning Permission 14/03133/F) – Major Application

Officers gave a presentation for this item and made the following key points:

- (1) Since the item had been to Committee on 22nd February 2017, it was noted that the bill period had been extended to 37 months, not to the shorter period that had originally been referred to by the applicant during Public Forum at the last Committee;
- (2) Since the applicant’s acknowledgement that there had been an error in the calculation of CIL as a result of the incorrect original viability assessment, this had now been corrected;
- (3) The applicant had now indicated that he would provide a minimum of 26 affordable units (10%), together with an offer of a further viability review on completion of the scheme. This was on the understanding that, if they could afford to provide more affordable units, they would do so. This offer was a significant concession by the applicant as they were not required to do this. Nevertheless, it was acknowledged that the report indicated that the applicant could afford to provide 34 units – which the applicant did not agree with;



In response to Councillors' questions, officers made the following points:

- (4) There was no risk of less than 26 affordable units being provided – this was the minimum figure that the developer would have to provide;
- (5) Values and build costs were estimated to increase. Therefore, it was fairly likely that any review would result in units being built having higher rental values. There were only a small number of these PRS schemes in operation. It was, therefore, difficult to assess it until the work was completed. The review of the viability of a PRS scheme like this had not been done before and this was therefore breaking new ground;
- (6) The wording of the Section 106 Agreement had been agreed to ensure the yield was set at the beginning and with finance factored in. The applicant would need to incorporate the sales value of rented flats at the end of the scheme;
- (7) The figure of 90% occupancy had been set at the relevant stage of the review as by this stage the scheme would be mostly built and rental values could be assessed.

Councillors made the following comments:

- (8) In future schemes, consideration should be given to allowing the developer to retain 25% of the excess profit of such schemes to provide motivation for them to build schemes as quickly as possible;
- (9) The method by which the scheme's viability had been assessed was a cause for concern.

Councillor Olly Mead moved, seconded by Councillor Chris Windows and, upon being put to the vote, it was

Resolved (9 for, 0 against, 1 abstention) that the recommendations contained in the report, together with the Amendment Sheet, be approved.

10 Date of Next Meeting

It was noted that the next meeting was scheduled for 2pm on Wednesday 17th May 2017.

The meeting finished at 8.25pm

CHAIR _____



Application No. 22/06080/FB**Site address:** Capricorn Place Pontoon Hotwell Road Bristol BS8 4SX**Proposal:** Construction of pontoon infrastructure to deliver a mooring facility including storage facilities and amenities building and installation of floating reed beds.

We object to this planning application on the grounds that it is incomplete and has not properly considered the environmental and social impact of the proposed installations.

There is no detail whatsoever regarding the design, construction and installation of the 75m long floating ecosystem reed bed planned to be installed in front of the Harbour Wall Walkway adjacent to Brandon Yard. There also appears to no attempt made to address the concerns of residents about increased noise and littering.

We refer to the Report to the Committee 10 May 2023

(B) WOULD THE PROPOSAL BE ACCEPTABLE IN RESPECT OF DESIGN AND THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA?

Proposed floating ecosystem Reed Beds

We live approximately six metres from the edge of the Harbour Wall where an approximately 500 square metre reed bed is proposed. We are concerned that little thought or preparation has been given to this installation and this reed bed will become a neglected and litter infested eyesore, with noxious smells from decaying vegetation etc. directly being blown by the prevailing winds onto our residence. The installation will be placed directly beneath the busiest Bristol Harbourside walkway.

It is astonishing that no details have been revealed of how this huge reed bed will be secured – will it be connected to the listed Harbour Wall? How will inspections and possible repairs be carried out to the Harbour Wall?

Nonadherence to planning permission granted for Brandon Yard.

Bristol City officials have previously stated that that “any temporary or permanent works to the **existing Listed Dock Wall** (adjacent to GII* listed building New Retort House and GII Former Engine House) **would definitely require an additional listed building consent.**

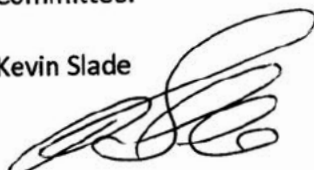
Reference: Minutes of the Development Control A Committee held on 5 April 2017 at 6pm to discuss Planning Application Numbers 16/05329/F and 16/05330/LA - Former Gas Works (West Purifier House), Lime Kiln Road, page 3 of 6.

There will be a requirement to secure this huge floating structure to the Harbour Wall, or to provide means of access. The commitment given in 2017 has been ignored and BCC officials are now claiming the wall is not listed?

There appears to be no access to the Reed Bed from the Harbour Walkway or the proposed Capricorn Quay pontoon. How will the maintenance of this structure be achieved?– how will removal of litter be arranged? The Ecological management plan report only mentions windblown or washed down litter being cleared every four months, yet a major source of litter will be from the above and adjacent harbour walkway requiring clearing at least once a week. At present the walkway is cleared of litter daily.

I also fully support the comments made by Anne Lee, Chair of the Brandon Yard Residents Committee.

Kevin Slade



There are a number of reasons I object to this proposal but I'm going to focus on some of the environmental concerns.

This location is in the clean air zone, which was brought in to address air pollution in the city, especially from diesel engines. Under the current plan, boats will not be banned from running diesel engines, and although they're not allowed to burn solid fuels, there is no mention of this being policed. This goes against the whole purpose of the clean air zone and is an area of great concern for residents of Capricorn Place, who's air vents are directly serviced from the harbourside and so will be exposed to any additional pollution, directly impacting our health.

The proposed reed beds will very easily capture pollution and litter as can be seen in the reed beds installed at Hannover Quay. Urban Design asked if there are "sufficient maintenance provisions for the proposed reed beds?". With only 3 litter picks planned in 12 months, it is clear that sufficient provisions have not been made.

It is also claimed that the reed beds will increase biodiversity and provide habitat for animals. Whilst it may provide shelter for water fowl, research shows that water fowl breeding success is severely impacted by human and boat presence, and leads to them actually having fewer successful chicks.

Regarding noise pollution, Pollution Control asked, "What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners?". This has not been answered and there is no provisions in place to address this. Furthermore, there is no provision to address rigging noise of boats and the sound of boats hitting into the pontoons. In fact, no environmental noise impact assessment has been done.

Just this year, water samples taken from below the SS Great Britain, opposite the proposed development, showed high levels of E.coli, one of a number of pathogens found in the Bristol Harbour. This presents a risk to people and wildlife in Bristol. If the Harbour really is a place of leisure and recreation, we should be focusing more on cleaning up the Harbour and less on introducing more boat traffic and the subsequent pollution associated with that.

I am writing this in regards to planning application 22/06080/FB, to build a large 34 berth marina on the harbour outside Capricorn Place.

Firstly I'd like to say that I am not in support of this development. During the planning of this marina, no dialogue has taken place with us, the residents who will be adversely affected, to address our concerns over the development of the marina or it's management. One information session was put on late in the process, in which I was told just to "email over my concerns" and was asked sarcastic questions like "why did you move by the harbour if you don't like boats?".

A large number of objections was lodged against the development. 35 in fact, which is very significant and eclipses the responses to most planning applications. **No supporting comments** have been lodged for the development, which is not concurrent with the justification that there's people on a waiting list for berths.

The proposed development is within 5 metres of the homes in Capricorn Place and has direct line of sight into the habitable rooms of every flat. In a document produced by Bristol City Council, they outline a guideline that where habitable rooms face each other, of which the flats and the space inside the boats are, a gap of 21 metres should be provided to reduce overlooking and loss of privacy. The gap of 5 metres clearly does not abide by this. On top of this, the masts of the boats will reach to the ceilings of the 3rd floor flats, impacting 90% of the flats in the buildings.

There are a number of environmental concerns with the proposed development. Firstly, this location is in the clean air zone, which was brought in to address air pollution in the city, especially from diesel engines. Under the current plan, boats will not be banned from running diesel engines, and although they're not allowed to burn solid fuels, this will be done mostly on good will and there is no mention of this being policed in anyway. This goes against the whole purpose of the clean air zone, for which every day people are being charged large amounts to use their cars. Why then is it okay for such a large development that will allow for the running of diesel engines on boats? This is an area of great concern for us residents of Capricorn Place, who's air vents are directly serviced from the harbourside and so will be exposed to any additional pollution, directly impacting our health.

Just this year, water samples taken from below the SS Great Britain, opposite the proposed development, showed high levels of E.coli. This is just one of a number of pathogens that has been found in the Bristol Harbour. This of course presents a risk to people and wildlife in Bristol. If the Harbour really is a place of leisure and recreation, we should be focusing more on cleaning up the Harbour and less on introducing more boat traffic and the subsequent pollution associated with that.

In theory, the installation of the reed beds is a nice idea. However, ignoring the fact that this is being used in large part to greenwash the development, there are a number of issues with the reed beds. Reed beds very easily capture pollution and litter, notably plastic litter, as can be seen in the reed beds installed at Hannover Quay. Urban Design and Conservation asked "Are there sufficient maintenance provisions for the proposed reed beds?". With only 3 litter picks planned in 12 months, it is clear that sufficient provisions have not been made.

Additionally, it is claimed that the reed beds will increase biodiversity and provide habitat for animals. Whilst it may provide shelter for 1 or 2 water fowl, research shows that water fowl breeding success is severely impacted by human and boat presence, and leads to water fowl having fewer successful chicks. They would also be exposed to the above mentioned litter.

Pollution Control raised issues of noise pollution and anti-social behaviour that have not been resolved and that are concurrent with residents' concerns. They asked, "What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners? Is someone on duty 24/7 who would be able to witness/deal with any issues?" This has not been answered and there is currently no provisions in place to address this.

Furthermore, there is no provision to address rigging noise of boats, particularly masts, as well as the sound of boats hitting into the pontoons, which will be common on this windy stretch of the Harbour, all of which are incredibly disturbing to local residents and the general public.

In fact, no environmental noise impact assessment has been done. This should be a requirement for a development of this scale. Assessments on other similar sites have found the level of noise would be unacceptable for a residential environment.

Within the Conservation Area Character Appraisal, Capricorn Place is listed as a character building within the conservation area. In the words of the CACA, "(Character buildings)...make a positive contribution to the overall character and sense of place of the Conservation Area. Their value is in their overall scale, form, materials, or date, which helps form the built backcloth for the area". This key document also highlights the need for "Protecting key views and key panoramas in future development." Urban Design and Conservation noted that "the development proposals cause harm", which counteracts the claim that Urban Design and Conservation did not object to the proposals. The proposal will quite clearly affect the character building of Capricorn Place and will not protect key views. Views which are iconic to Bristol and feature in many items of art, merchandise, photography and film. From this it is clear that the proposal does not adhere to the CACA.

Additionally, planning permission was given to Capricorn Place with careful consideration of its contribution to the Harbour and how it may affect views to the water and the SS Great Britain. Building of a large scale marina will completely negate this and contradict that planning permission.

It is also evident that the opinion of the officer that the development accords with the requirement of policy BCS21 to safeguard the amenity of existing developments is incorrect. This development within 5 metres of flats does not safeguard the amenity of our existing homes.

It has also been highlighted that the proposed method of construction of the pontoons does not meet RYA standards due to the location of the pontoons at the end of a long reach of water with the associated wave heights. This has also not been addressed.

Furthermore, when asked for details at Cabinet on the costs versus income for the proposal, no detail was forthcoming. There is no robust business plan that details a return on investment for the £1,000,000+ of public money to be invested in this venture.

Boaters will need to restock their boats, and I do not believe the area is sufficiently protected against fly-servicing via car. The nearby Mardyke Wharf car park has very few spaces and is often full. This will lead to desperate boaters blocking up Anchor Road, parking on the Harbour walkway (which was witnessed when the Balmoral was moored to the west of Capricorn Place), or blocking Lime Kiln Road, the only access road to Capricorn Place and

Oculus House, as well as a number of businesses on the Harbour, including Spoke & Stringer and Brown & Bye.

Considering all the above points and the many others laid out within the multiple objections to this proposal, I ask that planning permission not be granted.

I am writing this in regards to planning application 22/06080/FB, to build a large 34 berth marina on the harbour outside Capricorn Place. Firstly I'd like to say that I am not in support of this development. During the planning of this marina, no dialogue has taken place with us, the residents who will be adversely affected, to address our concerns over the development of the marina or it's management.

A large number of objections was lodged against the development. 35 in fact, which is very significant and eclipses the responses to most planning applications. No supporting comments have been lodged for the development, which is not concurrent with the justification that there's people on a waiting list for berths.

The proposed development is within 5 metres of the homes in Capricorn Place and has direct line of sight into the habitable rooms of every flat. In a document produced by Bristol City Council, they outline a guideline that where habitable rooms face each other, of which the flats and the space inside the boats are, a gap of 21 metres should be provided to reduce overlooking and loss of privacy. The gap of 5 metres clearly does not abide by this. On top of this, the masts of the boats will reach to the ceilings of the 3rd floor flats, impacting 90% of the flats in the buildings.

There are a number of environmental concerns with the proposed development. Firstly, this location is in the clean air zone, which was brought in to address air pollution in the city, especially from diesel engines. Under the current plan, boats will not be banned from running diesel engines, and although they're not allowed to burn solid fuels, this will be done mostly on good will and there is no mention of this being policed in anyway. This goes against the whole purpose of the clean air zone, for which every day people are being charged large amounts to use their cars. Why then is it okay for such a large development that will allow for the running of diesel engines on boats? This is an area of great concern for us residents of Capricorn Place, who's air vents are directly serviced from the harbourside and so will be exposed to any additional pollution, directly impacting our health.

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In theory, the installation of the reed beds is a nice idea. However, ignoring the fact that this is being used in large part to greenwash the development, there are a number of issues with the reed beds. Reed beds very easily capture pollution and litter, notably plastic litter, as can be seen in the reed beds installed at Hannover Quay. Urban Design asked "Are there sufficient maintenance provisions for the proposed reed beds?". With only 3 litter picks planned in 12 months, it is clear that sufficient provisions have not been made. Additionally, it is claimed that the reed beds will increase biodiversity and provide habitat for animals. Whilst it may provide shelter for 1 or 2 water fowl, research shows that water fowl breeding success is severely impacted by human and boat presence, and leads to water fowl having fewer successful chicks. They would also be exposed to the above mentioned litter.

Pollution Control raised issues of noise pollution and anti-social behaviour that have not been resolved and that are concurrent with residents' concerns. They asked, "What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners? Is someone on duty 24/7 who would be able to witness/deal with any issues?" This has not been answered and there is

currently no provisions in place to address this. Furthermore, there is no provision to address rigging noise of boats, particularly masts, as well as the sound of boats hitting into the pontoons, which will be common on this windy stretch of the Harbour, all of which are incredibly disturbing to local residents and the general public.

In fact, no environmental noise impact assessment has been done. This should be a requirement for a development of this scale. Assessments on other similar sites have found the level of noise would be unacceptable for a residential environment.

Within the Conservation Area Character Appraisal, Capricorn Place is listed as a character building within the conservation area. In the words of the CACA, "(Character buildings)...make a positive contribution to the overall character and sense of place of the Conservation Area. Their value is in their overall scale, form, materials, or date, which helps form the built backcloth for the area". This key document also highlights the need for "Protecting key views and key panoramas in future development." Urban Design and Conservation noted that "the development proposals cause harm", which counteracts the claim that Urban Design and Conservation did not object to the proposals. The proposal will quite clearly affect the character building of Capricorn Place and will not protect key views. Views which are iconic to Bristol and feature in many items of art, merchandise, photography and film. From this it is clear that the proposal does not adhere to the CACA.

Additionally, planning permission was given to Capricorn Place with careful consideration of its contribution to the Harbour and how it may affect views to the water and the SS Great Britain. Building of a large scale marina will completely negate this and contradict that planning permission.

Boaters will need to restock their boats, and I do not believe the area is sufficiently protected against fly-servicing via car. The nearby Mardyke Wharf car park has very few spaces and is often full. This will lead to desperate boaters blocking up Anchor Road, parking on the Harbour walkway (which was witnessed when the Balmoral was moored to the west of Capricorn Place), or blocking Lime Kiln Road, the only access road to Capricorn Place and Oculus House, as well as a number of businesses on the Harbour, including Spoke & Stringer and Brown & Bye.

It is also evident that the opinion of the officer that the development accords with the requirement of policy BCS21 to safeguard the amenity of existing developments is incorrect. This development within 5 metres of flats does not safeguard the amenity of our existing homes.

It has also been highlighted that the proposed method of construction of the pontoons does not meet RYA standards due to the location of the pontoons at the end of a long reach of water with the associated wave heights. This has also not been addressed.

Furthermore, when asked for details at Cabinet on the costs versus income for the proposal, no detail was forthcoming. There is no robust business plan that details a return on investment for the £1,000,000+ of public money to be invested in this venture.

Considering all the above points and the many others laid out within the multiple objections to this proposal, I ask that planning permission not be granted.

We live in a flat at Brandon Yard, near to the planned development. We visited one of the drop-in consultation sessions and we have read through the planning documents. We feel that this application has been rushed and has not given enough detail about many aspects. We therefore objected to the proposal.

We understand there have been 35 objections and no individual support for the proposal from residents. However, it appears the Council is determined to ignore all of this and proceed with this proposal.

We still have some serious concerns about the application, in terms of missing information:

Business Case

There is still no detailed business plan, no idea of annual running costs. There has been concern expressed about how long it might take to repay the initial investment. However, we think that there is a serious worry that this development would in fact cost so much in running costs that it might **contribute little, if any, net income.**

Facilities Block and disposal of all types of Waste

This utility includes an Elsan and foul waste disposal point for boats. In the section headed "Foul Sewage" both the method of removal and connection to the existing drainage system have been marked as "**unknown**". This is **not acceptable**; it should form a major part of this application.

Whilst the issue of bins has been addressed, we are still not clear on if the foul waste system is going to be connected to the mains sewer? Or is it in fact going to be a holding tank? This would require emptying by either road tanker or service boat. Either will require a substantial maintenance cost. Either regular collection of waste by vehicle, or maintenance of the pump and other necessary equipment to get this foul waste from the facility on the floating pontoon into the current sewage system higher up. (The capital cost of connecting to the sewage system would also presumably be quite substantial.)

Under the heading of Hazardous substances in the application it states there will be no storage of hazardous substances. We think that a storage tank of raw sewage would count as hazardous!

Reed beds maintenance

The maintenance of the reed beds suggests this will be cleared of weeds and litter 3 times per year. As this is along the harbourside walkway and we see a lot of litter along there, we can only imagine this would be full of litter and require clearing at least on a weekly basis! Either this will be another regular cost, or it will not get done and will be completely covered in litter. This would not have a good impact on the expected biodiversity.

The current reed beds at the Crescent, a little further East from us are usually looking unsightly and full of litter. During a walk along this section just this morning, there was a lot of litter and debris evident, mainly take-away food containers, and we even saw a large rat feasting on them! (Photos available if required!) This proposed site is even more likely to attract litter as it is right against a busy public walkway.

Noise / anti-social behaviour

All flats nearby will be affected by noise from this development. Both from anti-social behaviour and boat-related noises such as halyards clanging against masts. We are not told who we can contact day or night if there were serious immediate problems.

The overall management plan seems to be that there will be no staff on site, and it will rely on CCTV (which may be installed later). In our experience, CCTV does not deter crime or anti-social behaviour.

Emissions from visiting boats

There is no mention of what steps the council will take to prevent emissions from the craft moored to the pontoons. ***Most boats of the type envisaged to be moored here are likely to employ a hot air diesel heating system, which produces considerable combusted and un-combusted diesel fumes. The issue is not solely about solid fuel use or the use of their diesel engines.***

Visitor licences

There still seems no certainty about what sort of moorings will be sold, or in what proportion. We are now told there will not be people living there full-time. However, the council's track record on enforcing this rule is abysmal. In addition, the nature of the position of these pontoons, far from the sea, makes it likely the boats will be annual leisure moorings, rather than visiting craft. The consequence of this is that people will visit for weekends, holidays and are even likely to rent out their boats on Airbnb or similar platforms. Such visits will likely result in anti-social behaviour.

We were told that leisure licences offered on an annual basis prohibit owners from staying for more than a 15-day period – how will this be enforced? We are especially concerned about this, as we are now aware that this is not currently being enforced elsewhere in the harbour, and in fact people appear to be living full-time on boats that are there under an annual licence! There will be a lot of people around on this development if this ends up with 34 boats with people living on them full-time!

The harbour was previously provided with a marina for visiting craft. This now appears to be commercially operated and has now been filled with residential moorings. As we remain unsure what types of moorings are actually proposed in this application, how can we be sure that this will not also be handed over to another commercial entity and/or become filled with yet more residential moorings?

If this development gets filled with annual berthing or residential moorings, there will be no room for any visiting craft. Our worry is that, with over 100 people on the waiting list for annual berthing, eventually the annual sums paid by annual berth-holders will prove more financially attractive for the harbour authority.

Parking

If the marina is only for temporary visiting craft, there will be no need for consideration of parking provision. However, if it is for annual berthing or mixed use it will require such consideration. The application dismisses this issue completely! It is now stated that visitors can use the parking at the Mardyke Wharf car park. This has very few spaces which are often completely full. It is not adequate for a 34-boat mooring facility.

CCTV

The overall management plan seems to be that there will be no staff on site, and it will rely on CCTV (which may be installed later). This will not stop anti-social or criminal behaviour. Our recent experiences at our flats is that Avon & Somerset police will not have the manpower to look into incidents, even with clear CCTV images provided to them. Nor does it appear to deter criminals!

Summary

Despite our belief that a harbour should have provision for moorings for visiting craft and annual berth holders, it is our opinion that we should object to this particular application as it, and the project, do not appear to have been thought out well enough. Maybe it has been rushed to get the reed bed funding? We believe that the Harbour Authority or better still Bristol council should carry out a review of the entirety of the harbour for its use, sustainability and development before rushing this through this individual application.

There are too many unknown issues, and the long-term objective is not clear.

Susan and David Lyons

To the Service Director, Legal Services.

I wish to register my very strong objection to planning application number 22/06080/FB. I understand this will be discussed at a meeting on Wednesday 10th May, as I work I will regrettably not be able to attend in person.

This planning application is for a major marina development in a residential area, with moorings for 34 boats. Porto Quay is unmistakably a residential environment and has a very pleasant amenity which is greatly valued by residents and visitors alike.

The development is within 5 metres of our homes. The height of masts on yachts will reach to the level of the ceilings in 3rd floor flats impacting 90% of our flats.

No dialogue has taken place with residents to address our concerns about the development or ongoing management of the marina. Dialogue has only been between council officers.

A very significant number of 35 objections have been lodged. Capricorn Place consists of 43 flats.

There have been no supporting comments for this development. This is very surprising as you might expect that the reported 300+ people on the waiting list for a berth might like to support a development such as this.

Conservation Area Character Appraisal / BCS21 adherence.

Although a recent development, the Conservation on Area Character Appraisal lists Capricorn Place as character building within the conservation on area, which in the words of the CACA:

“(Character buildings)...make a posi,ve contribu,on to the overall character and sense of place of the Conserva,on Area. Their value is in their overall scale, form, materials, or date, which helps form the built backcloth for the area”.

This key planning document also mentions ons: “Protecting key views and key panoramas in future development.”

The Urban Design officer has noted that “that the development proposals cause harm” which is at odds with the claim that Urban Design and Conservation on did not object to the proposals.

So, as we can see the development does not conform to the CACA.

It is evident that the opinion of the officer that the development accords with the requirement of policy BCS21 to safeguard the amenity of existing developments is incorrect. This development within 6m of flats does not safeguard the amenity of existing our homes.

As residents we warrant equal consideration on to ensure an appropriate balance is achieved between uses.

Nonadherence to planning permission granted for Capricorn Place.

This development neither makes a positive, contribution or protects key views. The carefully designed scale and context of Capricorn Place will be overwhelmed by the proposed marina. This new development be contrary to the planning permission given to Capricorn Place. The se,ng and form that was developed to support the loca,on will not be adhered to.

Transport

There is no provision for disabled access or facilities es provided with this development.

Although City Transport have cited that the area “is sufficiently protected to prevent fly-servicing”, as residents, we know this not to be the case as when the Balmoral was moored to the west of Capricorn Place, vehicles were regularly parked on the harbour walkway.

This is at odds with their asser,on that the area is “sufficiently protected”.

Maintenance of reed beds

Urban design asked the question:

“Are there sufficient maintenance provisions for the proposed reed beds?”

It is evident with only 3 litter picks planned in 12 months that this is not the case. The reedbeds will become an eyesore and be detrimental to the area.

Justification of development

There is no clear and compelling justification for this development as claimed. When asked for details at Cabinet on the costs versus income for the proposal no detail was forthcoming. There is no robust business plan that details a return on investment for the £1,000,000+ of residents' money to be invested in this venture.

Creating an additional income stream for Bristol City Council is not a compelling justification. Conditions for development.

A condition has been inserted to address part of our concerns on pollution with the development in that:

“There shall be no burning of solid fuels for heating at any time by boats within the Capricorn Quay Pontoon.”

There is however no condition that this should be policed and adhered to other than by the signing of a 'mooring agreement'. This is insufficient.

Pollution Control / Noise

Pollution Control raised issues that have not been resolved, questioning :

“What infrastructure is in place to deal with any noise or anti-social behaviour from boat owners? Is someone on duty 24/7 who would be able to witness/deal with any issues?”

This has not been answered and there is no provision in place for 24/7 cover. This remains a major concern of residents.

There is no provision to address rigging noise of boats that are close to Capricorn Place.

There has been no environmental noise impact assessment done. One would expect with a development of this scale that one should have been carried out. Referencing impact assessments on other sites it is highly likely that such an assessment would show that the level of noise would be unacceptable for a residential environment.

There is no provision to address engine fumes of boats.

Construction method

It has been highlighted that the proposed method of construction of the pontoons does not meet RYA standards due to the location of the pontoons at the end of a long reach of water with the associated wave heights. This has not been addressed.

Yours sincerely,

Louisa Smith

Dear Sir/Madam,

I wish for the following statement to be taken into consideration at the Development Control B Committee on Wednesday 10th May at 14:00.

As a resident of Avon Crescent, I wholeheartedly oppose the reopening of the street to traffic for the following reasons:

- * two-way traffic on AC encourages motorists travelling from Junction Lock Bridge to Cumberland Road to drive in excess of the speed limit. This was verified as fact by Avon and Somerset several years ago.
- * in my personal experience, speeding traffic does not indicate to turn into AC from Junction Lock Bridge as they view it as an continuous road, giving pedestrians little time to react.
- * in my personal experience, speeding traffic pays no regard for pedestrians with small children and/or heavily pregnant pedestrians and do not reduce their speed, expecting pedestrians to get out of their way in time. This issue is compounded by visibility issues that the road being a crescent presents.
- * the road reopening to traffic will encourage cyclists back onto the footpath, presenting another hazard for pedestrians. However, this issue is a direct result of the road not being save for cyclists due to speeding traffic.
- * the houses, many council owned, on AC are Grade II Listed. Traffic, particularly lorries cause the houses to shake and undermine the integrity of the houses.
- * the road is part of the Harbourside walk and is a historic part of the city. Cyclists and pedestrians have shared this space for several years now with no issues. Motorist have also become accustomed to using a slightly different route.
- * re-opening the road would increase the air pollution in the area, as well as increased noise.
- * this proposal would also remove the obligation to replant the area's trees in full and would be met with considerable local opposition, particularly as this area is without BCC's Clean Air Zone.
- * BCC spent a considerable amount of time and money alongside local residents coming up with a workable and viable plan several years ago to re-route traffic away from AC, as well as simplifying the often confusing network of roads in the surrounding area. This plan was fully costed, and funding was allocated. The final step was to have the plans signed off by the Mayor. Mr Rees refused the plans at the eleventh hour, giving a very weak reason that made sense to no one involved. Needless to say, this was followed a few months later by his plans for the Western Harbour, a project he has been accused of pushing for his own personal gain.

Thank you for reading my statement, which I hope, alongside others, will result in Avon Crescent remaining closed.

Ruth Goodman

Dear Sir/Madam,

I wish for the following statement to be taken into consideration at the Development Control B Committee on Wednesday 10th May at 14:00.

“We are already at risk of speeding bicycles. I would really appreciate that you would not make it worse for speeding cars hitting us. I want that you would build lots of plants and trees in the road so it’s a private road for us and people who walk and people who cycle carefully.”

Felix Žukina

Age 7

Dear Sir/Madam,

I wish for the following statement to be taken into consideration at the Development Control B Committee on Wednesday 10th May at 14:00.

“ You shouldn’t crush people because cars are more faster than bikes.”

Leon Žukina

Age 3

To whom this may concern,

I am a residence that has lived at Ashton Avenue since 2001 and would like to address the planning permission for Avon Crescent my joining Road. There are three disabled children on Ashton Avenue. Two autistic one has learning difficulties. My son is eight years old and attends an accredited autistic school. His bedroom is at the back overlooking our back garden because he couldn't cope when his bedroom was on the roadside facing the flyover. He struggled with the noise and the vibration of large lorries/vehicles going onto the flyover. Where he is at the back plans changed it to one-way traffic only and this has massively brought down the level of noise and traffic passing through past the back gardens of Ashton Avenue. There are also three disabled adults living on Ashton Avenue. There are six people living with disabilities in row of 8 houses. It has been absolute bliss here with the no through Avon Crescent plan. Teamed with the parking restrictions it has helped those living here with disabilities safe access to our surrounding roads. There is also now an electric scooter parking area on Ashton Avenue. We are en route to places of quite big events. Many pedestrians walk through our surrounding streets and for Ashton Court events, Bristol City, football matches, rugby matches, festivals and sporting events like the 10k. It makes sense that we keep here pedestrian friendly as I see crowds in the hundreds, sometimes en route walking to big events. It gives them safe passage to the surrounding streets. There is also a path behind the houses of Ashton Avenue, which is heavily used by pedestrians, cyclists and scooter riders. It gives all these people safe passage which has been beneficial to everyone living here and passing through. We have a lot of traffic and traffic jams here due to events also. This plan would multiply that on top of how bad it can be. This is unfair to residence after allowing them to have some level of coping with making the streets safer.

Regards Grace Bascombe

Dear Sirs

Avon Crescent should remain a shared space as part of the conditions of the Metrobus planning consent granted in 2014! Replace the trees that were a condition of this planning consent, rather than the cars that were not!

Christine Smart

Valerie Steel

The Metrobus scheme caused huge disruption and environmental damage to the area around Avon Crescent and the conditions imposed, for the development to be allowed to go ahead, were intended to ensure the safe use of the Metrobus and mitigate some of the damage done within a Conservation area.

Environmental damage was caused by associated infrastructure ie. traffic lights and gantry and the felling of trees. Safe use of the scheme was to be ensured by traffic calming on Avon Crescent and the provision of safe crossing points especially to the Metrobus access route created under Smeaton road bridge. Tree replacement and enhancements to Avon Crescent were considered necessary to make the scheme acceptable.

Now apparently none of this is needed. By some magic trick maintaining the status quo fulfils the conditions.

The fact that the council themselves have consulted on re-routing and suggested various inadequate schemes, the most recent of which was rejected by committee on the grounds of safety, is strange if none of the conditions are necessary.

The justifications put forward for removing the conditions are a combination of twisted logic and actual untruths that are difficult to untangle.

1. Avon Crescent 'has no impact on the operation' of Metrobus - obviously the functioning of the bus service itself is not affected by the lay out of Avon Crescent, they built a new road for that. But the overall functioning of the service is affected ie. the safety of passengers, and all the other users of the access cut through, who need to cross Avon Crescent safely. Pedestrians and cyclists emerge at speed onto the potentially most dangerous part of Avon Crescent, that is, by the junction, which with no changes to the alignment, allows vehicles to sweep in at high speed. Even with the current restrictions in place, near misses are a daily occurrence.

2. They say 'proposed tree replacements would conflict with the proposal to return Avon Crescent to previous road lay out' because 80 tonne trucks need to use it. And 'tree replacements cannot be provided onsite'. This is factually incorrect as large loads are directed away from Avon Crescent as confirmed in a FOI statement by the Police. All the large loads needed to repair the New Cut wall used Smeaton Road. An area in front of A bond is marked on the original plan as having 15 birches planted as replacement - why has this not been done?

3. They assert that there will be a 'tangible' reduction in traffic using Avon Crescent in the future because of the bus gate. Where is the evidence for this? With all the new housing developments on this end of Spike island and the popular attraction of the SS Great Britain, there is likely to be more not less traffic.

4. Shared space may no longer be accepted practice but the intention behind it is still needed ie. safety for all users.

5. They talk about the road 'reverting to it's original design' and that the road will go back to how it was operating previously as if this is an application to remove the TTRO. This is not just a proposal to

temporarily reopen Avon Crescent with no new safety elements, it is an application to be absolved of any obligation to ever do anything in the future. This is so wrong, and shocking that it is even being suggested.

6. They say 'By maintaining the existing road layout, there is no new development as set out in Policy BCS21 to assess in terms of high-quality urban design' - this is such a misrepresentation. The 'new development ' was Metrobus, 9 years ago, and Avon Crescent was part of it and conditions were applied that recognised that fact. These conditions should be enforced not magicked away.

V.Steel

Garry shenton

Sent: 05 May 2023 21:18

To: Democratic Services <democratic.services@bristol.gov.uk>

Subject: Planning app. 22/05943/X Avon Crescent

The application in question should be judged on the advantages and disadvantages to Spike island in its entirety rather than simply viewed in isolation.

- The scale of the issue.

The one and a half miles of Spike island currently have a population of c.2,500, with proposed development raising it to c.3,700 with increased commercial on the ground floors. Add to this the 180,000 visitors to the SS Great Britain. This is the population level of a small town plus a major tourist and visitor centre.

- * Access.

Spike island has only two points of access, Bathurst bridge in the east and Junction lock bridge/Avon Cres. in the west. Both are essential to service the aforementioned population.

- * Alternative routes

Nothing further can be done to further improve the Bathurst basin access.

To somehow divert traffic around Avon Crescent and maintain access at the western end of the island is problematic.

Avon crescent has been the "doorway" to Spike island for 200 years and was built as such being c.10 m wide, to divert traffic

would involve minor roads c.5m wide and traffic lights to gain access back onto Cumberland road. This would create a

bottleneck resulting in increased emissions and be detrimental to air quality. Also, this route involves some very tight turns

at junctions and may be impassable to lorries and coaches rendering it impractical as an alternative

- * Traffic volume

The introduction of a bus gate on Cumberland road will effectively make Avon cres. a "no through road", with access only as

far as the Great Britain consequently there will be no transiting traffic and the road will be quieter than ever before.

- * Amenity value for cyclists

Much of the value as a cycle route is due to the closure of the "chocolate path", once reopened, this summer, the traffic on this

road will be much reduced as East/SWest cycling will utilise the chocolate path and the M2 bus route. S.West to north cycling is

served by the Ashton bridge/Create centre route to the junction with Merchants road. neither involve Avon Crescent.

In any case the application has provision for a cycle lane through the crescent rendering this as an objection irrelevant.

* Amenity value for pedestrians

The harbourside walk is a popular route and plainly signposted, the route is through Nova Scotia Place to Underfall yard and on

to Baltic Wharf and does not include Avon Crescent. Should pedestrians choose to use Avon Crescent then they will have

entered from either Merchants road or Cumberland road and face no more hazard there than they have on the rest of their

walk, simply stay on the pavement as they would on any street.

* Future developments

Should the proposed Western Harbour development ever become a reality the all the land west of Avon crescent, Smeaton

road etc will be required and we will be back to Avon Crescent again.

Conclusion.

In the interests of residents and business and the revenue they bring into the City it is imperative to retain good access.

Whether the reopening of Avon Crescent is appealing or not there is no logical nor practical alternative.

Public Statement from Bristol Cycling Campaign

5 May 2023

Avon Crescent

Meeting: Bristol City Council, Development Control Committee B, 10 May 2023

Reference: 22/05943/X

We are aware of planning application 22/05943/X for the removal of conditions which is described as relating to “(Bathurst Basin Bridge Commercial Road) Land Between The A370 Long Ashton Bypass In North Somerset And Cater Road Roundabout Cater Road Bristol”, our concerns with this application relate to **Avon Crescent**.


The application from Bristol City Council seeks to override existing Planning Condition 10 that required the approval of full design details, including the parking layout and crossing points, within Avon Crescent. The application from Bristol City Council reference 18/02968/X also sought to vary / delete the planning conditions associated to Avon Crescent, the application was refused. Bristol City Council has submitted a further application 22/05943/X to vary the existing planning conditions. We **object** to the removal of the planning conditions and ask that the current arrangements for Avon Crescent to be a cul-de-sac for motor vehicles is retained.

We are very concerned about proposals to re-open Avon Crescent as a through road for motor vehicles, and the implications this would have for the safety of both cyclists and pedestrians.

We are not aware of any valid reason why the Council has failed to honour their existing planning obligation to undertake the works at Avon Crescent. Similarly, we are not aware of any valid reason why the Council has failed to enforce the planning conditions. Clearly, when the council fails to implement the planning conditions placed by the council on the council, apparently without any consequences, it does question the whole basis of placing conditions on the approval of planning applications.

Fully re-opening Avon Crescent to all traffic will create an unnecessary danger to pedestrians and cyclists. Motor vehicles can currently gain access to Avon Crescent; there is no need for through access.

The existing restriction for motor vehicles has changed the character of Avon Crescent for the better, making it a more pleasant area.

Avon Crescent is a key cycling and walking route helping to connect both sides of the harbour, and it currently forms part of “Festival Way”.



The removal of through traffic for motor vehicles has made the route considerably safer. The footway on the east side of Avon Crescent is very narrow and totally unsuitable and inadequate for the amount of pedestrian traffic now using Avon Crescent, particularly on a weekend when both pedestrian and cycle traffic is higher. There is no footway on the west side of Avon Crescent.

We support the comment from Cllr Patrick McAllister (Hotwells & Harbourside Ward), that *“Avon Crescent has become a much-utilised walking and cycling route, and removing it from this use now in the face of near-universal public opposition would be detrimental on grounds of air quality and public health and amenity.”* ②

We are aware that the report from Officers (page 10) includes:

“It is also acknowledged that the continued closure of Avon Crescent is not an option as a TTRO can only be applied for twice for a period of up to 18 months, and it cannot be re-applied in the case of Avon Crescent.”

Firstly, to clarify, Avon Crescent is *not* currently closed. Avon Crescent remains open to all traffic (and we are not suggesting that it be closed). There is, however, currently a modal filter at the south (Cumberland Road) end restricting traffic to only pedestrians and cycles, as a consequence Avon Crescent is currently a cul-de-sac for motor vehicles.

Secondly, we acknowledge that there is a limit to the number of TTROs that can be implemented for the temporary traffic restriction. There is nothing, however, to prevent a TRO (not a further TTRO) to make the existing temporary modal filter permanent.

The report from Officers (page 9) also suggests that Avon Crescent would return to the existing (pre TTRO) road layout and function. This is simply not the case. A new pedestrian and cycle route③ has been added to Avon Crescent to provide access to the new MetroBus bus stops on Cumberland Road, and onward across Ashton Avenue Bridge. Additionally, since the TTRO was implemented there has been a significant increase in pedestrian and cycle traffic on Avon Crescent. If Avon Crescent is to be fully reopened then there will be serious implications for the safety of cyclists and pedestrians. The MetroBus bus stops, have had a significant impact on the amount of pedestrian traffic along Avon Crescent. The new access route has also increased the number of cycle journeys on Avon Crescent.

In response to our petition presented to full Council on 8 November 2022 entitled “Make Bristol a place where anyone feels safe to cycle” ④, the Mayor published an article on thebristolmayor.com⑤ website entitled “Making Bristol’s transport network safer for all”, in which he stated: ***“Bristol has a clear transport hierarchy which prioritises pedestrians and then cyclists.”*** This application is direct contravention of the established priorities of the Council.

We urge Councillors to reject the removal of planning conditions related to Avon Crescent contained in planning application 22/05943/X, to ask for the existing temporary arrangements to be made permanent.

References:

① <https://cycleplanner.betterbybike.info/leisure-rides/Festival%20Way>

② https://pa.bristol.gov.uk/online-applications/files/F6E1B1E59F16B50C3F6C4DE5742B873E/pdf/22_05943_X-REPORT_TO_COMMITTEE_10TH_MAY_2023-3448083.pdf#page=4

③ <https://goo.gl/maps/SWakiDFc59sTrCrz8>

④ <https://democracy.bristol.gov.uk/mgEPetitionDisplay.aspx?id=255>

⑤ <https://thebristolmayor.com/2022/11/24/making-bristols-transport-network-safer-for-all/>



Dear Democratic Services,

Please find attached my full statement to the DCB Committee meeting taking place on 10 May 2023, on the item of the Metro Bus application. I would like to speak on this matter.

Please also see below two Google Drive links to videos that I would like to be available as evidence. I have also linked to these in my submission document.

https://drive.google.com/file/d/1E5EeFXe2K5FCiKE4onjlreNZos_xetk9/view

<https://drive.google.com/file/d/1VEUaC3Pi9knmSmJ98WCsRTQyaq39Pgb6/view>

I am copying in Councillor Stafford-Townsend as Chair of the Committee.

Many thanks,

Cllr Patrick McAllister

As the councillor for this area, I urge the committee to reject this application.

This proposal, if approved, will lead to a huge increase in traffic along Avon Crescent, increasing noise right on resident's doorsteps while worsening safety and air quality. It would also represent a betrayal of the conditions of the original planning consent granted, with many of the mitigations that made that consent viable still unimplemented. The proposal is extremely unpopular with residents who love their safe and liveable street, and contrary to what has been said it is not an essential route for heavy vehicles.

Since the temporary bollards have been in place on Avon Crescent, use of the road by those on foot and bicycle has increased significantly, as the road forms part of new walking routes around Bristol and the harbour specifically. This has been to the benefit of local businesses, as well improving air quality and reducing traffic risk in the area. The closure is very popular with residents, many of whom have told me that they would like to see a fuller pedestrianisation, and none of whom told me that they supported this application.

Furthermore, in accepting this application Bristol Council would be sending a message that we, as a planning authority, will not hold developers and other organisations to the pledges they make in planning applications. The application is to remove conditions previously imposed to make applications acceptable – to remove them now when the conditions are not implemented would be a betrayal of residents and would weaken trust in Bristol City Council in the future.

Bristol is committed to improving air quality and reducing traffic loads; reopening this road would worsen pollution and run contrary to this stated goal.

I also draw the Committee's attention to the two videos that I submitted, which are linked in the footnotes of this document¹². These videos show that Avon Crescent is not the only suitable route for heavy vehicles and that Cumberland Road is very capable of supporting these. Furthermore, a 2018 Freedom of Information request to Avon & Somerset Police revealed that the police did not allow "abnormal loads" to be routed via Avon Crescent. Clearly, given this evidence and the fact that the road has been closed to traffic for the past few years with no detrimental impact, Avon Crescent is not a necessary throughfare for any vehicles, including heavy ones.

Finally, members will be aware of the awful tragedy of the fire at Underfall Yard just last weekend on Saturday 6 May. During this period, Avon Crescent served as an important base for emergency services, providing segregated space for a fire engine and firefighting equipment. Given Underfall Yard's status as an active industrial centre and its proximity to residential properties, it would seem prudent to maintain this stretch of road as a potential staging ground for emergency vehicles.

¹ [PXL_20210208_155710431.mp4 - Google Drive](#)

² [PXL_20210208_155655200.mp4 - Google Drive](#)

I hope that the Committee will take the above points into consideration, and vote to reject planning application 22/05943/X, in accordance with the overwhelming wishes of the residents of Avon Crescent and the stated priorities of Bristol City Council.

Patrick McAllister

Councillor for Hotwells & Harbourside.

Hello

I am emailing to object to the plans to reopen Avon Crescent.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. The cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent.

This road is heavily used by pedestrians and cyclists for commuting and leisure. The pavement is far too narrow to accommodate the current human traffic - even walking single file it's nearly always necessary for one party to step into the road to avoid the oncoming people - which is annoying at the best of times and downright dangerous when you are herding children.

By reopening this road, the council will be destroying a valuable public amenity and treasured route for local residents - sacrificing this for the convenience of a relatively small number of vehicles travelling through the area.

I hope that the committee will reject the application.

Thank you.

Bethan Grant

Dear Council,

What benefits could reopening Avon Crescent to motor traffic bring to Bristol? More traffic, more congestion, and the loss of a popular cycling and walking route? Would the city really benefit from this backtracking, after three years?

Why is the Council planning to walk back in time? I was hoping the benefits of active transport have finally been recognised in the City but recent transport plans strongly suggest otherwise. I'm very disappointed and I'm not alone.

Kind regards,
Marton Balazs

Dear Democratic services.

Could I please submit the statement below for the agenda item (*Application for the removal of conditions 4, 10 and 13 following grant of planning application 16/05853/X for the variation of condition number 18 - Phase 1. for planning permission - 13/05648/F*) for the DCCB meeting on the 10th May.

I would like this statement to be given in person, but as I cannot attend, I request that Mr Mark Ashdown could be allowed to read out this statement on my behalf. Thanks.

Best wishes.

John Tarlton.

This application to remove important planning conditions, which are necessary to comply with DM17, long after the original approval, has the potentially to seriously undermine the planning process. It is not possible to take account of the “balance” of the original decision, which may have been marginal, with the promise of the correct tree replacement perhaps being crucial. To take a piecemeal approach like this will create a dangerous precedent for developers to gain approval by promising things they will later try to reverse. Allowing this once could result in it being used to overturn future decisions on appeal. Further, their proposal to plant tree replacements “city-wide” undermines the important link between local reparation for local damage, which again creates a precedent. No reason is given for the reduction in the number of replacement trees from 55 to 24, and, as no replacement sites have been identified (contrary to planning policy), it should be assumed that the upper monetary (£106) value should apply.

Professor John Tarlton, BSc, PhD

Hello Democratic Services

I'd like to submit the following as a statement and hereby make a request to be able to address the members of Development Control B Committee on Wednesday 10 May 14.00 regarding consideration of Planning Application 22/05943/X).

Thank you

Richard Walker

Dear Chair and Members of the Planning Committee

This is the third time that these Council Transport Officers have made an inappropriate attempt to get these outstanding and long-overdue environmental , public safety and sustainable transport planning conditions removed.

Doing so is surely contrary to the Council's responsibilities as a highways and planning authority and runs against numerous local plan, national planning policies and the Council's own Climate Change Actions/commitments.

I ask that you take into account their consistent rebuffing of our many efforts to engage and seek a solution.

Their retrospective justification - that the proposed and agreed pedestrian access to this public transport scheme, that safely reconnecting the severed walk and cycle links between neighbourhoods and around the Harbourside and measures to mitigate impacts add no value, aren't required anymore and would be contrary to government guidance – this is clearly stuff of nonsense.

They are attempting a distortive misrepresentation of an equalities issues to make false claim that somehow providing road safety measures at this location is somehow inappropriate. Agreeing to this would seriously erode public trust in the Council and any confidence by local communities in Development Control and the Planning system.

If their claims have any validity it would be appropriate for the applicant to have sought and secured by Council Cabinet (24/02/23) £5.2m of CRST & Liveable Neighbourhood funding (much of in and around Clifton) to enhance/complete and make permanent safe streetspace and diverted traffic

schemes in other places – then by contrast, refuse to implement its own outstanding planning obligations?

This retrospective Section 73 application also risks setting a much wider, very dangerous and highly inappropriate precedent, that all other ‘developers’ will be able to rely upon and follow – i.e. that they can just disregard their obligations and instead just keep making Section 73 applications to have environmental, safety and sustainability conditions retrospectively removed.

To attempt this again, having twice been refused (while also refusing to engage and find a solution) seems like an abuse of position and powers.

We ask that once again Members of the planning committee reject this and strongly express the requirement that the planning conditions that Bristol Council Transportation entered into are constructively met as a matter of urgency.

Doing so does not have to be hard or expensive and their need be no losers.

The obvious preference is to simply re-route and re-establish two-way vehicular traffic onto the immediately parallel Cumberland (main) road – this as well as the (more expensive) alternative, redeveloping the whole of Avon Crescent as Shared Space - were both explicitly identified as options to meet the required conditions within the AVTM planning approval.



Smeaton Road Bridge (parallel to Avon Crescent) should be providing western access to Cumberland Rd and Spike Island – unreasonable closure for 3 years!

The re-opening of Cumberland Road, by simply removing the westbound closure on Smeaton Rd Bridge, can and should be done immediately and without reopening Avon Crescent to vehicles or waiting for the completion of ongoing/delayed works to Avon Cut. The Smeaton Rd Bridge closure is not necessary to these works and is unreasonably obstructing vehicular access from the western end for all of our neighbours along Spike Island.

Finally, the claim that shared space obligations and safety implementation are no longer needed because the proposed (but not approved, implemented or locally supported) Bus Gate on Cumberland Rd '*will significantly reduce the level of traffic using Avon Crescent*' is not credible as it does nothing to address speeding vehicles (only some volume), poor sightlines and thus risks and dangers.

A reliance on this (as an excuse to not meet prior planning conditions) would have the very real effect of forcing the hundreds of daily pedestrians, runners e-scooters, skaters and cyclists – all of whom have come to rely upon and need

to connect safely through Avon Crescent – into conflict with each other onto a single inadequately narrow pavement. The Bus gate is uncertain and if implemented would still allow significant numbers of speeding through-vehicles.

Trying to justify in this manner is divisive and perhaps is reflective of how officers of the Council have pitted access for neighbouring communities and interests against each other (rather than seeking consensual solutions) - as a way to avoid meeting its outstanding AVTM scheme obligations. We reject reliance on a restrictive eastwards Bus Gate on Cumberland Road

Thank you

Richard Walker

May I please add my strong support to the concerns raised by Dr Balazs? As a cyclist I am appalled by Bristol's indifference.

Thank you

Peter Metelerkamp

Dear Democratic Services

Please add the statement below to public forum, for the above item.

"Planning application 22/05943/X pretends that Avon Crescent has nothing to do with Metrobus, and is merely about scrubbing unnecessary Metrobus AVTM conditions.

In fact, these conditions were imposed on Metrobus in 2014, to ensure that the proposed new busy Metrobus junction onto Avon Crescent was safe, and that the trees destroyed here, were replaced.

A subsequent Metrobus/Avon Crescent planning application was brought in 2018 - 18/02968/X which included many safety elements (as then recommended by Transport Development Management)

such as a raised speed table at the Metrobus junction, a tighter turn-in to the street, build outs, refuge islands etc. This application was refused "as it would be harmful to conditions of highway safety"

This new application now pretends that Avon Crescent has no connection whatsoever with Metrobus, which is ridiculous. It now proposes to do nothing to make the Metrobus/Avon Crescent junction safe, and to plant no replacement trees here. If it was unsafe in 2018, it is certainly more unsafe now, with no proposed safety mitigations whatsoever. The proposal is to leave the road as a two-way highway, with access restricted from Cumberland Road for motor vehicles. Cyclists will have to turn into Avon Crescent from Cumberland Road, into oncoming motor traffic which will inevitably wrongly perceive it to be one way. There will be no refuge island for cyclists, or crossing points for pedestrians.

The mantra that Avon Crescent is unsuitable for traffic calming and tree planting, because of it being an essential 'exceptional loads' route, has been disproved by an Avon and Somerset Police Freedom of Information Act request made back in 2018, and this has been seen by many council officers over the years. I will email members a copy of this police F.O.I.

Please do not grant the scrubbing of these 'awkward' planning conditions. It would make any future conditions imposed on development, meaningless.

P.S. I have attached a copy of the plan from the refused 2018 planning application, which offered numerous safety mitigations, and tree options. This application was refused almost unanimously, on road safety grounds.

You can see from the extant shared space plan attached to the officer recommendation, that three trees should have been used in the shared space to slow motor vehicles, along with a turning head for the safe turning of vehicles into oncoming traffic, and fifteen trees to be planted on Butterfly Junction.

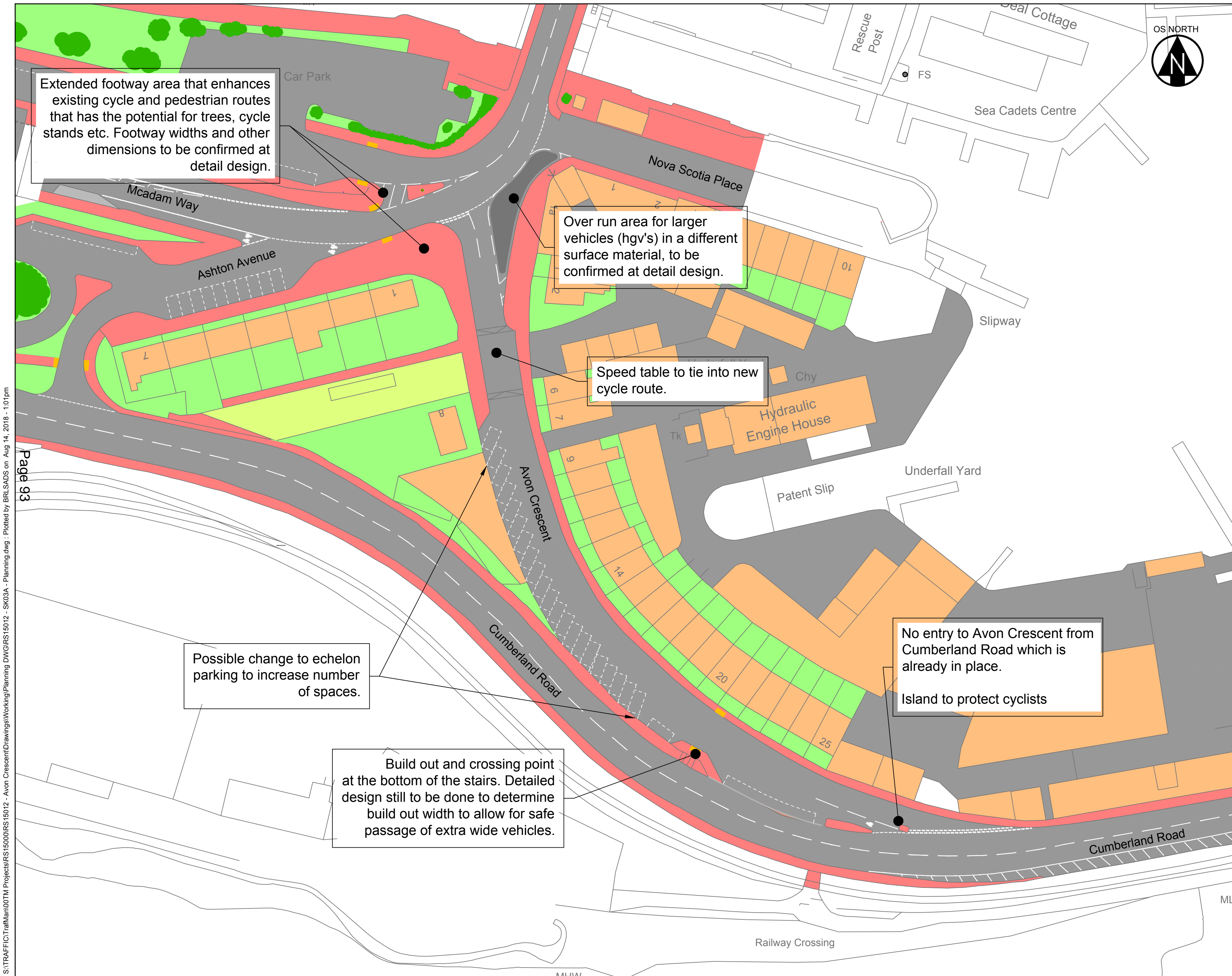
The proposed 'do nothing' 2020 plan of Avon Crescent also attached to the officer report, wrongly shows the Cumberland Road trees by the retaining wall, which were felled a number of years before 2020.

After the recent fire, Underfall Yard will now be closed to pedestrians, and cyclists pushing their cycles, for safety and re-building reasons. This could go on for years. This will result in even more walkers and cyclists using Avon Crescent. The pavement is simply not wide enough, and is on one side of the street only."

Martin Rands

S:\TRAFFIC\TrafMan\00TM Projects\RS15000\RS15012 - Avon Crescent\Drawings\Planning DWG\RS15012 - SK03A - Planning.dwg : Plotted by BRLSADS on Aug 14, 2018 - 1:01pm

Page 93



- Soft landscaped areas
- Hard landscaped areas - vehicular traffic
- Hard landscaped areas - pedestrian / cyclists
- Existing buildings
- Approved new cycle route
- Outline of existing overpass

Rev.	DATE	Description	By

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Growth & Regeneration

Peter Mann (Director of Transport)
City Hall
PO Box 3176
Bristol
BS3 9FS

TRANSPORT
Avon Crescent
Planning
DRAFT

Dwg RS15012 - SK03A	
Revision	Drawn ADS
Scale 1/500 @ A2	Date 14/08/2018

To Whom it May Concern

I am writing to register my objection to the reopening of Avon Crescent to motor vehicles. I understand that an application to reverse an order preventing motor vehicles from using that street will be discussed at the Development Control meeting Wednesday May 10th.

The road has been functioning fine as a cycling and walking-friendly route, and it should remain so. I say this, even though I live on Cumberland Road, have a car, and it might be convenient to me to have access to my home from Avon Crescent, rather than only having access from the Redcliff end of the road. But there are larger considerations in play. Improving air quality, encouraging walking and cycling, and making these safe, all require the reduction of motor vehicle traffic in the city centre. In this context, why reverse a position that has been functioning fine, at a time when Bristol Council should be expanding traffic free areas? This also flies in the face of the Council's own commitments, as Marvin Rees is on record stating [emphatically that the road wouldn't be reopened](#).

Please register my objections to this retrograde move.

Yours Sincerely,

Mandy Rose

Dear Recipient,

Please do not reopen Avon Crescent to motorised traffic. Cycle routes are already so limited in Bristol and this route has made it so much safer for cyclists to move around.

Thank you,
Emily Herbert

When the planning application for Metrobus was approved in 2014, a number of important conditions were attached. However these conditions have never been discharged and remain outstanding. This planning application (22/05943/X) in effect treats Avon Crescent as not a part of the Metrobus planning approval and must therefore stand accused of renegeing on these conditions.

A subsequent Metrobus variation planning application was brought in 2018 - 18/02968/X - which included many safety elements (as then recommended by Transport Development Management) such as a raised speed table at the Metrobus/Avon Crescent junction, a tighter turn-in to the crescent, refuge islands etc. In spite of the addition of these safety elements this application was refused "as it would be harmful to conditions of highway safety"

This new application proposes to do absolutely nothing to make the Metrobus/Avon Crescent junction safe. If it was deemed unsafe in 2018, it can only be more unsafe now due to the significant increase in pedestrians and cyclists/scooter riders over the past 5 years. If the Council's proposed conversion of the bonded warehouses into flats goes ahead, this can only increase the volume of "traffic" further. With no proposed safety mitigations this presents a real risk of "an accident waiting to happen". It would be utterly unforgivable if this application is approved and the direct consequence were to be an accident involving pedestrians or cyclists in collision with traffic speeding down Avon Crescent.

When Avon Crescent was open to traffic, vehicles entering from Merchants Road would often travel at speed towards the Cumberland Road junction. Many of the residents were so concerned that one couple volunteered to act as members of an organisation called Community Speedwatch. There is genuine concern that if these conditions are removed as per this application; traffic would resume speeding down Avon Crescent.

Approval of this application would mean that all the promised mitigating environmental actions for this conservation area e.g. air quality, replacement tree planting, landscaping etc will be unilaterally withdrawn. Removal of these conditions will inevitably re-introduce speeding traffic including large vehicles which cause the ground beneath the grade II homes to shake. A shared space scheme would allow safe passage down Avon Crescent onto Cumberland Road which we believe is important for our neighbours living further east on Spike Island. I also urge the immediate re-opening of Cumberland Road from the western approach over the Smeaton Road Bridge to facilitate access to those same neighbours.

Avon Crescent has been increasingly used by cyclists and scooter riders who have been able to use the road safely. If this application is successful, due to speeding traffic some may revert to using the narrow pavement on the east side - there is no

pavement on the other side. This will inevitably lead to conflict and risk collisions with pedestrians.

The belief that Avon Crescent is unsuitable for traffic calming, because of it being an essential 'exceptional loads' route, has been disproved by an Avon and Somerset Police Freedom of Information Act request made back in 2018, and this has been seen by many council officers over the years.

Please do not grant approval of this application with the removal of these important planning conditions. Doing so would not only pose serious safety concerns, but by reneging on previous commitments would set an unwelcome precedent, rendering any future conditions agreed on development meaningless.

I would like to make a short statement to the committee on Wednesday the 10th please.

Andrew Clay

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter at the Cumberland Road end.

I hope that the committee will reject the application.

Reverting to its previous usage is ridiculous.

Stop this stupidity!

Best

Amy Hutchings

Dear Sir / Madam,

I am emailing to object to the plans to reopen Avon Crescent.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. The cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent.

This road is heavily used by pedestrians and cyclists for commuting and leisure. The pavement is far too narrow to accommodate the current human traffic - even walking single file it's nearly always necessary for one party to step into the road to avoid the oncoming people - which is annoying at the best of times and downright dangerous when you are herding children.

By reopening this road, the council will be destroying a valuable public amenity and treasured route for local residents - sacrificing this for the convenience of a relatively small number of vehicles travelling through the area.

I hope that the committee will reject the application.

Kind regards,

Simon King

Dear Chair and Members of the Planning Committee

I oppose the reopening of Avon Crescent to general traffic and request that it is adapted ASAP to have proper safe access for emergency services, particularly following the frightening fire incident on Friday at the Underfall Yard

Also please recognise residents many efforts to engage and seek a solution which allows BCC to comply with AVTM planning restrictions and for the road to function safely for all users endnote prioritise motor vehicles.

The judgement that the proposed and agreed pedestrian access to this public transport scheme, that safely reconnecting the severed walk and cycle links between neighbourhoods and around the Harbourside and measures to mitigate impacts add no value and aren't required anymore, could put people in danger of serious RTAs.

Agreeing to this would seriously erode public trust in the Council and any confidence by local communities in Development Control and the Planning system.

If their claims have any validity it would be appropriate for the applicant to have sought and secured by Council Cabinet (24/02/23) £5.2m of CRST & Liveable Neighbourhood funding (much of in and around Clifton) to enhance/complete and make permanent safe streetspace and diverted traffic schemes in other places – then by contrast, refuse to implement its own outstanding planning obligations?

This retrospective Section 73 application also risks setting a much wider, very dangerous and highly inappropriate precedent, that all other 'developers' will be able to rely upon and follow – i.e. that they can just disregard their obligations and instead just keep making Section 73 applications to have environmental, safety and sustainability conditions retrospectively removed.

To attempt this again, having twice been refused (while also refusing to engage and find a solution) is unacceptable.

We ask that once again Members of the planning committee reject this and strongly express the requirement that the planning conditions that Bristol Council Transportation entered into are constructively met as a matter of urgency.

Doing so does not have to be hard difficult or expensive.

The obvious preference is to simply re-route and re-establish two-way vehicular traffic onto the immediately parallel Cumberland (main) road – this as well as the (more expensive) alternative, redeveloping the whole of Avon Crescent as Shared Space - were both explicitly identified as options to meet the required conditions within the AVTM planning approval.



Smeaton Road Bridge (parallel to Avon Crescent) should be providing western access to Cumberland Rd and Spike Island – unreasonable closure for 3 years!

The re-opening of Cumberland Road, by simply removing the westbound closure on Smeaton Rd Bridge, can and should be done immediately and without reopening Avon Crescent to vehicles or waiting for the completion of ongoing/delayed works to Avon Cut. The Smeaton Rd Bridge closure is not necessary to these works and is unreasonably obstructing vehicular access from the western end for all of our neighbours along Spike Island.

Finally, the claim that shared space obligations and safety implementation are no longer needed because the proposed (but not approved, implemented or locally supported) Bus Gate on Cumberland Rd '*will significantly reduce the level of traffic using Avon Crescent*' is not credible as

it does nothing to address speeding vehicles (only some volume), poor sightlines and thus risks and dangers.

A reliance on this (as an excuse to not meet prior planning conditions) would have the very real effect of forcing the hundreds of daily pedestrians, runners e-scooters, skaters and cyclists – all of whom have come to rely upon and need to connect safely through Avon Crescent – into conflict with each other onto a single inadequately narrow pavement. The Bus gate is uncertain and if implemented would still allow significant numbers of speeding through-vehicles.

In summary:

- * two-way traffic on AC encourages motorists travelling from Junction Lock Bridge to Cumberland Road to drive in excess of the speed limit. This was verified as fact by Avon and Somerset several years ago.
- * in my personal experience, speeding traffic does not indicate to turn into AC from Junction Lock Bridge as they view it as an continuous road, giving pedestrians little time to react.
- * in my personal experience, speeding traffic pays no regard for pedestrians with small children and/or heavily pregnant pedestrians and do not reduce their speed, expecting pedestrians to get out of their way in time. This issue is compounded by visibility issues that the road being a crescent presents.
- * the road reopening to traffic will encourage cyclists back onto the footpath, presenting another hazard for pedestrians. However, this issue is a direct result of the road not being safe for cyclists due to speeding traffic.
- * the houses, many council owned, on AC are Grade II Listed. Traffic, particularly lorries cause the houses to shake and undermine the integrity of the houses.
- * the road is part of the Harbourside walk and is a historic part of the city. Cyclists and pedestrians have shared this space for several years now with no issues. Motorist have also become accustomed to using a slightly different route.

Kind Regards

Anna Haydock-Wilson

Mark Deacon

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter at the Cumberland Road end.

I hope that the committee will reject the application.

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I regularly enjoy walking around the harbourside at the weekend, and was delighted to discover that Avon Crescent had been made safe for pedestrians and cyclists. The calm sense this has created is in stark contrast to noise and traffic of the nearby roads.

I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a very negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter was introduced at the Cumberland Road end.

For the first UK city to declare a climate emergency, it would be wrong to re-impose the pollution, danger and noise onto this currently peaceful area.

I sincerely hope that the committee will reject the application.

Adam Cattle

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I often enjoy walking around the harbourside at the weekend, and was very pleased to discover that Avon Crescent had been made safe for pedestrians and cyclists. The calm sense this has created is in stark contrast to noise and traffic of the nearby roads.

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Surely, the first UK city to declare a climate emergency, should not be re-imposing the pollution, danger and noise that re-opening the road would cause

I fervently hope that the committee will reject the application.

Kathleen Woodhouse

Hi,

As above, I am writing to object to this proposal. The pedestrianisation of this thoroughfare has made such a difference to cycling and walking in this area. It would be such a backwards step to repeal this and completely at odds with the council's supposed aim to increase active travel.

We should not be coming up with ways to make driving the more appealing option.

Many thanks,

Ed Roberts

Statement to DCC B - 10 May 2023

22/05943/X | Application for the removal of conditions 4, 10 and 13 following grant of planning application 16/05853/X for the variation of condition number 18 - Phase 1. for planning permission - 13/05648/FB.

Our original objections to this application are set out here - [Bristol Tree Forum objection to planning application](#).

This is a disturbing application. Not only is it emblematic, from our point of view, of the repeated tree-planting failures of the whole Metrobus project, but it also illustrates problems inherent to the planning process: it introduces the risk of allowing incremental development years after an original application has been considered and granted.

Furthermore, the summary of this application gives no indication of its purpose and so deters proper stakeholder engagement. The summary of the application needs to give a succinct description of its intended outcome.

We don't know whether the original granting of planning permission in 2013 would have been given had the developers said at the outset that they had no intention of planting the trees promised or of making the street safer. However, it's clear that the approval, and its later variations, went through a thorough planning process. In the nearly ten years since then, it seems that nothing has been done to realise the conditions imposed at the time. Had it been any developer other than the Council, it seems unlikely that the LPA would have permitted these breaches (see **Appendix 1**).

This represents a dangerous precedent. Not only does it undermine the whole planning process, but it leaves the local community feeling betrayed because, having thought that their original concerns about the scheme had been addressed, they now find them cast aside. This sense of betrayal must seem even greater, given the [assurances made by the mayor barely two months](#) before this application was issued.

Furthermore, entering into a Memorandum of Understanding - the equivalent of a S106 agreement - to satisfy the requirements of BCS9 and DM17 has no greater chance of the replacement trees ever being planted than it has had so far. We have always argued that these agreements can never be offered as an alternative to complying with the Local Plan, which requires lost trees to be replaced, not converted to a fund to be stashed away with no realistic prospect of it being used for its original purpose.

In light of this, it is hard to imagine how it can possibly be said that:

it is considered that the proposed removal of condition 4 would not result in any unacceptable impacts upon green infrastructure and would accord with Policy BCS9 by retaining more trees than the extant consent.

In summary, all these conditions should be retained and enforced. Otherwise, this proposed amendment, combined with the failure to plant the trees required, will be seen as a route to evading planning policy so that BCS9 and DM17 will effectively become invalidated.



Statement to DCC B - 10 May 2023

The fact that the applicant is Bristol City Council only adds insult to injury, given its purported commitment to doubling tree canopy across the city and its recent declarations of climate and ecological emergencies.

Bristol City Council, as developer, should be seen to be exemplary in its implementation of its own planning policies, as well applying its own Ecological Emergency and Climate Emergency Action Plans, and pursuing the goals of its own One City Plan.

It is only when these 'promises' are realised 'on the ground', that they will have any impact. Promises mean nothing unless they are acted on.



Statement to DCC B - 10 May 2023

Appendix 1

The applicant has published its justification for its request to remove condition 4.¹ It states, amongst other things, what has been done to date:

- ... God's Garden - Five trees removed, 9 are therefore required. ...
- T148-149 Redcliffe Hill - 2 trees were removed. We have planted 4 trees so far to replace these and are required to plant 6, leaving 2 trees still required.
- Avon Crescent - No trees are being removed. The trees indicated here for planting are now considered unsuitable. They would be very close to the carriageway and a number of times a year an 80 tonne wagon transporting boats uses the road as its only access. The planting of trees would make this essential access impossible.

Condition 10 required, amongst other things, submission of full design details:

... ii. soft landscaping showing existing planting to be retained and new planting (including species, planting sizes, planting densities, planting soils, planting pits and staking, root barrier to enable planting to be carried out in close proximity to underground services, flood retention ponds, ground and earth modelling).

Our comments on the above

1. As far as we are aware, the full design details set out in Condition 10 ii above have never been submitted and none of the works specified have been undertaken.
2. Drawing AVTM-3-TPP-DRG-001 C2 Bathurst Basin Bridges Tree Protection Plans Sheet 1, received 27 October 2016 shows six trees being removed at God's garden, not five. This document is listed in the officer's report and forms part of the 16/05853/X Conditions.
3. The applicant proposed planting five trees in God's Garden - drawing AVTM-3-TPP-DRG-003 C2 Bathurst Basin Bridges Gods Garden Tree Planting, received 27 October 2016. This document is part of the 16/05853/X Conditions, yet these trees have never been planted, nor has the applicant ever been excused from doing so. This document is listed in the officer's report.
4. Drawing 201749-PA-316 P1 Landscape proposals Avon Crescent, received 17 December 2013, shows 19 trees proposed to be planted in and around Avon Crescent. This document is part of the 13/05648/FB Conditions. The officer is recommending that this document be removed from the consent, yet fails to advise you that none of these trees were ever planted.
5. Drawing 201749-PA-202 P3 Proposed general arrangement sheet 2, received 17 December 2013 also shows these trees, together with a further 15 Birch trees proposed to be planted. The officer is recommending that this document be removed from the consent and yet, again, fails to advise you that none of these trees were ever planted - a total of 34 trees.
6. Of the four trees planted near Redcliff Hill, one appears to have died, as this 2021 Google Street View image shows:

¹ 22_05943_X-JUSTIFICATION_FOR_CONDITION_4_REMOVAL_-_FURTHER_INFO-3446357



7. This 2013 Google Earth image shows the area just to the south of Cumberland Road, where it adjoins Avon Crescent. There is an extensive area of green open space, including at least six trees growing there:



Statement to DCC B - 10 May 2023

This green space no longer exists. It was removed sometime between 2015 & early 2017, as this Google Earth image shows.



Dear people involved in the meeting:

re. planned re-opening of Avon Crescent to all traffic

I cannot oppose this plan more strongly.

During the first Covid Lockdown in 2020, with people out for exercise, pedestrian traffic along Avon Crescent increased significantly. The pavement on the harbour side is narrow (and there is no pavement on the opposite side) so pedestrians used the roadway to maintain spacing. Cycle traffic also increased and used the remainder of the road. This has now become the norm. And here are now significantly more people running - doing laps of the harbour, presumably - taking the same route and understandably running in the roadway. The closure of the pedestrian route through Underfall Yard after last weekend's awful fire will only increase the pedestrian numbers. I regularly cycle from the Create Centre in towards St Mary Redcliffe, using the path beside the guided busway and then Avon Crescent to Cumberland Road, and invariably have to use the full width of Avon Crescent to give pedestrians adequate passing room.

The reinstatement of motor traffic along Avon Crescent would be dangerous to cyclists and pedestrians and is anyway unnecessary. Motor traffic has in the interim successfully found alternative routes.

Please reject this proposal.

Yours faithfully,

Angus Gregson

Hello

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter at the Cumberland Road end.

I use this route fairly frequently and I'm concerned about the impact of the tragic fire at the Underfall Yard and the closure of the route through there. It means that rerouted non motorised traffic will be using the end of Cumberland Rd and into Avon Crescent as we were during the pandemic. It's a retrograde step in a city which is looking to encourage safe active travel options.

I hope that the committee take account of the new circumstances and will reject the application.

Penny Russell

Cllr ed Plowden

Statement re Avon Crescent: 22/05943/X - Metro Bus AVTM

The principal reason for this application appears to be that the detailed designs proposed at the time of the application are no longer appropriate. The other reason is that there is a plan elsewhere that will reduce the through traffic, this is not a material planning consideration and especially not if it is still subject to a TRO.

The first reason is not a good reason to revoke the conditions; the principle of the condition remains the same – to close this as a through road for traffic – which is something that is still desirable, and indeed more up to date with modern transport thinking about keeping through traffic on some streets and reserving others for residential use.

A key issue here is which Government guidance to use. I see in the Officer's report that the Design Manual for Roads and Bridges is mentioned; this defines the standards (and I quote) for "current design standards relating to the design, assessment and operation of motorway and all-purpose trunk roads". In urban situations it is common instead to refer to the Manual for Streets which sets out guidance for the "design and provision of residential and other streets" and "to return our residential streets to the community by engineering them to create a greater sense of place, provide an environment that is accessible and safe for all, and one that improves the quality of life". The recent Local Transport Note 1/20 also sets out standards for walking and cycling infrastructure.

It might have been appropriate for Metrobus AVTM scheme overall to be designed in line with DMRB, but this was a choice at the time rather than a requirement.

If the political will was there, then it would be perfectly technically possible to design something that meet the traffic-calming and urban realm principles agreed by a previous planning committee in line with current guidance.

Indeed I need to emphasise that the guidance is just that; guidance to be interpreted and applied by civil engineers on a case-by-case approach, rather than a strict legal requirement. It may be that it is difficult or impossible to design Avon Crescent in strict adherence with LTN 1/20 and MfS principles, but that is not a reason to accept this planning application.

I recommend that it is either rejected or if need be deferred whilst someone is commissioned to design a scheme that complies with the most recent guidance, and if need be the interplay between the different guidance documents, that will then remove the need for this application.

The Second reason given that there is another scheme which will reduce the traffic is not only not a material planning consideration but should be seen as working in concert with this scheme, rather than the other proposal fulfilling the objectives of this scheme. The two together will reduce traffic and will put the through traffic where it belongs, which is not on a residential street.

Please note for full disclosure and the absence of any doubt: I was previously a Head of Service at the City Council Transport Department, and led the Metrobus workstream installing stops, shelters and Ipoints as well as operational readiness (timetables, contracts with bus operators, service standards etc), but was not directly responsible for the engineering of the roads and bridges in this area.

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter at the Cumberland Road end.

I hope that the committee will reject the application.

Rob Harding

Re re-opening Avon Crescent/ Planning Application 22/05943/X 10th May.

I would like to wholeheartedly object to this planning application to re-open Avon Crescent/ Bristol, on the following grounds...

As a resident, living at 22 Avon Crescent, BS1 6XQ and having owned this house since 2001, I have seen first hand, the results of this dangerous road coupled with speeding motorists, and have myself, many times nearly been run over.

Motorists pay no regard to any speed limits imposed, which I believe was verified as fact by Avon and Somerset several years ago. The physical curve of Avon Crescent positively encourages these types of drivers to speed, as they see Avon Crescent as a continuation of the main road from Junction Lock Bridge. The drivers, in my experience as a pedestrian, rarely indicate when turning into Avon Crescent which subsequently means that pedestrians are unaware of them until the last minute and have very little time to react. It has always seemed to me that we, as pedestrians, are expected to jump out of the way of the speeding traffic... not always possible especially if you have children, elderly relatives, dogs etc in tow.

I highly expect that the re-opening of Avon Crescent will mean that cyclists will start to use the pavement again to cycle on, as they will obviously be ultra aware of the dangers the road now holds, and want to stay as safe as possible, which subsequently means that the pavements will be ultra dangerous to us pedestrians! If the road continues to be saved for cyclists this issue will not occur. As it stands, since Avon Crescent has been closed to through traffic, I have personally had no issues whatsoever with cyclists and have found that the road space is calm and harmonious, for both cyclists and pedestrians alike.

As the road has already been closed now for several years, drivers have gotten used to the new road layout and I don't think there has been any problems at all with the slightly different route. Drivers have become accustomed to it.

As we are in the BCC's Clean Air Aone, I would have thought that keeping Avon Crescent closed to traffic would be something BCC would wholeheartedly support. The noise pollution that re-opening the road would generate is also another negative issue that I would like to highlight. We also need the trees to be replanted, as was agreed previously I understand.

In essence, Avon Crescent is a much safer and calmer place since the road was closed. As it is within an area which encompasses and attracts so much historic interest, I just cannot see how BCC would even contemplate reopening this road. If BCC does reopen it, this decision will be met by intense local opposition I believe, as it fundamentally impacts not only on my personal way of life but also on the Green values that we as a city are supporting.

Thank you for taking note of my personal objection.

Yours Sincerely

Corinne COMRIE

Dear Sir/Madam,

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in support of the application.

Now that the Underfall Yard is closed until further notice it is essential that Allaboard watersports have access between their offices and water sports site on Baltic Wharf and their repair shed on Avon Quay. It was previously possible to push a hand trailer with small boats via Underfall Yard but this is no longer possible. Opening Avon Crescent would allow such access. However I would suggest a maximum speed limit of 20mph or even 10mph.

I hope that the committee will support the application.

Peter Herridge

I am writing as a concerned resident of the Hotwells community. Avon Crescent has been a wonderful route for me and my family and friends for a long time now. Accessing the Garden Centre, Greville Smyth Park, Southville, Ashton Court, and everything on that side of the river has been ultimately made easier, safer and far more pleasant now that Avon Crescent is a shared space.

I am horrified to hear that it may become yet another road, and will just usher in more cars, which is totally opposite to what anyone wants. Please retain this space as a shared space for pedestrians and cyclists. It is so important to have this safe avenue. I am speaking now, on behalf of my two young children and my husband. We use this route so much. Please don't spoil it for us and all the other people who enjoy it.

Avon Crescent should remain a shared space as part of the conditions of the Metrobus planning consent granted in 2014! Replace the trees that were a condition of this planning consent, rather than the cars that were not!

Yasmeen Ismail

I refer to the above planning consultation regarding Avon Crescent.

All aboard Watersports operates from Baltic Wharf but our repair and maintenance facility is based on Avon Quay.

Whilst this road has been closed it has been very difficult for us to move boats and equipment between our sites. At times this has been possible through the Underfall Yard but this is closed indefinitely following the fire. The only alternative route is either via Hotwells via the Centre to Cumberland Road or via Coronation Road to enter Cumberland Road via Redcliffe. We also move some dinghy's by hand and this has not proved possible during the road closure.

We would request that Avon Quay is either opened to traffic or, if remaining closed, that the barriers preventing vehilce access is largr enough for us to move boats and boat trailers between our sites.

Kind Regards,

Dominic

My statement: Planning application 22/05943/X pretends that Avon Crescent has nothing to do with Metrobus, and is merely about scrubbing unnecessary Metrobus AVTM conditions.

In fact, these conditions were imposed on Metrobus in 2014, to ensure that the proposed new busy Metrobus junction onto Avon Crescent was safe, and that the trees destroyed here, were replaced.

A subsequent Metrobus/Avon Crescent planning application was brought in 2018 - 18/02968/X which included many safety elements (as then recommended by Transport Development Management)

such as a raised speed table at the Metrobus junction, a tighter turn-in to the street, build outs, refuge islands etc. This application was refused "as it would be harmful to conditions of highway safety"

This new application now pretends that Avon Crescent has no connection whatsoever with Metrobus, which is ridiculous. It now proposes to do nothing to make the Metrobus/Avon Crescent junction safe, and to plant no replacement trees here. If it was unsafe in 2018, it is certainly more unsafe now, with no proposed safety mitigations whatsoever. The proposal is to leave the road as a two-way highway, with access restricted from Cumberland Road for motor vehicles. Cyclists will have to turn into Avon Crescent from Cumberland Road, into oncoming motor traffic which will inevitably wrongly perceive it to be one way. There will be no refuge island for cyclists, or crossing points for pedestrians.

The mantra that Avon Crescent is unsuitable for traffic calming and tree planting, because of it being an essential 'exceptional loads' route, has been disproved by an Avon and Somerset Police Freedom of Information Act request made back in 2018, and this has been seen by many council officers over the years.

After the recent fire, Underfall Yard will now be closed to pedestrians, and cyclists pushing their cycles, for safety and re-building reasons. This could go on for years. This will result in even more walkers and cyclists using Avon Crescent. The pavement is simply not wide enough, and is on one side of the street only.

I'd like to speak at the meeting, please.

Regards,

Anna Busko

Dear Democratic Services

Please add the statement below to the public forum for the above item.

I would like to oppose this application in the strongest possible terms on the grounds of safety to human life. If Avon Crescent is opened to through traffic again there will inevitably be accidents.

The road has been closed for around 3 years now and the public are used to this. The amount of pedestrian and cycle traffic has increased enormously. Now that Underfall Yard is closed indefinitely the amount of people and cyclists, particularly at weekends and bank holidays, needs to be seen to be believed. It is not possible for all the pedestrians alone to fit onto the narrow pavement so inevitably there will always be people on the road as well as cyclists which will leave no safe room for motor vehicles.

The conditions imposed by the council itself for reasons of safety are even more perinant now than they were originally. So to scrap them now would be an act of gross negligence that must be avoided or the consequences could be horrendous.

There is no good reason to reopen Avon Crescent as has been detailed in other statements submitted to this meeting.

There is a perfectly viable other route which has also been detailed in other statements and this would have the desired traffic calming effect required. This, together with proper speed restrictions and cameras, would also mean that there would be no need for the very unpopular Bus Gate at the other end of Cumberland road. So this would then also be very popular with all the residents and businesses in Cumberland road as well as the future developments which are already well underway there.

Robin Woodford

I completely disagree with reopening avon crescent and i would like to speak tomorrow 10th may.at the meeting and explain why.

you are reneging on your legal promise. marvin rees said as did paula orourke that the road would not be opening.

IT IS UNSAFE POLLUTING AND UNNECESSARY

Best Wishes,
Sonia Smale.

Oli Timmins

No Planning application 22/05943/X pretends that Avon Crescent has nothing to do with Metrobus, and is merely about scrubbing unnecessary Metrobus AVTM conditions.

In fact, these conditions were imposed on Metrobus in 2014, to ensure that the proposed new busy Metrobus junction onto Avon Crescent was safe, and that the trees destroyed here, were replaced.

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The mantra that Avon Crescent is unsuitable for traffic calming and tree planting, because of it being an essential 'exceptional loads' route, has been disproved by an Avon and Somerset Police Freedom of Information Act request made back in 2018, and this has been seen by many council officers over the years.

Please do not grant the scrubbing of these 'awkward' planning conditions. It would make any future conditions imposed on development, meaningless.

the 2018 planning application, which offered numerous safety mitigations, and tree options. This application was refused almost unanimously, on road safety grounds.

three trees should have been used in the shared space to slow motor vehicles, along with a turning head for the safe turning of vehicles into oncoming traffic, and fifteen trees to be planted on Butterfly Junction.

The proposed 'do nothing' 2020 plan of Avon Crescent also attached to the officer report, wrongly shows the Cumberland Road trees by the retaining wall, which were felled a number of years before 2020.

After the recent fire, Underfall Yard will now be closed to pedestrians, and cyclists pushing their cycles, for safety and re-building reasons. This could go on for years. This will result in even more walkers and cyclists using Avon Crescent. The pavement is simply not wide enough, and is on one side of the street only.

APPLICATION NO: 22/05943/X Variation/Deletion of a Condition

Application for the removal of conditions 4, 10 and 13 following grant of planning application 16/05853/X for the variation of condition number 18 - Phase 1. for planning permission - 13/05648/FB.

I do not live in the Avon Crescent or even on Hotwells but the walking and cycling element of the street is relevant to me as a Southville resident with easy access to Vauxhall bridge over the New Cut , and an interest to accessing Hotwells and other districts North of the Harbour that way.

I am also a veteran of the [Metrobus] public inquiry c2012 and “Victim” of Metrobus-Build in that the Sylvia Crowe designed park section in Southville was cordoned off resulted in years-long disruption to what car insurers call “social domestic and pleasure users” , and ended in a lacklustre completion with hopeless landscaping execution and an out-of spec bus-guideway, as well as wonton tree felling in and out of the works limits.

Meantime Avon crescent were promised much from Metrobus as a result of their own lobbying with then-Councillor Mark Wright , who did much good work for the Harbourside Forum also.

In my view the withdrawal of thee “conditions” is a worst of all worlds for the Avon Crescent section and some other solution to completion should be found. Simply accepting the proposal put to you to determine is unacceptable.

Stephen Wickham

I am aware of plans to be discussed under agenda item 14d with regard to planning conditions application 22/05943/X - Metro Bus AVTM, and submit this Public Statement in opposition of the application.

Avon Crescent is a key walking and cycling route connecting both sides of the harbourside as well as through to Ashton Avenue Bridge. I believe that the cul-de-sac should be maintained at the Cumberland Road end of Avon Crescent. If the road were fully open to motor vehicles it would have a negative impact on the many pedestrians and cyclists that have been able to enjoy Avon Crescent since the modal filter at the Cumberland Road end.

I hope that the committee will reject the application.

Jon Tearle

Dan Ackroyd

Hi,

My question is:

Regarding the Avon Crescent changes (aka 22/05943/X - Metro Bus AVTM), it seems horrendously undemocratic that such a large change in a planning application can be proposed by an officer, and that local councillors should have to notice and object the change to prevent it go through by default. Particularly given the circumstances surrounding the previous councillor for the ward.

What rules need changing or adding to prevent this from happening again?

cheers

Dan

Ack

Answer

Application 22/05943/X will be considered at the Planning Committee Meeting on the 10th May 2023. This is a public meeting, where members of the public have the opportunity to make representations. The change is not being proposed by an officer from the Local Planning Authority. Councillors will determine the application on its planning merits.

Page no.	Amendment/additional information
8	<p>In these circumstances, and even though it does not meet the threshold for replacement under DM17, the fact that it is a street tree, planted with sponsorship money, means that it really should be replaced with another street tree planted nearby.</p> <p>We also note that the RPAs of trees T2 & T3 both fall within the proposed development area. What proposals have been made to protect these both during construction and thereafter? Also, tree T2 looks like it may be in conflict with the proposed off-street parking spaces. What steps will be taken to ensure that it is not damaged as a result? Assuming that the committee decides to grant this application then we ask that these matters will be dealt with by Condition.</p> <p>Dear Development Management and Democratic Services - Please publish this email on the planning portal and place it, as our statement, before the committee when it meets on the 10th. We do not plan to attend to speak to it on the day.</p> <p>Regards</p> <p>Mark CD Ashdown Chair - Bristol Tree Forum</p> <p>CASE OFFICER RESPONSE TO BRISTOL TREE FORUM STATEMENT:</p> <ul style="list-style-type: none"> - The Arboriculture Officer provided a verbal comment and advised that the existing street tree should be replaced. The proposed landscape plan is acceptable subject to conditions to secure final details and tree protection and method of working. <p>CASE OFFICER RESPONSES TO PUBLIC CONSULTATION</p> <p>This section should state- 'Please refer to Key Issues' Section.</p>

Item 3: - Capricorn Place Pontoon Hotwell Road Bristol BS8 4SX

Page no.	Amendment/additional information
	No amendments

**Item 4: - (Bathurst Basin Bridge Commercial Road) Land Between The A370
Long Ashton Bypass In North Somerset And Cater Road Roundabout Cater
Road Bristol**

Page no.	Amendment/additional information
	No amendments