

# Public Forum

## D C Committee B (Remote)

### 2pm on 9<sup>th</sup> December 2020



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

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



	Statements/Petitions			
Statement /Questions  Submissions including a Q are Question(s)  Other submissions are statements	Request To Speak Made Where Indicated S=Speaker	Name	Application	
Number 1	S	David Sweeting	Planning Application 20/02274/F – Previously Approved At DCB Committee On 19 <sup>th</sup> August 2020 – Address: Unit 7 Merton Road Bristol BS7 8TL	
A1		Yigal Landey	20/038831/ND - Grange Court, Grange Court Road, Henleaze	
A2		Paul Brooks	“	
A3		Councillor Steve Smith	“	
A4	S	Jon Holland	“	
A5		Nigel Sara	“	
A6	S	Julian Chaffey	“	
BQ1 and B1 – Questions and Statement	S	Councillor Clive Stevens	19/04167/F - Telephone Exchange, St Johns Road, Clifton .....	
BQ2 and B2 - Questions and Statement	S	Debbie Bishop	“	
BQ3 and B3 - Questions and Statement	S	Janet Lee	“	
BQ4 and B4 - Questions and Statement	S	Rob Lee	“	
BQ5 and B5 - Questions and Statement	S	Richard Durrant	“	



BQ6 and B6 - Questions and Statement	<b>S</b>	<b>Ben Garbett</b>	“	
BQ7 – Questions Only	<b>S</b>	<b>Merche Clark</b>	“	
B8 – Statement Only		<b>Philip Moyne</b>	“	
B9 – Statement Only		<b>Claire Rymer</b>	“	
B10 – Statement Only		<b>Sue Western</b>	“	



## STATEMENT NUMBER 1

From: David Sweeting, Brynland Avenue, BS7 9DY

To: Planning Committee Meeting, Bristol City Council, 9/12/20

Date: 7/12/20

Dear Planning Committee Members

I would like to bring to your attention two matters, both relating to the construction of workshops on the Merton Road site, which is in a residential area in Bishopston, adjacent to properties on Brynland Avenue and Ashley Down Road.

### **Planning application 20/02274/F**

On 19/8/20 the Planning Committee passed the above application for the construction of three workshops, with several *pre-commencement* conditions (note, not pre-occupation conditions), related to noise, drainage, and ventilation, to protect residential amenity. Planning enforcement has decided not to enforce these conditions and have let development commence, even though they have recognised that one of the matters relating to drainage is pressing. They won't tell us why, other than to say the matter is discretionary.

Until this point, my neighbours and I had engaged with the planning process on the assumption that planning enforcement would enforce the decisions of the planning committee, unless they were trivial or frivolous. It is disappointing to find this is not the case. The decision to have a pre-commencement decision on drainage was put in place to prevent flooding. Flooding of the properties on Brynland Avenue seems a very real risk as they sit at a lower level than the units on Merton Road (made worse by the ongoing construction of more units without *any* planning permission – see below).

Satisfaction of the conditions has a bearing on exactly what is built, one which is lost once construction is underway. Noise is a persistent issue which another one of the pre-commencement conditions passed by the committee addressed. It would be disappointing if planning enforcement later argued that action after construction was disproportionate, as a result of its own decision not to enforce pre-commencement conditions.

Not pursuing enforcement is contrary to the decisions of the planning committee, and also the local enforcement plan. Having attended the August Planning Committee meeting where planning permission was conditionally granted, if I recall correctly, it was the intention of the committee to bring some order to the Merton Road site with these conditions. That's clearly still not the case. There seems little point in the planning committee making decisions if they are not enforced.

### **1) Construction of three *more* workshops, without planning consent, on the boundary of Brynland Avenue**

This weekend (5/12/20) it has emerged that a total of *six new units* are currently under construction. This is three more *in addition* to the three set out in application 20/02274/F. Two of these units are within five metres of the boundary and cannot therefore be deemed as permitted development. These new buildings represent more industrial units that are built without permission, within metres of bedroom windows and residential gardens.

At the time of writing this note, it is not clear what, if any, action planning enforcement plans to take regarding the construction of these workshops. Thank you for allowing the opportunity to bring these matters to members' attention.

## **STATEMENT NUMBER A1**

Dear Sir/Madam,

Thank you for your letter dated 27 November 2020.

Further to my objection to this proposal, I wish to make a Public Forum Statement.

Grange Court Road is a suburban street made up of predominantly two storey housing as well as Redmaids' School and Sacred Heart Catholic Church. The tallest residential building is currently Grange Court.

By adding an extra two storeys to Grange Court, this building will completely tower over anything in the area. A five storey building may be more appropriate in an urban area but it is completely unsuitable for the locality.

Not only is the scale of the building unacceptable but the principle of allowing two storeys to be crudely added to an existing residential block is outrageous. Members will note that this proposal has attracted national outrage with well over 200 written objections to the original application from all over the country.

This is a flat roofed building and I cannot fathom how another two storeys can be added without causing unwarranted disruption for those forced to live below it. The developer has submitted no plans to show how they are prepared to mitigate against this and how the proposal can even be built. The roof would have to come off the existing property and therefore it would leave the current top floor apartments exposed to the elements. By approving this scheme you would be condemning residents to a life of misery.

Residents would be subject to noisy workings, throughout the development, which would cause them undue stress and nuisance as builders work overhead. Again, I cannot see how this proposal can be implemented without causing serious harm to residents. For this I would cite Protocol 1, Article 1 of The Human Rights Act 1998 which gives people the absolute right to peacefully enjoy their property. It is beyond reasonable doubt that adding two storeys to a flat-roofed building will cause a direct breach of this and, if members choose to approve the application, a judicial review could be brought against the council citing The Act.

I note that there is no proposal to compensate residents for the inconvenience that this application will cause. First, it is beyond reasonable doubt that residents will have to move out of the top floor apartments during key stages of construction. There will be no roof on this building for a substantial period and I note there is no plan as to how the developer intends to protect existing flats. Coupled with this there will be various utility disconnections required to implement this scheme which will leave residents without electricity and water for sustained periods of the build. I see nothing in the application to provide any compensatory measures for this. Second, the value of residents' individual apartments will be compromised. Top floor apartments carry a premium which will be eradicated should this scheme be approved. The flats were bought in good faith but I see no offer of compensation from the developer.

Furthermore, I question as to how the foundations and structure of this building would cope with another two storeys. The building was never designed to accommodate an extra 14 apartments and so it has a foundation solution that is appropriate for its current number of properties. Again, there is no evidence from the developer that they have conducted the due diligence to prove that an additional two storeys will not have a detrimental impact on the structural integrity of the Grange

Court. If members approve this application, Bristol City Council could be liable for litigation from home owners if the structural integrity of their flats is compromised.

Moreover, no additional parking is proposed. There is likely to be an additional 20 cars across 14 flats (not an unreasonable assumption) where are these people going to park?

I note from the indicative plans that there is no lift provided and that the developer will expect residents to climb up to 5 flights of stairs to their apartments. This looks as though the freeholder is just speculating as to increase their value of their portfolio. I very much doubt these additional floors will ever be built due to a complete lack of desirability. Due to my above points, it would be a mammoth task for a net gain of just 14 flats. Instead what it will do is ruin the lives of the people who already live here. It will come up in any local search that there is permission for an extra two storeys which will render the flats unsaleable/greatly reduced in value. The freeholder will not care about this as they will still be collecting their ground rents and indeed could sell the freehold for an additional sum due to the possibility of 14 additional incomes.

Overall, I hope that members will see how this application could ruin multiple lives and that it could damage Grange Court beyond repair. There are currently over 200 sites on Bristol's brownfield register and the council should look to develop these sites instead of causing unnecessary nuisance and harm to residents of Grange Court. If you are minded to approve this application, which I strongly advise against doing it must be on the premise that the developer has to offer to buy all current flats at 120% of the market value.

Yours,

Yigal Landey

## **STATEMENT NUMBER A2**

From Paul Brooks 8 Northumbria Drive, Bristol BS9 4HP

This proposed development should be rejected on the following grounds.

Grange Court is a haven of peace valued highly by its largely elderly and vulnerable residents.

The development would be extremely disruptive and risks damaging the health and wellbeing of existing residents, both during construction and on an ongoing basis. Many have already been very distressed by the prospect of this development.

There appears to be fire escape issues as the staircases (there are no lifts) are barely adequate now, never mind with additional residents.

There is no provision for additional parking. This means that demand for on street parking will increase. This road, which includes a church, a bowling club, a BT office, and a school, with other schools nearby is already very congested especially at school drop off/pick up times and when bowling club matches are being played. This congestion is a health and safety risk, especially to school children. The traffic analyses presented are flawed, and the planning officer at the last meeting has admitted that the photo he presented was not truly representative.

The street scene and character of the neighbourhood would be badly compromised by this development.

There is inherent risk in installing windows which overlook a school playing field.

Finally the developers have treated residents in a very shabby way by not consulting them. This does not suggest the development would be carried out with proper consideration for existing residents or neighbours nearby.

### **STATEMENT NUMBER A3**

Colleagues, following your decision at your last meeting that you were minded to reject this application several residents of the block phoned me to say that a huge weight had been lifted from them and that they were smiling again for the first time in months. On their behalf as well as my own, thank you for doing the right thing.

Now that you have the report back with reasons for refusal, it will come as no surprise that I am urging you to refuse the application on all of the suggested grounds. In particular on external appearance I note the officer's advice that it is for you to decide how to interpret the regulation. I remind you of the QC's opinion which was submitted in public forum in November saying that how the building fits in (or doesn't fit in) to its surroundings is a relevant factor and should be taken into account.

To save time in your meeting I will not be attending to present this statement in person, but I am very happy to be contacted at any time if you would like to discuss this ahead of the meeting.

Thank you,

Steve Smith,

Councillor for Westbury on Trym and Henleaze.

**STATEMENT A4 - APPLICATION 20/03831/ND AT DEVELOPMENT CONTROL B  
MEETING ON 9 DECEMBER 2020**

**Introduction**

This statement is submitted on behalf of my Dad, Roy Holland, who owns Flat 5, Grange Court.

I intend to speak at the meeting on 11 November 2020 on Dad's behalf.

I will not repeat the points set out in my statement submitted for the meeting on 11 November 2020. I assume that the members of the Committee still have that statement and all of the other statements submitted before the previous meeting in mind. I will focus on the planning officer's update report to the Committee dated 1 December 2020.

**Reasons for refusal**

The Committee **should** refuse the application for the proposed reasons in the planning officer's update report, all of which remain correct. Candidly, after reading what follows, particularly in relation to external appearance, the planning officer should change his recommendation.

*Highways impacts*

I have nothing to add to the proposed language. The Vectos parking survey obtained by the residents of Grange Court before the previous meeting comprehensively demolished the conclusions in the survey provided by the applicant, particularly when coupled with (a) the independent evidence in the statements from the residents of Grange Court and their neighbours and (b) the direct knowledge of some members of the Committee of the area, especially when children are arriving at or leaving the schools adjacent to Grange Court. The Committee will recall the planning officer's admission, when questioned by one of the Councillors at the previous meeting, that his own site visit on a quiet midweek afternoon was a wholly inappropriate time to form any valid opinion about highways impacts.

*Impact to external appearance*

I have nothing to add to the proposed language, but I do want to address the commentary in the opening section of the update report because, **according to the Housing Minister**, the planning officer is wrong.

The Committee will recall the opinion of Michael Bedford QC attached to the statement submitted by LRM Planning Limited before the previous hearing. As Mr Bedford QC explained in that opinion, The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 (the "**Regulations**"), which is the new law on which the applicant relies, permit, indeed require, a local planning authority to consider a proposed development in the

context of its surrounding area. Otherwise it would be no answer to an application to add two stories to an existing three storey building next to a listed building or a scheduled ancient monument to say that the development would adversely impact on that neighbouring structure, no matter how severe the impact. The Committee rightly rejected the planning officer's narrower interpretation of the Regulations at the previous hearing and refused the application on the basis that the proposed development is – as is obvious – out of keeping with Grange Court's surroundings.

The update report refers to “guidance” apparently obtained from an unidentified civil servant at the Ministry of Housing, Communities and Local Government which supports the planning officer's interpretation. As that civil servant correctly noted, however, only the courts can provide a definitive interpretation of the Regulations. In the meantime, the Committee is entitled to use its own judgment in interpreting the Regulations. The Committee was therefore fully entitled to prefer its own common sense interpretation of the Regulations, consistent with Mr Bedford QC's advice, to the view of the planning officer.

The guidance from the Ministry of Housing, Communities and Local Government does not change this, as the civil servant accepted. The views of civil servants on what legislation means are legally irrelevant. The **only** source that a court will take into account when construing legislation is Hansard.

Fortunately, Hansard provides the correct answer to the planning officer's question. In the Town and Country Planning Debate on 30 September 2020<sup>1</sup>, Theresa Villiers MP asked the following question about the Regulations:

*“My right hon. Friend refers to the right to refuse prior approval on the basis of the external appearance of what is planned. **Does that include the right to turn down developments that are considered to be out of character with the surrounding neighbourhood?** That is a key pillar of the planning system, and if that was part of the prior approval process, it would provide a lot of assurance to people who are worried about what is proposed.”* (Emphasis added)

The answer was provided by the Housing Minister, Christopher Pincher MP, as follows:

*“Character and aspect are important, and **if the proposed building were to be out of character with what is already there, the local authority would be quite within its rights to deny prior approval.**”* (Emphasis added)

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<sup>1</sup> <https://hansard.parliament.uk/commons/2020-09-30/debates/0270AD72-3DE0-4E49-93CB-82ED78B8FA3A/TownAndCountryPlanning>

In other words, whatever the planning officer and the unidentified civil servant to whom he spoke think is the correct interpretation of the Regulations, the Minister who promoted the Regulations in Parliament (and to whom the civil servant ultimately reports) does not agree. **Put very simply, the Committee (like Mr Bedford QC) got the law completely right at the previous meeting and the planning officer got the law completely wrong, both in his original report and, now, in his update report.**

#### *Impact to amenity of existing residents*

The impact on the amenity of existing residents is not limited to “*increased use of stairwells*”. As I explained in my previous statement, parking at Grange Court is not allocated - and is available to leaseholders on a first come, first served basis. The existing parking is barely adequate for the current leaseholders, many of whom depend on their car to get to the shops or visit family given their age and infirmity, and visitors, including healthcare workers and deliveries of groceries and the like. The applicant cannot create additional on-site parking and has not offered to prohibit, as a term of their lease, new occupants from parking at Grange Court, for obvious commercial reasons. The existing residents would therefore lose the valuable (indeed, essential) amenity of being able to park outside their own homes. The planning officer’s proposal to restrict parking permits would hugely compound this problem. **The Committee should expand the proposed language to include this important issue.**

#### **Other reasons for refusal**

The Committee **could**, if it wished, refuse the application on additional grounds.

#### *Equalities assessment*

The Committee rightly raised concerns about equalities at the previous meeting. It is troubling that the planning officer now recognises that the standard equalities assessment in his original report did not adequately take into account the age and infirmity of the existing residents of Grange Court. Those issues were obvious from the outset.

The additional “assessment” in the planning officer’s update report is wholly inadequate. The suggestion that the Committee can safely assume that elderly and infirm residents (particularly residents of the top floor flats, like my Dad) would not need to vacate their homes during construction because “*information is not available confirming whether this would be necessary*” is remarkable. If the applicant has failed to provide the information – and the planning officer has not asked – then the Committee is entitled to use its common sense. The fact that any development work will be temporary in nature is not an answer. At the age of 88 my Dad, like the other elderly residents of Grange Court, has a very different time horizon from the planning officer. That is the whole point of the equalities legislation.

I barely know where to begin with the planning officer's assertion that "*it is not necessarily the case that age determines the amount of time people spend at home and therefore certain groups would not experience construction disturbance more than others strictly on the basis of age*". I imagine that any member of the Committee who has an elderly relative will know that they spend considerably more time at home than schoolchildren and people of working age, particularly where, as with many of the residents of Grange Court, they are infirm.

**The Committee is fully entitled to refuse the application for the additional reason that the proposed development would impact adversely on the existing residents of Grange Court contrary to the requirements of relevant equalities legislation.**

#### *Other legal issues*

The planning officer has failed to address the remaining two legal issues that were raised at the previous meeting, as follows:

1. Grange Court does not fall within the scope of the Regulations because Grange Court is not a detached building. In truth, it is two, offset, buildings that share a party wall. This issue was fully articulated for the first time in Mr Bedford QC's opinion. The planning officer's update report does not address it at all. Nor, obviously, did the original report, which was written before the planning officer had the benefit of Mr Bedford QC's opinion.
2. The only **evidence** before the Committee was that the proposed development can only take place by providing visible external support to the existing structure, which likewise means that it falls outside the scope of the Regulations.

In his answer to a question from Councillor Stevens at the previous meeting, the planning officer told the Committee that the Regulations **permit** visible external support. That is the complete opposite of what the Regulations say and, if the Committee had reached a different conclusion from the one they reached, would have been grounds for judicial review on its own. I did not have an email address for the planning officer, but I sent an email to Mr Gary Collins during the meeting asking Mr Collins to ask the planning officer to correct the position for the Committee. That did not happen, nor has the planning officer corrected himself and the Committee in the update report. He has not engaged with the issue at all. Mr Collins has never replied to my email.

I do not mean to criticise the planning officer unduly, but he is simply not qualified to advise the Committee on the correct interpretation of complicated legal issues that are relevant to this application. It is completely clear that the planning officer has misdirected himself and the Committee as to the meaning of external appearance and the permissibility of visible external support. According to Mr

Bedford QC, with whose advice I agree, he has also misdirected himself and the Committee on the question of whether the construction of Grange Court means that it falls within the scope of the Regulations at all.

**The Committee is fully entitled to refuse the application for the additional reasons that (a) Grange Court is not a detached building within the meaning of the Regulations; and (b) the applicant has not provided sufficient (or any) evidence that the proposed development would not require visible external support as required by the Regulations.**

Jon Holland

[ ] December 2020

**Statement A5:**

7 Dec 2020 Statement to Development Area B committee re 20/03831/ND

Councillors

I write on behalf of the owners of flats at Grange Court.

We urge you to resolve to reject the application 20/03831/ND, as you indicated that you would do at your meeting in November.

You will note that the Planning Department's revised report shows three reasons why the application should fail. It is therefore available to you to decide that:

- a. The impact on traffic outside the school next door would be too great. The traffic report submitted last time by Vectos shows that the report relied on by the planners' report was taken at a time when the school run was not in progress.
- b. The amenity of the residents at present in the flats would be severely impaired, not only by reduction in the availability of close parking spaces, especially for the elderly ones.#, but also by a significant increase in use of common facilities.
- c. The increase in the height of the building (which is already not of any similar style to the others in the area) would be detrimental to the area, and "would stick out like a sore thumb".

In light of these and the cruel and inhuman nature of the way it has been introduced, we believe that you will be doing the right thing by rejecting the application.

Yours sincerely

Nigel Sara Flat 8, Grange Court.

Statement A6:

Application 20/03831/ND Grange Court. Development Control Committee B Meeting 09/12/2020  
Statement: Julian G.K. Chaffey. Owner: Flat Number 17 Grange Court

Dear Committee,

1. The Adjoining footpath. A public right of way.

The public footpath north of Grange Court and its grounds is a considered Highway, (Grange Court building at its closest point is 4m from the path) buildings adjacent to footpaths come under planning regulations. A proposed upward extension on a building will cause over shadowing and loss of pleasure as the pedestrian goes about their business.

This had been mentioned in my Objection 18/9/2020 to the planning office (online portal document) There has been no reference to the footpath as a highway by the planning office. To my knowledge no notification was given by the planning office to the footpath users. A notice in proximity to the footpath must be clearly visible and the proposed plans advertised in the local press. I had assumed this as planning law, and also \*ECHR, that the government is required to abide by. I kindly ask the committee whether this is a correct interpretation.

\*European Convention Human Rights

2. Redmaids' boundary north of footpath.

In view of the proposed extension over shadowing property north of it, it comes as a surprise that the effect on Redmaids' amenity is not amongst the reasons for refusal of the application. (Committee B Agenda document 1/12/2020, page 31)

3. The Environment west of Grange Court, the drive way (leading north) to Utility, Bins, and Garages.

The proposed upward extension will alter the environment around the building. The west side is already a damp area; moss is clearly seen on the rough tarmac (see photo 1 and 2, page 2). During winter months frost is prevalent. The new build will make matters worse. (And even a new tarmac surface is unlikely to help prevent falls, and could be considered more dangerous). This is a loss of amenity that counts heavily against the more aged in their own home! The planning office has not referred to this in any of its documents.

This had been mentioned in my Objection 18/9/2020 to the planning office (online document) and mentioned in my statement to Committee B meeting 11/12/2020 (Statement A88, page 192)

A fall for the aging is likely to involve emergency call out. If this were to happen on a public highway, such an occurrence is likely to incur litigation. This loss of residential amenity in Grange Court should have been discussed by the planning office and documented, indeed if necessary referred to UK law and ECHR. I kindly ask the committee whether this is a correct assessment.

4. Amenity of home peace without intrusion.

The 'Development Control B Committee Agenda document' 1/12/2020, in reference to equalities and groups, page 29), and the more aged and their prevalence to be more at home; surely this is the case, but it may also depend on size of family and their proximity. There are other types of home centred people, not necessarily because of their age, but those with less support structure. It would be truer to say the more vulnerable are likely to be at home, with less avenues of support. Perhaps even the lonely, whether in their latter years or younger, and these people will require more peace. Such a group should be recognised as having rights, and in their own home! This is not only true during any proposed build but of course substantially so afterwards! This is a discrimination against the vulnerable; and an obvious incursion against their livelihood and home (in this case actual home ownership). People are to be protected by UK law even if some politicians consider it an unwelcome burden by ECHR law.

It could be said 'on what grounds do the Government claim they are acting in peoples interests, by this particular 'Upward flat development,' and indeed if they claim that right, what is the compensation they are required to offer? Both in loss of peace, livelihood, and the affront to home ownership! These flats are on a 999 year lease, tantamount to home ownership; with the Lessor holding the nominal ownership, but only as the vehicle to maintain the property and grounds for the next Generation of Lessee. The Lessor has no authority to build.

Ref, 3, page1

Photo 1: Moss on Grange Court drive  
Far west garages 3/12/2020



Photo 2:  
Near west garages, below utility, and bin storage  
3/12/2020



## **QUESTION NUMBER BQ1**

### **19/04167/F TELEPHONE EXCHANGE, RESPONSE TO CLLR STEVEN'S QUESTIONS**

**Q1) Key issue A (page 109) referring to policy DM36, the report lists a requirement that "Opportunities have been sought to share masts or sites with other providers". On page 116, the report states that there are other companies that have been given notice to remove their masts from the Clifton Down Shopping Centre: Hutchinson 3G (Three) and Everything Everywhere (EE). So where are they putting their masts? Has Vodafone sought to share those new masts?**

**A:**

The Applicant has advised that the Managing Agent representing the Landlord for the Shopping Centre has confirmed that notices have been served on all Telecoms Operators at the Shopping Centre. Further, the Applicant does not know if the other Telecoms Operators have left the Shopping Centre, and is not aware of EE or H3G's replacement activities.

Officers have checked the planning record and are aware that an application submitted on behalf of EE and H3G to replace an existing 12 metre monopole and ancillary equipment with a 20 metre monopole and ancillary equipment near Bristol Zoo. The application was submitted in 2019, and the proposal's purpose was to upgrade the existing equipment to improve coverage in the area, and also to partially replace coverage due to be lost from their equipment at Clifton Down Shopping Centre, as they reported a Notice to Quit had been served on them to remove their equipment. The application was found to result in a high degree of less than substantial harm to a number of heritage assets (Clifton and Hotwells CA, Down's CA and the Zoo, which is a Local and Historic Park and Garden). The Delegated Report for the application also reports that alternative sites were not considered, and insufficient information was submitted to demonstrate that the proposal was essential to deliver the associated benefits. The application was therefore refused (ref. 19/01889/F), and Officers are not aware of any further applications or enquires from EE and H3G intended to replace their equipment at the Shopping Centre.

In summary, apart from the refused application, Officers are not aware of any plans that other Telecoms Operators at the Shopping Centre are looking to replace their existing equipment. Further, the Applicant has not sought opportunities to share new masts, as the Applicant is not aware of any planned or existing masts that would address the expected loss of coverage.

**Q2) Has the applicant explored the costs of a temporary installation on the BT Building for say 3 or 4 years. And then moving back to the new Clifton Down Centre when built? The advantage of this is that harm to the Conservation Area would be temporary. Page 110 has " The case of R (Forge Field Society) v Sevenoaks DC [2014]EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." Temporary harm would be of less importance and thus less weight.**

**A:**

The Applicant has advised that they have no visibility of plans concerning the Shopping Centre, and as such they cannot project whether the site would still be a suitable location for an installation in the future. For this reason the Applicant has reported they have assumed that the site will not be available in the future.

The proposal's harm would be reduced if the installation was temporary. Temporary planning permissions are rare, and are generally permitted where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. The effect of the development is understood, so a temporary permission is not justified on this basis. The Applicant reports uncertainty over: future plans for the Shopping Centre; whether it would be suitable and available in future for an installation akin to the proposal; and associated timeframes. What is certain is that the Applicant has advised that Vodafone's equipment at the Shopping Centre must be removed. Officers therefore recommend that a temporary permission would not be justified on the grounds that there is a reasonable expectation that the planning circumstances of this application will change in future, as there is no certainty of this.

In summary, the Applicant has not considered the potential for the proposed installation to be temporary; as they consider that the Shopping Centre will not be available in future. Nevertheless, as listed on page 122 of the Committee Report, a condition is suggested that requires the equipment to be removed when it is no longer operational. Clearly, the equipment may be operational for a long period of time, so Officers recommend caution when allocating positive weight to such a condition.

# Statement Number B1

Dear Committee

I'll keep this brief.

The Planning Officers, residents and myself are all in agreement that the proposed equipment is at odds with the general character of the Conservation Area. And of most concern are the short and medium distance views looking South from from St Johns Rd.



The arrow marks the spot for the 6 x 3.5m high masts.

The building is 11m high. The masts are to be 3.5m high on top. The arrow is scaled to 3.5m high.

No shielding by trees, Right there “in yer face” as you walk down St John’s Rd.

This is therefore harm to the Conservation Area and that must be given great weight.

Photo taken 2/12/20

## **The balance is between the degree of harm caused to the Conservation Area versus perceived benefits.**

Many residents feel this will cause a substantial harm. There is no absolute measure. No harm meter, so Councillors, you will need to be the judges.

On the other side of the balance; the perceived benefits, nobody is arguing that 3G & 4G coverage is not important. The impact of losing the Clifton Down Centre mast has not been assessed (in the officer’s report) but I think a resident has asked for coverage maps so that Committee can judge. I am wondering why they haven’t been provided.

Assuming the coverage maps prove that a mast is needed then the test is DM36 (near the bottom of page 109).

DM36 i) We agree it would harm the Conservation Area in this location.

DM36 ii) We are not aware that opportunities have been sought to share masts with other providers. There are aerials from two other providers who need to vacate the roof of the Clifton Down Centre too. Where are they going? Why can't they be shared?

DM36 iii) Other residents believe there could be other suitable sites. The coverage maps will help. Even the South end of this same building (a bit lower so make them taller) and as you can see it is better screened by trees even in winter

(see below – view of the south of the telephone exchange 2/12/20).



In summary I believe the applicant is minimising cost and thus maximising harm to the Conservation Area. It's time we pushed back on these corporate giants and told them to do their homework. If they had done their homework and proved that this was the only location then it might not even be before you.

I thus urge you to reject as this application does harm to the Conservation Area which should be given great weight and the perceived benefits haven't been proved.

Thank you.

## QUESTION NUMBER BQ2-1

Application number: 19/04167/F

Development Control Committee: 9/12/20

Question submitted by Debbie Bishop,

### Questions on Vodafone's relationship with Clifton Down Shopping Centre

- Scant information has been made available by Vodafone about its situation with Clifton Down Shopping Centre, save that it has been asserted that a “notice to quit” was served on them in 2018.
- The Electronic Communications Code forms part of the Communications Act 2003 and affords the telecoms companies many rights termed “Code Rights”. These essentially skew the balance of power in favour of the telecoms companies, so that in many cases it makes it very difficult for equipment to be moved once in situ.
- Vodafone must have a contract of some kind with Clifton Down SC. Depending on the nature of the contract entered into, there is a possibility of a telecoms provider obtaining rights of ‘security of tenure’ under the provisions of the Landlord and Tenant Act 1954. The result of grant of security of tenure to a communications provider under the 1954 Act is that they will have a statutory right to remain at the property, with the property owner only having certain limited grounds on which it could terminate the arrangements.
  - **What is the nature of the contract between Vodafone and the owners of Clifton Down SC?**  
**A:** This is not a planning matter, and such is not a matter officers can reliably provide advice on. The Applicant has advised that a Notice to Quit was served in 2018 with regard to the Applicant’s equipment at the site, and their equipment only remains on the rooftop by rolling extension in order to hold off legal proceedings pending planning permission being granted for an alternative replacement site.
  - **Does Vodafone have security of tenure under its current agreement?**  
**A:** Please see the answer above.
  - **Does Vodafone have “Code Rights”?**  
**A:** The Applicant has confirmed Vodafone has Code Rights.
- There are 2 other telecoms providers sited at Clifton Down SC. Para 7.5 in the Code of Best Practice on Mobile Network Development in England ([https://uploads-ssl.webflow.com/5b7ab54b285dec5c113ee24d/5d5d4cd69a3f3827f30d06e9\\_Codes%20of%20Practice.pdf](https://uploads-ssl.webflow.com/5b7ab54b285dec5c113ee24d/5d5d4cd69a3f3827f30d06e9_Codes%20of%20Practice.pdf)) states that telecoms companies should “continue to work together to locate base stations on existing structures, and to share sites wherever viable in order to reduce the need to build new masts on which to locate their equipment and to minimise the number of base station sites”
  - **What are the other telecoms companies doing if a notice to quit has been served on all 3?**  
**A:** The Applicant has advised that the Managing Agent representing the Landlord for the Shopping Centre has confirmed that notices have been served on all Telecoms Operators at the Shopping Centre. Further, the Applicant does not know if the other Telecoms Operators have left the Shopping Centre, and is not aware of EE or H3G’s replacement activities.

Officers have checked the planning record and are aware that an application submitted on behalf of EE and H3G to replace an existing 12 metre monopole and ancillary equipment with a 20 metre monopole and ancillary equipment near Bristol Zoo. The application was submitted in 2019, and the proposal’s purpose was to upgrade the existing equipment to improve coverage in the area, and also to partially replace coverage due to be lost from their equipment at Clifton Down Shopping Centre, as they reported a Notice to Quit had been served on them to remove their equipment. The application was found to result in a high degree of less than substantial harm to a number of heritage assets (Clifton and Hotwells CA, Down’s CA and the Zoo, which is a Local and Historic Park and Garden). The Delegated Report for the application also reports that alternative sites were not considered, and insufficient information was submitted to demonstrate that the proposal was essential to deliver the associated benefits. The application was therefore refused (ref. 19/01889/F), and Officers are not aware of any further applications or enquires from EE and H3G intended to replace their equipment at the Shopping Centre.

In summary, apart from the refused application, Officers are not aware of any plans that other Telecoms Operators at the Shopping Centre are looking to replace their existing equipment.

• **Why is there no coordinated planning happening across the three providers?**

**A:** The application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. Policy DM36 requires applications to demonstrate a number of criteria are met, criteria ii and iii are most relevant to this question, and as Key Issue D explains, Officers considers these criteria to be met. One of these requirements concerns sharing site, and this is the responsibility of operators to facilitate. Nevertheless, Officers are not aware of any existing or planned sites that would allow for a site to be shared, as this proposal represents the leading site to house replacement equipment.

- Since this application has been made, we have learnt that Clifton Down SC has been sold for redevelopment. In an Ofcom ECC Statement ([https://www.ofcom.org.uk/\\_\\_data/assets/pdf\\_file/0027/108792/ECC-Statement.pdf](https://www.ofcom.org.uk/__data/assets/pdf_file/0027/108792/ECC-Statement.pdf)) It states that: "Where a Landowner is progressing a redevelopment opportunity, consideration should be given to the possibility of incorporating the communications apparatus within the Landowner's property if this is a reasonable and practicable/viable option." Notice to quit must have been served by the outgoing owners of Clifton Down SC, but we do not know on what basis the telecoms equipment was included in the sale or ongoing relationship.

• **On what basis was the telecoms equipment included in the sale of Clifton Down SC**

**A:** This is not a planning matter, and such is not a matter officers can reliably provide advice on.

• **How are Vodafone working with the new owners to secure a future home for their equipment in line with Ofcom and the Code?**

**A:** Officers are not aware of negotiations between the Applicant and the Shopping Centre's owners. However, media reports have made Officers are aware that the Shopping Centre has recently been purchased by Sovereign Housing Association. The Applicant has confirmed that the existing Notice to Quit remains valid.

• **What are the timeframes for the notice to quit?**

**A:** As advised on page 116 of the Committee Report, the Applicant has advised that a Notice to Quit was served in 2018 with regard to the Applicant's equipment at the site, and their equipment only remains on the rooftop by rolling extension in order to hold off legal proceedings pending planning permission being granted for an alternative replacement site. The Applicant advised that the equipment would be removed as soon as the new site is built.

• **Is the notice to quit enforceable?**

**A:** This is not a planning matter, and such is not a matter officers can reliably provide advice on.

• **How has this notice to quit been handed on to the new owners of the shopping centre?**

**A:** The Applicant has confirmed that the existing Notice to Quit remains valid.

- In any event, how can a decision be taken on this planning issue when we do not know anything about the possibilities at Clifton Down SC and are just being asked to trust Vodafone that there is no possibility of maintaining equipment on site, and a complete lack of transparency about what is happening at the shopping centre either now or in the future.

**Why can this application not be considered alongside any application for the redevelopment of the Clifton Down SC site?**

**A:** In this case, it would not be reasonable for the Council to refuse to determine the application, or to refuse it, because of potential plans concerning the Shopping Centre.

Surely this application is simply in the wrong order and simply asserting that a notice to quit exists and being unwilling to share any details about does not count as "justification" for this application.

## QUESTION NUMBER BQ2 - 2

Application number: 19/04167/F

Development Control Committee: 9/12/20

Question submitted by Debbie Bishop,

### VODAFONE'S SEARCH AREA

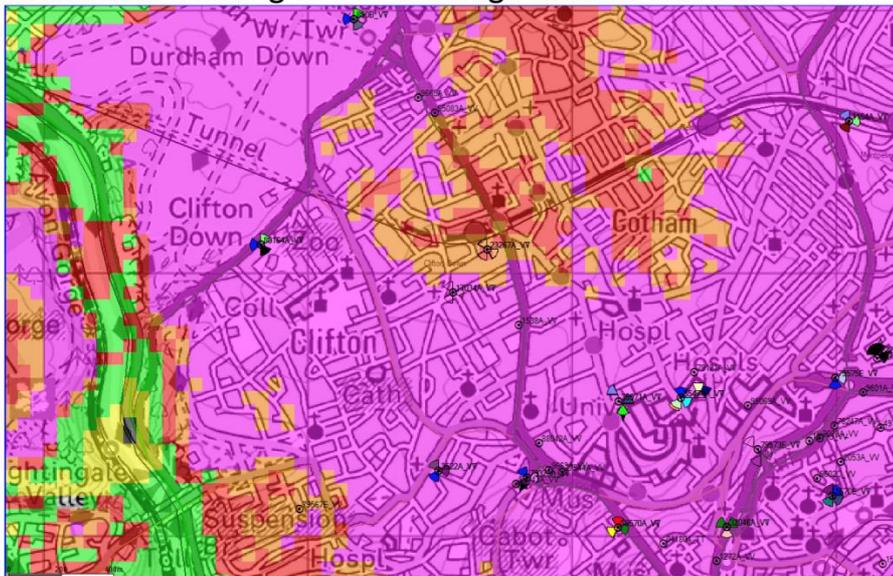
#### **Vodafone** - Map of Search Area



This map was submitted with the report for the Development Control Committee as the search area that Vodafone used to find a suitable site to replace Clifton Down Shopping Centre.

Clifton Down SC is not at the centre of the circle.

#### **Vodafone** - Existing LTE 4G Coverage without new site.



This coverage map was submitted with the initial planning application, but is not in the report for the committee.

The red and yellow areas are where Vodafone say coverage is needed. The telephone exchange is to the south west of Clifton Down Shopping Centre. The coverage is needed to the north east of the shopping centre.

- Comparison of these two maps submitted by Vodafone indicate that the search was undertaken in a radius skewed in the opposite direction to where the coverage is needed.

- **How is the size of the search area determined?**

**A:** As explained on page 115 of the Committee Report, the search area is largely determined by the coverage area of the existing equipment, as the proposal is to replace this. In this way, the red circle indicates that the search area is principally motivated by the need for the replacement equipment to be located close to the existing site, in order to prevent a loss of coverage within the network, given that the surrounding network has been designed around the existing equipment at the Shopping Centre.

- **Why is the search circle not centred on Clifton Down Shopping Centre?**

**A:** Officers cannot account for why the Shopping Centre is not directly in the centre of the circle, but would advise that if it were, the application site would still be within the circle. Further, the Applicant has reported that the search area where the Applicant would be permitted to move, slightly on the assumption that they are not able to provide a replacement site in the exact position as the existing site.

- **Why is the search area not guided by where the improvement in coverage is desired?**

**A:** The Applicant has advised that the motivation for the application is to maintain existing network coverage and capacity currently provided by their equipment at the Shopping Centre, rather than improving coverage elsewhere. Hence, the Applicant has stated that the closer the new site is to the existing site which is proposed to be removed, the more precisely the existing coverage will be replicated and it will avoid creating coverage gaps where none currently exist.

- **Why, when there is a clear density of coverage provided by a net of equipment towards the centre of the city, and also a mast at the zoo, did Vodafone conduct a search that moved closer to all this equipment and down the hill, rather than heading north-east where coverage is needed?**

**A:** The justification for the search area has been provided within the previous three answers, and also within Key Issue D of the Committee Report.

## STATEMENT NUMBER B2

**Application number: 19/04167/F**

**Development Control Committee: 9/12/20**

**Written Statement: submitted by Debbie Bishop, 2 St John's Mews, St John's Road, BS8 2ER**

- On the following page I have laid out a series of photographs linked to a map in an effort to clearly show the visual impact that the telephone exchange has on the locality. On the map I have indicated in red where the roof of the telephone exchange is clearly visible when walking along these roads.
- When the red areas on the road are added up 1km or 0.6 miles of pavement has an easy view of the roof of the telephone exchange. Therefore this is a building that is unusually visible for an urban landscape.
- One mile of pavement in a residential area is a 20 minute walk at a brisk pace. The streets in our area are well used by pedestrians. Even if you are only walking down one of the axes, you are still likely to be looking at the building for between 5 and 10 minutes as it is in such a prominent position on the corner. The gradual slope down St John's Road helps make the roof of the telephone exchange particularly visible.
- The green space attached to the church on the corner of St Johns and Alma Vale Road is surrounded by a wall that any adult can see over, this also opens up the view from Alma Vale Road so that the building can easily be seen from as far as the Bristol Raj.
- Submissions made mention of the tree canopy. These pictures taken on 3<sup>rd</sup> and 4<sup>th</sup> December, in different weather, and show that for half of the year the building is not shielded by a tree canopy. Three sides of the building are visible from the surrounding roads. Two of these sides have trees planted on the land which the building sits on. The trees are deciduous and do not join up. Relying on something that is only partially effective for 50% of the year on 2 of the 3 sides equates to a very insubstantial help in obscuring the view of the building.
- At the bottom of the next sheet are two pictures and I have labelled a ladder and railings. In the drawings submitted by Vodafone the railings are 25% of the height of the proposed masts. The new structures are more than a storey of a building in height and must therefore be visually dominant on a building that is easy to view.
- The church on the corner of Alma Vale and St John's Road has a garden that is used by community groups. All of the groups using this church and its garden will have an industrial aspect added to this residential and conservation area. The roof is clearly visible from this community space all year.
- Alma Vale Road is home to a number of thriving businesses. Several hairdressers, a couple of alternative health centres, a chiropractor, vintage shops, a well-loved busy local pub and theatre, a long-standing curry house, a cafe and a busy well-stocked corner shop, to name but just some. Several of these businesses will have their views directly impacted. All of them draw people from the wider locality to them. This street is an attractive small shopping street in a conservation area. All of the many customers will be subjected to a detriment to their use of the locality, if this application was to go ahead.



**In summary: to go ahead with this application would cause substantial harm to a conservation area. A highly visible, prominent building would be industrialised in a residential area that supports a varied community of small businesses and churches as well as all the residents that look at this building every day. This damages our heritage and is very**



**clearly at odds with the idea of conservation.**



Sections of roads where the

### **QUESTION NUMBER BQ3**

**Application number: 19/04167/F for Development Control Committee: 9/12/20**

#### **1. Conflict of interest**

The process not only has to be fair but it also has to be seen to fair, especially given the recommendation to rebut a strong statutory presumption against planning permission being granted, **so please can you confirm there are no possible conflicts of interest between Bristol City Council and Vodaphone that should have been declared in the Report?**

**A: On behalf of the Local Planning Authority, Officers advise there is no possible conflict of interest.**

#### **2. Photographic evidence**

The process not only has to be fair but it also has to be seen to fair, especially given the recommendation to rebut a strong statutory presumption against planning permission being granted. I and other residents raised two major concerns in respect of how the visual impact of the proposal was being portrayed by the Photomontage. Firstly it only presented a summer perspective when deciduous trees are in full leaf and secondly it didn't contain a near view from the corner of St John's Road and Alma Vale Road. Furthermore, photographs were submitted to support their views. It is a prominent corner site in a Conservation area so photographic evidence is vital.

Whilst I accept officers have recorded residents' views in writing, officers seem to have decided it is only necessary to represent the views of the Applicant photographically. I was not able to upload photos myself, but the applicant was which seems unfair. Officers may have been on site visits to help form their own opinions but the decision has been referred to Councillors. **Should Councillors not have been presented with the full picture, photographic evidence from both Applicant and Objectors, so they can form their own opinion?**

**A: Officers advise that prior to making the decision, Councillors will have had the opportunity to review a wealth of details concerning this application, that will allow for a well-informed and sound decision to be reached. Such details include: the submitted plans and documents, comments to the application from members of the public, the Committee Report, responses to questions from members of the public, written statements (which can be supported by images), public forum statements and an Officers' presentation.**

## STATEMENT NUMBER B3

### **Application number: 19/04167/F I object to this Application on grounds of loss of Visual Amenity and harm to the look of the Conservation Area.**

6 big eleven feet high (3.5m) masts on the top of a building (that's already higher than buildings nearby), would be highly visible from a substantial area around. The NW side of the building is visually exposed with no tree cover at all and is on a prominent site near a crossroads. This would change forever the character of this beautiful Conservation Area.

Every time I (or anyone) go down St Johns Road, cross over the railway bridge, I see trees on either side and the beautiful replica Victorian street light, then if I look ahead - 6 big ugly masts would be in my face, destroying my view. This should not be allowed in a Conservation Area. There would be similar experiences each time you travel East along Alma Vale Road, or north along St Johns Road from Alma Road.

Perceived harm is accepted in the report but the degree of harm is assessed too low.

#### **Does the report take into account the full prominence of the site?**

The Report incorrectly assesses the building to be "*the same height*" as its neighbours but it's clearly higher than 1 & 2 St Johns Mews, the nearest neighbours to the mast location. The 25%+ increase in the building's height has been assessed only as "modest" which it certainly isn't. The report doesn't make clear there are no trees along the whole of the NW side of the building where the masts would be, leaving it highly exposed.

#### **Does the report take into account the attractive location of the site sufficiently?**

The building is on a prominent corner site in an especially attractive part of the Conservation Area. It's in an open position, right opposite a listed church building with a stone wall, enclosing a large open green lawned area. There is a corner shop, Clifton Mini Market right opposite and a post box which draws many people to this crossroads with an unencumbered view of the building.

#### **Does the Report take the full impact of short range views into account?**

*"Short range views of the proposal from the immediate area surrounding the site would be limited, largely as experience would suggest that when in the immediate of a three storey building; views would be drawn to the body of the building, rather than the proposed equipment on the roof"* (NB The Report has not been checked carefully, there is a word missing after "immediate" so this is not entirely clear.)

This statement reads like a personal opinion with no factual evidence to substantiate it. At short range eg the junction of St Johns Road and Alma Vale Road, my personal experience is the opposite. I am still drawn to the whole building and the masts would be very visible against the skyline. Should short range views not have been considered more objectively and taken into account?

#### **Has usage of the Visual Amenity been considered?**

The report says the masts would be "*fairly unsightly*", I'd argue **very** unsightly but either way they would have a harmful negative impact on residents' experience of the local area. Usage of an Amenity should be relevant. If it's never used it doesn't matter but if it's used a lot it causes greater harm to more people. This is an area, in regular use by local residents, coming out of the local Mini Market, returning from other shops along Alma Vale Road, en-route to Sainsbury's, taking children to school, going to work, going to Alma church. Masts would be in

our faces every time we go near the building, harming local residents from across a wide area of Clifton East.

### **Fairness - a democratic process not only needs to be fair but also seen to be fair**

Whilst the Applicant has had the opportunity to present Photomontage evidence, Objectors' have not. How can local resident have confidence the process is fair when the Applicant's Images of summer medium range views are represented in the Report but local resident's concerns that both the winter situation and short distance views are important are not represented in Image form.

This doesn't feel either balanced or fair to me, especially when Images 3 a. and 3 b. have "*falsely changed*" the colour of the sky. "*officers would like to reassure interested parties, that officers' assessment has been adjusted accordingly*" provides no reassurance at all.

This has been referred to Committee Members for decision. They have been given "falsely changed" images to form their own opinion. Corrected images haven't been issued. **One third** of the Images presented as Photomontage evidence in sections 2.7- 2.9 are "falsely changed", there's not even a caveat in section 2.9 pointing this out. Do you think this is right?

### **Conclusion**

It is my strongly held opinion that if these masts are installed, they will detract from this attractive part of the Conservation Area and inflict a greater level of Perceived Harm to the Visual Amenity than is assessed in the report. **I encourage Committee Members to preserve the character of this part of the Conservation area for the benefit of residents in Clifton East.**

This final statement is from your own Bristol City Council website

***Conservation areas have a special character and appearance and we aim to preserve or enhance them***

<https://www.bristol.gov.uk/planning-and-building-regulations/conservation-areas>

## **QUESTION NUMBER BQ4**

### 1. Demonstration of Public Benefit

Page 17 of the report states “The Applicant has advised that if planning consent for a replacement site cannot be secured, then there is a risk that the coverage in this part of Bristol may be lost.”

Page 20 concludes “Overall, officers advise members, that on balance, the proposal’s harm to the significance of the Conservation Area is materially outweighed by the public benefits that would flow from this development”

Materially outweighed is a very strong statement, especially when there is strong statutory presumption against planning permission being granted. “Risk” and “May” are certainly not words of evidence that I would want to rely upon as justification for such a conclusion.

**What analysis has been done to quantify both the public benefits and the risks that would flow from this development?**

**A: Within the Committee Report, Key Issue C concerns the proposal’s impact on the Conservation Area and Key Issue F includes the assessment of public benefits vs. harm to the Conservation Area.**

### 2. Alternative Sites

a) Page 18 of the report, regarding the suggestion of HSBC as a suitable site, records

“the Applicant has stated that this location is outside of the relevant search area, and fixing the equipment in this location would reduce coverage compared to the existing situation”

The Coverage Maps supplied with the Application show the coverage reduces to the north of the existing site, which casts doubt over the choice of the “arbitrary” Search Area.

**Please can officers share the analysis obtained from the Applicant to assure them that coverage at an HSBC location "would reduce compared to the existing situation"?**

**A: The Applicant’s assessment of the HSBC Bank is included in full below:**

*“HSBC Bank – It has been proposed within the objection letter that this would be a more suitable location to locate the installation. This is located much further to the north where coverage is already being provided by the installation on Durdham Down Water Tower. If the site we to be moved this far to the north of the existing site then there would be an impact to the coverage to the south of the existing site”.*

b) Page 19 of the report records

“officers consider that the Applicant has demonstrated that within the search area, there are no suitable alternative sites for telecommunications development available in the locality, including the erection of antennae on existing buildings or other structures.”

I note this but by way of example, Whiteladies Health Centre is a public NHS building with a large roof surface area and not situated on a prominent corner. Furthermore, it’s nearer the area that Coverage Map analysis suggests a new site would be most efficient.

Please can you explain

**(i) why Whiteladies Health Centre was not considered suitable by the Applicant?**

**A:** Officers did consider this building. Section 2.3 of the submitted General Background Information for Telecommunications Development authored by Cornerstone, ref. V.1 20190311 , states “physical features such as buildings or landscape can obstruct the signals”. Further, the Applicant has advised that the height required from the replacement installation would be as close as possible to the existing installation on the Shopping Centre. The exact height requirement would depend on the clutter in the immediate area, with the antennas needing to be positioned above the rooftops of the surrounding buildings. The building has a similar height to its immediate surroundings, and shorter than some nearby buildings, hence Officers considered it to not represent an alternative site given the advice provided by the Cornerstone document and the Applicant. Further to this, since receiving this question, Officers put it to the Applicant, who confirmed the above.

**(ii) why officers did not think it should be raised with the Applicant as a possibility?**

**A:** As can be seen above, this site has been raised with the Applicant.

Many Thanks

Rob Lee

## STATEMENT NUMBER B4

**I object strongly to this Application on grounds of loss of Visual Amenity and perceived harm to this Heritage Asset in a Conservation Area.**

**Harm to the Conservation Area has been accepted but I suggest underestimated**

- Has the prominence of the building and its location been fully taken into account?
- The increase in the height of the building is assessed as “*modest*”, the increase is over 25%
- Building “*the same height*” as its neighbours, what about St Johns Mews (nearest the masts)?
- Its on a corner site, in an attractive location next to a listed church with an open green area

When forming a view how the Perceived Harm compares with Public Benefit, please consider

### **1. Has the DM36 requirement in respect of Alternative Sites been met?**

The Search Area, chosen by the Applicant, was small and “*fairly arbitrary*”, it’s centred to the south and west of the current site not on it. Are you sure there are no alternative sites when the Search Area is “*fairly arbitrary*”? I suggest a Search Area based on factual Coverage Map information would stand up to rigorous scrutiny and provide reliable assurance on DM36.

Constructed this way, the search would move further north, taking in more Commercial, high, flat roof, less harmful sites further up Whiteladies Road that were not investigated.

eg HSBC on Whiteladies Road was not considered because it was “*outside of the relevant search area*”. But only because a “*fairly arbitrary*” Search Area chosen by the Applicant?

In January, the Agent stated of HSBC “*coverage is already being provided by the installation on Durdham Down Water Tower*.” But the Water Tower is twice as far from HSBC than Clifton Down is. Coverage extending this far adds support for a different Search Area being used.

Does this “*fairly arbitrary*” Search Area have sufficient rigour to provide convincing objective evidence that the Alternative Site requirement in DM36 has been met? In my view no.

### **2. How much reliance is being placed on imprecise statements?**

For example, “*The Applicant has advised that if planning consent for a replacement site cannot be secured, then there is a risk that the coverage in this part of Bristol may be lost*” “*Risk*” and “*may*” are far from definitive.

A reasonable interpretation of the way “*risk*” and “*may*” have been used here is it’s more likely than not that coverage would not suffer if the application is rejected which brings a different perspective when considering the Public Benefit.

**Surely if a definitive statement could have been made it would have been made?**

Would a large well run company not be expected to have contingency plans?

Would you be comfortable if this Heritage Asset was lost needlessly for no Public Benefit gain?

### **3. Is the situation regarding Clifton Down and other Operators crystal clear?**

## **Conclusion**

Given the strong legal presumption against planning permission being granted, I suggest it has not been demonstrated beyond reasonable doubt that the Perceived Harm is outweighed by the Public Benefits and urge you to reject the Application.

OR at the very least defer a decision until

1. The "*fairly arbitrary*" Search Area has been changed to take in Alternative Sites further north on Whiteladies Road' and Coverage Maps for these sites published.
2. The short and medium term position of both the Applicant and all other Operators at Clifton Down is clearly understood.
3. Options for time limited temporary solutions (which grant water tight long term protection to the Heritage Asset) have been explored.

NB quotes in italics are extracts from the Report or Planning Application website.

## QUESTION NUMBER BQ5

Application number: 19/04167/F

Development Control Committee: 9/12/20

Question submitted by Richard Durrant

### Visual Impact of Proposal

During the consultation period for this application a objection was submitted highlighting the disingenuous nature of the photomontage as presented in the most favourable of conditions on a summer's day with all the deciduous trees full of leaves, a blue sky with interesting clouds and the occasional Victorian lamp-post. Furthermore a critical view along St Johns Road and Alma Vale Road was not included.

When the deciduous trees have shed their leaves, and this is for the best part of 6 months of the year, those living in the neighbourhood have had to live with an exposed building that is already not in keeping with the rest of the neighbourhood, and approval of this application will add to this unsightly view an array of large antennas.

A complementary photomontage was provided extracted from Google Streetview to indicate the visual impact during the Autumn/Winter months, with a request that those reviewing the plans to perform their own visit to the area to assess the impact of the building/antenna locations and that such a visit should be in the Winter months. The report states that such a visit did take place, but raises the questions...

- **Were photos taken during this visit in late Autumn?**

**A:** Yes.

- **If so why were the photos not included in the report to complement those from the applicant and provide a true picture of the visual impact?**

**A:** Due to size limits of publishable reports, not all documents could be included. Hence Officers had to choose the most relevant and helpful images, which those included within the Committee Report were considered to represent. Specifically, these images provide a visual representation of what the installation is expected to look like; Officers' photographs do not include this. Further, the images are taken from the vantage points mostly raised by members of the public, and are considered to be the most harmful to the Conservation Area.

### Search Area Selection Process

The site selection process as presented in the application is very weak and raises many questions. It is predicated an unjustified search area which does not follow from the coverage plots as presented in the application.

From the evidence presented it would appear that a search area up Whiteladies Road would both cover the same area as provided by the masts on the BT building in question as well as further coverage in areas that are currently considered by Vodafone as sub-optimal. Such a search area

would, from consideration of satellite views of the area, appear to open up a number of much more suitable buildings for the masts.

- **During the review process was this aspect of the application considered by the officers?**

**A:** As explained on page 115 of the Committee Report, the search area is largely determined by the coverage area of the existing equipment, as the proposal is to replace this. In this way, the search area is principally motivated by the need for the replacement equipment to be located close to the existing site, in order to prevent a loss of coverage within the network, given that the surrounding network has been designed around the existing equipment at the Shopping Centre. The search area selection process was therefore considered by Officers.

- **If not, why not?**

**A:** N/A – See above.

- **If so what were the reasons given, in detail, for dismissing an area with less heritage harm and greater technical benefit?**

**A:** N/A – See above.

# Statement Number B5

Firstly I wish to register that I remain strongly opposed to the approval of this planning application. I am submitting this statement to the Development Control Committee meeting to highlight the two key reasons supporting this objection.

The report provided to support the approval of the placing of 3G/4G masts on a building in a Conservation Area (CA) does not provide a well justified rationale for reaching this decision. A critical read of the document reveals that either insufficient rigour has been taken in the assessment process or some key information has not made its way into the report. The report purports to balance the Public Benefit (mobile coverage from Vodafone) with the impact on a Conservation Area (primarily the visual impact) and conclude that the Public Benefit outweighs the impact. I would like to highlight the two main areas of concern in how this decision was reached.

## **Search Area selection**

Before any assessment of the impact of the proposal could be performed, the robustness of the selection of the site as the only alternative should have been performed, including to the extent of better understanding why removal from the current location is a given; which is what we are asked to just accept.

Scrutiny of the robustness of the search area selection should have been driven by the coverage maps provided by Vodafone. For the benefit of Committee Members, who have not been given this highly relevant information, the coverage map results have been summarised below and show that:

- a) With the installation on the Clifton Down Centre there is good coverage to the east and west of Whiteladies Road (between Hampton Road, across Whiteladies Road to Pembroke Road) which is reduced to a sub-optimal, but still operational, coverage when these masts are removed.
- b) With the proposed site coverage is restored to a reduced area between Whiteladies Road and Pembroke Road But the site is sub-optimal, being located in an area where enhanced coverage is not needed).

Whereas in fact.....

- c) An installation further North along Whiteladies Road would both restore coverage to both sides of Whiteladies, and have the potential to improve the quality of the coverage beyond Hampton Road to the East which is not covered by either installation.

In short, south of the current site coverage holds up well, with or without new masts, it is north of the current site is where search for a new site should have been focused. Instead a "fairly arbitrary" area centred south and west was used. This resulted in a site to the west, which results in coverage reductions to the east of Whiteladies and unnecessary duplication to the west. This underlines how inefficient and ineffective the proposed site is in serving the public.

Further a consideration of the commercial buildings from the Clifton Down Centre up to the HSBC building at the top of Whiteladies Road indicate a number of potential sites for mast that would be both considerably less intrusive and offer Vodafone better coverage than they have with the current installation. There is no evidence this has even been considered in the rush to use a search area in the margins of what is actually needed.for the real Public Benefit.

The water tower on the Downs is purported to cover the area that mounting the masts on the HSBC building would address. As the expectation would be that any line-of-sight from the Water Tower masts will rapidly fall away as the area down Whiteladies Road loses elevation, whereas a well directed set of antennas on the HSBC building would be expected to provide an excellent fill-in for the the upper areas of Whiteladies Road (both sides) down to the Clifton Down area.

As none of these factors have been addressed in the report this is a serious omission when the report then asks us the Committee to accept that the search area is valid and there are no other option than masts on this new proposed location.

### **Visual Impact**

Notwithstanding the poor justification of why the proposed location has been selected in the first place, the visual impact assessment as presented in the report based on a photo-montage provided by the Vodafone agent provides views which aim to distract from the proposed installation. Despite this point being made by a number of objections during the consultation period, and, as stated in the report, a visit being made by the officers during a period when the deciduous trees are bare, no photographic updates have been added to the report to present a complete, and balanced, picture of the visual impact.

Relevant to both of those raised above is the planned lifetime of the proposed installation. Whereas a short term installation to help mitigate loss of some coverage while the Clifton Down Centre is being re-furnished may be deemed acceptable from a visual impact perspective, a permanent installation, given the apparently better placed locations, would not be acceptable. However this then raises the question of why, when forced to leave Clifton Down Centre by circumstances, was the opportunity not taken to improve coverage rather than accept a poorer coverage. Instead there is insistence on a second rate solution from a Public Benefit perspective which causes permanent harm to this especially attractive and prominent part of the Conservation Area.

### **Statement Summary**

1. I strongly object to the proposed installation of masts in the proposed location.
2. The report presented to the committee for approval contains incomplete and ambiguous evidence purporting to support the proposed acceptance of the application.
3. The search area is distorted towards the desired result and provides no evidence that considerably better locations have been considered.
4. The visual impact presented in the report is incomplete, ignoring key views put forward during the consultation period.
5. Had a rigorous approach been taken to the search, looking for a site that would serve the public best, a different solution would have emerged. Consideration of the Alternative sites has been deficient and the criteria for approval have not been met.

## QUESTION NUMBER BQ6

Application number: 19/04167/F

Development Control Committee: 9/12/20 DCB Wednesday 9.12.20

Questions in respect of Item 8b - submitted by

Ben Garbett

1. The chosen site is a prominent corner site in the heart of a residential zone which will be viewed by pedestrians from all angles. No other site would have such a direct visual impact on the Conservation Area so why does the officer regard this as "low degree" harm...?

**A:** The degree of harm is a qualitative assessment, and hence is subjective. Nevertheless, Key Issue C discusses the proposal's impact on the Conservation Area in great detail and length, considering the Conservation Area's significance and how apparent the equipment would be when experiencing the Conservation Area.

2. How does the officer justify his conclusion that the need for this mast outweighs the CA harm when it will do nothing to address the main gap in network coverage...?

**A:** Key Issue F of the Committee Report weighs the proposal's public benefits against harm to the Conservation Area. Within this Key Issue, it is acknowledged that were the proposal refused and the equipment removed from Clifton Down Shopping Centre, as it is suggested by the Applicant, it is likely that high quality and reliable 3G and 4G coverage for the surrounding area would materially suffer. Ensuring the area would benefit from a consistent coverage when compared to the existing situation represents a public benefit, which officers consider to outweigh the proposal's harm to the Conservation Area.

3. Why is it acceptable for the applicant's agent to claim no knowledge about the search area immediately north and east of Whiteladies road when apparatus installed in that location will address at least some of the loss of coverage currently predicted...?

**A:** Notwithstanding comments concerning the Applicant's knowledge, Key Issue D considers the relevant search area and if alternative sites are available. As this Key Issue concludes, based on the available evidence, there are no suitable alternative sites for telecommunications development available in the locality. Further, the Applicant has confirmed that by moving the installation to the north as suggested by the question, coverage would be lost in the opposite direction (to the south). The requirement here is to try and maintain existing coverage and not move the site to a new location where the resulting coverage would leave people who currently have coverage suddenly without coverage.

4. Why has the applicant not made more effort to secure a site north of the current application site, particularly a building on or near Whiteladies Road closer to the main gap in coverage?

**A:** Officers advise that the Applicant has considered alternative sites on Whiteladies Road, but has discounted them for reasonable concerns, see Key Issue D.

5. Durham Down water tower lies way off to the north (beyond the applicant's area of search) so how can this possibly satisfy coverage needs to the south of the HSBC site more effectively than an installation positioned on the HSBC rooftop itself....?

**A:** This is a question relating to the technical abilities of the installation at Durham Down water tower, which Officers are not qualified to advise on. However, the Applicant is a Chartered Surveyor and Registered Valuer, and hence it would be unreasonable to not consider their advice to be factually correct, where Officers have no evidence to the contrary.

6. Where are the coverage plots to justify these assertions?

**A:** Such coverage plots have not been provided, further than the Supporting Technical Information for Vodafone : - Clifton BT Exchange Vodafone Site – 17034.

7. On what terms have the applicant and other operators been permitted to retain their apparatus on the existing Clifton Down site, and for how long?

**A:** The Applicant has advised that a Notice to Quit was served in 2018 with regard to the Applicant's equipment at the site, and their equipment only remains on the rooftop by rolling extension in order to hold off legal proceedings pending planning permission being granted for an alternative replacement site. An exact time period has not been provided. The Applicant has not advised as to the terms the other operators are subject to at Clifton Down Shopping Centre, other than advising that the Managing Agent representing the Landlord for the Shopping Centre has confirmed that notices have been served on all Telecoms Operators at the Shopping Centre.

8. Is it not factually correct to state that the existing site will only need to be removed at a future point in time when (and if) the Clifton Down centre is redeveloped?

**A:** The Applicant has confirmed that should this application be approved, built out and operational, then the equipment would be removed from the Shopping Centre, allowing possible redevelopment plans to be carried out.

9. Is this not a requirement for a temporary relocation at most?

**A:** The Applicant has confirmed that the existing site has to be moved and there is no indication as to what will be done with the Shopping Centre, hence the Applicant cannot rely on the Shopping Centre being available or suitable for an installation after its possible redevelopment.

Further, Officers would advise that temporary planning permissions are rare, and are generally permitted where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. The effect of the development is understood, so a temporary permission is not justified on this basis. The Applicant reports uncertainty over: future plans for the Shopping Centre; whether it would be suitable and available in future for an installation akin to the proposal; and associated timeframes. What is certain is that the Applicant has advised that Vodafone's equipment at the Shopping Centre must be removed. Officers therefore recommend that a temporary permission would not be justified on the grounds that there is a reasonable expectation that the planning circumstances of this application will change in future, as there is no certainty of this.

10. What efforts has the applicant made to find a shared solution, as they are required to by the Code, especially given that all operators will be affected in the same way?

**A:** The Applicant does not know if the other Telecoms Operators have left the Shopping Centre, and is not aware of the other operators' replacement activities.

Officers have checked the planning record and are aware that an application submitted on behalf of EE and H3G to replace an existing 12 metre monopole and ancillary equipment with a 20 metre monopole and ancillary equipment near Bristol Zoo. The application was submitted in 2019, and the proposal's purpose was to upgrade the existing equipment to improve coverage in the area, and also to partially replace coverage due to be lost from their equipment at Clifton Down Shopping Centre, as they reported a Notice to Quit had been served on them to remove their equipment. The application was found to result in a high degree of less than substantial harm to a number of heritage assets (Clifton and Hotwells CA, Down's CA and the Zoo, which is a Local and Historic Park and Garden). The Delegated Report for the application also reports that alternative sites were not considered, and insufficient information was submitted to demonstrate that the proposal was essential to deliver the associated benefits. The application was therefore refused (ref. 19/01889/F), and Officers are not aware of any further applications or enquires from EE and H3G intended to replace their equipment at the Shopping Centre.

In summary, apart from the refused application, Officers are not aware of any plans that other Telecoms Operators at the Shopping Centre are looking to replace their existing equipment. Further, the Applicant has not sought opportunities to share new masts, as the Applicant is not aware of any planned or existing masts that would address the expected loss of coverage.

# Statement Number B6

## WRITTEN STATEMENT - BEN GARBETT, 54 ALMA VALE ROAD – PLANNING APPLICATION REF. 19/04167/F – TELEPHONE EXCHANGE, ST. JOHN’S ROAD, CLIFTON

The proposal *would* cause harm to the Conservation Area (CA). Such harm attracts “*great weight*” in the planning process: see NPPF, para. 193. In national policy terms this protection is **no less** important than the general encouragement given to electronic Code operators to expand their networks.

I disagree with the officer’s judgment that the overall balance tips in favour of granting permission because:

- Serious harm (not low-level harm) would be caused to the CA; and
- The applicant has presented a weak technical case as to why *this individual site* is required for its network (i.e., there is no conflict with NPPF policy advice, para. 116).

### ***(i) Harm to the CA***

The overall siting and design is very poor – the building is utilitarian but not without architectural merit. It occupies a corner plot of a road intersection in an attractive residential part of the CA, opposite a church hall and open green space / playground which is used by children and members of the community all year round.

The rooftop apparatus would be highly visible for several hundred meters to pedestrians walking in a N/S and E/W direction (visible from Alma Vale Road not just from St John’s Rd.).

Arguably, there is no other site within the whole of the applicant’s 100m search radius more prominent than this. The apparatus would be large and ugly in the skyline. This degree of harm certainly does not rank at the ‘low end’ of seriousness.

### ***(ii) Lack of demonstrated “need” for this telecoms site***

One must be very careful not to confuse the need for a telecoms network (which is generally supported in planning policy) with the applicant’s untested assertion that it needs *this* particular site. These are two different things.

The case officer concludes that the need for unbroken 3g and 4g coverage outweighs the serious CA harm, but **why** is that?

- Firstly, the technical coverage plots show that the critical gap in coverage is found to the north of Whiteladies Road. Placing the apparatus on the BT building will not address the core area of need; it will only fill a gap in coverage of lesser importance. In fact, just about any other commercial building on Whiteladies Road (or in that vicinity) would do a better job of serving the operator’s primary technical requirement without incurring the same degree of unnecessary CA harm.
- Secondly, what is so confidential about the landlord’s notice to quit on the Clifton Down rooftop, a site which the applicant says it must vacate? On what basis is the

applicant being allowed to remain on that site, along with every other operator?  
There are no submitted plans for re-development of the Clifton Down shopping centre (following its recent sale) so any physical requirement to vacate would appear to be a very long way off. It is reasonable to assume (given the applicant's refusal to answer all questions) that there is no immediate pressure and that it could be years before the existing apparatus has to be removed. That time can be used to explore other, more appropriate site options.

### **Temporary site**

It has been suggested that the operator might only need a replacement site for only so long as the Clifton Down centre rooftop is unavailable. However, this is not a sound argument for permitting the installation of apparatus on a bad site.

### **Conditions**

If Members are still minded to grant planning permission, they should only do so if the following protections are put in place:

- The description of development in the notice of permission should describe the permitted use of the apparatus for 3g and 4g purposes only. There should be an extra planning condition specifically preventing the use of this site for 5g. This will ensure a further planning application is required before the site can be used for 5g use, which is entirely appropriate given that this is not what has been applied for.
- A condition, or s.106 planning obligation (as appropriate), preventing dual use of the existing Clifton Down site and the application site.
- A condition granting a temporary permission of no more than 3 years.

## **QUESTION NUMBER BQ7**

Dear CDC-B Members,

Much of the argument in considering the application 19/04167/F is balancing the weight of the conservation area and the amenity of residents compared to the need for Vodaphone to improve its coverage by installing masts on the BT Telephone exchange. Other people have questioned whether the siting masts on the telephone exchange improves Vodaphone's coverage in that area North and East of Whiteladies Road where reception is poor and, also, what alternative sites have been considered. However, I am concerned that insufficient evidence has been gathered regarding the visual amenity to residents.

In section (C) Heritage and Design Assessment much is made of site visits and comparing photo montages, but these are all based on street level assessments. It is clear from the photos I have attached that the views from my house will be much affected should the masts be sited on the BT Telephone Exchange, since the whole roof is clearly visible. And like me, many other residents. As stated in the report the Conservation area "...relies on the subtle combination of mainly domestic qualities: ... with interesting and varied elevational use of classical architectural motifs; ...; trees of good stature in streets and gardens" (Page 45-46)." In addition, Code of Best Practice on Mobile Network Development in England 2016 aims to "Minimise impact on important views and skyline". I think the current roof scape, including the telephone exchange, broadly adheres to the Conservation Area's aim. However, including the masts definitely won't as they will disrupt the views of many considerably.

**Question 1: What attempt has been made to investigate the impact on visual amenity to residents whose properties give clear sight of the telephone exchange roof?**

**A:** When assessing a proposal's impact on a Conservation Area, the predominant focus is on how the proposal will impact the significance of the Conservation Area, and generally this concerns views of the proposal from public vantage points, as the Applicant's Photomontage has. Views from private vantage points, such as those documented by the provided photographs are still important in terms of the experience of the Conservation Area, but attract less weight than views from public vantage points.

**Question 2: Given the much greater impact to visual amenity combining the disruption to views from windows in the vicinity and road level inspection, would the balance shift towards greater weighting of the Conservation Area?**

**A:** Officers advise that as per the answer to the question above, the proposal's harm to the Conservation Area is correctly assessed within the Committee Report.





## Statement B8

To Whom it concerns. I would like to submit a statement for the Committee to consider.

**I am objecting to this Application. The Visual Damage it would do to our attractive Conservation Area is immense.**

The rear of my property is next to and looks over the BT exchange, which is where the masts would go.

I pass the building every day, as do many other local residents.

The building is on a prominent corner site next to a church.

There are no trees in front of where the masts would go.

They would be very visible from both St Johns Road and Alma Vale Road and even further south in winter.

The prospect of having these towering masts in my face every time I go by fills me with horror.

They would look absolutely awful.

Seeing them every day would harm the quality of my life and others living in the community materially.

How can you allow such harm to be done to so many local residents?

The report says the masts would be “fairly unsightly, and not overly in-keeping with the character of the area “. **I really object to this conclusion.**

The masts would be much more than fairly unsightly and what an insult to local area to suggest masts could in anyway be in keeping with this beautiful part of the Conservation Area. Its Character would change for the worse.

I cannot understand how it is possible to conclude the masts would do “a low degree of less than substantial harm” – masts would do substantial harm to the local views, my quality of life, and to local residents.

**For the sake of the Conservation Area and local residents, please don't let this happen.**

Kind regards

Philip Moyne

1<sup>st</sup> Johns Mews  
St Johns Lane  
Clifton  
BS8 2ER

## **Statement B9:**

To whom it may concern:

I would like to make a statement to the committee to consider.

I would like to support what Councillor Stevens has said about these telephone masts.

"I object to this as I believe it will harm the look of the conservation area. If you walk (cycle or drive) down St John's Road straight ahead of you is this building. It is not too high but an eyesore nonetheless. But if you add 6 x 3.5m antennas on the north end of that building it will be really detrimental to the appearance of the immediate area. As you get closer it will be "in yer face" and amplify the look of what is an eyesore already."

He's absolutely right.

As a local resident I'd also like to make it clear that I would be far happier with a small reduction in signal strength than seeing our area damaged in this way. Preserving the Character of our local area is far more important.

It's a great area and residents take great pride in it. Please keep it that way.

Best regards,

Claire Moyne

1<sup>st</sup> Johns Mews

St Johns Lane

Clifton

BS8 2ER

## Statement B10

Dear Planning Committee,

I would like to submit a statement to the Planning Committee questioning the basis of this application.

I object because of the significant harm these masts would do to a very attractive part of the Conservation Area

I appreciate it is very difficult to balance Perceived Harm with Public Benefit but there are points I would like to raise which I hope you will find helpful about DM36

*“Opportunities have been sought to share masts or sites with other providers”*

The Report points to other Operators at Clifton Down. Have they found solutions that do not harm the Conservation Area? If so, then why hasn't the Applicant been able to? Has the Applicant not sought to share the other Operators' solution?

The date the applicant has to leave the current site is also unclear. They have kept such details confidential. We are told notice was served in 2018. It's now 2020. There is nothing to say they have to leave before 2050 or beyond?

*“There are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other structures”*

The Search Area is considered *“fairly arbitrary”*. I note it's centred south and west of the current site. I believe the Public Benefit assessment would be more reliable if the search Area was based on objective technical information such as Coverage Maps. This would have resulted in the Search Area taking in more high buildings, at higher altitude, and in a more Commercial Area, and where less Perceived Harm might be done. In the absence of a technically based search area, are you really sure the requirements have been met?

In circumstances like this, where Officers find the perceived Harm and Public Benefits are so close as to use *“tips the balance”* in their assessment, there should be a search for an optimal solution. This is particularly necessary in a Conservation Area and a residential area. I see no evidence in the Report that an optimal solution has been explored.

Taking all these points together, I'm not convinced that these two DM36 requirements have been satisfied to support the conclusion on Public Benefits in the Report.

In contrast, the short-range impact of the masts seems to have been understated. Images 2a and 2b show a medium range view in which the Victorian style lamppost illustrates how out of keeping masts would be in the area. However, there are no short-range views in the report

*“Short range views of the proposal from the immediate area surrounding the site would be limited, largely as experience would suggest that when in the immediate of a three storey building views would be drawn to the body of the building, rather than the proposed equipment on the roof.”*

I think short-range views should have been included. For example, when I am at the north west corner of St Johns Road and Alma Vale, the whole building is very prominent, visible from top to bottom so I think the masts would be prominent at shorter ranges and this aspect has not been fully allowed for.

In the light of uncertainties over the degree of Public Benefit and the impact on short range views, I am not satisfied that the Report has reached the appropriate overall conclusion.

I hope these objections help you in making your decision.

Yours sincerely,

Susan Western  
32 Alma Road  
Clifton  
Bristol BS8 2DB