

Our Ref: 15593  
[REDACTED]

Section 62A Applications Team  
[REDACTED] rate  
[REDACTED]

Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

[REDACTED] 62A Applications Team

**Re: S62A/2025/0101 - Change of use from three residential flats (use class C3) to a 12 bedroom  
[REDACTED] existing nursing home (use class C2), including demolition and replacement of rear  
[REDACTED] Belvedere Road, Westbury Park, Bristol**

I am instructed to represent local residents in connection with the above referenced planning application. My instruction is to review the proposal and to submit relevant planning representations.

[REDACTED] follows previous submissions made with respect to appeal APP/Z0116/W/20/3263935, which related to application 19/03104/F for the change of use of 7 Belvedere Road to provide 17 additional bed spaces to Glenview Nursing Home and further letters of representation in respect of [REDACTED] 503/F to provide 14 additional bed spaces and 22/01529/F to provide 12 additional [REDACTED]

### Prior Objections

Those instructing me in connection with these representations are the same as those who instructed me in respect of the previous representations. I do not intend to repeat the points raised previously due to the similarity between the points raised in objection here and the points raised previously. The substantive reasons for the previous objections remain equally valid as the only material policy change [REDACTED] were submitted was to the National Planning Policy Framework (the Framework) in December 2024 and none of the amendments made to the Framework are of relevance to the root of our objection.

[REDACTED] are included at Appendix A. Those instructing me are the same as those who instructed me in connection with the previous representations (please see Appendix A of the objection to appeal APP/Z0116/W/20/3263935 dated 21 January 2021).

## Policies and Guidance

The following policies should be considered when determining this application:

### Policy Framework

#### Development

- Section 4 – Decision Making
- Section 8 – Promoting Healthy and Sustainable Communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well Designed Places

### Bristol Development Core Strategy – adopted June 2011

#### BCS 5 – Housing Provision

- Policy BCS 10 – Transport and Access Improvements
- Policy BCS 21 – Quality Urban Design
- Policy BCS 22 – Conservation and the Historic Environment

### Site Allocations and Development Management Policies - Local Plan adopted July 2014

- Policy DM 2 – Residential Subdivisions
- Policy DM 23 – Transport Development Management
- Policy DM 28 – Public Realm
- Policy DM 30 – Alterations to Existing Buildings
- Policy DM 32 – Recycling and Refuse Provision in New Development

#### Development Process Documents

- Parking Survey Methodology
- The Downs Conservation Area Character Assessment

## Determining Issues

The main new issue pertinent to this current planning application may be summarised as follows:

### Parking and Highway Safety

#### Parking and Highway Safety

The development is objected to on the grounds that it would lead to an unacceptable increase in parking demand, which would in turn cause detrimental impacts on the local highway network. This would be contrary to the aims and requirements of Policies BCS10, DM2, and DM23 of the local development framework. Furthermore, the proposal must be assessed against paragraph 116 of the National Planning Policy Framework (NPPF), which states that development should only be refused on

highway grounds where it would result in an unacceptable impact on highway safety or where the cumulative impacts on the road network, after mitigation, would be severe. In this case, the likely increase in pressure on parking and the highway network represents such an impact and therefore warrants refusal.

The applicant has commissioned a new parking survey, this is submitted as part of the application and seeks to demonstrate the availability of on-street parking in the area around the site.

Parking surveys are typically required where a planning application identifies a shortfall in parking provision. In this case, the proposal includes no off-street parking, meaning any additional demand generated by the development will be displaced onto surrounding streets. However, the extent to which this displacement can occur is limited by the presence of resident parking zones, which restrict parking. As a result, the additional parking pressure is likely to shift to nearby unrestricted areas, such as Belvedere Road, thereby further overloading a road parking network which is already operating beyond capacity.

To make an appropriate assessment of the impact a development proposal will have upon the highway network it is necessary for an applicant to submit a parking survey. For sites within Bristol the parking survey should be undertaken in accordance with the "Parking Survey Methodology" which is appended to the Bristol Transport Development Management Guide (as appended to this representation at Appendix B).

The methodology defines the 'Extents' of the survey as parking availability on roads within 150 metres walking distance of the site, as measured along roads (not a 150m radius). Furthermore, it is not to include within the survey area parking spaces which fall within the defined 'Residents Parking Zones' as these zones are not available to visitors or staff employed by the applicant.

The submitted parking survey does not comply with the Parking Survey methodology, insofar as the survey extends beyond the 150m radius.

As the parking survey does not comply with the required methodology, it would be unsafe for the decision maker in this case to place any reliance upon the data contained therein.

The submitted parking survey includes Clay Pit Road, Blenheim Road and The Quadrant, all of which are greater than 150 metres walking distance from the site. Indeed, the submitted survey includes parking spaces up to 240 metres.

The extension of the survey area (beyond that set out within the methodology) overstates parking available in the area and provides a false impression of the local highway networks capacity to accommodate parked vehicles.



For comparison, the following figures indicate the walking distances of the surveyed parking spaces as from the application site.



Figure 1 - Distance from 7 Belvedere Road to Edge of Parking Survey (The Quadrant)



Figure 2 - Distance from 7 Belvedere Road to Edge of Parking Survey (Blenheim Road)





Figure 3 - Distance from 7 Belvedere Road to Edge of Parking Survey (Clay Pit Road)

Even if the Applicant’s survey had been conducted in accordance with Bristol City Council’s (BCC) methodology, the recorded data indicates that there is very limited on street parking available. [redacted] provided at least one of the roads is at capacity.

We submit that as the parking survey was not carried out in accordance with the ‘Parking survey methodology’ limited weight should therefore be given to it in the determination of this application.

Local residents have conducted their own survey on four separate days in May 2025. All within the required 150 metre walking distance of site.

[redacted] data is included at Figure 4 - Parking survey conducted by .

Date	7 <sup>th</sup> May 25	12 <sup>th</sup> May 25	16 <sup>th</sup> May 25	20 <sup>th</sup> May 25
Time	08:39 – 08:55	08:03 – 08:16	07:54 – 08:11	08:20 – 08:44
Available within 150m	1	1	0	0

Figure 4 - Parking survey conducted by residents.

The parking survey submitted by the applicant fails to provide clear evidence as to whether instances of illegal or unsafe parking were present during the survey period. The accompanying

photographic evidence is limited in scope, with each image taken from a fixed vantage point that adequately capture the full context or positioning of parked vehicles. Furthermore, a large number of the photographs— were taken from locations beyond the accepted 150-metre walking distance from the application site (for example, three from the first survey day and two

This is confirmed in Figure 5 - Parking Survey Second Day Plan - Distance of Photograph Points from Site Shown and Figure 6 - Parking Survey Second Day Plan - Distance of Photograph Points from Site Shown.



Figure 5 - Parking Survey Second Day Plan - Distance of Photograph Points from Site Shown



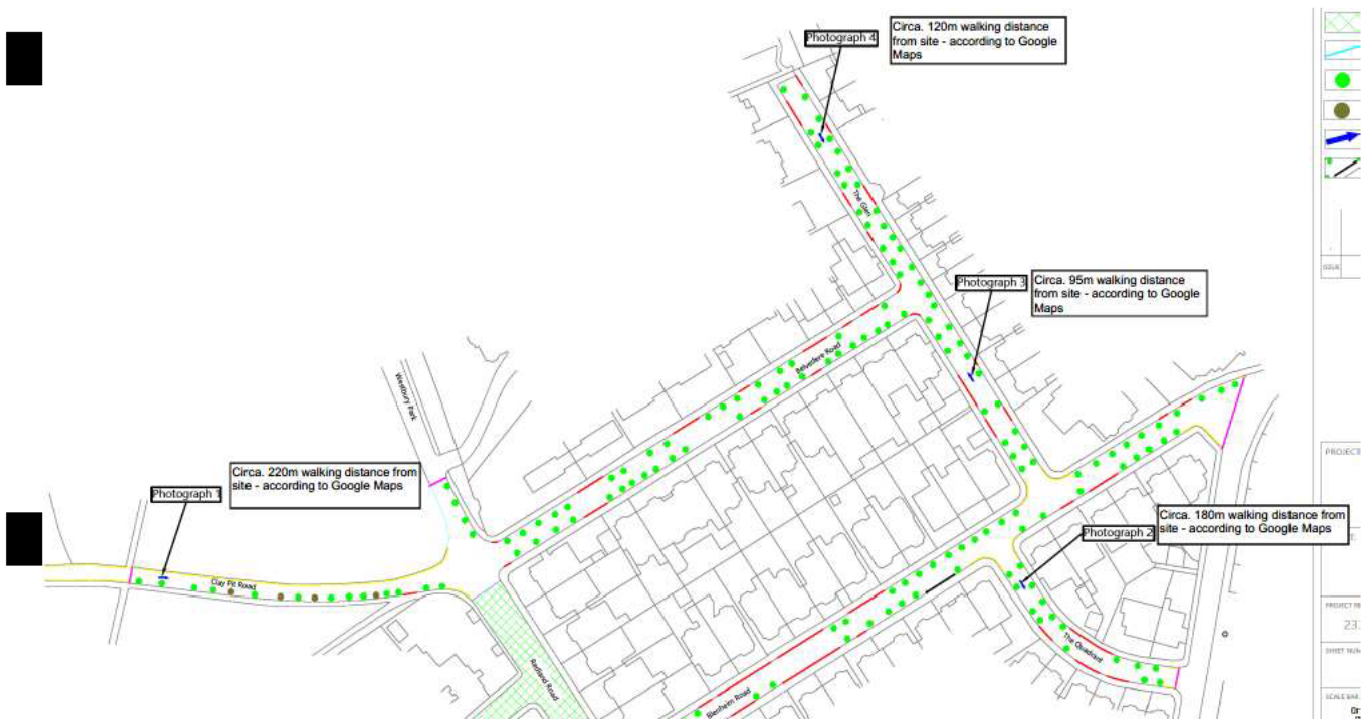


Figure 6 - Parking Survey Second Day Plan - Distance of Photograph Points from Site Shown

Issues associated with the lack of adequate parking have been fully documented and accepted [REDACTED] previous applications and dismissed appeals, resulting in the consistent refusal of planning permission and dismissed appeals.

[REDACTED] APP/2016/W/22/3299847, the Inspector noted that the results of the parking survey, [REDACTED] consistently over 90% and sometimes oversubscribed at over 100%.

From the appointed inspectors own site visit and assessment, it was noted that on-street parking in the area is at a premium, with a high level of demand. This assessment informed the Inspectors conclusion that there would be harm associated with on-street parking.

There have been no material changes in the parking arrangements in the area since the last [REDACTED] determined, the high level of demand identified in the parking survey, supports the [REDACTED] drawn by the appeal inspector determining appeal ref APP/Z0116/W/22/3299847.

Local residents have gathered evidence demonstrating that safety concerns already exist on the [REDACTED] network due to current usage. This includes instances of illegal and unsafe parking, as illustrated in Figure 7 - Number of Penalty Charge Notices issued on roads surrounding site – Provided by BCC in Freedom of Information request reference .

While it may not be appropriate to attribute these penalty notices exclusively to the current [REDACTED] the nursing home—which this proposal seeks to expand—they nonetheless provide a strong indication of the existing parking pressures on the local road network.

	2022	2023	2024
Belvedere Road	59	66	54
The Glen	6	5	2
Blenheim Road	14	3	8
Clay Pit Road	24	8	18

Figure 7 - Number of Penalty Charge Notices issued on roads surrounding site – Provided by BCC in Freedom of Information request reference 58982836.

The submitted Transport Statement asserts that the parking demand generated by the proposed [REDACTED] it will be equivalent to that of the existing use. It is noted that neither the current nor the proposed use provides any on-site parking.

The applicant contends that, as the proposal does not increase parking demand relative to the [REDACTED] it will not exacerbate pressures on an already congested local road network.

However, this justification relies on an interpretation of parking standards that overlooks key distinctions. While the maximum standard suggests a similar total provision (up to 4 spaces), the standard for nursing homes is comprised of both visitor parking and an additional requirement of one space per three full-time staff members.

This additional requirement for staff parking applies to the proposed nursing home use, and therefore, the assumption of equivalent demand is not an accurate or robust assessment. In [REDACTED] vehicles, ambulances, medical staff etc will all further contribute to the [REDACTED]

Whilst the applicant has indicated that no additional staff will be employed as part of the proposed development, it is reasonable to question the practicality of this claim. In the planning statement submitted with application 22/01529/F, the applicant stated that four additional staff members would be required to support a 12-bed extension.

No substantive evidence has been provided in the current submission to justify why no staffing [REDACTED] necessary for a similar scale of expansion, aside from generalised comments in the planning statement.

It is well known that staffing rotas may be adjusted to extend working hours or increase [REDACTED] changes may not constitute a formal increase in staff numbers, they would nonetheless result in a comparable impact on the local highway network due to greater on-site staff presence. For example, if two part-time employees—one working in the morning and the other in the afternoon—were both to become full-time staff, the total



number of employees would remain unchanged. However, the parking demand would be double, as both staff members would now be on-site simultaneously.

As such, it is reasonable to expect that the proposed development will lead to increased demand and associated parking. This, in turn, is likely to result in a negative impact on the vehicular presence in an already constrained area.

The Travel Plan submitted with the application does not include any measures to monitor staff travel habits or measures on-street parking. Staff surveys are proposed, these being on a bi-annual basis, but no measures are proposed to monitor on-street parking on a regular basis.

The measures referenced in paragraph 8.3.6 of the Travel Plan to encourage the use of sustainable transport are merely subject to a future undefined commitment by the applicant, in the outcomes of a proposed survey. These are not measures that will be implemented from the outset to actively promote alternatives to private car use and no commitments to measurable improvements. As a result, the Travel Plan lacks any definitive or policies to restrict on-street parking or mitigate its associated impact on the local

## Summary

In conclusion, this revised application does not present any material differences from previous applications that have been refused planning permission by Bristol City Council and dismissed on appeal (twice). The primary concern remains the impact on highway safety. While the applicant has sought to justify this revised proposal on the basis of an updated parking survey, it is very clear that the survey has not been conducted in accordance with Bristol City Council's

Accordingly, I respectfully urge the Council (PINs acting on back of the council) to ensure consistency in decision-making and to refuse planning permission, as it has done in response to previous similar applications for this site.

Yours sincerely

For and on behalf of Evans Jones Ltd

David Jones MRTPI. MRICS  
Managing Director



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled  
Access

**x A – Previous Objection Submissions**





Project Management



Planning Consultants



Building Surveyors



Disabled Access  
Consultants

Local Planning Authority Ref: 19/03104/F

PINS reference: APP/Z0116/W/20/3263935

## Planning Appeal Representations

Prepared on behalf of local residents

Site address:  
7 Belvedere Road  
Westbury Park  
Bristol  
, BS6 7JG

Ref: 15593

Date: 21 January 2021

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## 1. Introduction

- 1.1 Evans Jones Ltd, are instructed by local residents to undertake a review of planning application reference 19/03014/F together with the appellants appeal submissions under appeal reference APP/Z0116/W/20/3263935. A list of the residents comprising the residents group whom I represent are listed within Appendix A.
- 1.2 Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 states, inter alia, that where a Local Planning Authority gives notice of a decision to refuse planning permission, the Notice shall state clearly and precisely their full reasons for refusal.
- 1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 1.4 This Statement reviews the relevant Development Plan policy framework as it applies in this case, together with the other material considerations. On the evidence presented it will be demonstrated in weighing the planning balance having regard to both positive and negative aspects associated with this appeal proposal that the negative aspects with specific reference to the development impact upon the local community outweigh the stated benefits and thus we submit that this appeal should rightly be dismissed.

## 2. Main Issues

- 2.1 Planning permission was refused by the council at its planning committee meeting on the 27 May, 2020. Planning committee members voted 8/1 in favour of refusing planning permission on the grounds that firstly, the development impacts the demand for parking and highway safety, secondly, intensification of residential institutions on Belvedere Road, harming the mix, balance and inclusivity of the community and, thirdly, the concentration of shared housing/care homes on Belvedere Road causing excessive noise and disturbance and inadequate storage of recycling/refuse.
- 2.2 The **main issues** in this appeal may be summarised as follows:

- The effect of the proposed development on highway safety in the area with particular regard to car parking.
- The effect of the proposal upon the dwelling mix and inter alia the balance and inclusivity of the community.
- The effect of increasing shared housing/care homes upon the living conditions of the occupiers of neighbouring residential properties with particular regard to noise and disturbance

### **3. Site & Surroundings**

- 3.1 The application site is located at 7 Belvedere Rd, Bristol (the appeal site).
- 3.2 The appeal site adjoins numbers 8 and 9 Belvedere Rd. The appeal site together with No's 8 and 9 all form part of a continuous terrace of properties originally constructed as single dwelling houses extending from number 11 (at the junction of Belvedere Road and The Glen) through to No 7 (The appeal site).
- 3.3 The appeal site is the last property in this run of the terrace. No. 7 is linked at ground floor level to the adjacent property (No. 6) with the main pedestrian access doors situated within the gap between 6 and 7 Belvedere Road.
- 3.4 Numbers 2, 3, 8 and 9 Belvedere Rd are in the same ownership as the appellant. 8 and 9 Belvedere Rd trades as 'Glenview' a dementia care home. No's. 2 and 3 trade as 'Meadowcare' providing specialist dementia care.
- 3.5 Both homes are owned and operated by Meadow Care Homes Ltd.
- 3.6 No. 1 Belvedere Road is also in care home use (different owner and operator) providing a mixed elderly person/dementia care for upto 20 residents. (Operated by Ablecare Homes Ltd)
- 3.7 Existing properties lying adjacent to the appeal site (to the west) and properties upon the opposite side of Belvedere Road comprise existing residential dwellings.
- 3.8 The character of Belvedere Road is typical of an established residential suburban road. The existing properties in the area use a mixture of on road

parking (unrestricted parking been available on both sides of Belvedere Road), together with off-road parking available to the properties upon the north-western side of Belvedere Road (opposite the appeal site).

3.9 In contrast, none of the properties upon the south eastern side of Belvedere Road have the benefit of off-road parking, none of the existing care homes within Belvedere Road have the benefit of any off-road parking and none is proposed in connection with the appeal proposal.

3.10 The appeal site is outlined in red upon the aerial view extract below: Figure 1



Figure 1 - Aerial View

## 4. Appeal Proposal

4.1 The appeal proposal seeks planning permission for the Change of use of the appeal site from its existing use comprising 3 x self-contained flats to a form a 17 bed care home as an extension to the existing dementia care home at 8-9



Belvedere Road.

- 4.2 The existing building is divided into 3 flats flat one occupying the whole of the ground floor and basement, flat two occupying the whole of the 1<sup>st</sup> floor, and flat three the whole of the 2<sup>nd</sup> floor. Compared to modern flatted developments these are good sized flats. The larger ground/basement flat also has the benefit of the rear garden area. As with all properties upon this side of Belvedere Road the existing flats do not have off-road parking.
- 4.3 Whilst the application description simply describes the proposal as the change of use of the appeal site, the proposal also includes extensive building and engineering works to create the extended basement accommodation.
- 4.4 No objection has been raised by the local authority in connection with the subterranean extension of the property, likewise whilst it is acknowledged that building works of the quantum proposed will undoubtedly cause, noise, vibration, additional parking load and general disturbance during the construction phase, it is acknowledged that subject to appropriate controls in respect to noise, dust, vibration and hours of operation an objection relating to disturbance during the construction phase is not a valid reason for withholding consent.
- 4.5 It is notable that notwithstanding contrary evidence within reports submitted with the planning application, at section 18 of the planning application form the applicant's states that the development will generate a requirement for the equivalent of 4 full time staff.
- 4.6 The application form is silent as to the split between full-time and part-time, however from experience of similar businesses there is a high reliance upon part-time staff. It is thus assumed that the equivalent to 4 full-time staff members will actually equate to a higher number of staff employed (albeit part time) to provide an appropriate level of staffing resource 24 hours a day 7 days a week.
- 4.7 In response to question 14 upon the application form (waste storage and collection) the applicant confirms that both waste and recycling will be incorporated into the existing waste arrangements for the main nursing home at 8-9 Belvedere Rd. (Glenview)

- 4.8 It is noted that the existing waste and recycling provision at Glenview is serviced via a selection of waste and recycling bins (including a separate clinical waste bin) positioned upon the forecourt in front of 8 Belvedere Rd. A location which already is visually degrading within the Street scene. Additional bins to accommodate the appeal proposal and/or more regular waste collections are equally unsatisfactory for reasons I will explore later within this statement.

## 5. Planning History

- 5.1 The local authority's online portal confirms the following planning history, application 19/03104/F comprising the appeal proposal.

- Conversion to three self-contained flats.  
Ref. No: 49/02356/U\_U | Status: GRANTED
- Fell an Ash tree located in the rear garden.  
Ref. No: 11/00310/VC | Status: Preservation Order NOT REQUIRED
- Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road. External alterations to building including rear extension and side and rear dormer roof extension.  
Ref. No: 17/04752/F | Status: Application Withdrawn
- Extension of existing basement level to create enlarged single residential dwelling (use class C3)  
Ref. No: 18/03500/F | Status: GRANTED subject to condition(s)
- Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road.  
Ref. No: 19/03104/F | Status: Application REFUSED
- Proposed change of use from 3 No. residential flats to provide 14 No. additional Bed spaces to Glenview Nursing Home at 8-9 Belvedere Road, Bristol.  
Ref. No: 20/06030/F | Status: Pending Consideration

- 5.2 Having regard to the above history it is notable that the appeal site has been in use as 3 self-contained flats for many years.

- 5.3 It is noted that a previous application was submitted for the conversion of the property to form a 17 bed extension to Glenview in 2017, an application which was withdrawn for reasons unknown.
- 5.4 Following the withdrawal of the earlier scheme for conversion of the appeal site in 2017 a revised application was submitted (APPROVED) for extension of the basement accommodation to create an enlarged dwelling. This approval has not been implemented although remains capable of implementation.
- 5.5 The appeal proposals include excavation of the basement in part as per that approved in 2018, together with additional excavation to create the basement floor plan now proposed within this appeal.

## **6. Planning Policy Context**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### **The Development Plan**

- 6.2 The Development Plan/s relevant to this appeal are as follows:-

### **Bristol development core strategy – adopted June 2011**

- 6.3 Relevant policies within the above are as follows:-

- Policy BCS 5 – housing provision
- Policy BCS 10 – transport and access improvements
- Policy BCS 21 – quality urban design
- Policy BCS 22 – conservation and the historic environment

### **Site Allocations and Development Management Policies -Local Plan adopted July 2014**

- 6.4 Relevant policies within the above are as follows: –

- Policy DM 2 – residential subdivisions
- Policy DM 23 – transport development management
- Policy DM 28 – public realm
- Policy DM 30 – alterations to existing buildings



- Policy DM 32 – recycling and refuse provision in new development

### **Supplementary Planning Documents (SPD)**

6.5 The following supplementary planning document is of relevance to this appeal

#### **The Downs conservation area character assessment (Appendix B)**

The relevant sections within the above document are as follows:-

##### Land Use

- (7) conversion of single dwelling houses and flats

##### General Enhancement Objectives

- (5) conversion of large dwelling houses and flats

### **National Planning Policy Framework**

6.6 The National Planning Policy Framework (The Framework) was revised on 19<sup>th</sup> February 2019. The Framework sets out the Government's economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.

6.7 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At the heart of the Framework is a presumption in favour of sustainable development. This means *"approving development proposals that accord with an up-to-date Development Plan without delay" or "where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole."*

6.8 The Framework defines the three overarching objectives of sustainable

development as:

**An Economic Objective** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

**A Social Objective** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;*

**An Environmental Objective** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 6.9 These objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework; they are not criteria against which every decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. (emphasis added)
- 6.10 Paragraph 212 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 6.11 Paragraph 213 of the Framework advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to publication. Due weight should be given to them, according to their degree of consistency with the Framer and that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 6.12 In addition to the overarching guidance within the framework, specific guidance relevant to this appeal may be summarised as follows:

- Paragraph 59
- Paragraph 61
- Paragraphs 109 and 110
- Paragraph 122
- Paragraph 127
- Paragraph 192
- Paragraph 196

### Other Material Policy Considerations

- 6.13 Outside of the Development Plan and the Framework, there are other material considerations that need to be taken into account in relation to this development. In this case, the other material policy considerations are:
- 6.14 The adopted local plans are currently subject to review, draft policies were published for consultation in March 2019. Following publication of the draft document the West of England joint spatial strategy was withdrawn. More recently the government have consulted upon the planning White Paper (planning for the future) which suggests further changes to the local plan system. In response Bristol City Council await direction upon the future of local plans together with information which will be forthcoming from the West of England Combined Authority (WACA) prior to advancing the local plan review.
- 6.15 Whilst only moderate weight can be attributed to the draft local plan, it is notable that the policy direction is one of protecting the existing housing stock. Draft policy H2 confirms:-

#### Policy text

**In order to maintain the net housing stock, planning permission will not be granted for the proposals involving the loss of an existing home unless:**

- The site is unsuitable for continued residential use; or**
- The loss of the existing homes would be necessary to provide for essential infrastructure or local community facilities; or**
- The home would be replaced.**



- 6.16 Whilst the appellant may seek to argue that a care home is a community facility, reference to the practice guidance \*confirms that residential care homes are defined as “specialist housing” thus not a community facility.  
\* PPG ID: 63-010-20190626
- 6.17 Furthermore, The Assets of Community Value (England) Regulations, (Schedule 1) states that land which is **not** of community value includes “a building used or partly used as a residence”
- 6.18 In addition, the (WACA) are preparing a spatial development strategy for the region. The spatial development strategy has not yet reached the stage where it could comprise material considerations in the determination of this appeal.
- 6.19 The adopted local plans thus whilst comprising the starting point for consideration of any application needs to be assessed as to whether policies therein are consistent with national policy as set out within the framework and practice guidance.
- 6.20 In consideration of this appeal proposal we consider that adopted policies as referenced earlier in this statement remain current and consistent with national policy, where any conflict is thought to exist we will explore this further within the foregoing paragraphs.

## 7. Planning Consideration

- 7.1 At section 2.2 of this statement I consider the main issues for consideration.
- 7.2 For the sake of brevity I will consider each issue in turn, however, initially I comment upon the appeal proposal in general terms:

### General Comments

- 7.3 The planning applications submitted for determination included a transport statement prepared by Entran. This has been supplemented within the appeal submission by supplementary transport statement together with transport appendices A – E.
- 7.4 In response, those instructing me and others have analysed the submissions made to the planning authority (the application submission documents) and subsequently to your Inspectorate (the appeal submission documents).

- 7.5 It is the settled community who experience the road network on a daily basis and ultimately suffer the consequences where inappropriate development is permitted. It is thus quite legitimate and appropriate for both the LPA and PINS to have regard to representations submitted by and on behalf of local residents, particularly where representations are supported by compelling photographic evidence.
- 7.6 At paragraph 1.12 of the appellant's statement, it is implied that officers recommended approval for this application on three separate occasions. The facts of this case do not support that assertion, whilst it is agreed that officers initially recommended approval, the timeline for this application is as follows:-
- The application was scheduled for determination at the planning committee on the 18<sup>th</sup> March, however as a result of the global pandemic the March committee meeting was cancelled and rescheduled for 29 April.
  - On 29 April the planning committee unanimously resolved to defer determination of the application pending an update report from officers setting out draft grounds for refusal of the application.
  - The application subsequently came forward for redetermination on the 27<sup>th</sup> May. The Officer's report to committee on 27<sup>th</sup> May analysed various aspects of the applicant's proposal concluding that with regard to the highway report submitted in support of the application that only limited weight could be afforded to that report.
- 7.7 It is therefore the case that planning officers initially recommended approval of this application, however following more detailed analysis of the transport statement submitted that recommendation was changed to one of refusal in the officer's report to committee on 27 May, 2020.
- 7.8 Furthermore (notwithstanding the officer recommendation) it is an established principle that the decision-maker (in this instance the planning committee) is at liberty to reach a conclusion at variance from their professional officer. In this instance it is notable that the decision to defer consideration at the April meeting was unanimous and the decision to refuse consent at the May committee meeting was supported by all but one member.
- 7.9 It is entirely acceptable and appropriate for individual councillors to have regard

to their local knowledge and local circumstances when considering an application. Councillors are entitled to refuse an application, notwithstanding the recommendation of the planning officers.

- 7.10 If I now turn to the main issues, and for the sake of brevity comment in turn on each of those issues as identified in the section 2.2 of this report

### **Issue 1**

#### **Effect of the proposed development on the highway / Parking Load**

- 7.11 The application determined by the local authority was considered on the basis of the submitted transport statement, as officers correctly concluded the parking survey was not a snapshot in time and for this reason limited weight could be afforded to the findings of that particular report.
- 7.12 Local residents have submitted evidence in support of their contention that the existing care home uses within Belvedere Road already cause significant issues (evidence supplemented by various photographs taken over an extended period showing the type and nature of issues experienced by residents)
- 7.13 Whilst I have not personally experienced or viewed those incidents, the body of evidence submitted by residents supported by photographic evidence is persuasive , it clearly demonstrates that care homes operating without any off-street parking cause significant and severe disruption within the local area.
- 7.14 The supplementary information submitted as part of the appeal seeks to justify the proposed development on the basis of additional surveys undertaken since planning permission was refused.
- 7.15 During this period since refusal the country has remained subject to varying degrees of restriction and lockdown. This in of itself has significantly changed the traffic generally upon the road network but more specifically in this instance the temporary reduction in demand on street parking spaces.
- 7.16 Prior to the commencement of pandemic associated restrictions in March 2020 the residential streets in the environs of the appeal site (including Belvedere Road) was subject to regular out spill parking by commuters working in Bristol. The attraction of Belvedere Road and the surrounding road network is its proximity to places of work in the vicinity and the obvious attraction that the area falls outside of the residents parking scheme (RPS). As such the roads within



the environs of the appeal site are unrestricted and available for parking all day.

- 7.17 Furthermore schools and colleges have been subject to similar restrictions, thus again limiting traffic movements and demand for on road parking to drop off and collect children from school.
- 7.18 It is also very relevant that family visits to nursing homes have also been subject to restriction during the pandemic, again significantly reducing demand for parking in the area.
- 7.19 A small element of reduced demand for on street parking will be compensated for by residents themselves not driving to work, however, the number of residents who will be working from home comprises a small proportion of the 'normal' demand for on street parking spaces.
- 7.20 On this basis it is an unfortunate truth that any traffic load/parking beat survey undertaken during the pandemic will be unreliable and will significantly overstate the availability of on street parking. Whilst I can understand the frustration for the appellant, it would be inappropriate for your Inspectorate to rely upon parking beat surveys which for reasons unrelated to the appellant or the transport consultant are inherently flawed due to a change in travel patterns and parking demand since the pandemic response started in March 2020.
- 7.21 Notwithstanding the above the photographs submitted appended to [REDACTED] [REDACTED] representations and other similar representations from other residents clearly demonstrate that notwithstanding issues relating to the parking beat surveys that problems exist in this area and existed prior to the lockdown restrictions.
- 7.22 The proposed expansion of the existing dementia care home use (which clearly currently creates transport issues) can only exacerbate an issue which causes severe disruption to local residents.
- 7.23 The proposal includes a suggestion that an application will be made for a Traffic Regulation Order (TRO) to secure 4 No. parking bays upon the public highway dedicated for use by the care home. (Emergency vehicles, deliveries etc.).
- 7.24 Securing parking restrictions via TRO is a lengthy and costly process and there is no guarantee that the decision-maker would support an application if and when made. Indeed the inclusion of the suggestion that for spaces should be

dedicated upon the public highway for both the existing and proposed use is in our view tacit acceptance by the appellant that there is an issue here (pre-existing) that could be resolved if a TRO were approved.

- 7.25 The granting of a TRO is not in the gift of the planning Inspectorate, mindful of the representations submitted in response to this application and subsequent appeal it is to be expected that the local community would vigorously object to any TRO proposal which limited on street parking. On this basis it is unsafe for your Inspectorate to determine this appeal on the basis that a TRO would be granted.
- 7.26 Additionally however the provision of dedicated parking bays does not resolve issues associated with waste collection, staff parking, visitor parking etc., none of which would be accommodated within the allocated bays.
- 7.27 Within the appeal statement much has been made of the likely additional staffing load generated by this proposal. The planning application forms indicate that the development will generate a requirement for the equivalent of 4 full-time staff. Whilst it is acknowledged that this would not necessarily equate to 4 staff been permanently on site, it is more likely to be made up of a number of part time staff with staggered hours and overlapping handover periods. Staggering staff hours which is normal within a care home and having a period of hand over does tend to exacerbate parking issues where staff drive to work as there will be periods where during the handover period the parking load could be doubled.
- 7.28 Staff parking is only part of the 'parking load' generated by a care home, during normal (non Covid) usage this use will generate high demand for parking spaces emanating from ; family visiting relatives, doctors, deliveries, waste collection, care workers, cleaners, medical support staff etc. To focus entirely upon direct employees does not provide the full picture in terms of increased demand for parking associated with the appeal proposal
- 7.29 It is also pertinent that the CQC inspection and report of July 2019 identified various issues relating to staffing, the clear message within the review being that staff rotas showed an inconsistency in staff numbers on duty each day, it can reasonably be implied from the CQC report that improvement in the CQC rating would necessitate increasing staffing levels. If current staffing levels

have been used as a means of projecting future staffing levels for an expanded home and I would suggest that on the basis of the CQC report staffing levels may well be understated.

- 7.30 Paragraph 109 of the framework confirms that; development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case I submit that the cumulative impact of the three existing care homes within Belvedere Road taken together with this proposal for an additional 17 bed spaces would exacerbate an already unsatisfactory situation. On the basis of evidence I have viewed, I consider the cumulative impact would be severe for local residents and road users. Allowing proposals which will create additional parking load which cannot reasonably be met will regrettably encourage illegal parking or inappropriate parking which in turn discourages other sustainable means of transport such as walking and cycling. Examples include parking on pavements, restricting legal accesses, parking on road junctions (reducing visibility), blocking of the highway during collection and delivery periods and the needs of emergency vehicles attending site when no suitable on street spaces are available.
- 7.31 Paragraph 110 of the framework confirms that applications for development should :
- a) give priority first for pedestrian and cycle movements both within the scheme and with neighbouring areas...
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards;
  - d) allow for efficient delivery of goods and access by service and emergency vehicles.
- 7.32 The appeal proposal fails to satisfactorily address the requirements set out within paragraph 110 of the framework.

## **Issue 2**

### **The effect of the proposal upon the dwelling mix and inter alia the balance and inclusivity of the community.**

- 7.33 Policy DM2 of the site allocations and development management policies local plan sets out the adopted policy consideration when considering proposals for

residential subdivision shared and specialist housing. The policy aims to ensure that development preserves the residential amenity and character of an area and the harmful concentrations do not arise. The intensification of the use (converting 3 flats to create 17 additional dementia care bed spaces) would in my view fall within the category of specialist housing as set out within that policy.

7.34 The policy confirms that consent should be withheld for development which would harm the residential amenity or character of the locality as a result of the following:

- levels of activity that cause excessive noise and disturbance to residents; or
- levels of on street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- cumulative detrimental impact of physical alterations to buildings and structures; or
- inadequate storage for recycling/refuse and cycles

Furthermore in cases where the development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following

- exacerbating existing harmful conditions including those listed above; or
- reducing the choice of homes in the area by changing the housing mix

7.35 Evidence submitted by local residents in response to both the application and appeal confirm that the existing uses already generate a level of activity during the evening and early hours which can and does cause disturbance to residents particularly the coming and going of emergency vehicles attending the property.

7.36 Furthermore this proposal clearly runs contrary to bullet point 2 of Policy DM 2 insofar as this proposal is totally reliant upon on street parking that cannot reasonably be accommodated or regulated through parking controls. The cumulative impact of the appeal proposal together with the other pre-existing nursing homes in the road will have severe impacts for local residents.

7.37 The existing on-site storage facilities for waste and recycling (including clinical waste) is on the forecourt in front of number 8 Belvedere Rd. The provision of



large commercial waste and recycling bins within a designated conservation area is of itself unsatisfactory. Notwithstanding the above the addition of another 17 residents and associated staff will generate more waste and recycling which will need to be accommodated within additional bins and/or more regular collection. Both options are unsatisfactory adding to the unsightly bins on the forecourt of a property within the conservation area will exacerbate visual harm, additional roadside collections will cause yet further disturbance residents and other road users.

- 7.38 The maintenance of a balanced and cohesive community necessitates having an appropriate housing mix. The settled community readily accept the need for a wide range of property types and styles including within that mix specialist accommodation including care homes. It is however equally appropriate that controls be imposed to ensure that the mix of uses does not become disproportionate or excessive within any given area. Regrettably residents with dementia offer little in terms of positively contributing to community cohesion or support of local services and shops. Equally, staff will come and go according to their working hours and again will offer minimal contribution to the cohesion of the local settled community.
- 7.39 In contrast the 3 flats within the appeal premises provide a form of accommodation at a price point below that of the larger single occupancy dwellings elsewhere within the environs of the appeal site, the existing flats thus contribute positively to the housing mix, providing accommodation at a more affordable level being of a size which can easily accommodated family use. This maintains a healthy mix of properties ranging from the existing care homes, larger detached houses and smaller flats.
- 7.40 Residents accept and acknowledge what exists today provides an acceptable mix of dwellings and care homes within Belvedere Road, it is however equally appropriate to seek to maintain the current balance.
- 7.41 For the reasons set out elsewhere within this statement this proposal tips the balance against further expansion of care facilities in this particular road. The residents acceptance of the existing care uses demonstrate a willingness to absorb a mix of uses, however it is equally reasonable that there should be a limit on further expansion of care facilities in this road so as to maintain a

cohesive and diverse community.

7.42 Policy DM 28 –confirms that development will be expected to:

*iv) reduce crime and fear of crime by creating a well surveilled public realm....*

7.43 Dementia care homes tend not to provide particularly active frontages and their use and occupation is very different to that of houses or flats. The appeal proposal will extend the frontage with lower activity levels (within the property) thus diminishing natural surveillance of the road.

*vi) ensure that any car parking and provision for servicing are appropriate to the context and are sensitively integrated so as not to dominate the public realm*

7.44 This proposal fails to provide any off road parking, or provision for servicing the site. Submissions made by the settled community explain in detail (with examples) issues directly emanating from the existing care homes. This proposal will exacerbate pre-existing problems with no satisfactory mitigation proposed (other than seeking to allocate 4 on road spaces for use by the car home). The suggested TRO cannot be guaranteed and in any event the allocation of 4 spaces upon the public highway will reduce general parking availability to the detriment of road users and the settled community living in the area.

7.45 Ambulances, hearses, delivery vehicles etc. will regularly block Belvedere Road when attending the existing site. A matter which will only worsen with increased occupancy on site and which will not be mitigated by the proposed loading bays (if such parking bays are consented via TRO)

7.46 Policy DM 32: recycling and refuse provision in new development

7.47 I have previously referenced the waste recycling and clinical waste containers positioned in front of number 8 Belvedere Rd policy DM 32 specifically deals with waste and recycling confirming that:

*“development will not be permitted if recycling and refuse provision that meets the above capacity, design and access requirements cannot feasibly or practically be provided”*

7.48 Caveat iii) of the same policy confirms that:

*“the impact of the provision on visual amenity, having regard to the need to minimise the prominence of the facilities and screen any external provision”.*

7.49 The bins and recycling containers are a dominant feature upon the frontage of number 8 Belvedere Rd. The bins are neither sensitive nor appropriate to the context of the site frontage and comprise a discordant and visually disruptive feature in the public realm, exacerbated by the need to service the appeal site from the public highway with no on-site parking provision proposed.

7.50 The above considerations are even more important for sites located within a designated conservation area (as the appeal site is so located).

7.51 Whilst it is acknowledged that the existing waste and recycling provision on the existing care home site is pre-existing, this does not mean that an already unsatisfactory situation should be worsened by adding to the waste and recycling load placed upon the facility.

### **Issue 3**

#### **The effect of increasing shared housing/care homes upon the living conditions.**

7.52 Not wishing to repeat representations previously made, I would again refer the Inspector to policy DM2 of the site allocations and development Management policies local plan insofar as this proposal will worsen the existing harmful conditions explored above in respect to inadequate parking, inadequate provision for loading and unloading, inadequate provision for emergency vehicles and site servicing and exacerbating problems associated with inadequate storage of recycling/refuse.

7.53 The explanatory text supporting core strategy policy BCS 18 usefully confirms:

*“A neighbourhood with a mix of housing tenures, types and sizes will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increasing the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes. Conversely in excess of single forms of dwelling for example flatted development and*

*subdivisions, will gradually limit housing choice will harmfully erode the mix and balance of a community.”*

- 7.54 My instructing clients acknowledge and agree the above, whilst the housing mix will rarely be perfect, the mix in Belvedere Road (including the existing care homes) provides an appropriate and proportionate mix of dwelling types and sizes.
- 7.55 The existing flats within the appeal site contribute positively to that mix. The loss of the flats will negatively impact the dwelling mix. The provision of an additional 17 dementia bed spaces will undermine the housing mix within the road and will be harmful to the maintenance of a balanced and inclusive community.
- 7.56 The policy wording itself (BCS 18) confirms that all new residential development should maintain, provide or contribute to the mix of housing tenures, types and sizes to help support the creation of mixed balanced and inclusive communities. Whilst this policy applies to the design of new development, I consider it is equally appropriate to apply similar criteria to proposals which would negatively impact the housing mix (via conversion) such as the appeal proposals.

## **8. Summary**

- 8.1 This Statement has reviewed the relevant Development Plan policy framework as it applies in this case, together with the other material considerations.
- 8.2 In considering any planning application and mindful of the Framework's presumption in favour of sustainable development it is the decision makers role to weigh in the balance those aspects of a proposal which are positive against those which are negative.
- 8.3 It is acknowledged that the UK population is an ageing population, this, coupled with increasing life expectancy brings with it increased demand for good quality dementia care. This simple fact is not disputed and it is incumbent upon the whole community to ensure that appropriate and dignified facilities exist to care for people suffering this most debilitating of conditions.
- 8.4 It is however equally appropriate that where there is unmet need that this is appropriately located capable integration into the community without harm or prejudice to other sectors of the same community.



- 8.5 In this case the community have accepted the establishment of 3 existing care homes within the same road. It is therefore not a case where residents have been resistant to change or have sought to block development which does contribute in part to the mix of the community in the road. The issue, as I have set out within this statement, is the cumulative impact of converting another building in the same road to form additional bed spaces. Regrettably the experiences of local residents is that the impact of the existing care homes has been severe and thus they do not wish to see that issue exacerbated further by expansion of the existing care home.
- 8.6 The framework usefully reminds us at paragraph 7 that a very high level, the objectives of sustainable development can be summarised as; *“meeting the needs of the present without compromising the ability of future generations to meet their own needs”*. It is thus appropriate within a residential suburb for the settled community to expect to go about their daily activities without unreasonable levels of disturbance or disruption. As planners we have a duty to ensure that many competing factors are fairly and appropriately balanced when reaching decisions which can affect existing communities. Where we get it wrong the character and social cohesion of an area can be changed permanently.
- 8.7 A good example of this is can be seen in many university towns and cities where increased ‘studentification’ of individual roads or areas has brought about significant social change and in many instances driven out the settled community. While steps have been taken subsequently to limit the negative impact that a single user group has on an area, it is fair to say that policy protection now in place has come too late for many.
- 8.8 Whilst issues relating to care homes are very different to students, there is the potential for a similar result creating an imbalance between residential uses and care could incrementally change an area, discouraging people to move into a street or encouraging existing residents to move out. For this reason it is important that whilst the appeal proposal may appear relatively small in proportion to the totality of the number of bed spaces within Belvedere Road, the incremental cumulative impact is significant.

8.9 The appeal benefits are limited to the creation of additional dementia care beds, creating additional employment opportunities and a small contribution to the local economy during the construction phase. In contrast, the negative impacts include exacerbating an already strained road system with no capacity to accommodate the demands placed upon it by additional traffic/parking load, exacerbating an existing unsatisfactory waste and recycling arrangement and degrading the housing mix in the area. It should also be remembered that occupiers of dementia care homes do not contribute significantly to support local shops or community services. The negative impacts in this case when weighing the planning balance tip the balance against this development and I urge your Inspectorate to dismiss this appeal.

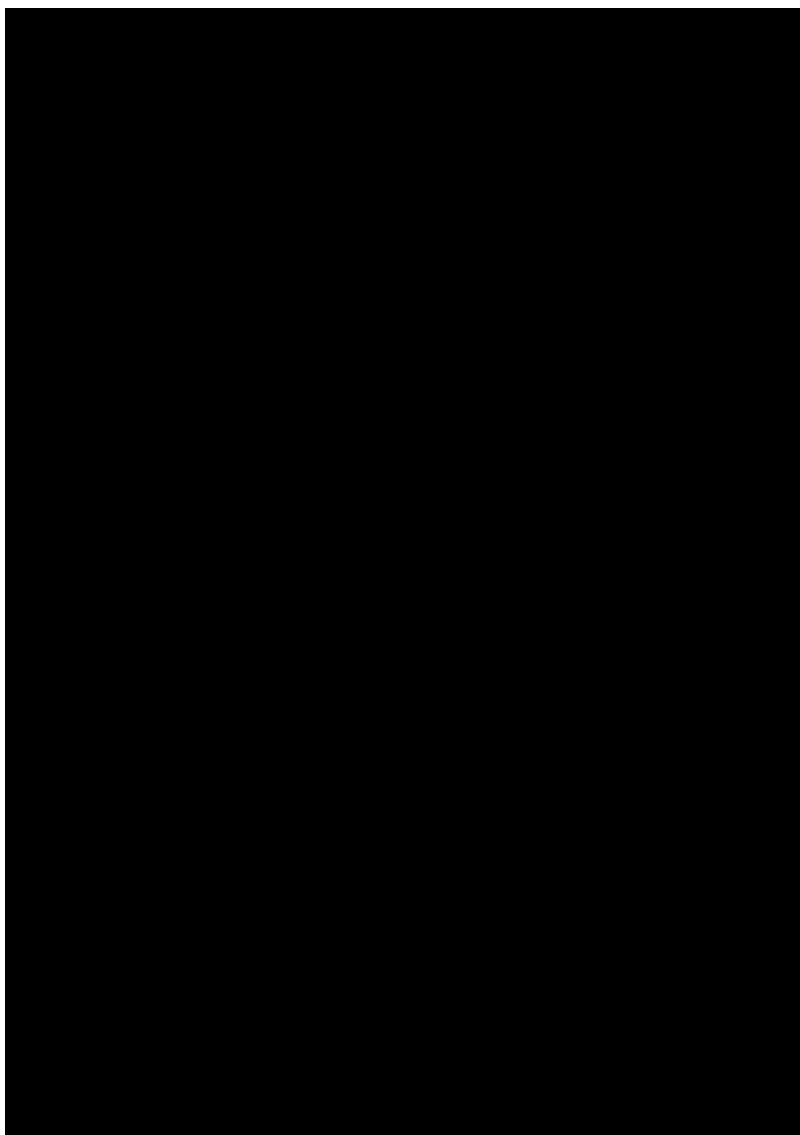
**David Jones MRTPI, MRICS**  
**Managing Director**



## APPENDIX – A

Names of persons instructing these representations.

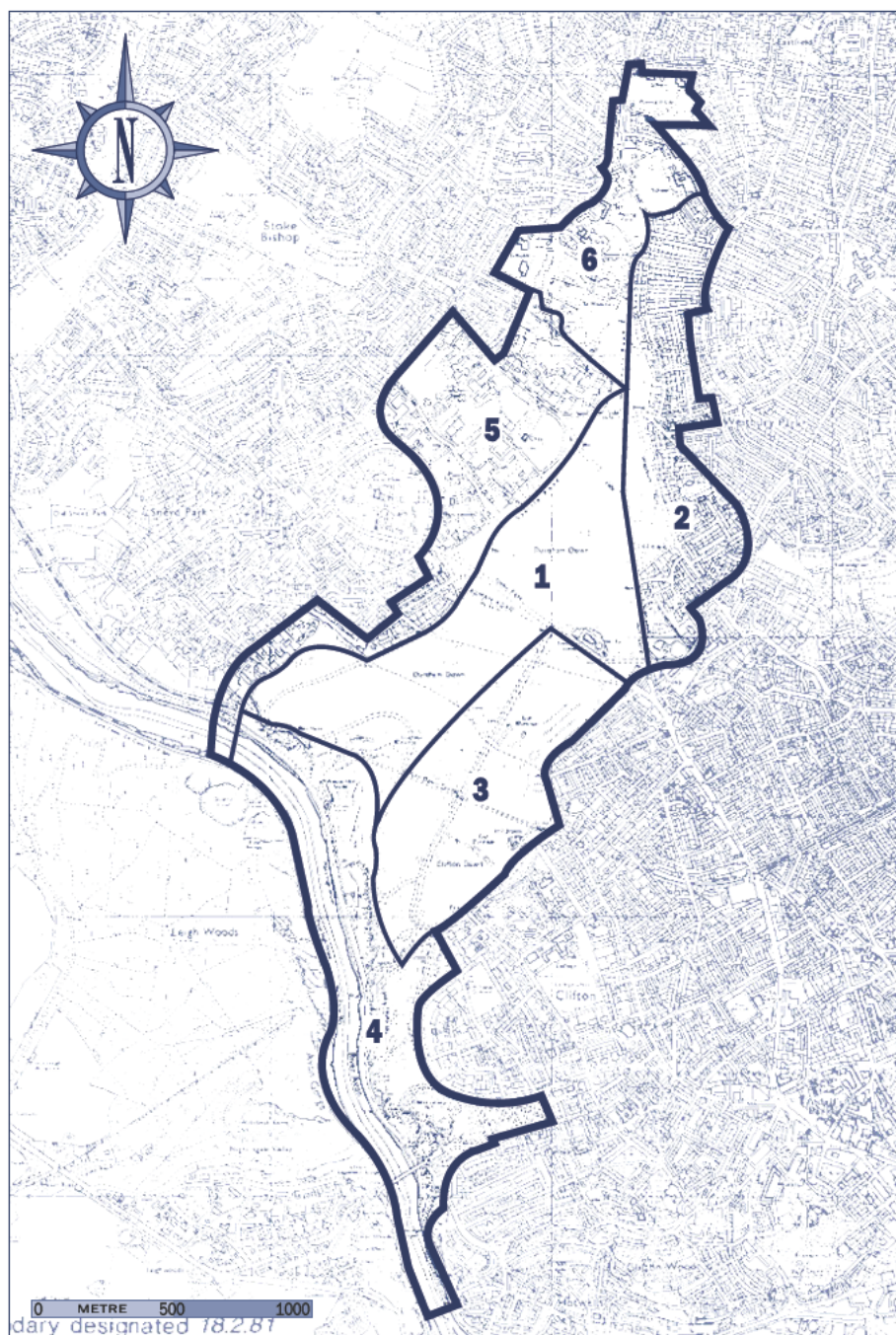
- Sonya Szpojnarowicz
- Uma and Peter Nair-Davies
- Louise and Chris Jones
- Ayah and Walid Nawwar
- Maria and Dom O'Callaghan  
Belvedere Rd)
- Zoe and James Eastwood
- Marco Maestri  
Bristol
- Chris and Joanna Elson
- John and Jayne Williams
- Eliza and Paul Rawlings
- Carol Simmonds
- Laura and Dominic McEwan
- Julie Gilg
- Oliver and Karen Bennett
- Jacques Desallais
- Will and Sarah Lawrence-Hills
- Melanie Burns
- Maireed and David Andrew
- Lena Ekstrom
- Martine and Sam Taylor
- Mary Carroll
- Stephen and Mariella Morgan
- Sam and Eden Warren-Mant
- Henry and Yve Cowell
- Julia Lietzau
- Kate and Andy Whitehead





## **APPENDIX – B**

Conservation Area character appraisal



### 20. THE DOWNS CONSERVATION AREA

#### DESCRIPTION

- (1) The Conservation Area is dominated by the Downs, an expansive plateau of open parkland, defined by the Avon Gorge and Westbury Road to the west and east with the slopes of Clifton and Stoke Bishop to the south and north. This was bought up mainly by the Wills family and laid out for the people of Bristol in the Victorian period. It is now maintained by the City of Bristol. It divides



into six distinct areas. The first is a more intensely developed area of diverse terraces around Westbury Park and Downs Park. The second, the main plateau is short grass land with some low shrubs edged along principal roads by avenue trees. This generous open area is enclosed by substantial buildings predominantly villas and institutional buildings dating from the Victorian and Edwardian period.

- (2) To the south east, an area of old shallow quarry workings defines the edge to Clifton and Bridge Valley Road. This has a more enclosed character due to low lying scrub dotted with mature trees. The terraces and villas edging Clifton form an essential component to the setting of this part of the Downs.
- (3) To the south west, an open narrow ridge edging the Gorge rises gently through a landscaped promenade to the Iron Age Hill Fort terminated by the Observatory. The Gorge, a precipitous chasm edged by tree-clad cliffs, is spanned by Brunel's suspension bridge and forms a national landmark. Apart from the Portway at the base, the area remains unbuilt on with the open valley floor forming a pleasing contrast to the cliffs above.
- (4) To the north, the edge of Sneyd Park is lined with grand rubble stone Victorian Villas with mature frontages and boundary walls, while further along, an area of largely open space with substantial villas in extensive grounds has unfortunately been overlaid in recent years by small scale infill buildings. However, as its apex, St. Monica's, still retaining its original gardens forms a fitting termination to this, the north end of the Downs. Beyond St. Monica's, the high walls of rubble stone with trees behind enclose the road and define more private areas of open land leading to the village of Westbury-on-Trym.
- (5) Predominant materials in the area are characterised by the use of lias and pennant limestone rubble and render. Roofs, often visually dominant are of slate and tile. The elaborate boundary walls with their gate piers in ashlar stone, often with pierced arcading, are a feature of the area.

### KEY ISSUES

#### *Traffic and Movement*

- (1) Westbury Road, a pleasant tree-lined avenue, is both a main vehicle and pedestrian route into the city from the north. Its congestion at peak hours and use by fast moving traffic at other periods downgrades its character and its attractiveness as a pedestrian route.
- (2) To the south, both Clifton Down and Upper Belgrave Road are commuter routes where problems of congestion at peak periods is compounded by on-street parking. This reduces the parkland aspect of this edge of the city.
- (3) At the junction at the top of Bridge Valley Road, the high quality of the environment created by the Promenade and the Downs is reduced by the visual intrusion of queuing traffic at peak periods.
- (4) The setting and approaches to the Brunel Suspension Bridge are marred by the queuing of commuters at peak periods and at weekends.
- (5) The Portway, running along the Avon Gorge, creates through its heavy use by vehicles both on weekdays and at weekends, a detrimental environment especially in respect of noise for use of the Gorge for recreation and leisure activities.

#### *Land Use*

- (6) Intensification of residential use within the landscaped gardens to the older dwelling houses has resulted in loss of the quality of the open landscaped edges to the Downs, especially to those areas at the north-west along Saville Road.





- (7) Conversion of single dwelling houses into flats has put pressure on converting parts of front or rear gardens as hardstanding for cars.

### *Townscape*

- (8) There are many small buildings, kiosks, and items of street furniture of interest within the Conservation Area which need to be well maintained to be used and respected.
- (9) In recent years due to increased storm damage many fine trees have been lost. Consequently some key landscape features are in a more fragmented condition.
- (10) The quality and consistency of building materials in many localities edging the Downs gives a distinctive character which is very sensitive to change and replacement.
- (11) The loss of traditional boundary walls, piers and gates, to allow car parking in gardens downgrades the character of the period dwellings and their landscaped settings.

### GENERAL ENHANCEMENT OBJECTIVES

- (1) An environmental traffic management scheme, including provision for cyclists, needs to be prepared in conjunction with the Highway Authority. This should address the issue of over use of the peripheral routes to the Downs and encourage more protected pedestrian and cyclist movement through the spaces.
- (2) As part of the Management Scheme, a study should be prepared investigating the possibility of restricting vehicular use of the principal roads at certain times such as weekends and bank holidays.
- (3) The effect of Park and Ride, in ameliorating over-intensive use by vehicles, especially at the Suspension Bridge should be assessed in conjunction with the Traffic Management scheme as set out in (1) above.
- (4) The Downs Edge and its related gardens is particularly sensitive as it makes a significant contribution to the expansive and sylvan quality of the space. Any car parking which intrudes by being visible from the Downs and its related footpaths will be resisted. In this case, the City Council's Conservation Handbook Principle P33 will be applied.
- (5) Where conversion of large dwellinghouses into flats results in a significant increase in car parking provision and acts detrimentally to the quality of the open landscaping in the Conservation Area, it will be resisted.
- (6) The intensification with residential use of landscaped gardens to older dwellinghouses will be resisted.
- (7) An audit of significant items of street furniture of historic interest needs to be prepared within the Conservation Area and their maintenance and repair should be encouraged on a regular basis.
- (8) A landscape management scheme needs to be prepared in conjunction with the Leisure Services Directorate to ensure the continuing well maintained open spaces and ensure re-establishment of any trees which have been lost or need replacing.
- (9) Particular groups of significant villas and large Victorian buildings rely for their effect on a range of quality materials, i.e. natural lias and pennant, rubble and dressed stone. This extends to their outbuildings and boundary walls. This character will be strengthened, maintained, and original features retained and repaired.





Project Management



Planning Consultants



Building Surveyors



Disabled Access  
Consultants

**Drafted:** DJ 22/01/2021

**Finalised:** DJ 24/01/2021

Our Ref: 15593

29 January 2021

FAO: Alex Hawtin  
Bristol City Council  
City Hall  
PO Box 3176  
Bristol  
BS3 9FS

Dear Sir

**Re: 20/06030/F - Proposed change of use from 3 No. residential flats to provide 14 No. additional Bed spaces - 7 Belvedere Road Bristol BS6 7JG**

I write on behalf of local residents to object to the above planning application. A statement of objection was submitted with respect to appeal reference APP/Z0116/W/20/3263935, which relates to application 19/03104/F for the change of use of the property to provide 17 additional bed spaces to Glenview Nursing Home. Those instructing me in connection with these representations are the same as those who instructed me in connection with the appeal representations (please see appendix A of the appeal representation herewith attached).

Due to the similarity between the points raised in the objection to the appeal and the points of contention in this application, I formally request that officers have due regard to my representations as set out within the attached statement together with further commentary contained within this letter.

From my review of the application submissions, I note that the supporting documents submitted with this revised application are in most instances identical to that submitted in support of the previously refused application. Notably, the primary documents submitted with this application (planning statement and transport statement) are identical.

Having considered both the original application and this revised application, our own conclusion is that there is no material planning difference between the two proposals, a conclusion reinforced by the fact that the applicant is relying upon the same supporting documentation as that submitted with the previously refused application.

It is assumed that in submitting an application for a slightly reduced number of proposed bed spaces, the applicant is suggesting that the omission of 3 bed spaces overcomes the previous reasons for refusal. The evidence before you simply does not support such a contention.

Furthermore, analysis of the application documents exposes the flawed nature of this proposal. I specifically draw officer's attention to the current application form which states that this proposal would generate a requirement for the equivalent of 2 additional full-time employees.

In contrast the previous proposal stated that the development would generate a requirement for 4 additional full-time employees.

No rationale has been provided within the supporting documentation for the reduction in the number of proposed employees by 50%, given that the number of proposed bed spaces has only been reduced by three (circa 17.5%). Furthermore, the submitted planning statement, which rightly expands upon planning considerations more fully, refers to 4 additional employees.

This coupled with other evidence (particularly the most recent CQC report) suggests that staffing levels within the existing home need to increase, it is thus disappointing that the applicant on the face of it seeks to understate staffing levels attributable to this proposal.

It of course remains the case that the use generates additional parking demand (in excess of that generated by employees) including; family visits, deliveries/collections, waste/recycling collection, Doctor visits, ambulances etc. all of which contributes additional parking load in the area.

The applicant proposes to allocate 4 no. parking spaces within 2 separate bays in Belvedere Road, suggesting that the provision of the 2 bays will mitigate the unsatisfactory impacts brought about by this development. The provision of allocated bays is reliant upon the approval of a traffic regulation order (TRO). The TRO is not part of this application and falls for consideration under different legislation (before a different committee of this authority). In view of the above there is no guarantee that the TRO would be approved. Indeed, those who instructed me oppose the provision of dedicated bays as this will exacerbate existing parking problems and will not overcome many of the issues which are fully set out within the appeal representations attached hereto.

The development remains contrary to paragraph 109 of the National Planning Policy Framework which confirms that development should be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance, the cumulative impact of the existing care home taken together with the additional demand placed upon the (already stressed) road network would exacerbate an already unacceptable situation. The cumulative impact for the settled community in the area would thus be severe.

The reduction in bed spaces between the two applications does not address one of the central reasons for refusal of the initial application being refused, namely the undesirable impact upon dwelling mix and the balance of the community.

It remains the case that this application results in the loss of three private flats which will fundamentally alter the fabric of the community and can be damaging to social cohesion.

The development remains contrary to adopted policy BCS18 of the Bristol Development Framework Core Strategy, which requires that development should support a mixed, balance and inclusive community.

The development remains contrary to adopted policy DM32 of the Site Allocations and Development Management Policies. This policy states that “*development will not be permitted if recycling and refuge provision that meets the above capacity, design and access requirements cannot feasibly or practically be provided.*” One of these factors focuses on the impact of the development upon visual amenity.

The sites location within a designated Conservation Area 'raises the bar' in terms of the impact that recycling/waste receptacles have within the public realm. Whilst the existing waste and recycling arrangement is far from ideal, it remains important to avoid an already unsatisfactory situation becoming worse with an additional waste/recycling load requiring additional receptacles causing visual harm to the character and appearance of the Conservation Area.

Whilst it is acknowledged that there is an increased demand for good quality dementia care resulting from the aging population within the UK, responding to this demand should not result in harm or disturbance to the settled local community. The community have been accepting of the existing care homes within Belvedere Road, thus it would be wrong to suggest that residents are resisting development in their backyard. It is however equally important that the social cohesion balance of a neighbourhood is maintained and situations are avoided which create an excessive dominance of one occupancy type.

It is noted that this application has generated letters/e-mail representations in both support and objection. It is further noted that those supporting are predominately from outside of the immediate environs of the application site. It is of course a democratic right for anyone to comment upon a planning application.

It is also noted that the application generated a flood of supporting representation (uploaded to BCC portal on the 26<sup>th</sup> January), the vast majority of these supporting representations have identical wording. The submission of identical representations tends to indicate that this is an orchestrated response and thus the weight to be attributed should be duly discounted.

As officers you will be aware that the weight which should be afforded to representations is relative to the relevance to planning and whether the supporters or objectors comments are legitimate planning considerations. In response to supporting representations I comment as follows:-

- Unlike housing supply the 'need' for additional care home bed spaces does not trigger the frameworks tilted balance. As such it is quite right and proper for your authority to consider the impacts upon the local community and road network.
- Anecdotal commentary regarding the availability of on-road parking during the Covid period is not a material planning consideration. The parking load is acknowledged to be temporarily and significantly reduced due to lockdown restrictions, including fewer commuters parking within unrestricted on street parking spaces, coupled with fewer family visitors to the existing care homes.



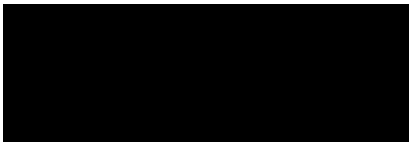
- The needs of the business and wish to expand the existing care home is a commercial decision for the operator and again not a valid planning consideration.
- A number of supporting representations are from outside of the area (Wales/London), and make general commentary about demand for care homes rather than any relevant site specific commentary and do not address the previous reasons for refusals. As such, it would be inappropriate for the decision maker to apply any weight to the non-specific letters of support when weighing in the balance the planning judgement in this case.

As detailed in the appeal objection statement the cumulative impact of this development taken together with the existing care homes within Belvedere Road tip the planning balance negatively, increasing highway danger, creating visual harm and negatively impacting the social balance and mix of properties within the environs of the site.

The applicant has made no attempt to address the refusal reasons cited when your planning committee considered the previous application, they have sought to rely upon identical submissions (save for the reduction in 3 bed spaces). This proposal therefore remains unsatisfactory and I urge your authority to refuse planning permission on the same basis as that stated upon the refusal notice.

Yours sincerely

**For and on behalf of Evans Jones Ltd**



**David Jones MRTPI. MRICS**  
**Managing Director**



**Encl: Appeal Representations**



**Re: 22/01529/F | Change of use from 3no. 2-bed flats (Class C3) to a 12-bed extension to the nursing home at 8-9 Belvedere Road (Class C2) (Revised proposal).**

object to the above planning application. A statement of objection reference APP/Z0116/W/20/3263935, which relates to application of the property to provide 17 additional bed spaces to Glenview presentation in respect to application reference 20/0603/F.

On these representations are the same as those who instructed me to submit these representations (please see appendix A of the appeal representation).

As raised in the objection to the previous proposals and the points raised, I respectfully request that officers have due regard to my representations and the points raised together with further commentary contained within this letter.

As submitted previously. Suffice to say, this current application is a variation of the previous refused under reference 20/06030/F. Namely: -

*It could result in an increased demand for on-street car parking spaces which are not subscribed. This would lead congestion and conflict with the existing traffic and result in harm to highway safety, contrary to Policies (Transport Development Improvements) and DM23 (Transport Development).*

The application includes a draft unilateral undertaking (UU) within which the applicant has agreed to contribute of circa £6000 towards the introduction or amendment of a new planning order will notice required as a consequence of



igation offered within the UU is of limited value and  
traffic order, or notice would be approved or implemented

nal procedures of consultation and review in the  
n no way guarantees that such traffic orders would be

upport of this current application acknowledges that 4 on  
d be lost by the provision of the 2 new loading bays.

ent to the application site is understood, this in all  
at this proposal is inappropriate, and the suggested  
the significant disadvantage of the settled community.

he existing use of the property as 3 flats comprises a pre-  
area. The existing flats do not require dedicated parking  
(cars) operates as part of the normal 'ebb and flow' of  
community within the environs of the site. The loss of 4  
bays permanently removes these parking spaces from  
and disproportionate disadvantage of the settled

d application is not materially different from previous  
planning permission by your authority and dismissed at  
ully requested to determine applications consistently and  
for this same application site and refuse planning

Our Ref: 15593

29 January 2021

FAO: [REDACTED]  
Bristol City Council  
City Hall  
PO Box 3176  
Bristol  
BS3 9FS

Dear Sir

**Re: 20/06030/F - Proposed change of use from 3 No. residential flats to provide 14 No. additional Bed spaces - 7 Belvedere Road Bristol BS6 7JG**

I write on behalf of local residents to object to the above planning application. A statement of objection was submitted with respect to appeal reference APP/Z0116/W/20/3263935, which relates to application 19/03104/F for the change of use of the property to provide 17 additional bed spaces to Glenview Nursing Home. Those instructing me in connection with these representations are the same as those who instructed me in connection with the appeal representations (please see appendix A of the appeal representation herewith attached).

Due to the similarity between the points raised in the objection to the appeal and the points of contention in this application, I formally request that officers have due regard to my representations as set out within the attached statement together with further commentary contained within this letter.

From my review of the application submissions, I note that the supporting documents submitted with this revised application are in most instances identical to that submitted in support of the previously refused application. Notably, the primary documents submitted with this application (planning statement and transport statement) are identical.

Having considered both the original application and this revised application, our own conclusion is that there is no material planning difference between the two proposals, a conclusion reinforced by the fact that the applicant is relying upon the same supporting documentation as that submitted with the previously refused application.

It is assumed that in submitting an application for a slightly reduced number of proposed bed spaces, the applicant is suggesting that the omission of 3 bed spaces overcomes the previous reasons for refusal. The evidence before you simply does not support such a contention.

Furthermore, analysis of the application documents exposes the flawed nature of this proposal. I specifically draw officer's attention to the current application form which states that this proposal would generate a requirement for the equivalent of 2 additional full-time employees.

In contrast the previous proposal stated that the development would generate a requirement for 4 additional full-time employees.

No rationale has been provided within the supporting documentation for the reduction in the number of proposed employees by 50%, given that the number of proposed bed spaces has only been reduced by three (circa 17.5%). Furthermore, the submitted planning statement, which rightly expands upon planning considerations more fully, refers to 4 additional employees.

This coupled with other evidence (particularly the most recent CQC report) suggests that staffing levels within the existing home need to increase, it is thus disappointing that the applicant on the face of it seeks to understate staffing levels attributable to this proposal.

It of course remains the case that the use generates additional parking demand (in excess of that generated by employees) including; family visits, deliveries/collections, waste/recycling collection, Doctor visits, ambulances etc. all of which contributes additional parking load in the area.



The applicant proposes to allocate 4 no. parking spaces within 2 separate bays in Belvedere Road, suggesting that the provision of the 2 bays will mitigate the unsatisfactory impacts brought about by this development. The provision of allocated bays is reliant upon the approval of a traffic regulation order (TRO). The TRO is not part of this application and falls for consideration under different legislation (before a different committee of this authority). In view of the above there is no guarantee that the TRO would be approved. Indeed, those who instructed me oppose the provision of dedicated bays as this will exacerbate existing parking problems and will not overcome many of the issues which are fully set out within the appeal representations attached hereto.

The development remains contrary to paragraph 109 of the National Planning Policy Framework which confirms that development should be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance, the cumulative impact of the existing care home taken together with the additional demand placed upon the (already stressed) road network would exacerbate an already unacceptable situation. The cumulative impact for the settled community in the area would thus be severe.

The reduction in bed spaces between the two applications does not address one of the central reasons for refusal of the initial application being refused, namely the undesirable impact upon dwelling mix and the balance of the community.

It remains the case that this application results in the loss of three private flats which will fundamentally alter the fabric of the community and can be damaging to social cohesion.

The development remains contrary to adopted policy BCS18 of the Bristol Development Framework Core Strategy, which requires that development should support a mixed, balance and inclusive community.

The development remains contrary to adopted policy DM32 of the Site Allocations and Development Management Policies. This policy states that “*development will not be permitted if recycling and refuge provision that meets the above capacity, design and access requirements cannot feasibly or practically be provided.*” One of these factors focuses on the impact of the development upon visual amenity.

The sites location within a designated Conservation Area 'raises the bar' in terms of the impact that recycling/waste receptacles have within the public realm. Whilst the existing waste and recycling arrangement is far from ideal, it remains important to avoid an already unsatisfactory situation becoming worse with an additional waste/recycling load requiring additional receptacles causing visual harm to the character and appearance of the Conservation Area.

Whilst it is acknowledged that there is an increased demand for good quality dementia care resulting from the aging population within the UK, responding to this demand should not result in harm or disturbance to the settled local community. The community have been accepting of the existing care homes within Belvedere Road, thus it would be wrong to suggest that residents are resisting development in their backyard. It is however equally important that the social cohesion balance of a neighbourhood is maintained and situations are avoided which create an excessive dominance of one occupancy type.

It is noted that this application has generated letters/e-mail representations in both support and objection. It is further noted that those supporting are predominately from outside of the immediate environs of the application site. It is of course a democratic right for anyone to comment upon a planning application.

It is also noted that the application generated a flood of supporting representation (uploaded to BCC portal on the 26<sup>th</sup> January), the vast majority of these supporting representations have identical wording. The submission of identical representations tends to indicate that this is an orchestrated response and thus the weight to be attributed should be duly discounted.

As officers you will be aware that the weight which should be afforded to representations is relative to the relevance to planning and whether the supporters or objectors comments are legitimate planning considerations. In response to supporting representations I comment as follows:-

- Unlike housing supply the 'need' for additional care home bed spaces does not trigger the frameworks tilted balance. As such it is quite right and proper for your authority to consider the impacts upon the local community and road network.
- Anecdotal commentary regarding the availability of on-road parking during the Covid period is not a material planning consideration. The parking load is acknowledged to be temporarily and significantly reduced due to lockdown restrictions, including fewer commuters parking within unrestricted on street parking spaces, coupled with fewer family visitors to the existing care homes.

- The needs of the business and wish to expand the existing care home is a commercial decision for the operator and again not a valid planning consideration.
- A number of supporting representations are from outside of the area (Wales/London), and make general commentary about demand for care homes rather than any relevant site specific commentary and do not address the previous reasons for refusals. As such, it would be inappropriate for the decision maker to apply any weight to the non-specific letters of support when weighing in the balance the planning judgement in this case.

As detailed in the appeal objection statement the cumulative impact of this development taken together with the existing care homes within Belvedere Road tip the planning balance negatively, increasing highway danger, creating visual harm and negatively impacting the social balance and mix of properties within the environs of the site.

The applicant has made no attempt to address the refusal reasons cited when your planning committee considered the previous application, they have sought to rely upon identical submissions (save for the reduction in 3 bed spaces). This proposal therefore remains unsatisfactory and I urge your authority to refuse planning permission on the same basis as that stated upon the refusal notice.

Yours sincerely

**For and on behalf of Evans Jones Ltd**



**David Jones MRTPI. MRICS**  
**Managing Director**



**Encl: Appeal Representations**



Project Management



Planning Consultants



Building Surveyors



Disabled Access  
Consultants

Local Planning Authority Ref: 19/03104/F

PINS reference: APP/Z0116/W/20/3263935

## **Planning Appeal Representations**

Prepared on behalf of local residents

Site address:  
7 Belvedere Road  
Westbury Park  
Bristol  
, BS6 7JG

Ref: 15593

Date: 21 January 2021

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## 1. Introduction

- 1.1 Evans Jones Ltd, are instructed by local residents to undertake a review of planning application reference 19/03014/F together with the appellants appeal submissions under appeal reference APP/Z0116/W/20/3263935. A list of the residents comprising the residents group whom I represent are listed within Appendix A.
- 1.2 Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 states, inter alia, that where a Local Planning Authority gives notice of a decision to refuse planning permission, the Notice shall state clearly and precisely their full reasons for refusal.
- 1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 1.4 This Statement reviews the relevant Development Plan policy framework as it applies in this case, together with the other material considerations. On the evidence presented it will be demonstrated in weighing the planning balance having regard to both positive and negative aspects associated with this appeal proposal that the negative aspects with specific reference to the development impact upon the local community outweigh the stated benefits and thus we submit that this appeal should rightly be dismissed.

## 2. Main Issues

- 2.1 Planning permission was refused by the council at its planning committee meeting on the 27 May, 2020. Planning committee members voted 8/1 in favour of refusing planning permission on the grounds that firstly, the development impacts the demand for parking and highway safety, secondly, intensification of residential institutions on Belvedere Road, harming the mix, balance and inclusivity of the community and, thirdly, the concentration of shared housing/care homes on Belvedere Road causing excessive noise and disturbance and inadequate storage of recycling/refuse.
- 2.2 The **main issues** in this appeal may be summarised as follows:

- The effect of the proposed development on highway safety in the area with particular regard to car parking.
- The effect of the proposal upon the dwelling mix and inter alia the balance and inclusivity of the community.
- The effect of increasing shared housing/care homes upon the living conditions of the occupiers of neighbouring residential properties with particular regard to noise and disturbance

### **3. Site & Surroundings**

- 3.1 The application site is located at 7 Belvedere Rd, Bristol (the appeal site).
- 3.2 The appeal site adjoins numbers 8 and 9 Belvedere Rd. The appeal site together with No's 8 and 9 all form part of a continuous terrace of properties originally constructed as single dwelling houses extending from number 11 (at the junction of Belvedere Road and The Glen) through to No 7 (The appeal site).
- 3.3 The appeal site is the last property in this run of the terrace. No. 7 is linked at ground floor level to the adjacent property (No. 6) with the main pedestrian access doors situated within the gap between 6 and 7 Belvedere Road.
- 3.4 Numbers 2, 3, 8 and 9 Belvedere Rd are in the same ownership as the appellant. 8 and 9 Belvedere Rd trades as 'Glenview' a dementia care home. No's. 2 and 3 trade as 'Meadowcare' providing specialist dementia care.
- 3.5 Both homes are owned and operated by Meadow Care Homes Ltd.
- 3.6 No. 1 Belvedere Road is also in care home use (different owner and operator) providing a mixed elderly person/dementia care for upto 20 residents. (Operated by Ablecare Homes Ltd)
- 3.7 Existing properties lying adjacent to the appeal site (to the west) and properties upon the opposite side of Belvedere Road comprise existing residential dwellings.
- 3.8 The character of Belvedere Road is typical of an established residential suburban road. The existing properties in the area use a mixture of on road

parking (unrestricted parking been available on both sides of Belvedere Road), together with off-road parking available to the properties upon the north-western side of Belvedere Road (opposite the appeal site).

3.9 In contrast, none of the properties upon the south eastern side of Belvedere Road have the benefit of off-road parking, none of the existing care homes within Belvedere Road have the benefit of any off-road parking and none is proposed in connection with the appeal proposal.

3.10 The appeal site is outlined in red upon the aerial view extract below: Figure 1



Figure 1 - Aerial View

## 4. Appeal Proposal

4.1 The appeal proposal seeks planning permission for the Change of use of the appeal site from its existing use comprising 3 x self-contained flats to a form a 17 bed care home as an extension to the existing dementia care home at 8-9

Belvedere Road.

- 4.2 The existing building is divided into 3 flats flat one occupying the whole of the ground floor and basement, flat two occupying the whole of the 1<sup>st</sup> floor, and flat three the whole of the 2<sup>nd</sup> floor. Compared to modern flatted developments these are good sized flats. The larger ground/basement flat also has the benefit of the rear garden area. As with all properties upon this side of Belvedere Road the existing flats do not have off-road parking.
- 4.3 Whilst the application description simply describes the proposal as the change of use of the appeal site, the proposal also includes extensive building and engineering works to create the extended basement accommodation.
- 4.4 No objection has been raised by the local authority in connection with the subterranean extension of the property, likewise whilst it is acknowledged that building works of the quantum proposed will undoubtedly cause, noise, vibration, additional parking load and general disturbance during the construction phase, it is acknowledged that subject to appropriate controls in respect to noise, dust, vibration and hours of operation an objection relating to disturbance during the construction phase is not a valid reason for withholding consent.
- 4.5 It is notable that notwithstanding contrary evidence within reports submitted with the planning application, at section 18 of the planning application form the applicant's states that the development will generate a requirement for the equivalent of 4 full time staff.
- 4.6 The application form is silent as to the split between full-time and part-time, however from experience of similar businesses there is a high reliance upon part-time staff. It is thus assumed that the equivalent to 4 full-time staff members will actually equate to a higher number of staff employed (albeit part time) to provide an appropriate level of staffing resource 24 hours a day 7 days a week.
- 4.7 In response to question 14 upon the application form (waste storage and collection) the applicant confirms that both waste and recycling will be incorporated into the existing waste arrangements for the main nursing home at 8-9 Belvedere Rd. (Glenview)

- 4.8 It is noted that the existing waste and recycling provision at Glenview is serviced via a selection of waste and recycling bins (including a separate clinical waste bin) positioned upon the forecourt in front of 8 Belvedere Rd. A location which already is visually degrading within the Street scene. Additional bins to accommodate the appeal proposal and/or more regular waste collections are equally unsatisfactory for reasons I will explore later within this statement.

## 5. Planning History

- 5.1 The local authority's online portal confirms the following planning history, application 19/03104/F comprising the appeal proposal.

- Conversion to three self-contained flats.  
Ref. No: 49/02356/U\_U | Status: GRANTED
- Fell an Ash tree located in the rear garden.  
Ref. No: 11/00310/VC | Status: Preservation Order NOT REQUIRED
- Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road. External alterations to building including rear extension and side and rear dormer roof extension.  
Ref. No: 17/04752/F | Status: Application Withdrawn
- Extension of existing basement level to create enlarged single residential dwelling (use class C3)  
Ref. No: 18/03500/F | Status: GRANTED subject to condition(s)
- Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road.  
Ref. No: 19/03104/F | Status: Application REFUSED
- Proposed change of use from 3 No. residential flats to provide 14 No. additional Bed spaces to Glenview Nursing Home at 8-9 Belvedere Road, Bristol.  
Ref. No: 20/06030/F | Status: Pending Consideration

- 5.2 Having regard to the above history it is notable that the appeal site has been in use as 3 self-contained flats for many years.



- 5.3 It is noted that a previous application was submitted for the conversion of the property to form a 17 bed extension to Glenview in 2017, an application which was withdrawn for reasons unknown.
- 5.4 Following the withdrawal of the earlier scheme for conversion of the appeal site in 2017 a revised application was submitted (APPROVED) for extension of the basement accommodation to create an enlarged dwelling. This approval has not been implemented although remains capable of implementation.
- 5.5 The appeal proposals include excavation of the basement in part as per that approved in 2018, together with additional excavation to create the basement floor plan now proposed within this appeal.

## **6. Planning Policy Context**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.

### **The Development Plan**

- 6.2 The Development Plan/s relevant to this appeal are as follows:-

### **Bristol development core strategy – adopted June 2011**

- 6.3 Relevant policies within the above are as follows:-

- Policy BCS 5 – housing provision
- Policy BCS 10 – transport and access improvements
- Policy BCS 21 – quality urban design
- Policy BCS 22 – conservation and the historic environment

### **Site Allocations and Development Management Policies -Local Plan adopted July 2014**

- 6.4 Relevant policies within the above are as follows: –

- Policy DM 2 – residential subdivisions
- Policy DM 23 – transport development management
- Policy DM 28 – public realm
- Policy DM 30 – alterations to existing buildings

- Policy DM 32 – recycling and refuse provision in new development

### **Supplementary Planning Documents (SPD)**

6.5 The following supplementary planning document is of relevance to this appeal

#### **The Downs conservation area character assessment (Appendix B)**

The relevant sections within the above document are as follows:-

##### Land Use

- (7) conversion of single dwelling houses and flats

##### General Enhancement Objectives

- (5) conversion of large dwelling houses and flats

### **National Planning Policy Framework**

6.6 The National Planning Policy Framework (The Framework) was revised on 19<sup>th</sup> February 2019. The Framework sets out the Government's economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.

6.7 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At the heart of the Framework is a presumption in favour of sustainable development. This means *"approving development proposals that accord with an up-to-date Development Plan without delay" or "where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, granting permission unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole."*

6.8 The Framework defines the three overarching objectives of sustainable

development as:

**An Economic Objective** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

**A Social Objective** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;*

**An Environmental Objective** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 6.9 These objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework; they are not criteria against which every decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. (emphasis added)
- 6.10 Paragraph 212 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 6.11 Paragraph 213 of the Framework advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to publication. Due weight should be given to them, according to their degree of consistency with the Framework and that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 6.12 In addition to the overarching guidance within the framework, specific guidance relevant to this appeal may be summarised as follows:

- Paragraph 59
- Paragraph 61
- Paragraphs 109 and 110
- Paragraph 122
- Paragraph 127
- Paragraph 192
- Paragraph 196

### Other Material Policy Considerations

- 6.13 Outside of the Development Plan and the Framework, there are other material considerations that need to be taken into account in relation to this development. In this case, the other material policy considerations are:
- 6.14 The adopted local plans are currently subject to review, draft policies were published for consultation in March 2019. Following publication of the draft document the West of England joint spatial strategy was withdrawn. More recently the government have consulted upon the planning White Paper (planning for the future) which suggests further changes to the local plan system. In response Bristol City Council await direction upon the future of local plans together with information which will be forthcoming from the West of England Combined Authority (WACA) prior to advancing the local plan review.
- 6.15 Whilst only moderate weight can be attributed to the draft local plan, it is notable that the policy direction is one of protecting the existing housing stock. Draft policy H2 confirms:-

#### Policy text

**In order to maintain the net housing stock, planning permission will not be granted for the proposals involving the loss of an existing home unless:**

- The site is unsuitable for continued residential use; or**
- The loss of the existing homes would be necessary to provide for essential infrastructure or local community facilities; or**
- The home would be replaced.**

- 6.16 Whilst the appellant may seek to argue that a care home is a community facility, reference to the practice guidance \*confirms that residential care homes are defined as “specialist housing” thus not a community facility.  
\* PPG ID: 63-010-20190626
- 6.17 Furthermore, The Assets of Community Value (England) Regulations, (Schedule 1) states that land which is **not** of community value includes “a building used or partly used as a residence”
- 6.18 In addition, the (WACA) are preparing a spatial development strategy for the region. The spatial development strategy has not yet reached the stage where it could comprise material considerations in the determination of this appeal.
- 6.19 The adopted local plans thus whilst comprising the starting point for consideration of any application needs to be assessed as to whether policies therein are consistent with national policy as set out within the framework and practice guidance.
- 6.20 In consideration of this appeal proposal we consider that adopted policies as referenced earlier in this statement remain current and consistent with national policy, where any conflict is thought to exist we will explore this further within the foregoing paragraphs.

## 7. Planning Consideration

- 7.1 At section 2.2 of this statement I consider the main issues for consideration.
- 7.2 For the sake of brevity I will consider each issue in turn, however, initially I comment upon the appeal proposal in general terms:

### General Comments

- 7.3 The planning applications submitted for determination included a transport statement prepared by Entran. This has been supplemented within the appeal submission by supplementary transport statement together with transport appendices A – E.
- 7.4 In response, those instructing me and others have analysed the submissions made to the planning authority (the application submission documents) and subsequently to your Inspectorate (the appeal submission documents).



- 7.5 It is the settled community who experience the road network on a daily basis and ultimately suffer the consequences where inappropriate development is permitted. It is thus quite legitimate and appropriate for both the LPA and PINS to have regard to representations submitted by and on behalf of local residents, particularly where representations are supported by compelling photographic evidence.
- 7.6 At paragraph 1.12 of the appellant's statement, it is implied that officers recommended approval for this application on three separate occasions. The facts of this case do not support that assertion, whilst it is agreed that officers initially recommended approval, the timeline for this application is as follows:-
- The application was scheduled for determination at the planning committee on the 18<sup>th</sup> March, however as a result of the global pandemic the March committee meeting was cancelled and rescheduled for 29 April.
  - On 29 April the planning committee unanimously resolved to defer determination of the application pending an update report from officers setting out draft grounds for refusal of the application.
  - The application subsequently came forward for redetermination on the 27<sup>th</sup> May. The Officer's report to committee on 27<sup>th</sup> May analysed various aspects of the applicant's proposal concluding that with regard to the highway report submitted in support of the application that only limited weight could be afforded to that report.
- 7.7 It is therefore the case that planning officers initially recommended approval of this application, however following more detailed analysis of the transport statement submitted that recommendation was changed to one of refusal in the officer's report to committee on 27 May, 2020.
- 7.8 Furthermore (notwithstanding the officer recommendation) it is an established principle that the decision-maker (in this instance the planning committee) is at liberty to reach a conclusion at variance from their professional officer. In this instance it is notable that the decision to defer consideration at the April meeting was unanimous and the decision to refuse consent at the May committee meeting was supported by all but one member.
- 7.9 It is entirely acceptable and appropriate for individual councillors to have regard

to their local knowledge and local circumstances when considering an application. Councillors are entitled to refuse an application, notwithstanding the recommendation of the planning officers.

- 7.10 If I now turn to the main issues, and for the sake of brevity comment in turn on each of those issues as identified in the section 2.2 of this report

### **Issue 1**

#### **Effect of the proposed development on the highway / Parking Load**

- 7.11 The application determined by the local authority was considered on the basis of the submitted transport statement, as officers correctly concluded the parking survey was not a snapshot in time and for this reason limited weight could be afforded to the findings of that particular report.
- 7.12 Local residents have submitted evidence in support of their contention that the existing care home uses within Belvedere Road already cause significant issues (evidence supplemented by various photographs taken over an extended period showing the type and nature of issues experienced by residents)
- 7.13 Whilst I have not personally experienced or viewed those incidents, the body of evidence submitted by residents supported by photographic evidence is persuasive , it clearly demonstrates that care homes operating without any off-street parking cause significant and severe disruption within the local area.
- 7.14 The supplementary information submitted as part of the appeal seeks to justify the proposed development on the basis of additional surveys undertaken since planning permission was refused.
- 7.15 During this period since refusal the country has remained subject to varying degrees of restriction and lockdown. This in of itself has significantly changed the traffic generally upon the road network but more specifically in this instance the temporary reduction in demand on street parking spaces.
- 7.16 Prior to the commencement of pandemic associated restrictions in March 2020 the residential streets in the environs of the appeal site (including Belvedere Road) was subject to regular out spill parking by commuters working in Bristol. The attraction of Belvedere Road and the surrounding road network is its proximity to places of work in the vicinity and the obvious attraction that the area falls outside of the residents parking scheme (RPS). As such the roads within

the environs of the appeal site are unrestricted and available for parking all day.

- 7.17 Furthermore schools and colleges have been subject to similar restrictions, thus again limiting traffic movements and demand for on road parking to drop off and collect children from school.
- 7.18 It is also very relevant that family visits to nursing homes have also been subject to restriction during the pandemic, again significantly reducing demand for parking in the area.
- 7.19 A small element of reduced demand for on street parking will be compensated for by residents themselves not driving to work, however, the number of residents who will be working from home comprises a small proportion of the 'normal' demand for on street parking spaces.
- 7.20 On this basis it is an unfortunate truth that any traffic load/parking beat survey undertaken during the pandemic will be unreliable and will significantly overstate the availability of on street parking. Whilst I can understand the frustration for the appellant, it would be inappropriate for your Inspectorate to rely upon parking beat surveys which for reasons unrelated to the appellant or the transport consultant are inherently flawed due to a change in travel patterns and parking demand since the pandemic response started in March 2020.
- 7.21 Notwithstanding the above the photographs submitted appended to [REDACTED] [REDACTED]'s representations and other similar representations from other residents clearly demonstrate that notwithstanding issues relating to the parking beat surveys that problems exist in this area and existed prior to the lockdown restrictions.
- 7.22 The proposed expansion of the existing dementia care home use (which clearly currently creates transport issues) can only exacerbate an issue which causes severe disruption to local residents.
- 7.23 The proposal includes a suggestion that an application will be made for a Traffic Regulation Order (TRO) to secure 4 No. parking bays upon the public highway dedicated for use by the care home. (Emergency vehicles, deliveries etc.).
- 7.24 Securing parking restrictions via TRO is a lengthy and costly process and there is no guarantee that the decision-maker would support an application if and when made. Indeed the inclusion of the suggestion that for spaces should be

dedicated upon the public highway for both the existing and proposed use is in our view tacit acceptance by the appellant that there is an issue here (pre-existing) that could be resolved if a TRO were approved.

- 7.25 The granting of a TRO is not in the gift of the planning Inspectorate, mindful of the representations submitted in response to this application and subsequent appeal it is to be expected that the local community would vigorously object to any TRO proposal which limited on street parking. On this basis it is unsafe for your Inspectorate to determine this appeal on the basis that a TRO would be granted.
- 7.26 Additionally however the provision of dedicated parking bays does not resolve issues associated with waste collection, staff parking, visitor parking etc., none of which would be accommodated within the allocated bays.
- 7.27 Within the appeal statement much has been made of the likely additional staffing load generated by this proposal. The planning application forms indicate that the development will generate a requirement for the equivalent of 4 full-time staff. Whilst it is acknowledged that this would not necessarily equate to 4 staff been permanently on site, it is more likely to be made up of a number of part time staff with staggered hours and overlapping handover periods. Staggering staff hours which is normal within a care home and having a period of hand over does tend to exacerbate parking issues where staff drive to work as there will be periods where during the handover period the parking load could be doubled.
- 7.28 Staff parking is only part of the 'parking load' generated by a care home, during normal (non Covid) usage this use will generate high demand for parking spaces emanating from ; family visiting relatives, doctors, deliveries, waste collection, care workers, cleaners, medical support staff etc. To focus entirely upon direct employees does not provide the full picture in terms of increased demand for parking associated with the appeal proposal
- 7.29 It is also pertinent that the CQC inspection and report of July 2019 identified various issues relating to staffing, the clear message within the review being that staff rotas showed an inconsistency in staff numbers on duty each day, it can reasonably be implied from the CQC report that improvement in the CQC rating would necessitate increasing staffing levels. If current staffing levels

have been used as a means of projecting future staffing levels for an expanded home and I would suggest that on the basis of the CQC report staffing levels may well be understated.

- 7.30 Paragraph 109 of the framework confirms that; development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case I submit that the cumulative impact of the three existing care homes within Belvedere Road taken together with this proposal for an additional 17 bed spaces would exacerbate an already unsatisfactory situation. On the basis of evidence I have viewed, I consider the cumulative impact would be severe for local residents and road users. Allowing proposals which will create additional parking load which cannot reasonably be met will regrettably encourage illegal parking or inappropriate parking which in turn discourages other sustainable means of transport such as walking and cycling. Examples include parking on pavements, restricting legal accesses, parking on road junctions (reducing visibility), blocking of the highway during collection and delivery periods and the needs of emergency vehicles attending site when no suitable on street spaces are available.
- 7.31 Paragraph 110 of the framework confirms that applications for development should :
- a) give priority first for pedestrian and cycle movements both within the scheme and with neighbouring areas...
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards;
  - d) allow for efficient delivery of goods and access by service and emergency vehicles.
- 7.32 The appeal proposal fails to satisfactorily address the requirements set out within paragraph 110 of the framework.

## **Issue 2**

### **The effect of the proposal upon the dwelling mix and inter alia the balance and inclusivity of the community.**

- 7.33 Policy DM2 of the site allocations and development management policies local plan sets out the adopted policy consideration when considering proposals for



residential subdivision shared and specialist housing. The policy aims to ensure that development preserves the residential amenity and character of an area and the harmful concentrations do not arise. The intensification of the use (converting 3 flats to create 17 additional dementia care bed spaces) would in my view fall within the category of specialist housing as set out within that policy.

7.34 The policy confirms that consent should be withheld for development which would harm the residential amenity or character of the locality as a result of the following:

- levels of activity that cause excessive noise and disturbance to residents; or
- levels of on street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- cumulative detrimental impact of physical alterations to buildings and structures; or
- inadequate storage for recycling/refuse and cycles

Furthermore in cases where the development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following

- exacerbating existing harmful conditions including those listed above; or
- reducing the choice of homes in the area by changing the housing mix

7.35 Evidence submitted by local residents in response to both the application and appeal confirm that the existing uses already generate a level of activity during the evening and early hours which can and does cause disturbance to residents particularly the coming and going of emergency vehicles attending the property.

7.36 Furthermore this proposal clearly runs contrary to bullet point 2 of Policy DM 2 insofar as this proposal is totally reliant upon on street parking that cannot reasonably be accommodated or regulated through parking controls. The cumulative impact of the appeal proposal together with the other pre-existing nursing homes in the road will have severe impacts for local residents.

7.37 The existing on-site storage facilities for waste and recycling (including clinical waste) is on the forecourt in front of number 8 Belvedere Rd. The provision of

large commercial waste and recycling bins within a designated conservation area is of itself unsatisfactory. Notwithstanding the above the addition of another 17 residents and associated staff will generate more waste and recycling which will need to be accommodated within additional bins and/or more regular collection. Both options are unsatisfactory adding to the unsightly bins on the forecourt of a property within the conservation area will exacerbate visual harm, additional roadside collections will cause yet further disturbance residents and other road users.

- 7.38 The maintenance of a balanced and cohesive community necessitates having an appropriate housing mix. The settled community readily accept the need for a wide range of property types and styles including within that mix specialist accommodation including care homes. It is however equally appropriate that controls be imposed to ensure that the mix of uses does not become disproportionate or excessive within any given area. Regrettably residents with dementia offer little in terms of positively contributing to community cohesion or support of local services and shops. Equally, staff will come and go according to their working hours and again will offer minimal contribution to the cohesion of the local settled community.
- 7.39 In contrast the 3 flats within the appeal premises provide a form of accommodation at a price point below that of the larger single occupancy dwellings elsewhere within the environs of the appeal site, the existing flats thus contribute positively to the housing mix, providing accommodation at a more affordable level being of a size which can easily accommodated family use. This maintains a healthy mix of properties ranging from the existing care homes, larger detached houses and smaller flats.
- 7.40 Residents accept and acknowledge what exists today provides an acceptable mix of dwellings and care homes within Belvedere Road, it is however equally appropriate to seek to maintain the current balance.
- 7.41 For the reasons set out elsewhere within this statement this proposal tips the balance against further expansion of care facilities in this particular road. The residents acceptance of the existing care uses demonstrate a willingness to absorb a mix of uses, however it is equally reasonable that there should be a limit on further expansion of care facilities in this road so as to maintain a

cohesive and diverse community.

7.42 Policy DM 28 –confirms that development will be expected to:

*iv) reduce crime and fear of crime by creating a well surveilled public realm....*

7.43 Dementia care homes tend not to provide particularly active frontages and their use and occupation is very different to that of houses or flats. The appeal proposal will extend the frontage with lower activity levels (within the property) thus diminishing natural surveillance of the road.

*vi) ensure that any car parking and provision for servicing are appropriate to the context and are sensitively integrated so as not to dominate the public realm*

7.44 This proposal fails to provide any off road parking, or provision for servicing the site. Submissions made by the settled community explain in detail (with examples) issues directly emanating from the existing care homes. This proposal will exacerbate pre-existing problems with no satisfactory mitigation proposed (other than seeking to allocate 4 on road spaces for use by the car home). The suggested TRO cannot be guaranteed and in any event the allocation of 4 spaces upon the public highway will reduce general parking availability to the detriment of road users and the settled community living in the area.

7.45 Ambulances, hearses, delivery vehicles etc. will regularly block Belvedere Road when attending the existing site. A matter which will only worsen with increased occupancy on site and which will not be mitigated by the proposed loading bays (if such parking bays are consented via TRO)

7.46 Policy DM 32: recycling and refuse provision in new development

7.47 I have previously referenced the waste recycling and clinical waste containers positioned in front of number 8 Belvedere Rd policy DM 32 specifically deals with waste and recycling confirming that:

*“development will not be permitted if recycling and refuse provision that meets the above capacity, design and access requirements cannot feasibly or practically be provided”*

7.48 Caveat iii) of the same policy confirms that:

*“the impact of the provision on visual amenity, having regard to the need to minimise the prominence of the facilities and screen any external provision”.*

7.49 The bins and recycling containers are a dominant feature upon the frontage of number 8 Belvedere Rd. The bins are neither sensitive nor appropriate to the context of the site frontage and comprise a discordant and visually disruptive feature in the public realm, exacerbated by the need to service the appeal site from the public highway with no on-site parking provision proposed.

7.50 The above considerations are even more important for sites located within a designated conservation area (as the appeal site is so located).

7.51 Whilst it is acknowledged that the existing waste and recycling provision on the existing care home site is pre-existing, this does not mean that an already unsatisfactory situation should be worsened by adding to the waste and recycling load placed upon the facility.

### **Issue 3**

#### **The effect of increasing shared housing/care homes upon the living conditions.**

7.52 Not wishing to repeat representations previously made, I would again refer the Inspector to policy DM2 of the site allocations and development Management policies local plan insofar as this proposal will worsen the existing harmful conditions explored above in respect to inadequate parking, inadequate provision for loading and unloading, inadequate provision for emergency vehicles and site servicing and exacerbating problems associated with inadequate storage of recycling/refuse.

7.53 The explanatory text supporting core strategy policy BCS 18 usefully confirms:

*“A neighbourhood with a mix of housing tenures, types and sizes will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increasing the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes. Conversely in excess of single forms of dwelling for example flatted development and*

*subdivisions, will gradually limit housing choice will harmfully erode the mix and balance of a community.”*

- 7.54 My instructing clients acknowledge and agree the above, whilst the housing mix will rarely be perfect, the mix in Belvedere Road (including the existing care homes) provides an appropriate and proportionate mix of dwelling types and sizes.
- 7.55 The existing flats within the appeal site contribute positively to that mix. The loss of the flats will negatively impact the dwelling mix. The provision of an additional 17 dementia bed spaces will undermine the housing mix within the road and will be harmful to the maintenance of a balanced and inclusive community.
- 7.56 The policy wording itself (BCS 18) confirms that all new residential development should maintain, provide or contribute to the mix of housing tenures, types and sizes to help support the creation of mixed balanced and inclusive communities. Whilst this policy applies to the design of new development, I consider it is equally appropriate to apply similar criteria to proposals which would negatively impact the housing mix (via conversion) such as the appeal proposals.

## **8. Summary**

- 8.1 This Statement has reviewed the relevant Development Plan policy framework as it applies in this case, together with the other material considerations.
- 8.2 In considering any planning application and mindful of the Framework's presumption in favour of sustainable development it is the decision makers role to weigh in the balance those aspects of a proposal which are positive against those which are negative.
- 8.3 It is acknowledged that the UK population is an ageing population, this, coupled with increasing life expectancy brings with it increased demand for good quality dementia care. This simple fact is not disputed and it is incumbent upon the whole community to ensure that appropriate and dignified facilities exist to care for people suffering this most debilitating of conditions.
- 8.4 It is however equally appropriate that where there is unmet need that this is appropriately located capable integration into the community without harm or prejudice to other sectors of the same community.



- 8.5 In this case the community have accepted the establishment of 3 existing care homes within the same road. It is therefore not a case where residents have been resistant to change or have sought to block development which does contribute in part to the mix of the community in the road. The issue, as I have set out within this statement, is the cumulative impact of converting another building in the same road to form additional bed spaces. Regrettably the experiences of local residents is that the impact of the existing care homes has been severe and thus they do not wish to see that issue exacerbated further by expansion of the existing care home.
- 8.6 The framework usefully reminds us at paragraph 7 that a very high level, the objectives of sustainable development can be summarised as; *“meeting the needs of the present without compromising the ability of future generations to meet their own needs”*. It is thus appropriate within a residential suburb for the settled community to expect to go about their daily activities without unreasonable levels of disturbance or disruption. As planners we have a duty to ensure that many competing factors are fairly and appropriately balanced when reaching decisions which can affect existing communities. Where we get it wrong the character and social cohesion of an area can be changed permanently.
- 8.7 A good example of this is can be seen in many university towns and cities where increased ‘studentification’ of individual roads or areas has brought about significant social change and in many instances driven out the settled community. While steps have been taken subsequently to limit the negative impact that a single user group has on an area, it is fair to say that policy protection now in place has come too late for many.
- 8.8 Whilst issues relating to care homes are very different to students, there is the potential for a similar result creating an imbalance between residential uses and care could incrementally change an area, discouraging people to move into a street or encouraging existing residents to move out. For this reason it is important that whilst the appeal proposal may appear relatively small in proportion to the totality of the number of bed spaces within Belvedere Road, the incremental cumulative impact is significant.

8.9 The appeal benefits are limited to the creation of additional dementia care beds, creating additional employment opportunities and a small contribution to the local economy during the construction phase. In contrast, the negative impacts include exacerbating an already strained road system with no capacity to accommodate the demands placed upon it by additional traffic/parking load, exacerbating an existing unsatisfactory waste and recycling arrangement and degrading the housing mix in the area. It should also be remembered that occupiers of dementia care homes do not contribute significantly to support local shops or community services. The negative impacts in this case when weighing the planning balance tip the balance against this development and I urge your Inspectorate to dismiss this appeal.

**David Jones MRTPI, MRICS**  
**Managing Director**



## **APPENDIX – A**

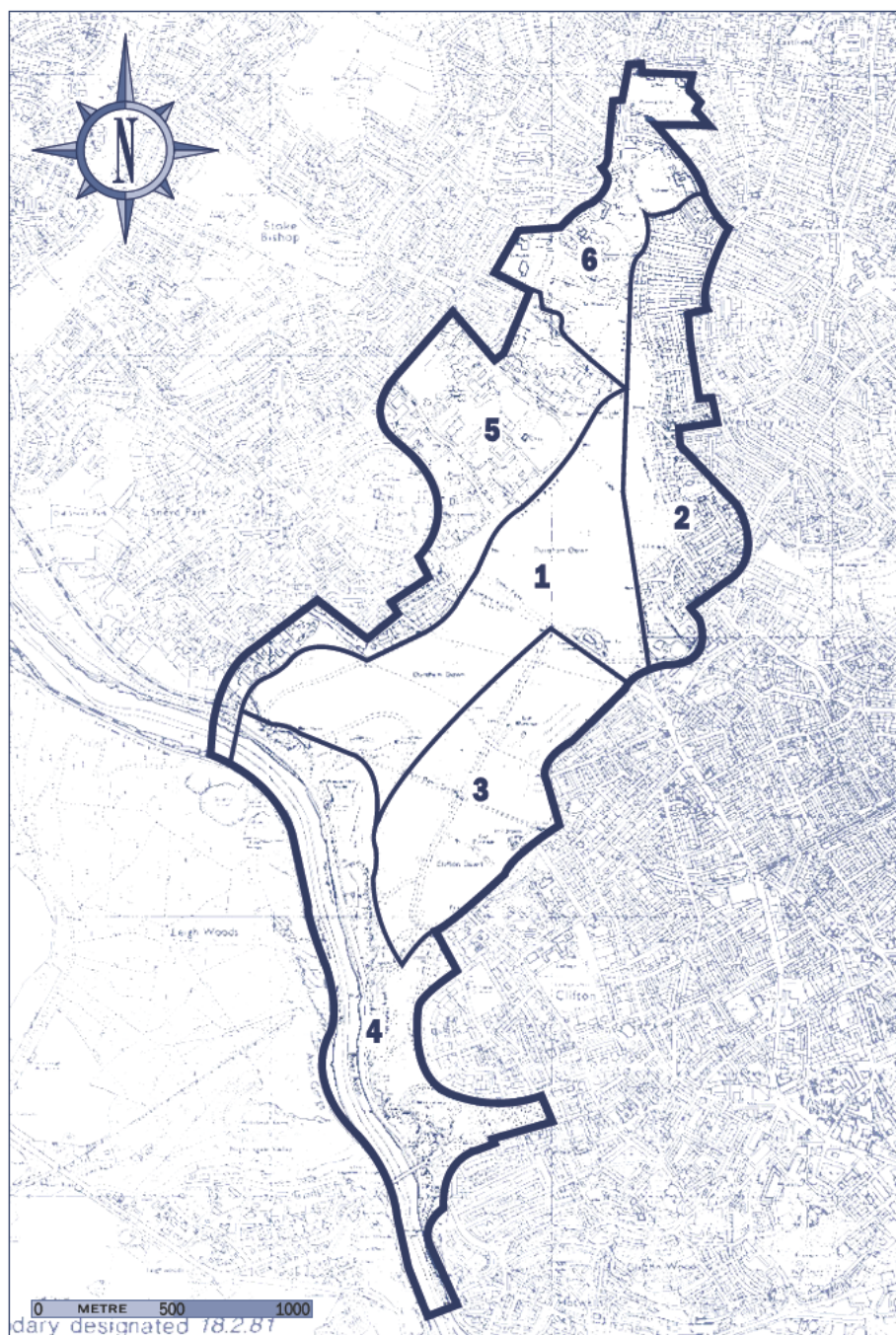
Names of persons instructing these representations.

- Sonya Szpojnarowicz
- Uma and Peter Nair-Davies
- Louise and Chris Jones
- Ayah and Walid Nawwar
- Maria and Dom O'Callaghan  
Belvedere Rd)
- Zoe and James Eastwood
- Marco Maestri  
Bristol
- Chris and Joanna Elson
- John and Jayne Williams
- Eliza and Paul Rawlings
- Carol Simmonds
- Laura and Dominic McEwan
- Julie Gilg
- Oliver and Karen Bennett
- Jacques Desallais
- Will and Sarah Lawrence-Hills
- Melanie Burns
- Maireed and David Andrew
- Lena Ekstrom
- Martine and Sam Taylor
- Mary Carroll
- Stephen and Mariella Morgan
- Sam and Eden Warren-Mant
- Henry and Yve Cowell
- Julia Lietzau
- Kate and Andy Whitehead

## **APPENDIX – B**

Conservation Area character appraisal





### 20. THE DOWNS CONSERVATION AREA

#### DESCRIPTION

- (1) The Conservation Area is dominated by the Downs, an expansive plateau of open parkland, defined by the Avon Gorge and Westbury Road to the west and east with the slopes of Clifton and Stoke Bishop to the south and north. This was bought up mainly by the Wills family and laid out for the people of Bristol in the Victorian period. It is now maintained by the City of Bristol. It divides



into six distinct areas. The first is a more intensely developed area of diverse terraces around Westbury Park and Downs Park. The second, the main plateau is short grass land with some low shrubs edged along principal roads by avenue trees. This generous open area is enclosed by substantial buildings predominantly villas and institutional buildings dating from the Victorian and Edwardian period.

- (2) To the south east, an area of old shallow quarry workings defines the edge to Clifton and Bridge Valley Road. This has a more enclosed character due to low lying scrub dotted with mature trees. The terraces and villas edging Clifton form an essential component to the setting of this part of the Downs.
- (3) To the south west, an open narrow ridge edging the Gorge rises gently through a landscaped promenade to the Iron Age Hill Fort terminated by the Observatory. The Gorge, a precipitous chasm edged by tree-clad cliffs, is spanned by Brunel's suspension bridge and forms a national landmark. Apart from the Portway at the base, the area remains unbuilt on with the open valley floor forming a pleasing contrast to the cliffs above.
- (4) To the north, the edge of Sneyd Park is lined with grand rubble stone Victorian Villas with mature frontages and boundary walls, while further along, an area of largely open space with substantial villas in extensive grounds has unfortunately been overlaid in recent years by small scale infill buildings. However, as its apex, St. Monica's, still retaining its original gardens forms a fitting termination to this, the north end of the Downs. Beyond St. Monica's, the high walls of rubble stone with trees behind enclose the road and define more private areas of open land leading to the village of Westbury-on-Trym.
- (5) Predominant materials in the area are characterised by the use of lias and pennant limestone rubble and render. Roofs, often visually dominant are of slate and tile. The elaborate boundary walls with their gate piers in ashlar stone, often with pierced arcading, are a feature of the area.

### KEY ISSUES

#### *Traffic and Movement*

- (1) Westbury Road, a pleasant tree-lined avenue, is both a main vehicle and pedestrian route into the city from the north. Its congestion at peak hours and use by fast moving traffic at other periods downgrades its character and its attractiveness as a pedestrian route.
- (2) To the south, both Clifton Down and Upper Belgrave Road are commuter routes where problems of congestion at peak periods is compounded by on-street parking. This reduces the parkland aspect of this edge of the city.
- (3) At the junction at the top of Bridge Valley Road, the high quality of the environment created by the Promenade and the Downs is reduced by the visual intrusion of queuing traffic at peak periods.
- (4) The setting and approaches to the Brunel Suspension Bridge are marred by the queuing of commuters at peak periods and at weekends.
- (5) The Portway, running along the Avon Gorge, creates through its heavy use by vehicles both on weekdays and at weekends, a detrimental environment especially in respect of noise for use of the Gorge for recreation and leisure activities.

#### *Land Use*

- (6) Intensification of residential use within the landscaped gardens to the older dwelling houses has resulted in loss of the quality of the open landscaped edges to the Downs, especially to those areas at the north-west along Saville Road.





- (7) Conversion of single dwelling houses into flats has put pressure on converting parts of front or rear gardens as hardstanding for cars.

### *Townscape*

- (8) There are many small buildings, kiosks, and items of street furniture of interest within the Conservation Area which need to be well maintained to be used and respected.
- (9) In recent years due to increased storm damage many fine trees have been lost. Consequently some key landscape features are in a more fragmented condition.
- (10) The quality and consistency of building materials in many localities edging the Downs gives a distinctive character which is very sensitive to change and replacement.
- (11) The loss of traditional boundary walls, piers and gates, to allow car parking in gardens downgrades the character of the period dwellings and their landscaped settings.

### GENERAL ENHANCEMENT OBJECTIVES

- (1) An environmental traffic management scheme, including provision for cyclists, needs to be prepared in conjunction with the Highway Authority. This should address the issue of over use of the peripheral routes to the Downs and encourage more protected pedestrian and cyclist movement through the spaces.
- (2) As part of the Management Scheme, a study should be prepared investigating the possibility of restricting vehicular use of the principal roads at certain times such as weekends and bank holidays.
- (3) The effect of Park and Ride, in ameliorating over-intensive use by vehicles, especially at the Suspension Bridge should be assessed in conjunction with the Traffic Management scheme as set out in (1) above.
- (4) The Downs Edge and its related gardens is particularly sensitive as it makes a significant contribution to the expansive and sylvan quality of the space. Any car parking which intrudes by being visible from the Downs and its related footpaths will be resisted. In this case, the City Council's Conservation Handbook Principle P33 will be applied.
- (5) Where conversion of large dwellinghouses into flats results in a significant increase in car parking provision and acts detrimentally to the quality of the open landscaping in the Conservation Area, it will be resisted.
- (6) The intensification with residential use of landscaped gardens to older dwellinghouses will be resisted.
- (7) An audit of significant items of street furniture of historic interest needs to be prepared within the Conservation Area and their maintenance and repair should be encouraged on a regular basis.
- (8) A landscape management scheme needs to be prepared in conjunction with the Leisure Services Directorate to ensure the continuing well maintained open spaces and ensure re-establishment of any trees which have been lost or need replacing.
- (9) Particular groups of significant villas and large Victorian buildings rely for their effect on a range of quality materials, i.e. natural lias and pennant, rubble and dressed stone. This extends to their outbuildings and boundary walls. This character will be strengthened, maintained, and original features retained and repaired.



Project Management



Planning Consultants



Building Surveyors



Disabled Access  
Consultants

**Drafted:** DJ 22/01/2021

**Finalised:** DJ 24/01/2021



Re: 22/01529/F | Change of use from 3 no. 2-bed flats (Class C3) to a 12-bed extension to the nursing home at 8-9 Belvedere Road (Class C2) (Revised proposal).

I write to clarify one matter pertinent to the  
local residents.

I am that those instructing me are aware that within this  
(or space) loading bay would be subject to parking  
hours of 8am-4pm.

It is that this resolves residents' concerns, in practice, the  
day and night.

by commuters parking within the unrestricted spaces  
the surrounding area. During the evening the spaces which  
community and visitors. As such the offer to restrict the  
material difference.

The removal of 4/5 spaces (during the day or night) will  
detriment of local residents.



Project  
Management



Planning  
Consultants



Building  
Surveying



Disabled  
Access

## Appendix B – Parking Survey Methodology

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



# Parking survey methodology

**Parking Surveys are likely to be required there is a shortfall of parking identified within the planning application, which is likely to lead to on-street impact. Areas of Bristol not within Controlled Parking zones and Residential Parking Zones often experience parking congestion and it is inappropriate to ignore consequences of parking on the amenity and safety on surrounding streets.**

Within Residents Parking Areas and Controlled Parking Zones, Permits will not be issued to new car free or low car ownership developments (those with less than one parking space per dwelling) at the discretion of Parking Services Team.

If these guidelines are not followed the council may not be able to make a full and proper assessment of the proposal.

Parking surveys will be required to be undertaken within the following guidelines. Please seek guidance from TDM on the extents or timings of the surveys prior to submission if any doubt exists:

## Parking Space

An available parking space is defined as unrestricted parking on-street which would not create an obstruction e.g to a driveway, the first 10m of a road junction, any dropped kerb for pedestrian crossings or within a visibility splay.

Each individual space is 5m length minimum. Two 8m spaces do not count as three parking spaces unless they are adjacent to one another.

## Extents

- Parking availability on roads within 150 metres walking distance of the site.
- NOT a circle with a 150m radius but a 150 walking distance as measured along all roads up to a point 150 from the site. This reflects a walking distance of just less than 2 minutes using IHT guidance of 4.8kph walking speed.
- This should therefore not include streets on the opposite side of classified roads.
- This will not include streets which could be perceived to be unsafe or uncomfortable to walk with large loads, such as steep, narrow or dark streets with poor surveillance.
- Car parks must not be included – these are operated privately and have controls preventing parking for commercial or overnight purposes

## Timing

### Residential:

Snapshot survey Monday – Thursday 22:00 to 00:00, when the majority of residents are at home.

Morning and early evening surveys may also be required due to conflict with commuter / commercial use parking. In these cases surveys between the hours of 07:30–09:00 and 17:30–19:00 may be required, noting the amount of parking on a 15 minute basis over this time.

For a site near to an existing regular specific evening / weekend use which may impact on parking in the area, such as places of worship, evening leisure uses: additional surveys should be undertaken when these uses are in operation.

## Commercial / other uses:

Regular specific evening / weekend proposal for a new use, such as places of worship, evening leisure uses: additional surveys should be undertaken at times these are likely to be in operation.

Surveys **should not** be undertaken:

- In weeks that include Public Holidays and school / University holidays and it is advised that weeks preceding and following holidays should also be avoided;
- On or close to a date when a local event is taking place locally since this may impact the results of the survey.

## Frequency of Survey

### Commercial:

Hourly beat within proposed commercial activity times.

### Residential:

Two snapshot surveys on two separate weekday nights (see timing above).

## Submission of Data

- The date and time of the survey.
- A description of the area noting any significant land uses in the vicinity of the site that may affect parking within the survey area (eg. Places of worship, leisure uses, public transport hubs, hospitals, large offices, shopping streets etc).
- Any unusual observations, e.g. suspended parking bays, spaces out of use because of road works or presence of skips, etc.
- 1:1250 plan showing the site location and extent of the survey area. All other parking and waiting restrictions, bus lay-bys, kerb build-outs, controlled and uncontrolled crossing areas, and crossovers (vehicular accesses) etc should also be shown on the plan.
- Photographs of the parking conditions in the survey area can be provided to back-up the results. If submitted, the location of each photograph should be clearly marked.
- The number of cars parked on each road within the survey area on each night should be counted and recorded in a table such as shown in *Fig 1*, as well as the approximate location of each car on the plan.

*Fig 1: Example survey table*

Street name	Total length of kerb space (metres)	Number of cars parked	Number of available parking spaces
<b>Total:</b>			