

Comments on Planning Application 25/14029/PINS: Erection of a detached dwellinghouse at 13 Risdale Rd, Bristol, BS3 2QU.

Having received the notification of another application for development on this site and having objected before, much of this latest offering is no better than the previous proposal which had been refused and then latterly dismissed. I submit my objections as follows:

Process

The developer has applied for Planning Permission for a dwelling at this site twice before, once through Bristol City Council's Planning Department, which was refused and then the same, through an appeal to the Secretary of State which was dismissed. They then, without any consultation or correspondence locally from the Council got Permitted Development approval for a double garage on the site. When asked about this at the site, the developer said that this is the way you get through the system and that the garage footprint would be the footprint for their dwelling. 'There will not be a double garage, it will be a house' they said. It should be emphatically noted that the garage footprint, as proposed in the approved plan (4306.PL3.02 of Application 25/11311/CP) is not in the same position within the plot as the house proposed in this application. If this application is approved because they know how to 'play the system' and, officers within the developer's company appear to have insider knowledge on these processes, I wonder whether consultation with neighbours and interested parties on these matters is going to make any difference. I also think at this point that if planning is not achieved after this third attempt, at what point is this developer going to be told that enough is enough and that a dwelling on this site will not be permitted as it cannot conform to the Local Plan requirements on the grounds of design, position and the nature of the space available, and, that they should stop applying and causing anxiety and stress to neighbours, let alone potentially causing financial/marketing penalties if neighbours wish to move.

Design and position

The design of this proposed property, again, is not in keeping with the design of the surrounding properties which, in Risdale Road and the North side of Tregarth Road are distinctive in their similarities and specifically a 1930s style suburban vernacular. This proposal has changed from the dormer windowed previous design and while the height of the elevations almost equal that of the surrounding properties and indeed, the developer has made efforts to apply the styles of the later semi-detached houses across

the road, the roofline is lower and the overall size of the property is very small. In my view it would stick out like a sore thumb. Furthermore, the submitted plans show that the proposed property is still not in line with the existing properties in Tregarth Road. While the road remains straight along its entire length on both sides, at its eastern end the proposed property would protrude from the current building line. It does not line up with either the Tregarth Road properties or the existing property on this plot. When the Street Elevations plan (4306.PL.04) is viewed in greater context with the street as a whole, this house would look very odd as the density of dwellings along the street, on both sides, is consistent and uniform. This dwelling would look at odds with this, it would be isolated and would interrupt the rhythm of the street. Add to this the non compliance in its angle, in my view it would not be an improvement to the street but an addition at odds with it. Both of these points are still in contravention of Policies DM26 and parts of DM27 of the Local Plan.

The proposed property would not *"Respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes;"* and

Would not, *"reflect locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion;"* and

"Infill development will be expected to have regard to the prevailing character and quality of the surrounding townscape." This proposed development and accompanying arguments made in the Cover Letter (PR02526), once again simply fail to hit the mark on any of these criteria as it is little changed from the last iteration.

In their conclusion (letter PR02526) the developer makes references to housing supply and housing needs and I think most people are aware of these facts but to build this proposed, in their words 'more affordable (being smaller, and constructed by SME builders)' which could read as 'cheap and nasty', dwelling on this compromised plot which is so at odds with the adjacent and opposite dwellings and has no environmental, architectural or consistency with the existing street would fail to fulfil the requirements of DM21 as outlined in their own document.

Further interrogation of this proposal reveals, and is highlighted in the letter (PR02526) that the internal space within the proposed property does not comply with National Space Standards for a property of this size. Again, the compromises being made to fit the property into the plot are, as an analogy, like putting a size 8 foot in a size 6 shoe, you might get it in but it'll be uncomfortable. The number of 'double' bedrooms are a simple expression of greed on the part of this developer so as to maximise the resale

value once they have completed their work. If there are to be national standards for the minimum space allocations for the number of occupants in a dwelling and those standards are not being met then surely, the building is in contravention of those standards? Why have National Space Standards if developers can so flagrantly disregard them? This is vividly and comically illustrated by the fact that the proposed bike store is only fit for two bikes. This dwelling is supposedly designed for four people! Furthermore, two parking spaces (both for electric vehicles) are proposed. Is this a part of the planning application? How can compliance to this be ensured in future? If four occupants own a vehicle each, electric or otherwise, where will the extra two vehicles park?

As the developer has alluded to Policy DM21 of the Local Plan as one reason to permit this development. I would highlight Point 2.21.1 of the same as an area which would contradict their argument. I believe the development would not *"result in a significant improvement to the urban design"* and would *"result in harm to the character and appearance of the area."* The openness and airiness of this area of Ashton Vale is part of its character and charm and the unfortunate shape of the plot simply does not allow for a development which fulfils the requirements of the Local Plan.

Biodiversity Net Gain

As I said in my remarks to the developer's original application, many of the Local Plan policies suggest that there be a Design and Access Statement submitted with the application to rationalise the arguments for development. It would seem that their letter (PR02526) constitutes this as no formal document exists. There are a number of required documents which rather obtusely point to a Biodiversity net gain of several percent to justify the development. That net gain being achieved by planting two fruit trees at the front of the proposed property and later in their document, they allude to the buying of BNG credits. Before the developer acquired the property, the garden at 13 Risdale Road had a number of trees and shrubs in place which conveniently disappeared before the Environmental Impact Assessment was drawn up, thus rendering the baseline to be reduced to a bare minimum. The developer points out in their letter, that they would deem it necessary to purchase Biodiversity Net Gain Credits to boost the BNG uplift to a satisfactory level, this surely completely undermines any rational argument which they are making for a BNG at all. The BNG of not allowing development on this plot would be far higher if the plot was left as a garden and everyone in the immediate vicinity would gain in health and wellbeing as a result. Even the permitted garage would have less impact. The developer also insisted when questioned that there were no bats which frequented the garden, I watched a number of bats wheeling and swooping over the garden throughout the summer months (Video available on request),

and I am in no doubt that this garden is an important location to the local bat population. Other residents have had bat surveys made and an astonishing number of bat species frequent this property very regularly.

Whilst the developer has included a Draft BNG S106 Agreement with their application this time, when viewed, it seems to have no specific information relating to this project and how the BNG would be maintained or upheld, the question still remains as to who will stop the new owners of this property from chopping down the two fruit trees at their will, especially as in the summer months, these will likely reduce the light entering the house directly from the south west. Whilst DM14 of the Local Plan is really only aimed at larger developments, the impacts in this particular case still apply in my view.

Further Development

This proposed development would be so close to the rear of my property that I fear it would jeopardise any development which I might like to make, now or in the future to the rear of my property or within my boundary. The isolated nature of this proposed development could not allow for any further development along the lane at the rear of Risdale Road due to its position within this plot. I also have concerns that should the new owner of this property decide to put a dormer at the rear of their property, who will stop them? As it doesn't comply with National Minimum Space Standards, one could understand the need to extend upwards. In my limited understanding of planning requirements, this would come under Building Regulations and not require planning permission at all. I would then have my rear garden overlooked completely, like a signal box on the railway. The rear elevation of the proposed dwelling is only 3.5m from my garage and would inevitably have a major effect if I wished to develop this area of my property. In planning terms I believe this issue is highlighted in Policy DM27 and is reason enough to reject this application alone.

"Proposals should not prejudice the existing and future development potential of adjoining sites or the potential for the area to achieve a coherent, interconnected and integrated built form. Where such potential may reasonably exist, including on sites with different use or ownership, development will be expected to either progress with a comprehensive scheme or, by means of its layout and form, enable a co-ordinated approach to be adopted towards the development of those sites in the future."

While I have no immediate plans to apply to develop on my plot, I would need concrete reassurance that this proposed development, should it be approved, would not impede the creative development of my property now or in the future and, that the proposed

development could not subsequently build upwards into the roof space causing my property to be overlooked. To mitigate against this potential impediment I would rather see the application refused on the grounds of precedent and, for the reasons I have already alluded to here, the status quo prevail until such time as the opportunity might arise to acquire the space to appropriately develop on this site.

Mining

The previous owner of the garden at 13 Risdale Road, who had lived in the property since 1964, always maintained that her garage was slowly subsiding into the area which this developer has outlined for their new property. The garage shows mitigation evidence at the garden entrance where a crack was filled in, she'd 'done it a number of times over the years' she said. The Coal Mining Risk Assessment included in the applicant's suite of supporting documents; which has not changed from the previous application and still contains the images of the previous design, states that *"Underground coal mining was probable at shallow depths"* and that *"further site investigation work is considered necessary which will require a permit (and fee) from the Coal Authority. The site investigation should allow for a minimum of one rotary open hole drilled to a depth of 30m as close to the location of the proposed structure as possible."* Having had those conversations with my former neighbour, I feel that the developer would have been wise to follow up on this advice and instigate this investigation. They suggested when we spoke that this had been done. I have seen no evidence of this and it would seem that this remains a 'desk based' assessment. If a thorough investigation was done, I believe this developer might reconsider their application.

Conclusion

The proposed development would severely impact my property through it's close proximity to it and its height. This would cause the almost complete removal of direct sunlight to the rear of my property for much of the middle and towards the end of the day during the winter months. It still doesn't comply with the local plan requirements, specifically those which the developer has used to endorse their project and especially DM21. The houses on the west side of Risdale Road have enjoyed an open aspect and sunny disposition at the rear since they were built in the late 1930s. This open and airy disposition is, I believe part of the charm and character of this part of Ashton Vale and it is one of the main reasons I bought my property. Policies DM26 and DM27 are there to preserve the integrity of what already exists and this development fails to meet much of these criteria. The seven metre height of the proposed dwelling and its proximity to my own would almost eradicate the winter sunshine that I and my immediate neighbours

currently enjoy, yet the roof is lower than all of the other buildings on Tregarth Road. I believe I have a right to light which would be severely impacted at the rear of my property and even more so for my garden and garage. If the proposed building was consistent with the existing style and line of the buildings along Tregarth Road then my boundary and my right to light would likely stymie the project completely.

If you read the above and compile the contraventions of the various policies in the Local Plan which refer to development within gardens, design consistency and upholding the character and charm of the local area (DM21, DM26 and DM27), convenient parts of these policies have been used in the justification of the proposal but when taken as a whole the same policies would undermine these justifications, there can be no reason to approve this application.

The application which preceded this one, which I commented on at the time, among other things mentioned a Mahonia bush at the front of the existing property at 13 Risdale Road. This shrub, which I felt was an important contributor to the biodiversity of this plot was removed rather quickly around the time the original application was refused. I met the man rather hastily cutting it down in the dark, on a wet evening shortly after the refusal. Ironically perhaps, it turns out that this man is the 'silent' business partner of the developer and is also a senior officer within the National House-Building Council, an organisation which champions sustainable development. I believe this illustrates that the developer has no care for the true environmental impact of his endeavours and therefore all the BNG figures submitted for this current application, not to mention the need for BNG credits, are ridiculous and in reality are just paying lip service in support of this application. The mahonia bush was home to many house sparrows and sadly, since it was chopped down, I haven't heard sparrows since.

In its refusal statement to the original planning application, Bristol City Council stated that all of the properties in Tregarth Road were semi-detached or terraced and that the original proposal was inconsistent with that. It was refused. This proposal is no different. Ideally, the developer should be building two properties and continue the line of the street but, due to its inconvenient shape and the angle of the Risdale Road boundaries there just isn't the space on this plot and so, a massively compromised development has been proposed. On these grounds alone, it is my opinion that this application should be refused and the developer be advised to cease with their attempts to build a dwelling. I believe with the planning permission they already have, they could improve the current property on the plot, give it an attractive garage which would not affect the neighbours' light and, would leave the garden mostly intact for the enjoyment of the future owners, their neighbours, the bats, the sparrows and all the other wildlife which moves through it, enhance the status of this part of the city by increasing the perceived quality of the

existing housing stock and still make a tidy profit. The BNG from this would be positive and would not need boosting with the purchase of credits elsewhere. The opportunity to utilise this plot offers two conclusions, a cheap, ill conceived and ill fitting, severely compromised and inappropriate infill or, a considered, environmentally sympathetic and attractive improvement to what already exists. This opportunity is simply about quantity versus quality and this proposal promotes the former over the latter.