

This statement is produced in response to the applicant’s “Committee Report Rebuttal” document. We believe many of the points made by the applicant are incorrect or irrelevant; this document addresses their comments in line with the 8 points made in the applicants Committee Report Rebuttal.

- 1) Public benefits and planning balance
- 2) Heritage and heritage balance
- 3) Density and over development
- 4) Highways
- 5) Sustainability
- 6) Overheating
- 7) Trees
- 8) Other comments

1) PUBLIC BENEFITS AND PLANNING BALANCE

Firstly, it is important to recognise the following about the nature of the development and the resulting demographics of the proposed future residents of the St Christopher’s School site.

- The average price of a property on the St Christopher's site will be approx £739,000, with prices varying from £601,000 to £880,000¹.
- In contrast, the average price of a property in Bristol last year was £398,000; for a flat it was £228,000.
- As such, the average price of a St Christopher's housing unit is more than 3 times the average cost of a Bristol flat and 86% higher than the average cost of a Bristol property.
- As well as the substantial purchase price, the retired resident would have to fund a monthly service charge anticipated (based on comparable developments) to be upward of £700 per month, as well as (at least) the minimum care requirement.
- **In order to fund the service and care charges, on top of the purchase price, a buyer would need to sell a property worth around £1,000,000.**

In terms of the benefits proposed by the applicant, the majority are highly questionable, and the others could equally well be delivered by implementing a sensitive but much less intense development of the site. We consider the claimed public benefits in turn:

Does it address Bristol's housing requirement? NO

- It is clear that this development does not provide housing which is within any affordable reach of the vast majority of Bristol’s citizens. In fact, the applicant

¹ Based on the applicant’s viability statement, adjusted to reflect the lower numbers in the December plans

refuses to consider inclusion of any affordable housing (which should be 40% for this site as it is the Inner Urban Area). It follows that this planning proposal is clearly not addressing the fundamental housing issue which the Bristol Core Strategy seeks to resolve.

***Does it address the “significant need for housing for older people in Bristol”?* NO**

- Again, these properties are simply not affordable for the majority of older people in Bristol.
- At the time of writing, within a few hundred metres of the development there are currently 3 retirement flats for sale at £395k to £475k at Carfax Court. There are 4 properties for sale at The Vincent, £460,000 to £1.25 million, some of which have not sold since that development was opened in July 2020. There are also supported living flats available at Abbeyfields on Redland Road. There are 21 extra care properties for sale at St Monica's Trust, some just a short stroll across the Downs.
- The supply of upper-end retirement living already appears to exceed demand – there is no need to add to this, and this scheme simply will not address the need for affordable housing for the elderly.
- It is worth noting this development is not considered part of BCC’s official ExtraCare Housing (ECH) programme and BCC will not be getting referral rights to any of the flats. This proposal is, in fact, surplus to BCC’s projection of extra care provision.

***Does it free up family sized homes in the city?* NO**

- Very few Bristolians will be able to afford to live in this luxury development. The applicants obviously share this concern; in their proposed planning agreement they suggest that property sales should be restricted to Bristol City residents for only 3 months from release. This is a ludicrously short period of time and suggests that the applicants are not interested in helping to address the pressing housing needs Bristol now faces.
- The developers’ viability study calculates sales on the basis of 24 units being sold off plan then unit sales at a rate of 2 per month. Therefore on the developers own evidence (assuming for the purposes of this calculation that the report is accurate) they appear to be anticipating selling only 30 units to Bristolians! But based on the above figures, we believe it is likely to be much lower than this.
- So:
 - There is no guarantee that any significant number of units will be sold to Bristolians
 - For the few which are, they will not release properties that are affordable for most families in Bristol, and will do little to address the housing situation in the city
 - In fact, it is likely that most purchasers will be down-sizing to move to Bristol from the more affluent areas of the UK.

Does it open a previously inaccessible, inhospitable, and now derelict site and provide public access to a listed building? NO

- The previous occupant of the site was, until 2020, a once thriving residential school for children with severe learning difficulties, who are some of our most vulnerable and in-need citizens. The St Christopher's School was highly integrated into the local community and it was never seen as inhospitable – the contrary is the case. The site was regularly opened for garden parties, festivals and concerts to which all Westbury Park residents were welcomed.
- The site is currently occupied by around 100 residents - providing affordable rental for low income people and an income to the applicant. It is our understanding that those residents, who are becoming part of the community, really enjoy living on such a beautiful site - appreciate its nature & wildlife and often use the grounds for outdoor gatherings and parties. The site is also used as a COVID vaccination centre, the grounds and hall have been used by a scout group and the applicant themselves has made much of opening up the grounds to the public and community groups² in its current state. All these meanwhile uses would cease should any development be permitted.
- One can therefore conclude that the site is currently adequately hospitable, accessible and in a suitable enough state to charge rent for and allow public access to.

- We draw your attention to the applicant's assertion they would be;
"Undertaking key maintenance and preservation works to a listed building (Grace House) that is in disrepair, with water ingress and deteriorating building fabric, and with no viable use, will fall into disrepair;"

If this important heritage asset, or the villas at the front, are now in disrepair or, indeed the site is derelict, it is only due to recent neglect which it is the purchaser's responsibility to address. As owners of this Grade II listed building, they have a **legal duty** to ensure that the asset does not fall into disrepair. The threatened non-maintenance of a listed building should not be used as a bargaining tool to gain planning consent. This remarkable building should be looked after and cared for regardless of whether additional development is granted.

- Furthermore, this listed asset does not need to be further damaged by the proposed over-development - it faces greater **long term, irreversible and permanent threat of damage** from the current proposals to overcrowd and overbear its setting. It should be noted that both Historic England and Bristol City Council's Conservation Officers have stated that the proposed development would cause irreversible harm to the setting of this Grade II listed building.
- The applicant claims to be *"providing public access to a listed building (Grace House) that has not been accessible to the community in its history"*. This is factually incorrect and reveals that the applicant has done no proper research into the history of the building or the site - a quick glance at Google would have sufficed to establish the truth.
 - o In reality, Grace House was used, not only by Bristol's SEND community throughout its entire history and until its closure in 2020 - including the

² <https://www.bristolpost.co.uk/news/former-st-christophers-school-site-7045317>

children, their families, their friends, teaching, care and volunteer staff, but also by the local community for annual festivals, concerts, exhibitions, shows, exercise classes (there was once even a library and many people who grew up in Westbury Park remember learning to ride a bike in the grounds around Grace House!).

- o The wider community across Bristol regularly had access too, for example as a centre for conferences on the specialised SEND education that St Christopher's provided, among other events. A city-wide volunteer scheme ran with workers from Lloyds and Axa offices on a day release volunteer programme, visiting the site regularly to help out in a number of ways. Other schools across Bristol also held reciprocal visit programmes and used the swimming pool adjacent to Grace House. The school received royal patronage and visits by civic dignitaries like the Lord Mayor of Bristol and the current Duke of Edinburgh.
- o Until very recent, and understandable, safeguarding guidelines made public access more regulated, the site was actively used by multiple communities. The above quoted statement from the rebuttal reveals a high level of ignorance regarding the legacy of St Christopher's School.
- No commitment has been provided relating to any future public access to the listed building. The applicant has defined no specifics about any facilities which may be made available, or the proposed nature of that access - it is all vague suggestions, with no guarantees or defined conditions that any significant or meaningful access will exist. In practice, it is difficult to believe that the (estimated 200) residents of this luxury development would be happy to compete with members of the general public for use of facilities paid for by their service charge. Nor that public access would be or remain financially viable. For example, a retirement complex within a mile of St Christopher's, The Vincent, has a restaurant that is ostensibly open to the public. The most recent owner of the restaurant has had to close (May 2023) because he can't make the business work. It's the third iteration of the restaurant in as many years.

Does it preserve Grace House and refurbish and conserve the existing villas? Not uniquely

- Any sensitive development of these villas should do this, but it does not require the effective destruction of the backland in order to do so.

Does it allow public access through the site for people to use and enjoy? NO – not guaranteed, and likely to be impractical

- We are not aware of any conditions, or clear level of commitment, to providing public access to the site. Plans have previously indicated that pedestrian access to the site will be "Controlled residents access only (fob access 24hrs)". We understood that this was for two reasons:
 - o There will be a large number of elderly residents, some of whom are likely to be vulnerable dementia patients, which is likely to restrict public access.

- o To reduce safety concerns from residents of The Glen about increased public footfall.
- It is not clear if – or why – the applicant would have changed their mind on this point, but either way there is currently no firm definition of, or commitment to, public access.
- We believe there are inherent complications and impracticalities in allowing significant or meaningful public access into private care/retirement communities. With this proposal in particular, there is a distinct lack of clarity about how this would work in reality. How, with a site full of potentially vulnerable elderly with care needs, multiple proposed access points and 24 hour vehicular usage, would this public access work?
- Critically, the Bristol Crime Reduction Unit (objection dated 3/1/23) raised safety concerns about the site access, specifically stating:

“This development does have 6 access points which for a development of this size is extremely permeable. I continue to be concerned that if not adequately access controlled, with robust boundary treatments, disproportionate levels of anti-social behaviour and criminality similar to those we are now seeing on the development at the site of the old Bristol General Hospital, which also has excessively high permeability from a safety and security perspective, will be experienced by residents.”
- Research work carried out by SCAN among other extra care facilities in Bristol, highlights a number of issues that are not dealt with or explained in the current application; these would suggest the ‘openness’ and ‘access’ that the applicant claims to be promising in theory would be entirely impractical in reality. We found:
 - o The majority of ECHs (Extra Care Homes) in Bristol we spoke to are NOT open to general public access during the day without a key fob, doorbell entry or manned reception due to safety and security reasons for the residents. Doors are generally alarmed in the evening and at night. Residents are free to come and go as they wish, unlike a care home, but public access is tightly controlled.
 - o Visitors are welcome but they are usually granted access by the residents. Some ECHs allow family members to have personal key fobs.
 - o The general public would not generally be allowed into the private areas like the gardens or those that are maintained and funded by residents fees.
 - o Extra care complexes that have a salon or rooms that are bookable by non-residents usually have a system of pre-arranged visits/advance booking and/or entry is controlled via one entrance only/key fob.
 - o If there is a community element that is open to the general public e.g. a cafe, it seems usual practice to have only ONE entrance to that facility for the public meaning they cannot access the other parts of the complex freely. Most of the ECHs we spoke to have completely different access points for the public and private realm - with very clear delineation between the two. For example, the communal gardens or residents-only

areas are only reachable through locked/key fob access doors off the public/cafe area. One care manager told our researchers that it would be “quite difficult” to manage public access in the absence of 24 hour controlled entry because of the vulnerability of some of the residents.

- The current proposals for this site do not address this fundamental conflict between the public and private realms within the design, and there is no explanation as to how this would work in practice. It follows that the commitment to genuine public access is entirely unconvincing. This is particularly the case for the proposed ‘communal hub’ in Grace House and the spa that the applicant maintains would be openly accessible and embedded in the wider community. The plans submitted show these buildings would have to be accessed by individuals being able to freely cross the site from either Etloe Road or Westbury Park - and there is no delineation between resident (private) and non-resident (public) areas. These multiple shared entrances between the public and the residents also increase the risk of ‘tailgating’. This demonstrable lack of detail and forethought indicates either that the applicant has failed to appreciate the practicable, working aspects of public access to an extra care facility on this particular site (and that the promise of openness is merely included to make their application seem more appealing), or that they will be forced to limit or erase public access to the site when they realise that public access is not, in fact, possible because of the constraints we outline above.

Does it provide community benefit from the new “Urban Village Hall”?* **NO*

- The applicant raises the possibility of North Lodge, described as a so-called Urban Village Hall, delivering a community benefit (for clarity the plans for North Lodge provide for a number of small workshop style rooms rather than a ‘hall’ as such). We understand that these rooms may be available for a limited number of hours a week. In reality, shared use between the residents and other potential users, particularly use by more vulnerable groups, like the nearby primary school, creates formidable access, staffing and safeguarding challenges. In his objection to the planning application the Head Teacher of the local primary school indicated his dissatisfaction with the proposals for North Lodge and expressed his serious concerns about safeguarding issues. Again, there is a distinct lack of detail and no firm guarantee that North Lodge, as it is locally known, would ever be genuinely or significantly open to the public. There is also concern that this offer could be withdrawn at any point by the landowner, should problems arise.
- The roads directly bordering the site contain 3 school/Church halls, which already provide easily accessible and well-used community meeting rooms. The new meeting rooms proposed by the applicant would take business away from the existing church and schools, which are charities and rely on rental income. Moreover, this proposal would increase visitor traffic and parking demand in The Glen (the proposed access point), which is a narrow cul-de-sac, and this would have an adverse impact on road safety. These points suggest that the proposed ‘Urban Village Hall’ would damage the local community, and would not offer any benefits whatsoever.

- In summary, this suggestion from the applicant, despite being wrapped up as a 'gift', simply exemplifies their complete failure to understand or address the actual needs and priorities of our local community. No weight should be attached to this empty, unwanted promise.

Does it deliver benefits to the physical and mental well being of future residents? NO

- As above, the local market for luxury retirement developments is saturated. This is clearly not the right location for another luxury retirement complex.

Does it deliver economic benefits including increased local spending and job creation? NO

- The increased local spending will not be significantly more than a development of a much more acceptable density, and probably less than a development that included provision for young people and families. On the other hand, it does deliver an unwanted increase in demands on local health services, which are already stretched, and increased parking pressures on an area which is already seen as unsafe due to the existing excess demand.

Does it "result in savings to the NHS"? NO

- The adverse impact of introducing over 200 frail elderly on the health and social care system of Bristol needs to be considered. Bristol hospitals have been some of the worst in the country for A&E waiting times and have large numbers of elderly patients awaiting discharge. At least one GP surgery local to the site has closed (Helios practice Spring 2022) and others are struggling to meet demand generated by increasingly complex patient needs.
- When the evidence quoted by the applicants³ about the potential benefits of the proposed scheme on health and social care utilisation is scrutinised in detail, it does not substantiate the claims made by the developer with regard to a reduction in health service utilisation. Indeed, rather than being 'beneficial' as the developers suggest, the addition of several hundred frail elderly people into an area with overstretched GP, community and secondary care services will be entirely detrimental. It will result in increased pressure on services and reduced quality of care and quality of life for other local residents who need this support from the NHS and social care.
- In summary, Professor Sarah Purdy, Pro Vice-Chancellor for Student Experience, a Professor of Primary Care and a practising GP, found that the "research"⁴ quoted

³ Housing Need Report

https://pa.bristol.gov.uk/online-applications/files/79231D5B6812A2BECEA6B6F5B0BEE9BC/pdf/22_01221_F-HOUSING_NEED_REPORT-3162631.pdf

⁴ <https://www.extracare.org.uk/media/1169231/full-report-final.pdf>

does not substantiate the claims made in the planning submission. This is because the early promising data from 2015 was not confirmed by the full study. In effect, the final report suggested there was no reduction in healthcare costs or hospital stays for Extra Care residents as opposed to the control group and no decrease in planned nurse or GP visits but actually as a significant **increase** in planned nurse visits.⁵ Professor Purdy shows how the applicants have quoted selectively from the cited research, and have completely ignored the actual final findings.

Does it provide environmental benefits? NO

- Certainly not once the considerable environmental damage through loss of trees and green space is taken into consideration (See Section 7 below).

2) HERITAGE & HERITAGE BALANCE

Does it “preserve or enhance the designated heritage assets”? NO

We believe this scheme will cause permanent damage to the heritage assets within a conservation area. The proposed buildings would be built in very close proximity to Grace House and adjacent homes in Bayswater Avenue, The Glen and Royal Albert Road, compromising them for years to come. It is an irreversible and irretrievable position and for that reason we consider the harm to be PERMANENT and therefore at the top end of the scale.

We respectfully ask you to consider that this proposal constitutes ‘substantial’ (rather than ‘less than substantial’) harm to the designated conservation area and the heritage buildings, and amend the report accordingly to strengthen this reason for refusal.

Do the alleged public benefits and heritage harm justify the size of the proposals? NO

The applicant's rebuttal states that: *“The comments of the conservation officer, reported at paragraph 90 of the CR, that state that alternative forms of development may achieve similar public benefits are misleading and factually incorrect”.*

This is in itself a factually incorrect statement. Although a potential, viable alternative scheme that delivers equal or more public benefit may not necessarily be considered within the planning process, it may well be the expert opinion of the Conservation Officer, with extensive knowledge of heritage sites, that they are correct in their assumption that an alternative form of development would achieve similar, or even

⁵ Please see attached addendum for full analysis by Professor Purdy.

more, public benefit. It is not introducing another test, it is merely stating the expert opinion of the Conservation Officer.

In addition, to challenge the statement that “a smaller scheme could achieve similar public benefits” is without foundation..

A smaller, less harmful, scheme may achieve even more public benefit precisely because of its reduced size along with multiple other reasons:

- If it is a smaller scheme with fewer housing units it would cause less crowding and permanent damage to Grace House or the backland setting.
- If some of those units are affordable housing units rather than luxury housing units, more weight would need to be given to the increased and preferable public benefit this provides.
- A smaller scheme that doesn't need communal facilities to justify a high cost monthly maintenance fee, and no need for a 'care hub', could make different use of Grace House, for example, returning it to SEND use, and thereby providing enormous public benefit that does not exist in the current proposals.

Furthermore, the applicant maintains that an Independent Retirement Community needs to be of a certain scale to achieve the economies of scale necessary to deliver the care, support, and welfare facilities that are required by a facility of this type. But SCAN produced a viability assessment (using the applicant's own base figures) showing that there could be a profitable development with substantially lower density.⁶

3) DENSITY AND OVERDEVELOPMENT

The Committee Report Rebuttal demonstrates, not for the first time, that the applicant either: 1) Does not yet know how to calculate residential density figures for developments in the UK, or 2) Prefers to try to mislead Bristol City Council planning officers by making the absurd claim that the entire site is developable land. They claim that the density of their proposal is 60 dwellings per hectare (dph), a truly ludicrous suggestion. The density proposed is, as the letter submitted by the Westbury Park Community Association (WPCA) to Alex Hawtin earlier this month demonstrates, an astonishing 160 dph.

Any independent professional assessment of the actual density proposed by the applicant would be bound to conclude that this planning application proposes a truly massive overdevelopment of the site.

For the developers to arrive at their density figure they have assumed that the entire area of the site is available for development. This is 'fantasy land' planning. It assumes that it is fine to demolish Grace House, the Grade II listed building that lies at the heart of the site, as well as the fine Victorian lodges fronting Westbury Park. As any first-year city planning student will know, to calculate the residential density of

⁶ SCAN COMMENT ON FINANCIAL VIABILITY ASSESSMENT - OBJECTION
https://pa.bristol.gov.uk/online-applications/files/6A74DAB152B90107F10C1F6498F60811/pdf/22_01221_F-SCAN_COMMENT_ON_FINANCIAL_VIABILITY_ASSESSMENT_-_OBJECTION-3258954.pdf

a proposed development, it is vital to establish with care and precision the actual extent of 'the developable land'. This is particularly important in Conservation Areas.

As the WPCA letter makes clear in detail the developable land is, by the applicant's own admission, one that is approximately 50% of the back land site, say 0.57 hectare. This results in a proposed density of 160 dph. This is way over the level of density that BCC would be willing to accept anywhere in the 'Inner Urban Area', and certainly not within a Conservation Area.

As well as proposing entirely false figures relating to the residential density of their proposals, the applicant has ignored the advice provided by Secretary of State Michael Gove in the letter he issued to all planning authorities in December 2022 when he stated that: '... all development that is not well designed should be refused, especially where it fails to reflect local design policies...'

4) HIGHWAYS

The applicant claims that the officers have not indicated the number of parking spaces that they consider appropriate.

However, the TDM has referred to the Design Principles for Extra Care Housing (3rd edition) June 2020 which sets out that "Parking standards will need to be negotiated with the planning/highways authority as there are often no defined standards for 'housing with care'" and stated that they agree with this.

SCAN has previously presented an analysis of a reasonable (not worst case) number of required spaces, based on independent government/academic research, and expert advice previously used by PINS. Our analysis is available on the Planning Portal, but to summarise, we identified the following requirements⁷:

| | |
|--|------------|
| Residents' spaces | 73 |
| 2 car-club + 1 mini-bus | 3 |
| Staff (including carers) | 30 |
| Residents' visitors | 15 |
| Visitors to Urban Village Hall and other public facilities | 5 |
| TOTAL Required Spaces | 126 |

The safety impact of **any** overspill parking on the local area, given the existing high demand, is hopefully now universally acknowledged. For this reason it is crucial that the applicant bases their parking provision on an objective assessment of the likely demand for parking, for **this** development, at **this** location, rather than continually referring to the parking provision at other sites which are not comparable in terms of demographics, occupancy, or location. Very obviously - the number of spaces

⁷ Detail provided in SCAN statement on portal dated 3/1/23; with staff numbers updated (due to further information provided in the applicant's Technical Note 2) in SCAN document on portal dated 22/2/23

provided at other sites (which may rely on their surrounding roads to either accommodate or prohibit overspill) does nothing to determine the amount of parking spaces needed to prevent any overspill at this particular development.

The applicant has access to the same publicly available research sources that we have used, and it is difficult to understand why they have not used this data to come up with needs-based estimates, which could form the basis of a sensible conversation with BCC as to the number of parking spaces needed to reduce the risk of overspill to an acceptable level.

We also note that in the Committee Report, the conclusion regarding the C2 or C3 classification was summarised as “Whilst it is recognised that there are aspects of the development which could reasonably be argued to constitute a C3 classification, overall it is considered to be a finely balanced judgement which reflects the complexity of this issue at a national level and the inconsistency of decision makers to date.”

It is therefore reasonable to consider the amount of parking that would be provided under a C3 classification. This is defined as:

One bed house/flat: one space per dwelling

Two bed house/flat: 1.25 spaces per dwelling

Based on 104 x 2-bedroom and 12 x 1-bedroom units, C3 parking standards would allow for 142 spaces.

In fact, 142 spaces would be a good estimate of what may be needed to fully mitigate any risk of overspill, given the combined nature of the accommodation – where mobile (and wealthy) residents are likely to retain their cars, less mobile residents may rely on being driven by their partners, and where there is also a need for on-site staff. Our own reduced estimate of 126 spaces was calculated as a genuine attempt to provide a balanced, rather than worst-case, estimate, and we are all too aware that it will not fully remove the risk of overspill.

For the above reasons we believe that it is clear that the development will result in overspill which cannot safely be accommodated by the surrounding roads, therefore as the applicant has failed to demonstrate safe highways conditions, the scheme is unacceptable and the application should be refused on these grounds.

5) SUSTAINABILITY &

6) OVERHEATING

Does it deliver sustainable buildings compliant with Bristol City Policy?* **NO*

- The Committee Report already demonstrates that the buildings lack resilience to climate change and failure to comply with basic council policy for sustainable construction. We support the reasons for refusal on lack of sustainability and highlight two further areas that officers may wish to additionally record to support this refusal.

i) Living conditions for future residents (para 202 of the CR)

"It is considered that the proposed development, by nature of the proximity of Villa A to Kenwith Lodge, and the interrelationship between Villa C and Villa D would result in an unacceptable living environment for future occupiers."

This paragraph shows an obvious conflict with local planning policy and SPD1 and is a clear additional reason for refusal.

ii) CO2 emissions (para 222)

"The applicant has not demonstrated that the proposed development would reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%, and instead provided figures against Target Emission Rate (TER) as set out in Building Regulations."

It is clear that the developers have failed to comply with the council's basic sustainability policies which are critical to Bristol's climate emergency with regard to carbon dioxide emissions as well as the overheating issue. It is not acceptable to make such crucial assessments 'post planning' as suggested by the applicant (para 223) and demonstrates a lack of commitment and willingness on behalf of the applicant to comply with basic climate change proof requirements for new build construction.

7) TREES

Does it deliver a biodiversity net gain with regard to our urban trees? NO

- We note a ruthless approach has been taken to remove mature trees and squeeze in as much development as possible. This is simply unacceptable in a conservation area when we have a climate emergency and does not constitute the elements of good design.
- There are 121 trees, many of them mature and spectacular, growing on the proposed development site. 40 of these will be removed to facilitate the applicant's plans. Under DM17 and BTRS, 104 replacement trees will need to be planted.
- The applicant has used BNG 3.0, a flawed and outdated version of Natural England's Biodiversity Metric, which does not work when calculating the habitat value of the trees on the site. The flaws were corrected with the publication of BNG 3.1 & BNG 4.0, which offer the only viable approach to a proper valuation of Urban tree habitat. Therefore the applicant's Urban tree habitat calculation cannot be relied on because they use this unworkable table. This is why we say that the applicant's proposals will result in a net loss of biodiversity of at least 8.60% (assuming a zero net gain is applied).
- The developers "promise" that they will plant 104 trees within a 1-mile radius of the development site. Further, they claim that all of these will be planted in open ground. There are currently 15 tree planting sites available in hard standing within one mile, and zero sites for planting in open ground. Therefore, it is not possible for this development to comply with DM17. This application should be refused on the basis that it does not comply with DM17, and therefore BCS9, and that paying

a fee to the council is not an alternative to proper mitigation of the loss of trees on the site.

- If it is the case that the policy document (in this case DM17) is contradicted by the implementation document (in this case the Planning Obligations SPD), regulations state that it is the policy which must apply. In the majority of planning applications, developers apply this “ruse” to avoid their obligations to replace lost trees. If we do not want to lose what remains of our natural environment, it should be made clear to developers that this is not acceptable, preferably at pre-application, but if necessary at committee, by refusing planning permission.

8) OTHER COMMENTS

1. In the final section of their rebuttal document, the applicant makes the following points:

- a. *“At paragraph 30, the CR notes that some comments have been made about the quality of public consultation and that it was misleading, but makes no further comment on this. The CR should acknowledge that as a matter of fact, and as set out in the Statement of Community Engagement, a great deal of public consultation has been undertaken, and that perceptions on the consultation carried out is not relevant to the consideration of this planning application.”*

Is the applicant really saying that the honesty and effectiveness of the community consultation is completely irrelevant provided that they can “tick a box” to say that they have done it? This could certainly explain a lot about their approach to it! It is such a shame that they have taken this cynical approach, wasting all our time, instead of actually listening, and really trying to understand our priorities and concerns and to address these as much as possible.

- b. *“Paragraph 149 of the CR says that services and facilities would not be available to the general public. This is incorrect, and the planning application makes it clear that the firm intention is to embed the community into the wider local community and encourage integration and the wider use of the ‘clubhouse’ within the Listed Grace House for example.”*

As covered above, no clear definition has ever been provided about what would be made available to the general public, under what terms or restrictions, with no suggestion to make this a binding commitment covered by a formal condition. As such, we understand why the CR cannot rely on this vague “intention”.

2. The applicant has been quick to allege mistakes within the Committee Report - whether justified or not - but fails to acknowledge their own litany of errors,

omissions, misleading images and information, lack of proper consultation and basic technical miscalculations in their own application and the effect this has had.

In addition, the submission of a vast number of lengthy documents, subsequent alterations, in multiple addenda, often to clarify information that was missing in the first place or to offer insultingly minor and insignificant revisions - all of which add up to a complicated and ever changing picture - inevitably result in confusion, putting unnecessary workload pressures on hard working planning officers.

Below are just some of the errors that we would like to highlight and to quote the applicant back at themselves - this is a "long list that could run on for pages". Whilst individually many of these discrepancies may appear minor in nature, accumulatively they show a disregard by the applicant to present the community with accurate factual information surrounding their scheme. Some examples of errors/omissions are taken from comments made in the statutory reports about the elements lacking in the application. Others are taken directly from the application itself.

- 1) **FLOOD RISK MANAGER⁸ REPORT** - "not enough information provided" "not included a detailed....Strategy" etc
- 2) **SITE WIDE Service Strategy REPORT** Discrepancy between the 'plant' plans on the Site Wide Services Strategy⁹ and the third iteration of the spa building¹⁰ - unclear and conflicting drawings
- 3) **SUSTAINABLE CITY TEAM REPORT¹¹** - no information provided on overheating, issues of blinds not addressed, energy statement reference incorrect policy, baseline for existing buildings needs to be updated
- 4) **CRIME REDUCTION UNIT REPORT¹²** - "the submission **fails to provide information** on the construction and security of staff cycle storage", the application has a "**lack of documentation** around management, CCTV and lighting plans".

⁸ Flood Risk Manager report

https://pa.bristol.gov.uk/online-applications/files/1FD3DDDBADA82FF8F04F21D358F263F1/pdf/22_01221_F-FL OOD_RISK_MANAGER-3372412.pdf

⁹ SITE wide M and E Strategy

https://pa.bristol.gov.uk/online-applications/files/37F1B58B2CAC222EC303282B6109192A/pdf/22_01221_F-SI TE_WIDE_M_E_STRATEGY-3442528.pdf

¹⁰ Spa and Service Area plans

https://pa.bristol.gov.uk/online-applications/files/75C6710D5066579C288A7F9B395B7FF3/pdf/22_01221_F-SP A_AND_SERVICE_AREA-3442522.pdf

¹¹ Sustainable City Tram Report

https://pa.bristol.gov.uk/online-applications/files/8E42048CBA5421B16EAD7E5704A08ECE/pdf/22_01221_F-S USTAINABLE_CITY_TEAM-3405821.pdf

¹² Crime Reduction Unit

https://pa.bristol.gov.uk/online-applications/files/590A5F862763B3205958E70504BD5F0F/pdf/22_01221_F-CRI ME_REDUCTION_UNIT-3371802.pdf

- 5) **TDM REPORT¹³** - Parking Survey needs to be redone to make it more accurate, contradictions in statements about the staff/resident minibus, more accurate parking survey needed.
- 6) **Height of H01 Cottages in site section drawing 2006 rev A** - During consultation with the developer these were described to us as single storey with accommodation in the roof. The rooftops now line up with the top of a 1930s house so are more like a townhouse with two full storeys and a roof above, and will be significantly higher than the current single storey building.
- 7) **Site section drawing 2006** – The top of roofline of the H01 cottages has been obscured by tree branches to disguise their height. In fact, there is no tree that can obscure the front of these cottages, so the view is misleading and incorrect.
- 8) **2006 site section** – this section is still showing the two very large trees tree 52 and tree 65 which elsewhere in the proposal says are to be removed for sewer works. The inclusion of these trees makes the scene deceptively green, and this error was pointed out in the first consultation, however, has not been remedied.
- 9) **Landscape addendum** – Shows the ground as level between the rear boundary of the proposed 'Cottages' and the rear of 15/16/17 The Glen. This is incorrect, with there being a change in ground level, with the proposed cottages being higher.

CONCLUSION

In our view, the applicant's rebuttal is inaccurate, unbalanced and unfair - it is entirely without merit and nothing more than a desperate eleventh hour attack on hard working city council officers who have spent the best part of two years providing the applicant with wise and helpful advice on how to develop this site in a sensitive and appropriate way; advice that the applicant has chosen to ignore.

The applicant has consistently failed to provide sufficient, accurate, up to date and detailed information when requested, and appears to be hell bent on maximising housing units and profit for shareholders over heritage, environment, sustainability and the delivery of social wellbeing to the community of Bristol. It is startling to see that the applicant has the audacity to claim this application will deliver 'public benefit' when the reverse is the case. In reality this application rides roughshod over a whole range of Bristol City Council policies, our community and our city.

¹³ TDM report

https://pa.bristol.gov.uk/online-applications/files/6CFA0FE46BE471B665157F4CAE415167/pdf/22_01221_F-TRANSPORT_DEVELOPMENT_MANAGEMENT-3464247.pdf