

# Development Control A Committee Agenda



**Date:** Wednesday, 24 January 2024

**Time:** 2.00 pm

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

Members of the public attending meetings or taking part in Public Forum are advised that all Development Control meetings are filmed for live or subsequent broadcast via the council's webcasting pages. The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years.

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**Councillors:** Richard Eddy (Chair), John Geater, Fi Hance, Tom Hathway, Philippa Hulme, Farah Hussain, Chris Jackson, Paula O'Rourke and Andrew Varney; and Amal Ali (for Philippa Hulme) and Fabian Breckels (for Farah Hussain).

**Copies to:** Philippa Howson, Stephen Peacock (Chief Executive), John Smith (Executive Director: Growth & Regeneration), Jonathan Dymond, Simone Wilding, Jane Woodhouse and Lewis Cook

**Issued by:** Norman Cornthwaite, Democratic Services  
City Hall, PO Box 3399, Bristol, BS1 9NE

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**Date:** Tuesday, 16 January 2024

# Agenda

## 1. Welcome, Introductions and Safety Information

**(Pages 5 - 8)**

## 2. Apologies for Absence and Substitutions

## 3. Declarations of Interest

To note any interests relevant to the consideration of items on the agenda. Please note that any declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

## 4. Minutes of the previous meeting

To agree the minutes of the last meeting as a correct record.

**(Pages 9 - 17)**

## 5. Action Sheet

The Committee is requested to note any outstanding actions listed on the rolling Action Sheet for DCA Committee.

**(Page 18)**

## 6. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision.

**(Pages 19 - 27)**



## 7. Enforcement

To note recent enforcement notices.

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## 8. Public Forum

Up to 30 minutes is allowed for this item.

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk) and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on Thursday 18<sup>th</sup> January 2024.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on Tuesday 23<sup>rd</sup> January 2024.

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

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

If you have any further questions, please see the Public Forum FAQ page on the Development Control Committee A page of the Bristol City Council website <https://democracy.bristol.gov.uk/documents/s86621/Public%20Forum%20FAQ%20for%20Development%20Control%20Committees.pdf>

**Members of the press and public who plan to attend a public meeting at City Hall are advised that you will be required to sign in when you arrive and you will be issued with a visitor pass which you will need to display at all times.**



## 9. Planning and Development

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- a) **22/01583/F - Rhubarb Tavern 30 Queen Ann Road Bristol  
BS5 9TX** (Pages 30 - 68)
- b) **23/03423/FB - Filwood Park Playing Fields Creswicke Road  
Bristol BS4 1UA** (Pages 69 - 102)

## 10. Date of Next Meeting

Wednesday 6<sup>th</sup> March 2024 at 6.00 pm.





# Public Information Sheet

## Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at [www.bristol.gov.uk](http://www.bristol.gov.uk).

## Attendance at Public meetings

Public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny are held at City Hall.

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Please be advised that you may be asked to watch the meeting on a screen in another room should the numbers attending exceed the maximum occupancy of the meeting venue.

## COVID-19 Safety Measures

We request that no one attends a Council Meeting if they:

- are suffering from symptoms of COVID-19 or
- have tested positive for COVID-19

## Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

## Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk).

The following requirements apply:



- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting.**

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

#### **During the meeting:**

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.
- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution

<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>



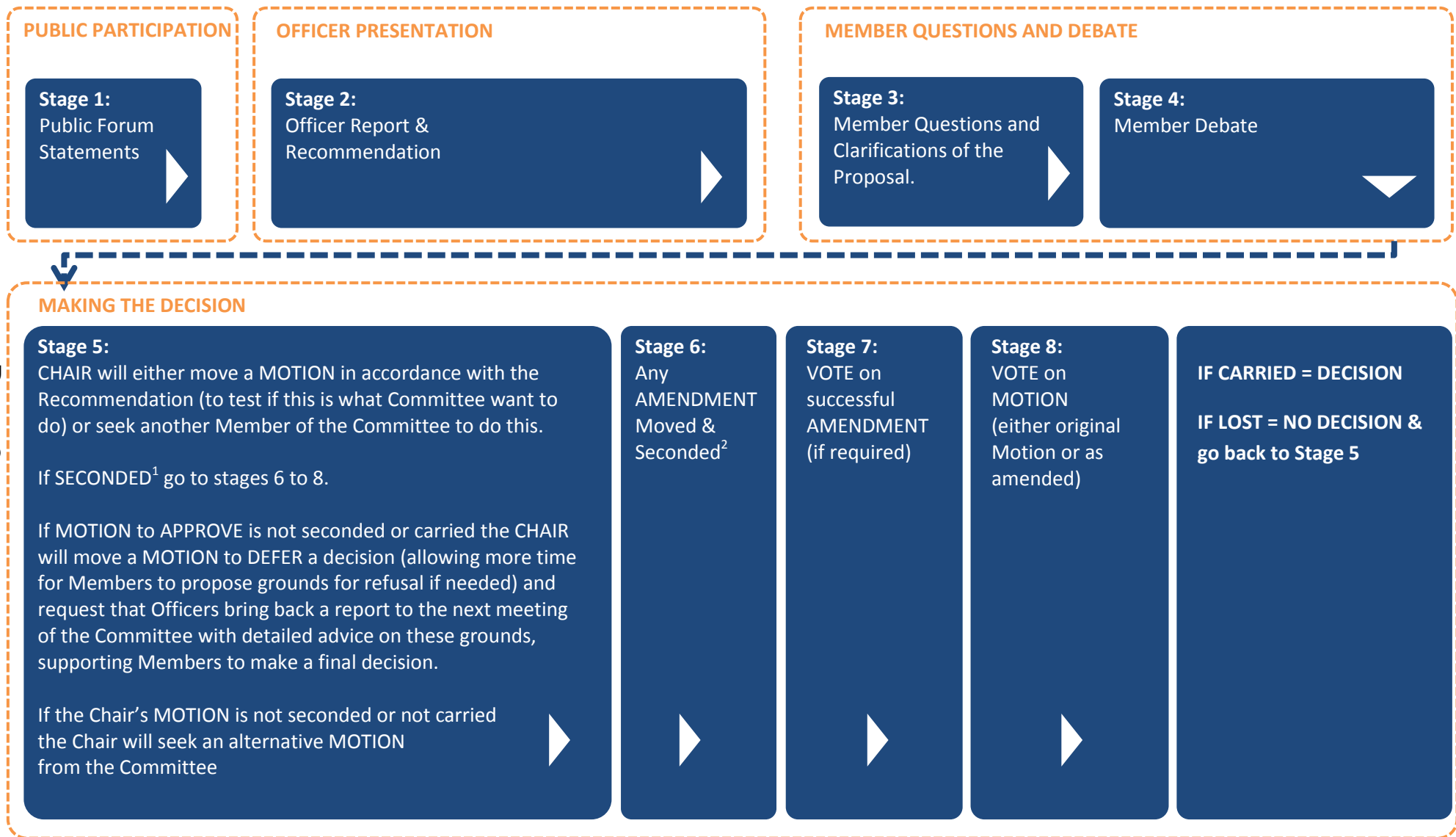
## Webcasting/ Recording of meetings

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The privacy notice for Democratic Services can be viewed at [www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services](http://www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services)



# Development Control Committee Debate and Decision Process



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<sup>1</sup> A Motion must be Seconded in order to be formally accepted. If a Motion is not Seconded, the debate continues

<sup>2</sup> An Amendment can occur on any formally approved Motion (ie. one that has been Seconded) prior to Voting. An Amendment must itself be Seconded to be valid and cannot have the effect of negating the original Motion. If Vote carried at Stage7, then this becomes the Motion which is voted on at Stage 8



**Bristol City Council**  
**Minutes of the Development Control A**  
**Committee**



**13 December 2023 at 6.00 pm**

**Members Present:-**

**Councillors:** Richard Eddy (Chair), Sarah Classick (substitute for Andrew Varney), John Geater, Fi Hance, Tom Hathway, Philippa Hulme, Chris Jackson and Ed Plowden (substitute for Paula O'Rourke)

**Officers in Attendance:-**

Simone Wilding, Philippa Howson and Jeremy Livitt

**1 Welcome, Introductions and Safety Information**

Councillor Richard Eddy welcomed all parties to the meeting and explained the emergency evacuation procedure.

**2 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Farah Hussain, Councillor Paula O'Rourke (Councillor Ed Plowden substituting) and Councillor Andrew Varney (Councillor Sarah Classick substituting).

**3 Declarations of Interest**

There were no Declarations of Interest.

**4 Minutes of the previous meeting held on Wednesday 15th November 2023**

**RESOLVED – that the minutes of the above meeting be confirmed as a correct record and signed by Councillor Richard Eddy subject to the addition of the following wording immediately prior to the Supplementary question asked by Mark Ashdown under Public Forum:**

**“ Prior to asking a supplementary question, Mark Ashdown requested that the Committee consider a request to adjourn for breach of Section 100B of Local Government Act 1972 since 18 new documents had been published on the planning portal after the statutory deadline for the publication of the**



agenda. He stated that the Committee should consider these additional documents prior to making a decision on the Planning Application under Agenda Item 9.

Councillor Eddy noted this comment which he had allowed Mark Ashdown to make prior to asking a supplementary question and indicated that he would ask the Chief Planner and Head of Planning to respond.

The Chief Planner pointed out that all the documents referred to are updates to documents already published within the required time period and are frequently received up to the date of the Committee.”

## **5 Action Sheet**

The Committee noted that 15<sup>th</sup> November 2023 action related to appeals had now been completed.

## **6 Appeals**

The Chief Planning Officer advised the committee that there was currently a backlog of planning applications, which increased the likelihood of non-determination appeals. This would likely continue to be a major challenge for some time to come. She confirmed that non-determination appeals did not receive any specific priority. However, certain schemes received priority, such as the memorial stadium planning application due to the large public interest and any potential challenge by affected residents.

The Committee noted that the number of appeals was increasing since applicants hoped it would enable them to receive a more favourable decision.

## **7 Enforcement**

The Committee noted that there were currently no enforcement decisions to be reported.

Some committee members expressed concern about the severe delay on a number of schemes. It was noted that this was due to the section being extremely under-resourced which required prioritisation and difficult decisions to be made.

Councillor Richard Eddy requested that details of enforcement notices issued be provided for the next meeting on 24th January 2024. He drew members’ attention to the concerns previously raised by Councillors at the Growth and Regeneration Scrutiny Commission.

## **8 Public Forum**

Members of the Committee received Public Forum Statements in advance of the meeting.



The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

## 9 Planning and Development

The Committee considered the following Planning Applications:

### 9a 23/01301/F - Land and Buildings on North Side of Gas Lane

The case officer introduced this report and made the following points:

- Details of the application were explained to the Committee. It was noted that the proposed student accommodation would be for 314 bed spaces
- The outline of the site was shown to Councillors
- There had not been much public interest, only one objection from the Conservation Advisory Panel with no other representations.
- There had been a statement of community involvement by the applicant concerning the previous scheme
- A letter had recently been submitted by the applicant's solicitors and a full response would be provided by Bristol City Council's solicitors in due course.
- The existing benefits from the previous scheme have also been factored into the current assessment. It is considered that the harm is much greater under the current application: the combined benefits (ie the benefits of the existing scheme plus the additional benefits arising from this proposal) would not outweigh this harm
- The outline of the site is a triangular parcel with an industrial area and was expected to undergo significant change since it was in the Temple Quarter Development Framework Area and Silverthorne Lane Conservation Area with a number of listed buildings in the vicinity. Dings Park is on the other side of the underpass with the Dings community to the north. This area had been identified as an area of local park deficiency and was in close proximity to neighbouring sites.
- There were currently applications on all neighbouring sites including the Temple Quarter scheme which was at the outline stage. The area formed part of the Development Network for Temple Quarter approved by Full Council in May 2023 with the aim of producing new community mixed developments
- A slide showed the courtyard including the entrance through the gate and the undercroft area with a focus on amenity per bed space and additional provision at roof level. However, the quality of the internal courtyard would be poor
- A slide indicated the Daylight and Sunlight assessment within the courtyard and was taken from 21<sup>st</sup> June 2024 when light levels were at the highest levels. However, there was no image from the Equinox when light levels were significantly lower
- The applicant's model shows the proximity of the neighbouring site and the impact that the screen has on it



- The current proposal increased the verticality and diminishes the status of the Grade 2 STAR Listed Building
- The National Planning Policy Framework refers to the need to weigh the harm caused by the scheme against the public benefits
- Whilst Historic England acknowledged that the proposed scheme only added a single storey, they believed it oversteps the critical dimensions and height. In addition, officers believed that there were no other improvements in the public realm that could be offered to offset this
- Details of the proposed roof layout were shown
- Since the overall harm caused by the scheme would not be outweighed by the benefits, the assessment was that approval of this application would undermine aspirations for the area

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

- The new policy on student accommodation in the publication version of the emerging local plan for the area was explained to give context to the situation. However, since this was an emerging policy, no weight should be given to it
- Students would spend a significant proportion of time in study bedrooms and therefore an analysis of lack of daylight and sunlight needed to take this into account. The lack of sunlight also undermined the accommodation being flexible and adaptable. In addition, there would be other developments with possible high density student developments
- The detailed landscaping provision had not yet been made available but would need to be factored in at a later stage. This can be managed by condition. The proposal resulted in a reduction in the quality of the amenity space
- Details of other planning applications on neighbouring sites were provided. It was also noted that a master planning exercise which was currently taking place
- Whilst officers had negotiated hard to find methods of limiting the impact of the number of storeys of the building on the site, they remained concerned about the impact on the public realm
- The Temple Quarter Development Framework had been approved and the Joint Delivery Team were looking at the Park Strategy
- There had been amendment to the daylight and sunlight in the scheme as set out by the applicant in their previous letter

Members made the following comments concerning this application:

- Having looked at the scheme and noted that 98% of students flats confirm to the required policy, this seemed a reasonable investment which would provide proper decent student accommodation. The arguments against the scheme did not exceed the grounds for approval
- The quality of the accommodation seemed reasonable in terms of the requirements and would not be in occupation for much of the time. The differences from what was required did not tip the balance to refusal
- The accommodation seems suitable and therefore the application should be supported





- The officer recommendation to refuse should be supported as it did not meet the required level of quality in accommodation
- Bad quality accommodation should not be accepted because of an urgent need for development. Since the proposed changes will be detrimental, it should be refused
- The scheme did not seem significantly changed from the previous application, which was only marginally acceptable, and should therefore also be opposed
- Whilst officers had worked very hard to make the scheme acceptable, the scheme still remained unsuitable and should be refused

In accordance with the constitution, Councillor Richard Eddy moved, seconded by Councillor Chris Jackson that the application be refused in accordance with the officer recommendations.

Upon being put to the vote, this was LOST (4 for, 4 against, Councillor Eddy exercising his casting vote in the Chair to vote against).

Councillor Richard Eddy then moved, seconded by Councillor Chris Jackson and upon being put to the vote it was

**RESOLVED: (4 for, 4 against, Councillor Richard Eddy exercising his casting vote in the Chair to vote in favour) that the application be approved subject to the drawing up of conditions and s106 being delegated to officers in consultation with Councillor Eddy in his capacity as Chair.**

#### **9b 23/02/18/F - Eastfield Road, Cotham**

The case officer introduced this report and made the following points:

- Details of the proposed scheme were provided and the existing location from a range of different views. Aerial views were also provided
- It was noted that the scheme was within the Redland and Cotham Conservation Area
- The proposal included a change in the boundary to widen the pavement
- Different views of the proposed scheme were provided with the layout indicating that ground floor flats would have separate entrances and that access to the property would be through a central staircase via Eastfield Road
- 20 people had written in support of the scheme, citing the need to renovate the building and to provide housing in the area with 5 objectors citing concerns about designs, parking and a lack of mix of development
- The Committee was shown a diagram comparing the appeal scheme dismissed by the Inspector with the proposed scheme
- Officers remained concerned about the impact of the development on the Conservation Area



- Sustainability – the applicants had agreed to provide heat pumps to address concerns raised by the Inspector about this issue on the previous scheme which was welcomed
- Due to officers' continuing concerns about the Conservation Area and the visual impact of openness, it was recommended that the application is refused since it has not overcome the previous reasons given by the Inspector as part of the original appeal

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

- Whilst the issue of bike storage on the site had been an objection, there would be no grounds to refuse the scheme on this basis since the location was in a sustainable area close to major routes in Gloucester Road and Cheltenham Road and also close to a railway station
- Any resident would need to apply for a parking permit. Since the proposed development was small and there were already parking restrictions in the area, the criteria for further restrictions would need to be severe. It was noted that the site of the development makes it hard for any transport objection to be upheld and it should not form the main part of any refusal
- Whilst the proposed units were smaller than the previous scheme, they still met the minimum space standards (between 40 to 47 sq.m.) for one person and would only need to be increased to 50 if they were to be used by two people. However, the applicant had indicated the units would only be for one person each

Councillors made the following points:

- There is a real housing crisis and a residential housing problem in the city. Since this was a viable application and not excessive with support from local residents, the local amenity society and the local Councillor, the application should be supported
- There was support for the scheme from the local community, support from Councillors, a wider pavement and additional trees. Whilst there were some concerns about parking, these were not strong enough to refuse the scheme. Therefore, the application should be approved
- The scheme would enhance the area and should be supported
- The scheme should be approved but should also include a requirement for a residents parking zone
- Whilst officers' concerns about visual amenity were noted, this scheme should be approved

In accordance with the constitution, Councillor Richard Eddy moved, seconded by Councillor Chris Jackson that the application be refused in accordance with the officer recommendations.

Upon being put to the vote, this was LOST (unanimously).

Councillor Richard Eddy then moved, seconded by Councillor Chris Jackson that the application be approved subject to the drawing up of conditions delegated to officers in consultation with Councillor Eddy in his capacity as Chair.



Councillor Ed Plowden moved an amendment, seconded by Councillor Fi Hance and upon being put to the vote, it was CARRIED (6 for, 2 against) “ that this development is not eligible for any residents’ parking”.

The Committee noted that any member of the public with a disabled driver permit would be automatically entitled to exemption following confirmation of their residence status.

Councillor Richard Eddy then moved, seconded by Councillor Chris Jackson and upon being put to the vote, it was

**RESOLVED (unanimously) – that the application be approved subject to the drawing up of conditions delegated to officers in consultation with Councillor Richard Eddy in his capacity as Chair and that this development is not eligible for any residents’ parking.**

### **10 Thanks to Officer for Service**

The Committee noted that Ken Reid, Senior Development Management Officer, would shortly be leaving Bristol City Council and thanked him for his service.

### **11 Request for Suspension of Standing Order**

Councillor Richard Eddy noted that Councillor Tom Hathway wished to request that the Committee suspend Standing Order Number 12.1 (set out below) to allow for consideration of the threat of Judicial Review in respect of the Committee’s decision to approve Planning Application Number 22/03924/P Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU on Wednesday 5th July 2023.

#### **CMR12.1**

##### **Motion to rescind a previous decision**

**A motion to rescind a decision (made at a meeting of a committee within the past six months) cannot be moved unless:**

- (a) written notice of the motion has been supplied to the proper officer before the rising of the meeting of the committee at which the original motion has been passed; and**
- (b) oral notice has been given to the chair during the meeting of the committee at which the original motion was passed (and then placed in writing to the proper officer within fifteen minutes of the end of the rising of that committee meeting).**

**Notice required 15 minutes**



Councillor Hathway drew members' attention to the discussion of this issue at the recent meeting of Full Council on Tuesday 12th December 2023 and requested that the standing order be suspended to allow discussion of what action to take on this matter.

Councillor Richard Eddy in his capacity as Chair indicated that he did not believe it was appropriate for this issue to be discussed at this meeting without a formal report and advance notice of the matter. He stated that a more appropriate course of action would be for it to be discussed at the future informal meeting of Development Control Lead Spokespersons.

Councillor Ed Plowden then moved, seconded by Councillor Fi Hance that "Standing Order 12.1 be suspended and the meeting adjourned to allow the Party Group Spokespersons to discuss this further".

Following further discussion, the Democratic Services Officer explained the rules which govern Standing Orders 12.1 concerning rescinding of previous decisions and Standing Order 18.1 which allows the committee to suspend Standing Orders.

The Democratic Services Manager pointed out to the Committee that it would be unprecedented to debate an item concerning a Planning Application which was not on the agenda and without a formal report. The Committee was advised that these types of matters would normally be raised through Spokespersons and discussed via an informal meeting (usually the Development Management Spokespersons Leads Meeting which existed to consider such issues).

The Committee was further advised that, if they wished to rescind a previous decision already made without a supporting report, this would not be considered sound governance and could be perceived as amounting to procedural impropriety and result in possible further challenge by Judicial Review.

Therefore, the advice of the Proper Officer was that this issue should be dealt with once the meeting has closed and discussed between Spokespersons and other relevant parties.

The Committee indicated that whether or not the motion to suspend Standing Orders was successful, this matter should be referred to the informal meeting of Development Management Lead Spokespersons.

Upon being put to the vote, Councillor Plowden's motion was LOST (1 for, 5 against, 3 abstentions – Councillor Plowden did not give a vote but in accordance with convention this is recorded as an abstention).

Therefore, the Committee noted that the matter should be referred to the informal meeting of Development Management Lead Spokespersons for further consideration. **ACTION: Chief Planning Officer to add to the agenda for a future meeting of the DM Lead Spokespersons.**



## 12 Date of Next Meeting

The Committee noted that the next meeting is scheduled to be held at 2pm on Wednesday 24th January 2024 in the Council Chamber, College Green, Bristol.

The meeting ended at 7.50 pm

**CHAIR** \_\_\_\_\_



## Action Sheet – Development Control Committee A

Date of Meeting	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
20 Sept 2023	Action Sheet and Enforcement	To produce an update report on Enforcement	Chief Planner	To be completed by March 24
15 Nov 2023	Appeals – Item 51 – 71 Arley Hill, Bristol BS6 5PJ – Enforcement Notice for Change of Use of Building to a large HMO with 8 bedrooms	Officers to confirm that the relevant Councillor who requested information has been provided with reasons for this appeal	Chief Planner	To be confirmed at 13 <sup>th</sup> December 2023 meeting

## DEVELOPMENT CONTROL COMMITTEE A

24 January 2024

### REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Westbury-on-Trym & Henleaze	137 Northover Road Bristol BS9 3LG Retention of existing metal railings to roof of single storey extension to rear of property and implementation of new timber screening to sides. Appeal against refusal Delegated decision	25/08/2023
2	Eastville	142 Fishponds Road Eastville Bristol BS5 6PT Two storey rear extension. Appeal against refusal Delegated decision	09/10/2023
3	Stoke Bishop	133 Shirehampton Road Sea Mills Bristol BS9 2EA First floor rear extension (over an existing ground floor extension). Appeal against refusal Delegated decision	19/12/2023

##### Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
4	Lockleaze	Ever Ready House Narroways Road Bristol BS2 9XB Outline application with access, layout and scale to be considered, for demolition of existing buildings and redevelopment of site to provide up to 40no. C3 dwellings and up to 3no. Class E units with associated drainage and hard/soft landscape works. (MAJOR) Appeal against non-determination	27/02/2024

## Written representation

Item	Ward	Address, description and appeal type	Date lodged
5	Hengrove & Whitchurch Park	Bamfield Streetworks Bamfield Bristol BS14 0XD Application to determine if prior approval is required for a proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wrapround cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	13/04/2023
6	Knowle	100 Redcatch Road Bristol BS4 2HQ Erection of dwelling (Renewal of planning permission granted on appeal ref APP/Z0116/W/18/3196399 - BCC 16/06418/F) - self build. Appeal against non-determination	16/05/2023
7	Knowle	100 Redcatch Road Bristol BS4 2HQ Demolition and re-building of curtilage listed stone wall with brick capping in the same position as the existing wall. Appeal against non-determination	16/05/2023
8	St George Troopers Hill	106 Fir Tree Lane Bristol BS5 8BJ Demolition of dwellinghouse and erection of a three-storey building comprising 9no. self-contained flats with associated soft and hard landscaping. Appeal against non-determination	22/06/2023
9	Clifton Down	11 Wellington Park Bristol BS8 2UR Appeal against a High Hedge. Appeal against high hedge	12/07/2023
10	Hengrove & Whitchurch Park	Land Adjacent To 16 Belland Drive & 24 Belland Drive Bristol BS14 0EW Erection of detached dwellinghouse. Appeal against refusal Delegated decision	16/08/2023
11	Avonmouth & Lawrence Weston	19 Capel Road Bristol BS11 0RD New dwelling. Appeal against refusal Delegated decision	26/09/2023



12	Horfield	2 Bishopthorpe Road Bristol BS10 5AA Change of use from a dwelling house (Use Class C3(a)) to a large HMO (house in multiple occupation) (sui generis) for up to 7 people. Appeal against non-determination Delegated decision	11/10/2023
13	Clifton	Worlds End House Worlds End Lane Bristol BS8 4TH Works including repair/replacement of lean-to roof, doors and windows, construction of single storey rear extension. Repair/refurbishment and re-ordering of interior, and external landscaping. Appeal against non-determination	16/10/2023
14	Clifton	Worlds End House Worlds End Lane Bristol BS8 4TH Works including repair/replacement of lean-to roof, doors and windows, construction of single storey rear extension. Repair/refurbishment and re-ordering of interior, and external landscaping. Appeal against non-determination	16/10/2023
15	Frome Vale	7 Hedgemoad Close Bristol BS16 1ER Appeal against High Hedge comprising cypress leylandii trees affecting 8 Stokecliffe House, 114 Park Road. Appeal against high hedge	23/10/2023
16	Bishopston & Ashley Down	229 - 231 Gloucester Road Bishopston Bristol BS7 8NR New building to provide 2 no. residential flats with refuse/recycling, cycle storage and associated development. Appeal against non-determination	24/10/2023
17	Hillfields	25 Dominion Road Bristol BS16 3EP Demolition of existing garage and erection of one semi detached dwelling on land to the side of existing house. Appeal against refusal Delegated decision	25/10/2023
18	Bedminster	9-11 Rear Of, Flat A Cannon Street Bedminster Bristol BS3 1BH Application for a Lawful Development Certificate for an Existing Use or Operation or Activity - Use of the rear building as 4 flats; Flat A, B, C and D. Appeal against non-determination	27/10/2023

19	Bedminster	9 South Liberty Lane Bristol BS3 2SR Roof extension and conversion of upper floors from commercial, business, and services (Use Class E) to self-contained maisonette (Use Class C3), with associated works. Appeal against non-determination Delegated decision	30/10/2023
20	Brislington East	15 Hollywood Road Bristol BS4 4LF Change of use from a dwellinghouse used by a single person or household (C3a) to a large dwellinghouse in multiple occupation (sui generis) for up to eight people. Appeal against non-determination Delegated decision	31/10/2023
21	Horfield	489 Gloucester Road Horfield Bristol BS7 8UG Outline application for demolition of the existing buildings (4no. Houses in Multiple Occupation - Class C4) - and 1no. flat (Class C3) and erection of new building comprising 9 residential apartments (Class C3) and 7 small Houses in Multiple Occupation (Class C4); associated cycle parking, waste storage, landscaping and other works (all matters reserved). Appeal against refusal Delegated decision	02/11/2023
22	Henbury & Brentry	Land To Rear Of 2 Arnall Drive Bristol BS10 7AP Proposed new dwelling including demolition of existing garage. Appeal against non-determination	06/11/2023
23	Southville	36 - 38 East Street Bedminster Bristol BS3 4HE Variation of condition 9 (approved plans) in connection with 22/04197/F for Subdivision of ground floor to provide 2 no. commercial units: first and second floor and roof extension to provide new residential accommodation. Appeal against non-determination	07/11/2023
24	Windmill Hill	21 Hill Avenue Bristol BS3 4SN Construction of a rear roof extension and fitting of rooflights to form a loft conversion. Appeal against non-determination	08/11/2023
25	Southville	52 Bedminster Parade Bristol BS3 4HS Part conversion of ground floor from A1 use to C3. Appeal against non-determination	13/11/2023

26	Southville	267 North Street Bedminster Bristol BS3 1JN Rear extension at second floor level and erection of new floor of residential; accommodation, refuse/recycling and cycle store and ancillary development. Appeal against non-determination	20/11/2023
27	Brislington West	Go Outdoors Tramway Road Brislington Bristol BS4 3DS 1no. Econoflex face sign - Internally illuminated, 1no. fabricated ACM panel - Non illuminated, 12no. flat ACM panels - Non illuminated and 1no. existing totem over clad with new ACM panels - Non illuminated. Appeal against refusal Delegated decision	22/11/2023
28	Lockleaze	85 Hogarth Walk Bristol BS7 9XS Application for a Lawful Development Certificate for a Proposed Use or Development - A change of use from dwelling (C3) to small HMO (C4) is proposed. A 3 metre deep single-storey extension is proposed to the rear of the house. Appeal against non-determination	22/11/2023
29	Hengrove & Whitchurch Park	91 Walsh Avenue Bristol BS14 9SQ New dwelling attached to side of existing. Appeal against refusal Delegated decision	19/12/2023
30	Hartcliffe & Withywood	1 Chaundey Grove Bristol BS13 9QY Erection of a two storey extension to existing property to create new 2 bedroomed dwelling. Appeal against refusal Delegated decision	19/12/2023
31	St George Central	361 Two Mile Hill Road Bristol BS15 1AF Application for a Certificate of Proposed Development - change of use of the rear area of the shop into a 1 bedroom flat. Appeal against non-determination	20/12/2023
32	Southville	Top Floor Flat 7 Acramans Road Bristol BS3 1DQ Loft extension. Appeal against refusal Delegated decision	02/01/2024

33	Southville	76 East Street Bedminster Bristol BS3 4EY Change of use of part of ground floor retail space, and first floor ancillary office space, to a small house in multiple occupation for up to 6 people (Use Class C4), including the erection of front and rear roof extensions to create second-floor accommodation. Alterations to shopfront to create new access. Appeal against non-determination	03/01/2024
34	Bedminster	South Bristol Retail Park Wedlock Way Bristol BS3 2LQ Variation of Conditions 14 (opening hours) and 15 (drive-thru serving hours) of permission 22/01002/F, which approved the erection of a new building with a drive-thru facility and associated works to site layout - now proposed change to hours to allow opening from 05:00 - 23:00, seven days per week. Appeal against refusal Delegated decision	11/01/2024

### List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
35	Ashley	6 Sussex Place Bristol BS2 9QW Conversion of this single dwelling into two flats and a maisonette, including provision of bin/cycle storage facilities and associated external alterations. Appeal against non-determination Delegated decision	Appeal allowed 11/12/2023  Costs awarded
36	Ashley	6 Sussex Place Bristol BS2 9QW Conversion of this single dwelling into two flats and a maisonette including the renovation of the property as a listed building. Appeal against non-determination	Appeal allowed 11/12/2023  Costs awarded
37	Ashley	23 Wathen Road Bristol BS6 5BY Appeal against enforcement notice for works to roof without planning permission. Appeal against an enforcement notice	Appeal allowed 04/01/2024
38	Horfield	Beaufort Multi Storey Car Park Southmead Hospital Southmead Road Bristol BS10 5FN External alterations to the south-western and north-eastern elevations of the Car Park. Appeal against refusal Delegated decision	Appeal dismissed  19/12/2023

39	Bishopsworth	Highways Land Between Church Road And Whitchurch Road Bristol Application to determine if prior approval is required for a proposed: Streetpole style telecommunications mast. Appeal against refusal Delegated decision	Appeal dismissed 19/12/2023
40	Cotham	65 Lower Redland Road Bristol BS6 6SR Application for a lawful development certificate for an existing use as a large HMO (Sui-generis). Appeal against refusal Delegated decision	Appeal allowed 22/12/2023
41	Stockwood	88 Stockwood Road Stockwood Bristol BS14 8JE Demolition of single storey side conservatory and construction of 2-storey, 2-bed dwelling together with associated works, including rear extension. Appeal against refusal Delegated decision	Appeal dismissed 18/12/2023
42	Easton	91 - 101 Church Road Redfield Bristol BS5 9JS Outline application for the demolition of buildings and erection of student accommodation, with access, with layout and scale to be considered. Appeal against non-determination	Appeal dismissed 23/11/2023
43	Bedminster	43 Ruby Street Bristol BS3 3DX Change of use from a C3 dwelling to a HMO for 7 occupants. Appeal against non-determination	Appeal dismissed 27/11/2023
44	Bedminster	Land Adjacent To Teddies Nurseries Clanage Road Bristol BS3 2JX Proposed demolition of existing buildings and erection of replacement building for indoor recreation use (Class E(d)), with associated car parking (resubmission of 21/05474/F). Appeal against refusal Delegated decision	Appeal dismissed 20/11/2023
45	Cotham	89 High Kingsdown Bristol BS2 8ER Enforcement notice appeal for change of use of property to small hmo use class C4. Appeal against an enforcement notice	Appeal allowed 03/01/2024

46	Brislington East	37 Hollywood Road Bristol BS4 4LD Demolition of an attached garage and the erection of a 1-bed, 2-person, attached dwelling with associated works. Appeal against refusal Delegated decision	Appeal dismissed 13/12/2023
47	Bedminster	102 Ashton Drive Bristol BS3 2PT Proposed two storey side extension. Appeal against non-determination Delegated decision	Appeal allowed 20/11/2023
48	Frome Vale	705 Fishponds Road Fishponds Bristol BS16 3UH Ground and first floor rear extensions. Appeal against non-determination	Appeal allowed 22/11/2023
49	Ashley	Flat 2 8 Argyle Road St Pauls Bristol BS2 8UU Retention of use as a small HMO (C4) for 3-6 people. Appeal against refusal Delegated decision	Appeal allowed 12/12/2023
50	Ashley	Flat 1 10 Argyle Road St Pauls Bristol BS2 8UU Retention of use as a small house in multiple occupation (C4) for 3-6 people. Appeal against refusal Delegated decision	Appeal allowed 12/12/2023
51	Ashley	Flat 1 8 Argyle Road St Pauls Bristol BS2 8UU Retention of use as a small house in multiple occupation (C4) for 3-6 people. Appeal against refusal Delegated decision	Appeal allowed 12/12/2023
52	Filwood	28 Langhill Avenue Bristol BS4 1TN Two storey side extension, associated works and replacement porch. Appeal against refusal Delegated decision	Appeal allowed 27/11/2023
53	Clifton Down	18 Abbotsford Road Bristol BS6 6HB Creating a parking space in our front garden and lowering the kerb in front of the house to facilitate access. Appeal against refusal Delegated decision	Appeal dismissed 27/11/2023

54	St George Central	3 St Helens Walk Bristol BS5 7RQ Two storey side extension, and part two storey, part single storey rear extension with hipped roof. Appeal against refusal Delegated decision	Appeal dismissed 27/11/2023
55	Clifton	Ground Floor Flat 34 Royal Park Bristol BS8 3AN Proposed replacement of existing timber sliding sash with the 'ULTIMATE' sliding sash windows from the Roseview collection, to both front & rear. Appeal against refusal Delegated decision	Appeal dismissed 19/12/2023
56	Hillfields	274 Lodge Causeway Bristol BS16 3RD Change of use from dwelling C3 to 6 bedroom HMO C4. Appeal against refusal Delegated decision	Appeal dismissed 19/12/2023
57	Stoke Bishop	78 Shirehampton Road Stoke Bishop Bristol BS9 2DR Enforcement notice appeal for construction of enclosure to rear flat roof. Appeal against an enforcement notice	Appeal dismissed 05/01/2024
58	St George Troopers Hill	64 Dundridge Lane Bristol BS5 8SH Proposed two storey single dwelling house, with single storey rear extension and porch to the existing property. Appeal against refusal Delegated decision	Appeal allowed 09/01/2024
59	Ashley	12 Cairns Crescent Bristol BS2 9QD Domestic extension to a C3 dwelling. Double storey rear extension with roof extension loft conversion to create 7 bedroom dwelling. Appeal against non-determination	Appeal dismissed 18/12/2023
60	Brislington West	59 Langton Road Bristol BS4 4ER Notification of Prior Approval for the erection of a single storey rear extension that would exceed beyond the rear wall of the original house by 5.4 metres, have a maximum height of 3 metres and have eaves that are 2.8 metres high. Appeal against non-determination	Appeal withdrawn 27/12/2023

**DEVELOPMENT CONTROL COMMITTEE A**

**24 January 2024**

**REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE**

LIST OF ENFORCEMENT NOTICES SERVED

No Enforcement Notices to report



## Development Control Committee A 24 January 2024

### Report of the Director: Economy of Place

#### Index

#### Planning Applications

<b>Item</b>	<b>Ward</b>	<b>Officer Recommendation</b>	<b>Application No/Address/Description</b>
1	Lawrence Hill	Grant	22/01583/F - Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX Change of use of upper floors to residential use at the Rhubarb Tavern and construction of 6 flats on the land to the rear. 8 dwellings in total.
2	Filwood	Grant	23/03423/FB - Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA Proposal to construct a new Multi Use Games Area (MUGA) at Filwood Playing Fields including floodlighting, fencing, seating areas, fitness equipment, pedestrian and vehicle maintenance routes and landscaping.

index  
v5.0514

**WARD:** Lawrence Hill

**SITE ADDRESS:** Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX

**APPLICATION NO:** 22/01583/F Full Planning

**DETERMINATION DEADLINE:** 31 January 2024

**Change of use of upper floors to residential use at the Rhubarb Tavern and construction of 6 flats on the land to the rear. 8 dwellings in total.**

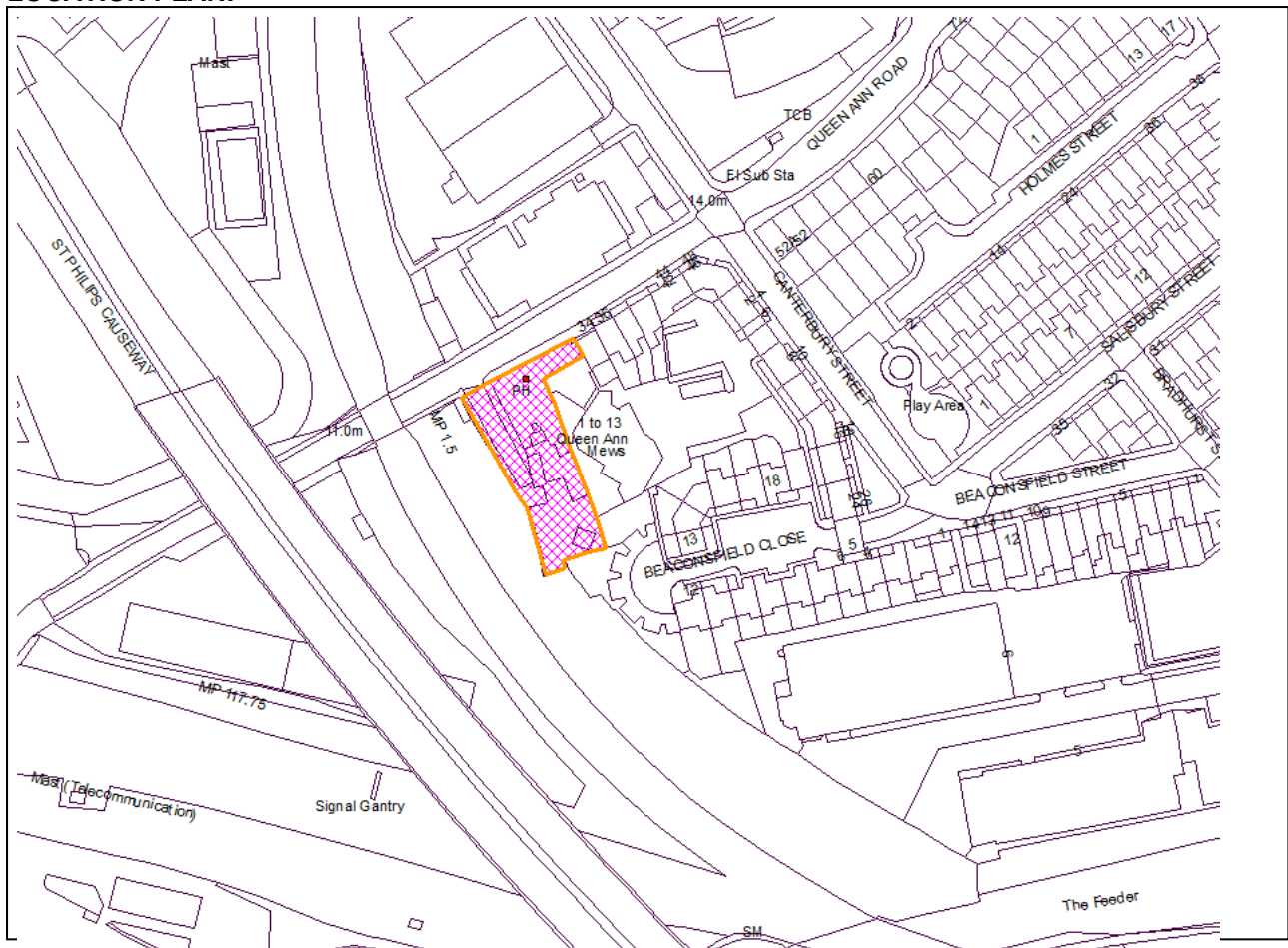
**RECOMMENDATION:** Grant subject to Condition(s)

**AGENT:** Chris Goodsall Architects  
151 Whiteladies Road  
Bristol  
BS8 2RA

**APPLICANT:** Natan Ltd  
14 Holders Hill Gardens  
Hendon  
London  
NW4 1NP

*The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.*

**LOCATION PLAN:**



**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX****SUMMARY**

This is a full planning application for the change of use of the upper floors of an existing vacant public house to residential use, the construction of a block of six flats in the rear garden area, restoration of the public house at ground floor with associated basement beer cellar and smaller beer garden.

The application is recommended for approval on the basis that it has been demonstrated that the site in its current form is in such a state that it would not provide a viable offer to any potential business looking to renovate the pub and bring it back into viable use. The proposal would retain the public house, with the building restored through the development of additional residential properties within the grounds. It would also retain the traditional pub frontage and protect the Locally listed building from further harms.

It would also secure improvements to the pavement to the front of the building, add eight dwellings to the city housing stock and the use of the pub would be protected from any potential noise issues through agent of change principles secured by condition.

Given that the proposal would retain and future-proof the Rhubarb Tavern public house and provide the benefits listed above, officers are recommending approval of the application subject to conditions.

Although listed as an Asset of Community Value, there is no transfer of ownership and as such, this is not a barrier to planning permission being granted nor a reason for refusal of the application.

**SITE DESCRIPTION**

The Rhubarb Tavern is a three-storey property located at 30 Queen Ann Road in the Lawrence Hill ward of Bristol. The property was purpose built as a public house and has been in lawful use as a public house since construction, though has been vacant for more than three years and has fallen into a considerable state of disrepair. It is Locally Listed and historic features date back as far as the 17th Century, though the current form of the public house dates back to Victorian times. It retains several features of interest including the historic fireplace within the ground floor.

The site lies adjacent to a three-storey residential development known as Queen Ann Mews to the east and is opposite Barton Hill School which is currently vacant. A railway line lies to the immediate west of the site that is designated as a Wildlife Corridor.

The property benefits from a large rear garden and is situated next to a public right of way which has been closed off for many years. The garden is now overgrown with brambles and weeds up to and above head height and is currently inaccessible.

The site is not within a Conservation Area.

**RELEVANT PLANNING HISTORY**

21/00322/F: Change of use and extension of the Rhubarb Tavern to residential use and construction of 8 flats on the land to the rear. WITHDRAWN on 04.01.2022.

**APPLICATION**

Planning Permission is sought for the change of use of the upper floors of the public house from ancillary (residential) space to independent residential units, the construction of six flats on land to the rear of the public house and retention of the ground floor and associated cellar as a public house.

**Development Control Committee A – 24 January 2024**  
**Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

Please see plans and supporting documents for full details.

**RESPONSE TO PUBLICITY AND CONSULTATION**

Neighbouring properties consulted by letter with a deadline to respond of 09.9.2022.  
 Site notice posted and press advert published with expiry dates of 17.08.2022.

To date, 159 representations have been received, including 3 in support, 1 neutral and 154 objections.

The key reasons for support are:

- Support for the flats built in the garden
- Support for the refurbishment of and reopening of the pub. Would make a good music

The key reasons for objection are:

- Site should be retained as a pub, no others in the vicinity
- The pub is the last remaining pub in Barton Hill and historically important
- Historic nature of the building has been ignored
- The Community Engagement statement is incorrect in stating that no local residents were against the loss of the public house.
- Viability will improve with development at Silverthorne Lane
- The unviability of the pub has not been proven
- Site should be kept in community use
- Loss of garden space would harm biodiversity and viability of the pub
- Proposal would damage viability of the pub
- The garden is a valuable green space for community
- Site is an Asset of Community Value
- Loss of Public Right of Way
- Area already overcrowded with residential development already
- Noise complaints likely from new flats if built
- Area needs a community hub/space
- Local workers are waiting for the pub to reopen
- Additional flats are unnecessary
- The pub in current form would be a profitable local asset with sufficient investment and the right renovation.
- Would create parking issues and traffic problems
- Long term benefits of retaining the pub would be for hundreds of residents
- There are other brownfield sites where flats could be built
- Development is motivated by profit only
- A full archaeological and historic building assessment should be carried out

[Please note that some comments relating to movement of the main entrance to the public house from the street, loss of kitchen space are incorrect. Please see plans for clarification].

The Conservation Advisory Panel has commented as follows:

'The Panel welcomes the retention of the public house use. The Panel profoundly regrets the rejection of the proposed listing by Historic England. For a locally listed building, the heritage statement is inadequate as it should contain a report to the standards set out in English Heritage's Understanding Buildings.

Measures to ensure the recording and survival of the main features of the 17th century are needed, notably of the roof, stairs and ceiling beams above the first floor rooms.

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The proposed design of the new building to the rear is banal and does not sit comfortably with the locally listed building.'

The Campaign for Real Ale Bristol & District Branch commented as follows:

First comments received 22nd June 2022:

#### '1. Introduction

1.1. The Bristol & District CAMRA Pub Group objects to this application.

1.2. Whilst we are pleased the previous application (which did not enjoy officer support) was withdrawn and note that this application purports to retain a public house on the ground floor we believe the proposal as it stands seriously undermines the potential viability of any future pub operation and is therefore unacceptable.

2. The Garden 2.1. It is proposed to build on the garden, the loss of which would be hugely detrimental. Several of the local objectors have commented on this and made a several pertinent points, including:

- 'The proposed plan [would] ruin the garden which is the main draw of the site as there is limited pub garden space within the inner-city area'.

- 'It also was a huge draw for customers and one of the ways that the pub can build revenue as historically the garden was marqueeed and used for functions through the spring and summer'.

- 'this development will significantly reduce the amenity of any pub on the site by removing virtually all the outdoor space'.

2.2. We agree that the loss of the garden would have a major impact on potential viability. In addition to outdoor seating, the space is sufficiently large enough to accommodate a variety of events and thus enhance the pub's value to the local community.

#### 3. First & Second Floor Accommodation

3.1. The loss of the upstairs space would also severely damage potential viability.

3.2. As part of the pub operation, this space would be available for a variety of uses, including (but not limited to) manager/staff accommodation, function space, bed & breakfast offering etc.

3.3. If developed into non-ancillary residential accommodation, the ability of the pub operation to develop and expand the range of its offering will be greatly diminished.

3.4. There is also likely to be a conflict between the pub and any occupants living directly above. 4.

#### Local Development

4.1. Consent has very recently been given by the Secretary of State (APP/Z0116/V/20/3264641 and 3264642) for a major development - including a large number of homes - in the adjacent Silverthorne Lane area.

4.2. The scale of this development negates any argument that the gain in proposed housing on the Rhubarb site outweighs the loss of the pub or any part of it.

4.3. On the contrary, such a large-scale development can only increase the Rhubarb Tavern's potential level of trade and its ability to function as a valuable community asset.

4.4. It is vital that new developments incorporate local amenity: as well as somewhere to live, people need somewhere to go.

4.5. One local objector makes a crucial point about the nature of the Rhubarb: 'Unlike some pubs, this was a genuinely 'all are welcome' establishment and did not belong to one subcommunity or other - it was a 'local' in the truest sense. Young, old, families, the sporty, the artsy, the casual, and people of whose lives decades have been linked to this pub. This was not a problem establishment, nor a nuisance, nor a den of criminal activity - but a proper Public House which all people of Barton Hill could enjoy together'.

4.6. The Rhubarb could become so again, and indeed become so for a much larger community. 5.

#### Statement of Community Involvement

5.1. An updated Statement of Community Involvement has been submitted.

5.2. It includes the following paragraph (which appears identical to the previous application): "The last tenants of the pub ceased to pay the rent in November 2019. On enquiry it was understood that, despite substantial investment and repeated attempts to stimulate new business, the takings continued to decline, and the tenants could not see a way that this could be reversed. An interview

**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

was arranged to see if they might retain any interest in continuing business on the site. They indicated that the demographics of the location had changed considerably, now that a substantial proportion of local residents are Muslim and the industrial area to the West has been re-developed. They were forthcoming in setting out their reasons for giving up the business and agreed to set these out on paper. Their deposition is appended'.

5.3. However, as with the previous application, no details are provided, nor is the deposition referred to appended anywhere in the application documents, so it is not possible to assess the 'attempts to stimulate new business'.

5.4. The robust response from the local community to try and save the Rhubarb shows there remains a substantial customer base. Furthermore, the now approved adjacent major housing development, will completely alter the alleged demographics.

## 6. Conclusions

6.1. CAMRA fully supports the Rhubarb Tavern Campaign Group in its efforts to save the Rhubarb Tavern.

6.2. Whilst we welcome the withdrawal of the previous application and the proposed retention of the pub in this application, we do not believe this will prove sustainable in the longer term if the upper floors and garden are lost to development.

6.3. The eventual loss of the Rhubarb Tavern would be a serious blow to the local community - especially so as it is the last pub in the locality. Bristol City Council's planning policies recognise the importance of pubs in the social fabric of communities and seek to protect them.

6.4. We urge that this application is rejected and that the whole premises are retained as a public house'.

Further comment received on 13 December 2023:

### '1. Introduction

1.1. The Bristol & District CAMRA Pub Group (BPG) has previously objected to this application and all our comments still stand in full.

1.2. This is a supplementary objection submitted in light of the successful Crowdfunder appeal and the revised floor plans published on 17th October.

### 2. The Garden

2.1. The revised 'Proposed Ground Floor Plans' show very clearly just how densely crowded the site would become if approved. It is beyond the bounds of credulity to suppose that there will be no conflict between residents of the proposed flats and pub customers, particularly those using the greatly reduced outdoor space.

2.2. A very large proportion of the objectors have referenced the garden as an important community asset, and it is clear this is an important aspect for local residents. BPG fully support these objections.

2.3. One of the most pertinent points regarding the garden is that it is large enough to function as a venue for community events, be it music, a local fete, or a flower/allotment show: there are almost no similar sized green facilities in the city.

2.4. Bristol City Council's Practice Note, published in October 2022, addresses partial loss indirectly in Appendix 1, the customised version of the CAMRA Viability Test. Under 'Partial Loss' developers are required to show how their proposals would affect the longer-term viability of the pub. We do not believe the applicant has done this.

2.5. Draft policy SSE8 has recognised that DM6 does not satisfactorily address the specific issue of partial loss and has addressed it in its provisions. Although not yet official policy, it has been adopted by elected members and shows that Bristol City Council recognises the danger of partial loss, including that of pub gardens and regards it as a substantive material consideration.

2.6. We wish to reiterate our total objection to the loss of virtually all the pub garden and the loss of part of the upstairs space, as this would also compromise viability and lead to conflict with residents in the flats.

### 3. The Crowdfunder

3.1. In conjunction with the Rhubarb Tavern Community Action Group - and with the active agreement of the applicant - two local musicians started a Crowdfunder on September 3rd which raised over £45,000. This is enough to reopen the pub and commence the development of other facilities.

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3.2. A total of 881 people contributed to the appeal. 295 left comments of support, a great many of them expressing a strong desire to see a local pub reopen in Barton Hill. We believe this is far more compelling evidence of the degree of local support - and thus potential viability - than the rather flimsy evidence of community engagement provided by the applicant.

3.3. We have now learned that the owner, who had previously reached a leasing agreement with the Campaign Group and the musicians, has reneged on the deal. Since this was announced on 10th November, dozens of people have lodged objections to this application - bringing the total (at the time of writing) to 146. This is further evidence of the strength of support for the Rhubarb and completely contradicts the applicant's claims of non-viability.

#### 4. Conclusions

4.1. CAMRA fully supports the Rhubarb Tavern Campaign Group in its efforts to save the Rhubarb Tavern.

4.2. We reiterate our objection to the partial change of use, believing this could fatally undermine future viability.

4.3. We believe the Crowdfunder, and the scale of its success, clearly shows a very high level of local support for the pub, as do the substantial number of objections lodged since 10th November.

4.4. Non-viability has not been demonstrated as required by the Practice Note and there are no other pubs within reasonable walking distance and therefore this application is wholly incompatible with Bristol City Council's planning policies.

4.5. We again urge that this application is rejected and that the whole premises are retained as a public house. We believe that such a refusal would be eminently defensible at appeal, especially in light of recent decisions (in the cases of the Giant Gorum and Merchants Arms) and we would wholeheartedly engage in fighting any such appeal.

#### OTHER COMMENTS:

The Conservation Officer has commented as follows:

'The existing rhubarb Tavern is an important 17th Century building with significant internal features of that date, including the dog-leg stair in the rear tower, fireplace, and exposed floor beams. The Victorian period pub spaces and external features are of high status and add to the overall architectural and historic significance of the building.

The proposal for the refurbishment of the Locally listed pub building seek to retain the main features identified above and would bring the building back into a viable use. The proposed instillation of flats above the ground floor level appears compatible with the existing fabric and there are opportunities here for the revealing and enhancing of the building's significance through development.

We do not consider that there is harm posed to the special interest of the building, subject to a series of conditions that would need to be applied to ensure the protection of the external appearance and the internal features. The archaeological potential of the rear plot should also be recognised with conditions to secure a watching brief during any development works.

The proposed rear development should be subject to comments by the Urban Design officer.

The Urban Design Officer has commented (verbally) as follows:

'Following on from comments from the Conservation Officer, I have no concerns with the design or amenity impacts on neighbouring properties'.

The Transport Development Management Officer has commented as follows:

Final comments dated 4th December 2023:

**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

## 'Principle / Property History

The application is for erection of a 3-storey detached block comprising 6x 1-bedroom apartments and the conversion of the existing 3-storey mixed-use public house and residential block to accommodate 1x 2-bedroom and 1x 3-bedroom apartment and an extended public house with external dining area. Several outbuildings to the rear of the property are proposed to be demolished.

The applicant now proposes to provide 1x additional bedspace at the site (total 22x), but the overall number of flats (8x) will remain the same as previously.

TDM requested in its previous comments that the applicant provide:

- a revised ground floor plan featuring:
  - o a 'shared surface' arrangement throughout the main vehicle and pedestrian access to the site from Queen Ann Road;
- a revised layout of car parking spaces;
- a continuous footway with vehicle crossover at the junction of the side-lane with Queen Ann Road;
- drainage provision across the entrance to the side-lane;
- widened access pathways and doors leading to cycle storage;
- clearly identified primary, secondary routes, and level-access routes into the public house;
- a system of private lighting along the side-lane, accounting for the removed streetlight;
- a resurfaced footway at Queen Ann Road reinstated to full kerb height;
- a part-time loading bay on Queen Ann Street; and
- swept path analysis from car parking spaces;
- results of a parking survey undertaken at the site;
- details of EV charging provision;
- details of ownership and future maintenance of the side-lane;
- details of discussions with National Rail regarding the proposed development;
- detailed plans for residential and public cycle parking and storage at the site; and
- revised designs for residential and commercial refuse storage at the site.

## Access

The applicant has submitted a revised proposed ground floor plan (drawing no. MM1-PD11\_Rev\_C), indicating the following changes:

- a block-paved shared-surface accessway;
- a revised car parking layout alongside the railway boundary;
- the primary and secondary access routes to the public house and garden have been clearly identified;
- a number of additional private lights along the shared-surface accessway; and
- acceptable vehicle visibility splays from the accessway.

Following further discussion with the applicant, TDM notes the following:

- new private drainage provision across the point of vehicle access to the highway is not necessary; and
- a scheme of highway works, detailed below, shall be secured by condition.

However, TDM's recommendation to approve the application is subject to submission prior to determination of the following:

- a revised ground floor plan indicating that the doorways and corridor leading to ground-floor cycle storage in Building B will be a minimum of 1.2m-wide;
- a revised ground floor plan indicating that the proposed Sheffield stand for customers will be installed at a minimum distance of 0.6m from the adjacent wall in order to accommodate 2x cycles;
- detailed plans showing the internal dimensions and layout of the proposed cycle store in Building B, ensuring compliance with TDM's Guidance on Cycle Storage.



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## Highway Works

The applicant has agreed to undertake the following highway works:

- create a continuous (at grade) footway across the proposed vehicle crossover;
- resurface the adopted footway along the site frontage and in front of the adjacent no.34 Queen Ann Road;
- pay for and implement a TRO for DYLS across the proposed vehicle accessway and a new loading bay on Queen Ann Road;
- remove the existing street light (ID: 067621) and install a replacement elsewhere on Queen Ann Road.

To undertake the above-described works, the applicant is required to enter into a Section 278 agreement with the Council and pay the appropriate fee.

## Car Parking

The revised car parking arrangement is acceptable. Details of appropriate EV charging facilities at the site should be secured by condition.

## Waste

There should be secured by condition detailed drawings showing the design and capacity of dedicated, suitably screened, ventilated and secure residential and commercial bin storage that accords with the Council's Waste & Recycling Guidance.

## Recommendation

On the basis of the further information provided by the applicant, TDM is satisfied that the proposed plans relating to vehicular access and car parking are acceptable for approval, subject to securing by condition compliance and further details relating to highway works, construction management, cycle storage, refuse storage, EV charging points in order to comply with Policy DM23, TDM 'Designing for Cycling' guidance and Cycle Infrastructure Design (LTN1/20), Policy DM32 and the Council's Waste Management guidance, and Policy BCS13.

TDM recommends approval of the application, subject to the following conditions:

## Pre commencement conditions

## B1B Approval of road works necessary

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

- create a continuous (at grade) footway across the proposed vehicle crossover;
- resurface the adopted footway along the site frontage and in front of the adjacent no.34 Queen Ann Road;
- pay for and implement a TRO for DYLS across the proposed vehicle accessway and a new loading bay on Queen Ann Road;
- remove the existing street light (ID: 067621) and install a replacement elsewhere on Queen Ann Road.

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels;
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
- Signing, street furniture, street trees and pits;
- Structures on or adjacent to the highway;

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- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority; and completed before occupation.

**B3A Construction management plan**

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A 24-hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Methods of preventing mud being carried onto the highway;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Proposed temporary traffic management arrangements including hoardings and/or footway closures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the Construction and Maintenance Management Plan to staff, visitors and neighbouring residents and businesses; and
- Restrictions on loading or receiving deliveries between the hours of 7-9:30am and 3:30-6pm on weekdays, except during school holidays or where otherwise agreed with the Council.

Reason: In the interests of safe operation of the adopted highway in the lead into development during the construction phase and ongoing maintenance of the development.

**Pre occupation conditions****CX Further details of Refuse Storage and Recycling Facilities before occupation:**

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Dedicated, suitably screened, ventilated and secure storage for refuse and recycling containers for the residential and commercial units that complies with the Council's Waste & Recycling Guidance. The detail thereby approved shall be carried out in accordance with that approval, and thereafter all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

C7A Completion of Vehicular Access - Shown on Approved Plans

C8 Completion of Pedestrians/Cyclists Access - Shown on Approved Plans

C12A Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

C13 Completion and Maintenance of Cycle Parking Provision - Shown on Approved Plans

C29 Management and Maintenance of Private Streets

C36 Electric Vehicle Charging Points

No building or use hereby permitted shall be commenced until details of Electrical Vehicle Charging infrastructure, management plan and phasing for implementation has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- Final Layout;
- Number and location of EV parking spaces;
- Number and location of EV charging points;
- Type of EV charging points (fast, rapid);
- Indicative locations for feeder pillars and protective infrastructure;
- Evidence of power supply from WPD (to ensure substation capacity is adequate);
- Indicative location of substation (where required);
- Indicative cable routing;
- Management plan outlining proposed management of spaces, charging network and infrastructure;
- Electrical Layout and Schematic Design; and
- Feeder Pillar Design/Electrical Layout/Schematic Layout Designs.

The Electric Vehicle Charging Points and management plan as approved shall be implemented prior to occupation / as per the agreed phasing plan and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, help reduce air pollution levels and mitigate climate change.

Car parking, access and highway safety

D19 Restriction of Parking Level on site

D21 Retention of Garage/Car Parking Space(s)

Advices

I024A) Works on the Public Highway

I026A) Traffic Regulation Order (TRO)

I027A) Highway to be Adopted

I043A) Impact on the highway network during construction

I045A) Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

I055) Street Name and Numbering

I056) Stopping Up/Diversion of Adopted Highway

I057) Stopping or Diverting a Public Right Of Way

The Public Rights of Way Team has commented as follows:

'It is noted that PROW/408 runs through the development site and that the application confirms a requirement to apply to divert or extinguish the PROW, although no further details on this were found within the application documents.

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This PROW is currently obstructed by a locked gate and a wall and if an application to divert or extinguish the PROW by means of a Town & Country Planning Act (T&CPA) Public Path Order is not made as part of the application, or if the application is not successful, the landowner would be required to ensure that the current alignment of the PROW is unobstructed so that the public can pass and repass along its route.

As the route of PROW BCC/408 is also adopted highway, any legal order to stop-up the higher adopted highway rights would also extinguish the PROW rights along the route, in which case a separate legal order to divert or extinguish the PROW would not be required. Given that the PROW is a dead-end, BCC PROW Team would not object to any application to extinguish it, though there may be objections from the public and amenity groups which would need to be considered within the legal process.

As the proposal materially affects PROW BCC/408 then this fact needs to be advertised as such as part of the planning process.

Early contact with the PROW Team is recommended to discuss these issues.

Consideration would also need to be given to public access and safety for users of the PROW during construction work (see section 3.5 Bristol City Council Highways planning conditions, 1028 below). If construction works are likely to require the temporary closure or diversion of the PROW, a Temporary Traffic Regulation Order (TTRO) will be required for the duration of the works on the grounds of safety of the public'.

Network Rail has commented as follows:

'Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

The site is located within an area of historic mining for coal. Network Rail wish to be consulted on any site investigation and/or remediation works for historic/ abandoned mining hazards, alongside Network Rail's infrastructure. Please contact [nationalminingengineer@networkrail.co.uk](mailto:nationalminingengineer@networkrail.co.uk) and [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk)

## DRAINAGE

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

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The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land or structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then they must seek approval from Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

**FENCING**

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

**GROUND LEVELS**

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

**FOUNDATIONS**

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

**GROUND DISTURBANCE**

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

**SITE LAYOUT**

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

**PILING**

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in

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accordance with the approved method statement.

**EXCAVATIONS/EARTHWORKS**

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.'

The Pollution Control Officer has commented as follows:

'I've looked at this application and the acoustic report submitted with it and have no objection to it. From a noise point of view the application is not significantly different from the previous one where I remember we had concerns whether some windows would be non-openable as the noise assessment states in 6.2.5. that 'The windows on all elevations could be openable; however, should be sealed airtight in the blue and yellow zones to control external noise, with alternative means of ventilation provided'. My interpretation of this is that the windows on the blue and yellow zones are openable but have to be able to be sealed airtight when shut and another form of ventilation provided. Perhaps this can be confirmed by the applicant?

I would need to see, by condition, that the recommendations made in the acoustic report are carried out and a construction management plan. I would therefore ask for the following conditions if the application is approved:

**1. Construction Management Plan**

No development shall take place until a site specific Construction Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

**Advice**

The Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- o Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- o Procedures for emergency deviation of the agreed working hours.
- o Control measures for dust and other air-borne pollutants .
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

**2. Noise Mitigation Measures**

No development (excluding demolition and enabling works) shall commence until full details of the noise mitigation measures for the residential accommodation hereby approved have been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall take into

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account the approved Noise Impact Assessment (dated 15.03.22, Rev. A, authored by Acoustic Consultants Ltd). The mitigation measures shall fully detail the required façade insulation and means of mechanical ventilation. The mitigation measures shall then be installed and maintained thereafter in strict accordance with approved noise mitigation measures.

In addition, the noise mitigation measures shall include details of the information to be provided to prospective purchasers or occupants that indicates the existence of nearby licensed premises, the installed noise mitigation measures, and how an occupant would use/interact with those noise mitigation measures to ensure their effectiveness.

Such details shall then be provided to prospective purchasers or occupants for the lifetime of the approved development.

The residential accommodation hereby approved shall not be occupied until an assessment to demonstrate the effectiveness of the approved noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, to be effective, the noise mitigation measures must provide acceptable internal living environments for the residential accommodation in accordance with the Noise Impact Assessment (dated 15.03.22, Rev. A, authored by Acoustic Consultants Ltd).

Reason: In the interests of ensuring that internal noise levels within the residential accommodation hereby approved will be acceptable and not harmed by noise from nearby commercial venues, including the Rhubarb Tavern. Further, to ensure that the ongoing viability of nearby venues, such as the Rhubarb Tavern, will not be prejudiced by the approval of residential accommodation in their vicinity.

**The Contaminated Land Officer has commented as follows:**

'The planning application has been reviewed in relation to land contamination

The applicants are referred to the following

- o Bristol Core Strategy - BCS23 Pollution
- o Local Plan - DM34 Contaminated Land
- o National Planning Policy Framework (2019) Paragraphs 118, 170, 178, 179, 180
- o Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>
- o <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination.

The submitted Desk Study is generally acceptable and recommends intrusive investigation which we do agree with. Looking at reports held for the former pottery site adjacent contamination was encountered in the soils above current residential screening criteria.

We have no objection to the proposed development as long as the following conditions are applied to any future planning consent:

1. Further site investigation

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of any site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the reports submitted with the original application. The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in

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connection with the development, hereby approved, commencing on site. This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.'

**RELEVANT POLICIES**

National Planning Policy Framework – September 2023

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

**KEY ISSUES:****A: IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?**

Policy BCS5 in the Core Strategy (2011) sets out that the Core Strategy aims to deliver new homes within Bristol's existing built-up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol. The policy further states that the development of new homes will primarily be on previously developed sites across the city.

This is supported by BCS20 which states that new development will maximise opportunities to re-use previously developed land to make the most effective use of this piece of urban land. Therefore, the principle of residential development is supported in this instance, but this must be balanced against other material considerations and policy requirements as detailed below.

The development of private gardens is assessed against policy DM21 of the Site Allocations and Development Management Policies (2014), which states that development will not be permitted unless:

- (i) the proposal would represent a more efficient use of land where higher densities are more appropriate; or
- (ii) the development will result in a significant improvement to the urban design of the area; or
- (iii) the proposal is an extension to an existing dwelling.

The policy also states that in all cases any development of garden land should not result in harm to the character and appearance of the area.

On 19th January 2021, the government published the results of its 2020 Housing Delivery Test, which aims to measure how effectively each local authority is delivering housing against NPPF requirement to demonstrate a five-year supply of deliverable housing sites plus five per cent land supply buffer.

Section 5 (Delivering a sufficient supply of homes) of the NPPF outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". In relation to maintaining sufficient supply and delivery of homes, paragraph 75 of the NPPF outlines: "Strategic policies should include a trajectory illustrating the expected rate of



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housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites."

Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy (June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 60 of the National Planning Policy Framework (NPPF).

Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable development applies. For Bristol, only a four year supply must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 226).

The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four year supply of housing land. As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.

There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date. The first is where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Amongst the areas of particular importance that may be relevant to Bristol, the footnote to paragraph 11d includes habitats sites including those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.

Or the second, where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The creation of eight flats would make a small scale but valuable contribution towards housing supply which is compatible with the objectives of Policy BCS5. To conclude, in land use terms, the creation of eight flats at the site would represent sustainable development in full accordance with national and local planning policy. The principle of development in land use terms is therefore acceptable subject to the loss of a portion of the grounds and upper floors of the vacant public house use being acceptable in policy terms (see Key Issue B).

**B. WOULD THE PROPOSAL HARM THE VIABILITY OF THE RETAINED PUBLIC HOUSE?**

The proposal would retain the ground floor of the existing building with use as a public house along with the basement area. The upper floors, most recently used as ancillary residential space for the pub, will be separated from the public house to create two flats. A block of six flats will be built within the rear grounds of the site.

Section 8 of the National Planning Policy Framework (2019) addresses the issue of 'Promoting Healthy Communities'. At paragraph 92 it is specified that 'the planning system should aim to play an important role in facilitating social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. It goes on to say in Paragraph 93 that to provide the social, recreational and cultural facilities and services the community needs, planning

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decisions should guard against the unnecessary loss of valued facilities and services particularly where they would reduce the community's ability to meet its day to day needs and ensure that facilities are able to develop, modernise and are retained for the benefit of the community.

Policy BCS12 of the Core Strategy (2011) states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. In such cases the Council will need to assess the loss in terms of the social, economic and physical impact on the local community and the harm caused to the level of community provision in the area.

Policy DM5 specifies that proposals involving the loss of community facilities (including pubs) land or buildings will not be permitted unless it is demonstrated that:

- i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or
- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or
- iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or
- iv. Appropriate replacement community facilities are provided in a suitable alternative location.

Policy DM6 in the Site Allocations and Development Management Policies (2014) further states that proposals involving the loss of established public houses will not be permitted unless it is demonstrated that:

- i. The public house is no longer economically viable; or
- ii. A diverse range of public house provision exists within the locality.

Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house.

In November 2023, the emerging Local Plan was published for consultation. Policy SSE8 (Public Houses) reiterates the wording of Policy DM6 in the Site Allocations and Development Management Policies (2014). The explanatory text states that applications for the change of use or loss of part of a public house will be required to demonstrate that the loss of floorspace will not negatively impact the ongoing viability of the remaining public house.

Whilst the emerging local plan carries very little weight in terms of material consideration, the impact of the loss of the upper floors and significant amount of garden space has been assessed below.

The application follows a previously withdrawn application that would have resulted in the total loss of the public house, an outcome deemed to be unacceptable by Officers.

The Public Houses Planning Practice Note (October 2022) provides further guidance on the implementation of policy DM6 (Public Houses) and assessment of applications relating to the change of use, demolition or redevelopment of an existing public house within the local planning authority area.

In this instance, it is proposed that the public house be retained at ground floor (with the basement cellar retained) with the upper floors converted to residential use from previous ancillary residential space, and the development of six residential units in a block within the rear amenity space.

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It is noted that objections have been received relating to the loss of the beer garden/rear amenity space for public use and that the proposals would not result in a viable use. Following these objections, including one from the Campaign for Real Ale (CAMRA) Bristol and District Branch, a public house viability study was commissioned by Officers to assess whether or not the proposed development would result in a viable public house provision that would be able to function and adapt to change in the future given the current situation and likely development in the area over coming years.

The study concluded that the proposed development would result in a viable public house. Further, the study also set out that the public house in its current form would require such a significant investment in the building and amenity space in order to bring it back into use that it is no longer viable in its current form.

This viability study supports the applicant's economic/marketing statement which shows that the pub has remained vacant for more than three years. In that time, it has suffered significant damage from damage from squatters, much of the metal work and services inside the building have been stripped out and the building has been left in a state of significant disrepair as a result of a failure to secure a leaseholder.

As such, the proposal is considered to be consistent with Policy BCS12 in that the existing community facility would be retained, albeit in a reduced form but would bring the retained community facility back into use with as a viable proposition for future occupants. The building is considered to be no longer able to function in its existing use without being sensitively adapted in accordance with Policy DM5.

The submitted marketing information in conjunction with the commissioned viability study confirm that the public house in its current form is no longer economically viable. The proposal would retain the public house in altered form, with the retention of the ground floor beer cellar, ancillary space for kitchen use, an outdoor courtyard and the proposed extensions and alterations would not harm the identity or architectural character of the public house.

The economic statement submitted by the applicant and the independently commissioned viability study commissioned by Officers conclude that the public house is no longer economically viable. The proposal would result in a viable public house and would not harm the identity or architectural character of the building.

Consequently, it is considered that the proposed development which would result in a viable public house and restoration of the existing use along with residential development is found to comply with policies BCS12 of the Core Strategy (2011), policies DM5 and DM6 of the Site Allocations and Development Management Policies (2014) and guidance contained within the NPPF (2021).

### C. ASSET OF COMMUNITY VALUE

The property has been designated as an Asset of Community Value. An Asset of Community Value is defined as 'a building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future'. The Localism Act (2011) states that 'social interests' include cultural, recreational and sporting interests.

An Asset of Community value listing does not place any restriction on what an owner can do with their property once listed if it remains in their ownership. In this instance, the owner of the property is not disposing of the property, and is proposing additional development in order to return the public house to use after several years of closure. The development would restore the building which has fallen into significant disrepair.

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As there is no transfer of ownership proposed and the proposed uses are considered acceptable within the parameters of an Asset of Community Value and are no different to the previous use (public house with residential use above), no concern is raised in this regard and bears no impact on this planning application.

**D. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF MIXED AND BALANCED COMMUNITY ISSUE?**

Section 5 of the NPPF (2021) reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities", with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. The inter-relationship between these and other factors is often complex and dynamic. In the circumstances, housing requirements will differ greatly across the city and will be subject to change over time. With this in mind an overly prescriptive approach to housing mix would not be appropriate. However, it has been possible to identify broad housing issues that are applicable to many neighbourhoods. Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a Strategic steer for all sizes of residential scheme within each zone. A local area-based assessment is required to assess the development's contribution to housing mix as a smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (LSOA) (average of 1,500 residents).

The application site falls within the Newtown LSOA. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2021 Census data which shows that the Newtown LSOA comprises approximately 46.5% houses and 53.3% flats. Of the properties in the LSOA, 18% are one bedroom properties, 47.7% are two bedroom properties, 26.7% are three bedroom properties and 7.6% are four bedroom properties or larger.

On this basis, the proposal would add six one-bedroom properties, one two-bedroom property and one three-bedroom property to the housing stock. The addition of these eight dwellings, including one family sized dwelling would not create or contribute to a local imbalance of housing type or size and would contribute eight dwellings to the City's housing stock. The application is therefore considered acceptable with regard to mixed and balanced communities.

**E. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN TERMS OF DESIGN AND HERITAGE?**

The Rhubarb Tavern is a Locally Listed building, identified on the Historic Environment Record 2145M. The description is: 'A freestanding 19th-century public house with Victorian detail, and a fireplace reputedly from the demolished Tilly's Court (Dr Day's Mansion) nearby. While the facade and most of the section fronting the street are certainly 19th-century the core of the building is almost

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certainly of 18th-century date. A building in this position is marked on Ashmead's map of 1828'.

Paragraph 200 states "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

Paragraph 203 sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 205 states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Policy BCS21 of the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. It also advocates the delivery of permanent and temporary public art.

Policy BCS22 in the same document states that development proposals will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic buildings both nationally and locally listed.

Policy DM26 in the Site Allocation and Development Management Policies (2014) states that development should retain existing buildings and structures that contribute positively to local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines, skylines and roofscapes. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions.

Policy DM27 in the same document further expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting.

Policy DM31 sets out that that proposals affecting locally important heritage assets should ensure they are conserved having regard to their significance and the degree of any harm or loss of significance.

#### Proposed alterations to the existing building

The Conservation Officer has reviewed the proposal and confirmed that the significant internal features of the Locally Listed building including the dog-leg in the rear tower, fireplace which is included in the Historic Environment Record listing and exposed floor beams would not be negatively impacted by the proposed development.

The proposed second floor rear extension would sit directly above the existing first floor rear addition and is considered to be acceptable and would be subservient to the host property.

No concern is raised with regard to alterations to the building with regard to design and heritage and the restoration of the ground floor public house use and retained historic features is welcomed.

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Block of six flats in the rear grounds

The proposed design of the block of six flats in the rear amenity space would be three storeys in height with a shallow dual pitched roof would not dominate the existing property and would minimise the height impact of the development. The stairwell would be subservient to the main block and the ground floor attached bin and bike store are considered to be sensitively integrated into the design.

The two-type elevation treatment of terracotta brick and render is considered acceptable and responds appropriately to the host property and neighbouring residential properties at Queen Ann Mews.

Overall no concern is raised with regard to design and heritage subject to conditions.

### E. AMENITY ISSUES

Bristol Core Strategy (2011) Policy BCS21 outlines that new development is expected to safeguard the amenity of existing development. In particular, development should give consideration to matters of privacy, outlook and natural lighting. Policy DM30 of the Site Allocations and Development Management Policies (2014) also outlines that extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers. Policy DM35 states that new development should also not lead to any detrimental increase in noise levels.

The proposed rear extension to the existing building would not result in any overlooking, loss of privacy, daylight or sunlight to neighbouring buildings or the proposed new flats to the rear.

The proposed block of flats will include six one-bedroom flats, one of which would have a private garden and shared garden space for the other five flats. The relationship with the neighbouring flats would not result in any unacceptable loss of outlook, privacy or overlooking issues and would not be considered to be overbearing. The flats would be dual aspect and meet the minimum national described space standards requirements of 50m<sup>2</sup>.

The two flats above the retained public house would be a three-bedroom flat at first floor level and a two bedroom flat at second floor level. These would be triple aspect and meet national described space standards.

The retained external amenity area will be subdivided between a private garden for the ground floor flat, a communal garden for residents of the new block of flats and a portion to be retained for an external beer garden for the public house. This is expected to result in a reduction in noise compared to if the entirety of the rear amenity space was to be used as a large beer garden for the public house. There is public open space 350m from the site on Barton Hill Road and Netham Park is 550m away. No concern is therefore raised with regard to outdoor amenity.

### Noise Mitigation

A number of the units within the neighbouring development at Queen Anns Mews overlook the pub garden from close proximity. Whilst it is understood that use of the garden was historically limited by the pub's premises licence, it is acknowledged that the proximity of residential accommodation to the public house garden has been less than ideal.

With regard to noise from the pub impacting on the proposed new dwellings, the application includes a Noise Impact Assessment (dated 15.03.22, Rev. A, authored by Acoustic Consultants Ltd). This has been reviewed by the Pollution Control Officer and is found to be acceptable. A condition would be attached to an approval to ensure that all noise mitigation measures set out in the report are carried out including façade insulation and means of mechanical ventilation.

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With regard to 'agent of change' principle, the condition would also set out that noise mitigation measures shall include details of the information to be provided to prospective purchasers or occupants that indicates the existence of the pub and its associated external amenity area.

Subject to conditions, there are no concerns with regard to the amenity of future occupiers or the viability of the retained public house use and smaller beer garden in amenity terms.

**F. TRANSPORT, MOVEMENT AND HIGHWAY SAFETY**

The NPPF (2023) states that developments should ensure that safe and suitable access can be achieved for all users. It also states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

BCS10 sets out development proposals should be located where sustainable travel patterns can be achieved and with more intensive, higher density development at accessible centres and along or close to public transport routes. It requires developments to be designed and located to ensure the provision of safe streets.

DM23 expects development to provide a safe and adequate access onto the highway network secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The same policy also expects developments to provide appropriate servicing and loading facilities which make effective and efficient use of land and be integral to the design of the development.

Network Rail has also commented on the application and raised concerns with regard to drainage, encroachment, ground level changes and foundations. Although the scope of the works is likely to be beyond the support zone, a condition for an asset protection agreement has been secured by condition to ensure that the railway and embankment are protected throughout the development.

During the course of the application, the applicant responded to initial comments from the Transport Development Management (TDM) Team with a number of alterations that had been requested. These include a block-paved shared surface accessway, revise parking layout alongside the railway boundary, clear identification of primary and secondary access routes, additional private lighting on the shared accessway and acceptable vehicle visibility spays.

Further TDM requirements for a revised ground floor plan indicating that doorways and corridor leading to the cycle storage in Building B are a minimum of 1.2m in width, distances of Sheffield Stands and internal dimensions of the proposed cycle store have been submitted.

The revised car parking provision includes three spaces for residential use, one of which is a disabled space. Details of electric charging provision is secured by condition.

The proposed bicycle store is located in a dedicated store room accessed from the lobby of the proposed block of flats. This meets the required standard of storage and number of bike spaces for a development of this size.

The proposed bin stores are considered to be acceptable for the number of flats and residents proposed. Detailed design, capacity and ventilation are secured by condition.

The application would also result in the permanent stopping up of an historic public right of way (PROW). The PROW has been blocked for many years, currently obstructed by a locked gate and a wall. The PROW is effectively a dead end, terminating at a wall behind the 1980s development at Beaconsfield Close. The PROW Team have commented to say that there is no objection to

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extinguishing the PROW.

Further to the above and conditions attached to planning permission, the application is considered acceptable with regard to transport, movement and highway safety.

**G. SUSTAINABILITY**

Policies BCS13-15 of the Core Strategy relates to the Council's expectations with regard to sustainable construction of new buildings and emissions in respect of climate change. These policies must be addressed and the guidance within the Council's Climate Change and Sustainability Practice Note followed.

New dwellings are expected to minimise energy requirements. This will be achieved by high standards of energy efficiency including optimal levels of thermal insulation, passive ventilation and cooling, passive solar design, and the efficient use of natural resources in new buildings. Core Strategy Policy requires new dwellings are also incorporate an element of renewable energy to reduce carbon emissions by a further 20% above energy saving measures.

A sustainability statement and energy table have been submitted with the application, produced by Complete Energy Consultancy and dated 3rd November 2011. This sets out the potential sources of renewable energy and concludes that only photovoltaic panels are suitable for this development. A total of 28 Perlight 320W solar module panels are proposed, contributing to a reduction in net carbon emissions of 20.6%.

This is considered acceptable subject to conditions to ensure that the panels are installed and meet the required reduction in emissions prior to occupation of the new dwellings.

**H. ARBORICULTURE**

The application is accompanied by an Arboricultural Impact Assessment and Tree Survey Site Plan. This confirms that there are no trees within the application site. There are trees close to the southern boundary of the site and subject to tree protection measures to ensure that no machinery or building materials are stored in the vicinity, no concern is raised with regard to arboriculture. A tree protection plan showing the location of tree protection measures and fencing is recommended.

**J. CONTAMINATED LAND**

The application is accompanied by a Phase 1 Site Investigation Report produced by Wesson Environmental (Project Ref 001BUCOP1; dated March 2021). This has been reviewed by the Land Contamination Officer and is found to be sound.

Based on the report, the Land Contamination Officer raises no objection subject to conditions requiring further ground testing for contamination and remedial action should any land contamination be found. The application is therefore acceptable in this regard.

**K. COMMUNITY INFRASTRUCTURE LEVY**

The CIL Liability for this development is £39,970.68.



**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX****EQUALITIES ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

This assessment has been carried out in accordance with the Council's Equality Objectives and in compliance with the Public Sector Equality Duty.

**CONCLUSION**

The proposed development is considered acceptable, adding eight dwellings to the housing stock and enabling the restoration and renovation of the public house at ground and basement level with an associated beer garden. All dwellings meet space standards, are dual aspect and would provide an acceptable level of accommodation.

The application is recommended for approval subject to conditions.

**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Pre commencement condition(s)**

2. Basic Asset Protection Agreement - Network Rail

Prior to commencement of development including the involvement of excavations and earthworks to be carried out, a Basic Asset Protection Agreement (BAPA) shall be entered into with Network Rail which must be submitted to the Local Planning Authority for approval in writing. All works shall be carried out fully in accordance with the approved BAPA and in accordance with the approved details and retained in that form thereafter.

Should Network Rail agree that a BAPA is not required, the applicant will provide evidence to confirm Network Rail are satisfied that development can proceed.

Reason: In order to ensure the foundations are adequate and do not compromise the neighbouring railway line and sidings and that no harm or disruption to the railway line and sidings will result from the proposed development.

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## 3. Approval of road works necessary

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

- create a continuous (at grade) footway across the proposed vehicle crossover;
- resurface the adopted footway along the site frontage and in front of the adjacent no.34 Queen Ann Road;
- pay for and implement a TRO for DYLS across the proposed vehicle accessway and a new loading bay on Queen Ann Road;
- remove the existing street light (ID: 067621) and install a replacement elsewhere on Queen Ann Road.

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels;
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
- Signing, street furniture, street trees and pits;
- Structures on or adjacent to the highway;
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority; and completed before occupation.

## 4. Construction management plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A 24-hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Methods of preventing mud being carried onto the highway;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Proposed temporary traffic management arrangements including hoardings and/or footway closures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and

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- Methods of communicating the Construction and Maintenance Management Plan to staff, visitors and neighbouring residents and businesses; and

- Restrictions on loading or receiving deliveries between the hours of 7-9:30am and 3:30-6pm on weekdays, except during school holidays or where otherwise agreed with the Council.

Reason: In the interests of safe operation of the adopted highway in the lead into development during the construction phase and ongoing maintenance of the development.

5. To secure the recording of the fabric of buildings of historic or architectural importance

No redevelopment or refurbishment of the Rhubarb Tavern shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording must be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority and submitted to the Historic Environment Record (HER), the archive should then be submitted to Bristol City Museum and a hard copy to Bristol Record Office.

Reason: To ensure that features of archaeological or architectural importance within the heritage asset (Locally listed building) are recorded before their destruction or concealment.

6. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected to ensure that the root protection area of trees adjacent to the site are protected. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution

7. Construction (Environmental) Management Plan

No development shall take place until a site specific Construction Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.

Reason: To protect the amenity of nearby residential neighbours and the area generally.

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## Advice

The Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- o Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- o Procedures for emergency deviation of the agreed working hours.
- o Control measures for dust and other air-borne pollutants .
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

## 8. Noise Mitigation Measures

No development (excluding demolition and enabling works) shall commence until full details of the noise mitigation measures for the residential accommodation hereby approved have been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall take into account the approved Noise Impact Assessment (dated 15.03.22, Rev. A, authored by Acoustic Consultants Ltd). The mitigation measures shall fully detail the required façade insulation and means of mechanical ventilation. The mitigation measures shall then be installed and maintained thereafter in strict accordance with approved noise mitigation measures.

In addition, the noise mitigation measures shall include details of the information to be provided to prospective purchasers or occupants that indicates the existence of nearby licensed premises, the installed noise mitigation measures, and how an occupant would use/interact with those noise mitigation measures to ensure their effectiveness.

Such details shall then be provided to prospective purchasers or occupants for the lifetime of the approved development.

The residential accommodation hereby approved shall not be occupied until an assessment to demonstrate the effectiveness of the approved noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, to be effective, the noise mitigation measures must provide acceptable internal living environments for the residential accommodation in accordance with the Noise Impact Assessment (dated 15.03.22, Rev. A, authored by Acoustic Consultants Ltd).

Reason: In the interests of ensuring that internal noise levels within the residential accommodation hereby approved will be acceptable and not harmed by noise from nearby commercial venues, including the Rhubarb Tavern. Further, to ensure that the ongoing viability of nearby venues, such as the Rhubarb Tavern, will not be prejudiced by the approval of residential accommodation in their vicinity.

## 9. Further site investigation

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of any site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered

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along with the reports submitted with the original application. The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.'

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**Pre occupation condition(s)**

## 10. Sample Materials

Prior to the commencement of the relevant element, manufacturers specifications and/sample panels (as appropriate) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

- a. render
- b. buff brick
- c. terracotta interlocking roof tiles

Development shall be carried out in accordance with the materials specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and in keeping with the street scene.

## 11. Further details of Refuse Storage and Recycling Facilities before occupation:

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Dedicated, suitably screened, ventilated and secure storage for refuse and recycling containers for the residential and commercial units that complies with the Council's Waste & Recycling Guidance.

The detail thereby approved shall be carried out in accordance with that approval, and thereafter all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

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## 12. Completion of Vehicular Access - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

## 13. Completion of Pedestrians/Cyclists Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

## 14. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) shown on the approved plans has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

## 15. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

## 16. Management and Maintenance of Private Streets

No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

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## 17. Electric Vehicle Charging Points

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

## 18. Sustainability

The development hereby approved shall be carried out in full accordance with the Sustainability Statement prepared by Sustainability Statement and Energy Strategy prepared by Chris Goodsall Architects, Issue 2: 15-3-22 unless otherwise agreed in writing by the Local Planning Authority and achieves a total saving of 20.6% on residual carbon emissions.

Reason: To ensure that the proposal reduces the impact on the environment and climate change in line with the adopted development plan policies.

## 19. PV Panels

Prior to the commencement of the relevant part of the works hereby approved details relating to the photovoltaic panels (including the exact location, dimensions, design/technical specification and method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and to ensure that the external appearance of the building is satisfactory.

**Post occupation management**

## 20. Removal of permitted development rights for change of use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the public house and associated basement, stores and garden space shall be retained in that use without the grant of a separate planning permission from the Local Planning Authority

Reason: To safeguard the retention of the public house.

## 21. Restriction of parking level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

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## 22. Retention of garage/car parking space(s)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

**List of approved plans**

## 23. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

MM1-PD17A Proposed first floor of existing building retained, received 15 January 2024  
 MM1-PD16B Proposed ground floor of pub retained, received 15 January 2024  
 MM1-PD72 B Proposed Elevations of existing pub, received 15 January 2024  
 MM1-ED01 Site Location and Existing Block Plans, received 14 July 2022  
 MM1-ED10 A Existing Ground Floor Plan, received 14 July 2022  
 MM1-ED11 Existing First Floor Plan, received 14 July 2022  
 MM1-ED12 Existing Second Floor Plan, received 14 July 2022  
 MM1-ED13 Existing Roof Plan, received 14 July 2022  
 MM1-ED14 Tree Survey Plan on Existing Site Plan, received 14 July 2022  
 MM1-ED72 A Existing Elevations Sheet 1 (Front (NW) & Side (NE)), received 14 July 2022  
 MM1-ED74 Existing Elevations Sheet 3 (Rear (SW) & Side (SE)), received 14 July 2022  
 MM1-ED74 Existing Sectional Elevations Sheet 3, received 14 July 2022  
 MM1-PD11 C Proposed Ground Floor Plan, received 17 October 2023  
 MM1-PD12 C Proposed First Floor Plan, received 14 July 2022  
 MM1-PD13 B Proposed Second Floor Plan, received 14 July 2022  
 MM1-PD60 C Proposed Site Sections, received 14 July 2022  
 MM1-PD70 A Proposed Elevations New-Build Sheet 1 (Front (NW) & Side (SW)), received 14 July 2022  
 MM1-PD71 Proposed Elevations New-Build Sheet 2 (Rear (SE) & Side (NE)), received 14 July 2022  
 Arboricultural Impact Assessment (Iss 2) (Ref. MM1-PR03), received 14 July 2022  
 Sustainability Statement and Energy Strategy (Iss 2) (MM1-PR04), received 14 July 2022

Reason: For the avoidance of doubt.

**Advices**

## 1 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.



**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

Contact the Highway Authority's Transport Development Management Team at [transportDM@bristol.gov.uk](mailto:transportDM@bristol.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

## 2 Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at [transportdm@bristol.gov.uk](mailto:transportdm@bristol.gov.uk)

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

## 3 Highway to be Adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's Engineering Standard Details and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Transport Development Management Team at [DMengineering@bristol.gov.uk](mailto:DMengineering@bristol.gov.uk) You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

To discuss the requirement for sewers contact the Highway Authority's Flood Risk

**Development Control Committee A – 24 January 2024****Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

Management Team at [flood.data@bristol.gov.uk](mailto:flood.data@bristol.gov.uk) You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

N.B. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

4 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

5 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

6 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see [www.bristol.gov.uk/registeraddress](http://www.bristol.gov.uk/registeraddress)

7 Stopping Up/Diversion of Adopted Highway

You are advised that to facilitate the development an order must be obtained to stop up or divert the adopted highway under sections 247 and 248 of the Town and Country Planning Act 1990. Please see [www.gov.uk/government/publications/stopping-up-and-diversion-of-highways](http://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways) or contact the National Transport Casework Team at [nationalcasework@dft.gov.uk](mailto:nationalcasework@dft.gov.uk)

8 Stopping or Diverting a Public Right Of Way

**Development Control Committee A – 24 January 2024**  
**Application No. 22/01583/F : Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX**

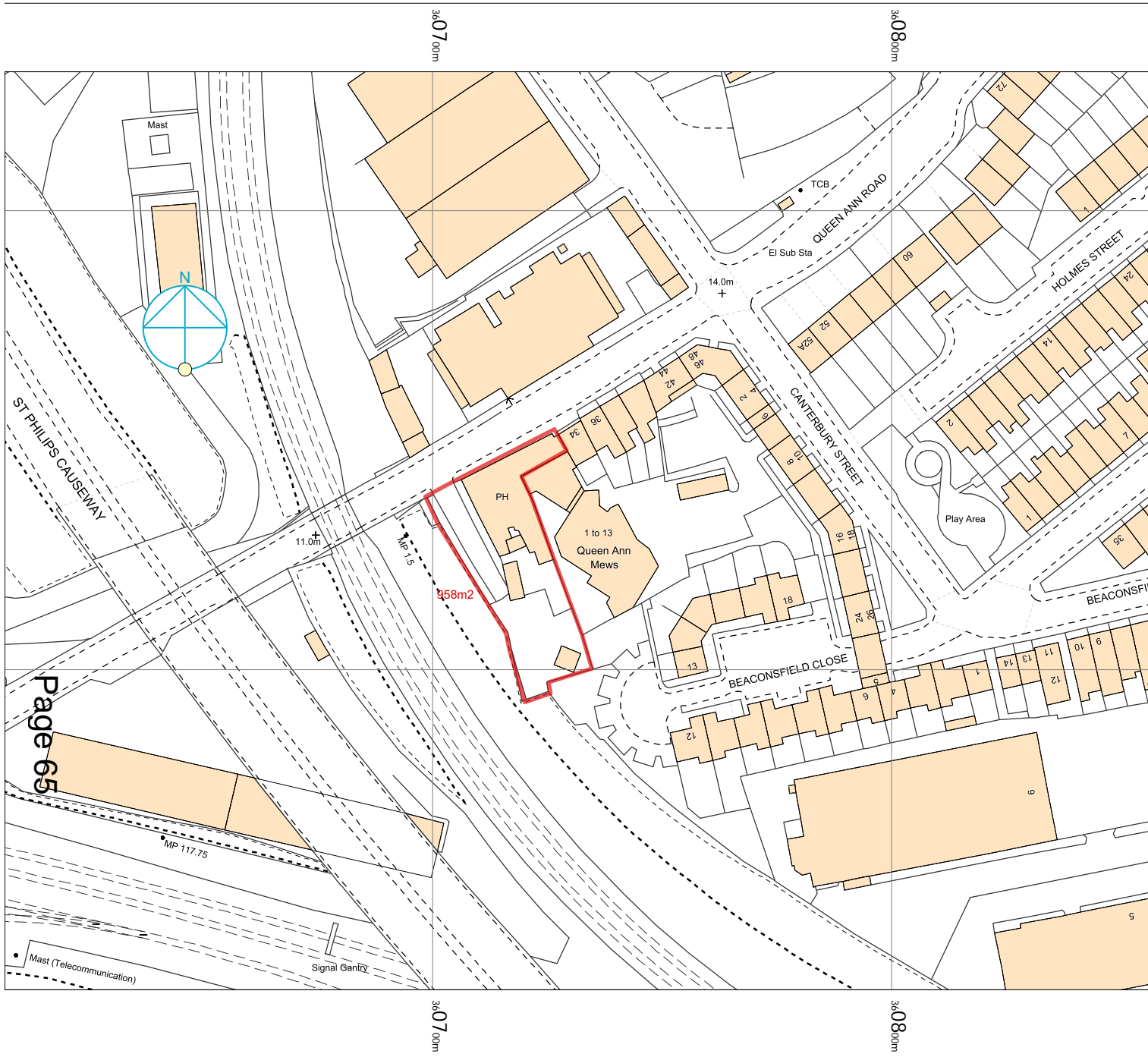
You are advised that to facilitate the development an order must be obtained to stop up or divert the Public Right of Way, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss and/or apply for an order contact the Local Planning Authority at [development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk)

commdelgranted  
V1.0211

## **Supporting Documents**

### **1. Rhubarb Tavern, 30 Queen Ann Road, BS5 9TX.**

1. Location and Block Plan
2. Proposed Ground Floor Plan
3. Proposed Elevations (Pub)
4. Proposed Elevations (New Block)



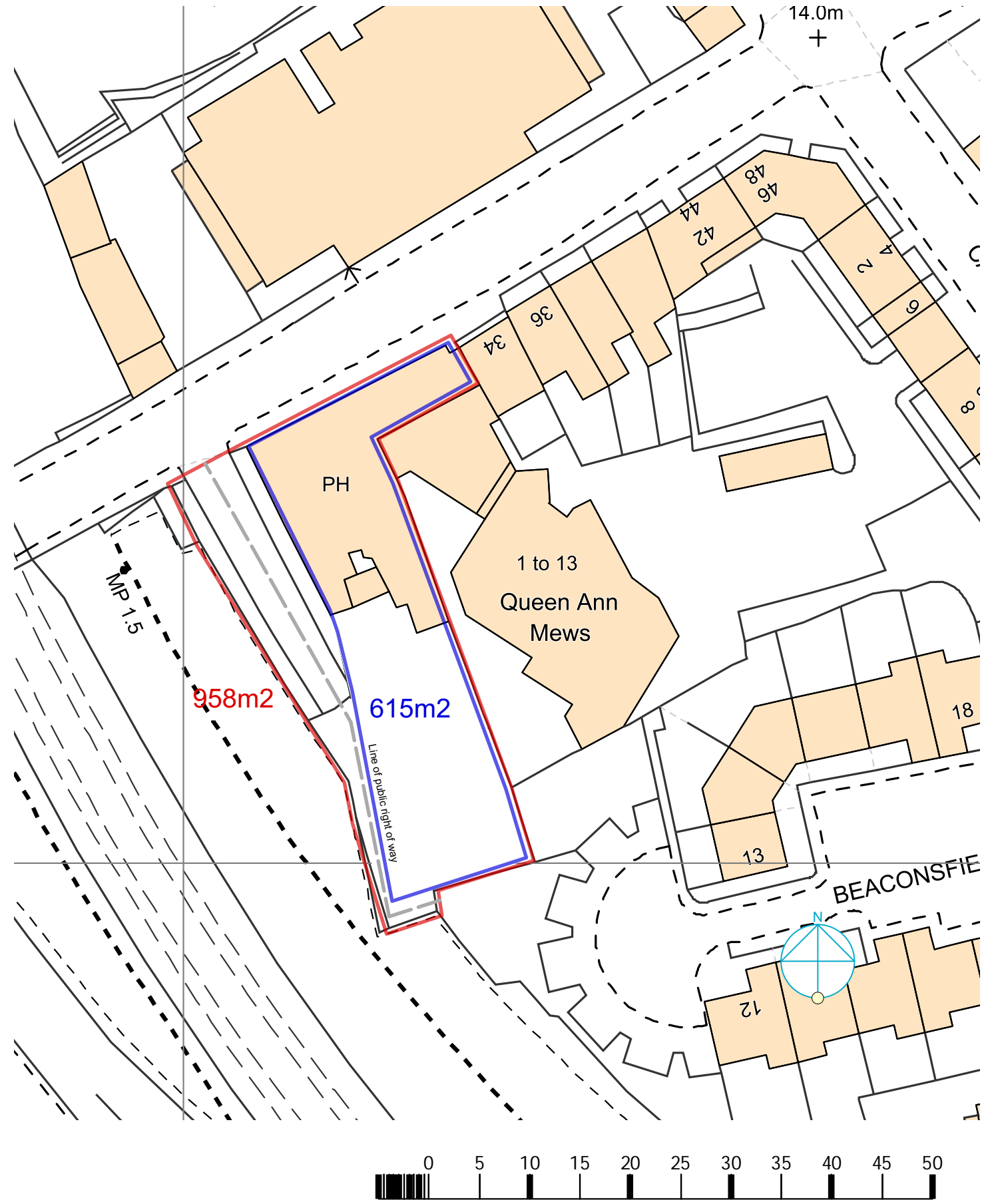
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**Location Plan at 1:1250**

OS MasterMap 1250/2500/10000 scale  
 Monday, April 27, 2020, ID: BW1-00873792  
 maps.blackwell.co.uk

1:1250 scale print at A4, Centre:  
 360732 E, 172730 N

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**Block Plan at 1:500**

Revisions:  
 B: 14-6-22: Red line amended to include road;  
 line of public right of way added  
 C: 30-6-22: Blue line amended



**M&E Legend**

-  Zelos Wall Max Bulkhead fitting
-  CCTV Camera
-  Video intercom door bell
-  Door bell

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**Accommodation Schedule**

*Building A (renovation):*

- 1 x 2B4P flat (76sqm+)
- 1 x 3B5P flat (92sqm+)
- 9 Bedspaces
- NIA = 168 sqm

*Building B (new build):*

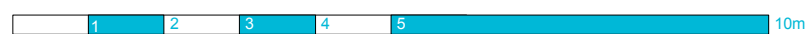
- 6 x 1B2P flat (50sqm+)
- 12 Bedspaces
- NIA = 350 sqm



**Revisions**  
 A: 28-2-22: 2 Flats omitted; Tavern retained  
 B: 21-8-23: Landscaping notes in Communal garden  
 C: 11-12-23: Additional dimensions in Cycle store



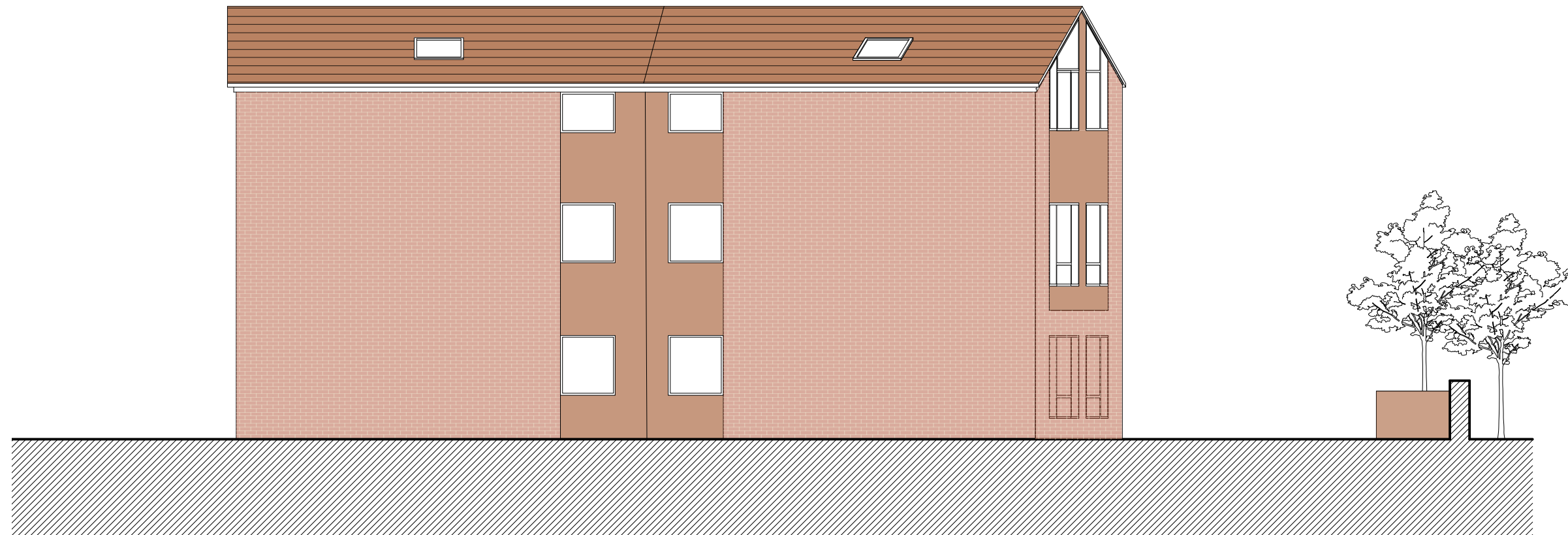
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Revisions  
 A: 08-02-21: New Elevations added  
 B: 15-02-21: Rear Elevation added



Front (North-West) Elevation



Side (South-West) Elevation

Revisions:  
A: 28-2-22: 2 flats omitted





WARD: Filwood

SITE ADDRESS: Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA

APPLICATION NO: 23/03423/FB Full Planning (Regulation 3)

DETERMINATION DEADLINE: 8 November 2023

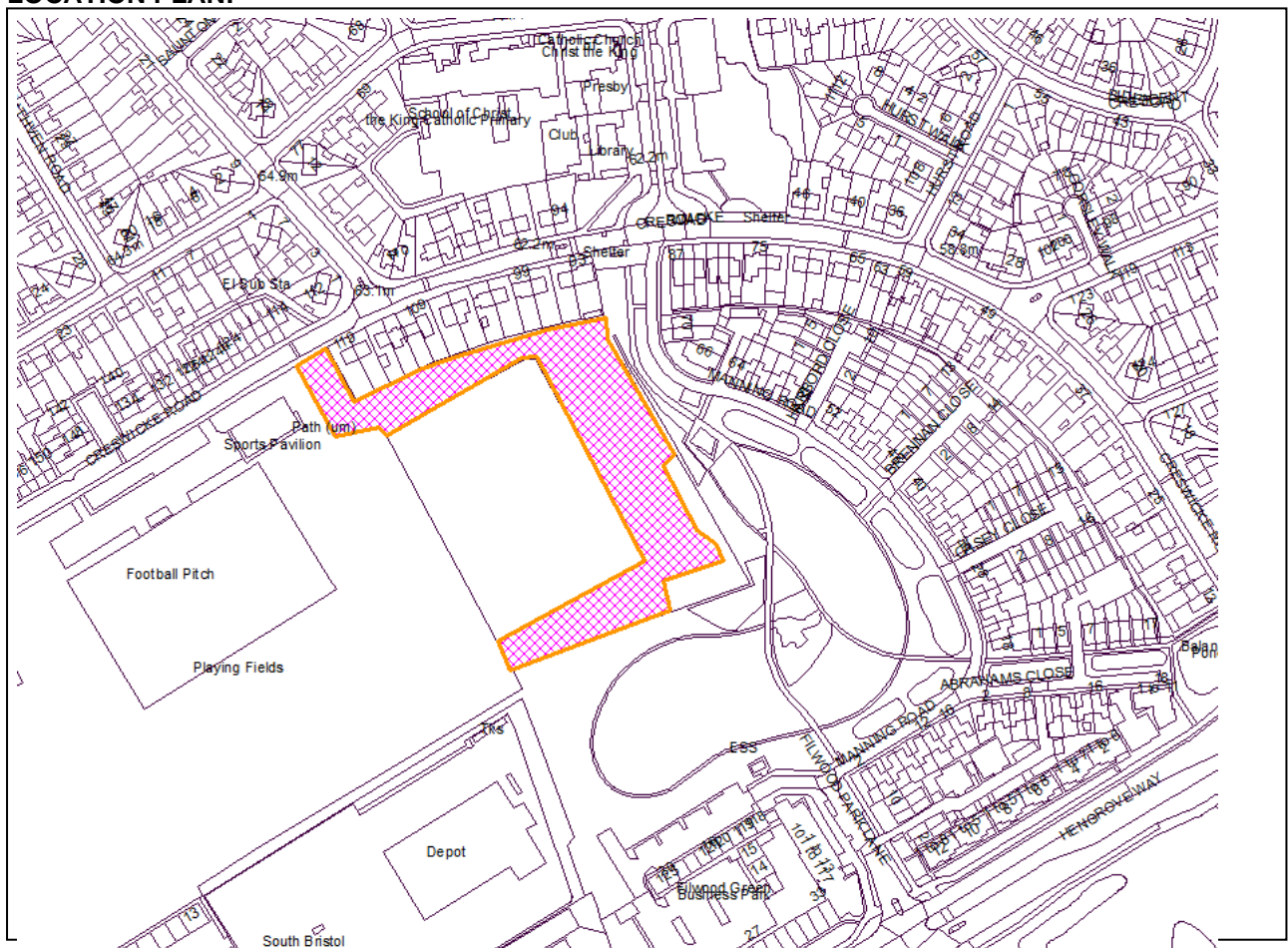
**Proposal to construct a new Multi Use Games Area (MUGA) at Filwood Playing Fields including floodlighting, fencing, seating areas, fitness equipment, pedestrian and vehicle maintenance routes and landscaping.**

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Bristol City Council  
City Hall  
Bristol  
BS1 5TR

*The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.*

**LOCATION PLAN:**



**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA****BACKGROUND AND SUMMARY**

This application is for planning permission for a new Multi Use Games Area (MUGA) at Filwood Playing Fields including floodlighting, fencing, seating areas, fitness equipment, pedestrian and vehicle maintenance routes and landscaping.

To account for the submission of further information, amendments made to the application and revisions secured to address concerns raised by Officers two rounds of public consultation were undertaken. These generated 41 (first consultation) and 2 (second consultation) objections. 2 letters of support were also submitted to the first consultation.

The objections predominantly raise concerns in relation to the impact of the development on the amenity of surrounding residential properties with regards to noise pollution, light pollution, safety and security including anti-social behaviour issues (see full details of the objections below and on the BCC website).

Due to the level of public interest it is considered appropriate for this application to come before Committee.

Initial concerns were raised by Officers in relation to the impact of the development on the amenity of surrounding residential properties with regards to noise and light pollution. The concerns regarding safety, security and anti-social behaviour were also acknowledged.

As such, further information and revised plans were provided, which included additional detail in relation to measures to reduce the risk of crime and limit the impact of noise and light on surrounding residential properties.

The MUGA activity zone will be sited at least 30 metres away from all neighbours, floodlighting will be switched off at 8pm and the facility has been designed so that it can be secured at night, with gates that could be locked in the future by the Council's Parks Team, if necessary, should noise/disturbance become an apparent problem. The use of CCTV, the facility being designed so that it could be secured at night, features in place to prevent unauthorised vehicular access and the commitment to regular maintenance and monitoring by the Council's Parks Team (as detailed in the approved Management Statement) will further help reduce the opportunity for crime arising from the proposal.

Issues related to access, highway safety, design, ecology, impact on trees, flood risk, land contamination and local sports provision have also been considered by Officers and are deemed acceptable.

Officers acknowledge that there is no way to completely eliminate the risk of noise and disturbance arising from the proposed MUGA, nor is it possible to eliminate the risk of crime completely. The nature of the facility is such that noisy activities may arise. However, given the amendments made to the scheme, nature of development and restrictions placed on the facility (secured via condition) the LPA is satisfied that the proposal is policy compliant in that crime and disorder and fear of crime has been considered in the design stage of the development, and the proposal is not considered harmful enough to the amenity of surrounding residential properties with regards to noise and disturbance to warrant refusal when weighed in the balance with the significant community, recreation and health benefits associated with the new MUGA facility.

Approval is therefore recommended to Members, subject to conditions.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA****SITE DESCRIPTION**

The application site is located at Filwood Fields, off Creswicke Avenue in Filwood. It is adjacent to Filwood Park and set within land owned by Fields in Trust. It is currently made up of long grass and shrub.

The floodlit Mendip Broadwalk Football pitch is located immediately to the west and south of the site. To the east, lies the Filwood Park Community Hub and a landscape buffer of Public Open Space within the Filwood Park housing development of 150 homes.

The closest properties within this new development are located at Manning Road, the boundary of these properties being located approximately 32 metres to the east of the proposed MUGA at the closest point. The properties themselves along Manning Road are approximately 36 metres away from the proposed MUGA at the closest point. Further residential properties exist at Creswicke Road to the north, with the closest property boundary located approximately 35.5m away from the site. The properties themselves are approximately 50 metres away.

The application site is designated as Important Open Space (Filwood Playing Fields) within the Site Allocation and Development Management Policies (2014).

**RELEVANT HISTORY**

No relevant site history.

**APPLICATION**

Planning permission is sought for the provision of a Multi Use Games Area (MUGA) at the site.

The MUGA will consist of a macadam ball court measuring 38m x 20m with a 4m wide footway surrounding the court, with a total area of 1,276 sqm. The ball court will include football goals, basketball and netball nets. It will also include colourful line marking to enable a range of other activities.

A 4m high metal mesh fence is proposed to surround the MUGA. 2 chicane style wide accessible entrances are included.

Four 8m high Philips LED floodlights are also proposed. CCTV will be attached to the floodlighting.

The ball court will be flat with and the access pathway will be 1:110 enabling disabled access.

A seating area with shelter, as well as Sheffield cycle stands, are proposed to the northern end of the MUGA.

To the southern end of the MUGA there will be an area for proposed exercise equipment.

The proposals include a 3m wide pedestrian pathway from the north, to link up with Creswicke Road. The access route will also be wide enough to ensure that the MUGA can be serviced and maintained by the Bristol Council Parks team. The access route will be constructed using heavy duty permeable plastic paving grids which aim to reduce any ecological disturbance. A secondary emergency access route would be possible for pedestrians to the south.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

## EQUALITY ASSESSMENT

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

"S149 of the Equality Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- c) foster good relationships between persons who share a relevant characteristic and those who do not share it."

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The application is supported by an Equality Impact Assessment, which confirms that the MUGA has been designed in consultation with the local community. Specific elements of the design related to equalities include:

- The MUGA will include wide entrances and accessible paths to allow disabled people to access the facility.
- Safety and security measures have been included in the design.
- The facility looks to tackle deprivation levels by providing a new high-quality facility to replace an existing MUGA that has fallen into disrepair.
- The MUGA has been designed to be accessible and welcoming for the whole community, including protected groups.

## STATEMENT OF COMMUNITY INVOLVEMENT

The proposed development is classed as 'minor' development; therefore there is no requirement for the applicant to demonstrate community engagement prior to submitting the application.

However, the applicant has submitted a Statement of Community Involvement which sets out the following:

## a) Process

In respect of public consultation, the applicant has confirmed that significant engagement has been undertaken on this project which includes the following key items:

- Three public consultation and engagement events, February 2023
- Engagement with Knowle West Alliance
- Community engagement at local events, June to August 2023
- Targeted youth group engagement with Youth Moves and Knowle West Media Centre Youth Council, June-July 2023
- Formal consultation to residents, July 2023
- Ward member briefing, July 2023
- Consultation with Sports England, July 2023

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

## b) Outcomes

In response to the outcome of consultation/engagement, the following alterations were made:

- Amendments made to the design to include two wide MUGA entrances, fitness equipment and seating equipment.
- Commitment to future engagement with youth groups to determine the MUGA colour scheme and design of the seating and fitness equipment.
- Commitment to provide a ball court which has basketball nets, football goals and netball posts
- Production of a floodlighting survey, ecology survey and BNG assessment

**RESPONSE TO PUBLICITY AND CONSULTATION**

The application was initially advertised via press and site notices, expiry date 18.10.2023. Neighbours were also initially consulted via individual letters sent on 20.09.2023.

Objections initially received from 41.no surrounding residential properties, which in summary stated that:-

- The development would result in noise and disturbance to the detriment of the amenity of surrounding residential properties
- The development would result in light pollution to the detriment of the amenity of surrounding residential properties
- The development would result in increased crime and anti-social behaviour issues
- The proposed access to the MUGA from Manning Road is inappropriate and will result in issues for existing residents
- The development would result in a loss in privacy for surrounding residential properties
- The vehicle access route will result in safety issues for pedestrians and cyclists
- The development will result in an increased number of cars accessing the local area, which will result in congestion issues and loss of parking spaces for existing residents
- The submitted documents do not provide any highways assessment
- No details of any gates or barriers are shown to prevent unauthorised vehicle access
- There is an existing MUGA in the local area which should be repaired and re-used
- There are already enough MUGAs in the local area; this new one isn't needed
- The development will result in a loss of wildlife habitat and will result in ecology issues
- The development has failed to consider the impact of the proposal on bats
- The development should not be built on green space
- The development will attract litter
- The management and maintenance responsibilities (including emptying of bins) is not clear
- The development will lead to increased maintenance and security burden for existing residents
- The MUGA should be sited away from residential properties
- There is no consideration of alternative options within the wider Filwood Park to locate the MUGA
- It is unclear how the Council will ensure the facility is used equally by girls
- The application shows development taking place outside of the red-line boundary which isn't deliverable
- The submitted red-line plan is incorrect

2.no letters of support initially received, which in summary stated the following:-

- The proposed facility be a positive asset for the local community, providing an opportunity to play sports
- The cost of hiring sports facilities is rising so this is an important free facility
- The existing MUGA (which is subject to redevelopment) is located less than 100 metres away
- The boundary treatment could be planted with landscaping to create natural separation from

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

neighbouring houses

Following concerns raised by Officers and neighbours the scheme was amended, with additional information submitted. Following the submission of this information neighbours were re-consulted, via individual letters sent on 08.12.2023

Objections received from 3.no neighbouring properties following re-consultation, which in summary stated that:-

- The timeframe for providing comments is not sufficient
- The development would result in noise and disturbance to the detriment of the amenity of surrounding residential properties
- The development would result in increased crime and anti-social behaviour issues
- The development could result in light pollution

**OTHER COMMENTS**

**Councillor Tom Renhard** has commented as follows:-

'I write to give full support to the proposal to construct a new Multi Use Games Area (MUGA) at Filwood Playing Fields.

The MUGA proposals will provide a much needed, high-quality sports and recreation facility for Filwood. With a flexible games court, additional fitness apparatus and seating, the MUGA will offer a variety of amenities to encourage activity, recreation and use by all.

The new MUGA will directly compensate for the loss of the existing MUGA at Filwood Broadway, which has fallen into significant disrepair. It is essential that a new MUGA is constructed in Filwood to combat the loss of these facilities in the wider Filwood area.

The MUGA will target low satisfaction in leisure facilities in Filwood, where only 15.4% of Filwood residents are satisfied with activities available to children and young people. As we emerge from the pandemic, the effects of isolation and social dislocation on young people, especially those in more disadvantaged communities, is becoming more apparent and investments such as the new MUGA provide the opportunity to shape and plan a better future for the children and young people of Filwood.

Following extensive engagement with the local community, particularly children and young people, the facility has been designed to ensure it meets their needs.

The MUGA will be funded from a combination of Council investment and the successful 'Transforming Filwood' Levelling Up Fund bid. It will complement significant investment proposed to regenerate the Filwood Broadway high street where improved community facilities will promote the revival of a busy, fun and welcoming place at the heart.'

**Filwood Broadway Working Group** has commented as follows:-

'1. These comments are submitted by Filwood Broadway Working Group. The group has been working with the local community and BCC for the past three years -

"A partnership that delivers development for the future, that is community driven and inspired, bringing a mix of sustainable good quality facilities; retail; affordable homes; community buildings, leisure and play alongside a pleasing public space through structural improvements making Filwood Broadway a destination place where people can live, work, play and shop. "

These comments are informed by the context of Knowle West Regeneration Framework and Filwood

**Development Control Committee A – 24 January 2024**

**Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

Broadway Regeneration Plan and The Bristol Local Plan policies and site allocations.

2. In relation to the Knowle West Regeneration Framework

The proposals are a positive contribution towards the following objectives within the KWRF vision:

- 2) Improve health and well-being;
- 6) Access to safe, ecologically rich, open space;
- 13) Develop play and youth facilities by planning with young people.

3. We notice that the in the list of documents included in the Planning Portal there are a few missing:

Preliminary Ecological Appraisal

Landscape Management Plan

Also, a Construction Management Plan should have been provided, as there are likely to be implications for Manning Road and Creswicke Road.

4. The re-provision of the MUGA is not included in the BCC Local Plan Site Allocations. The site of the existing MUGA at Filwood Broadway falls below BSA1122, earmarked for business, retail and housing. Filwood Broadway Working Group is aware that redevelopment of the former swimming pool site is unlikely to progress successfully until the issue of the re-provision of the existing MUGA (located on the former swimming pool site) is resolved.

5. FBWG supports the re-provision of the MUGA at the Filwood Playing Fields in principle as this facility is much needed but we have the following concerns that we believe need to be addressed:

Our key points relate to:

- a) Consultation with residents living closest to the site of the proposed MUGA
  - b) Access arrangements to the MUGA
- a) Consultation with residents living closest to the site of the proposed MUGA

Filwood Broadway Working Group has considered the re-provision of the MUGA at many meetings over the past three years.

We acknowledge that the "Statement of Community Consultation" provides detailed information about the scope and breadth of consultation to date.

The Statement of Community Involvement summary states that "the design has been updated to reflect the wants and needs of the local community with the inclusion of additional facilities which promote inclusivity and the provision of facilities for all, whilst still providing a high quality MUGA facility to replace the existing provision. "

However, it is felt that further information on how responses were treated would be helpful.

In particular, there have been responses from near neighbours about fears/concerns of anti-social behaviour and how this would be managed. It is important to know how these concerns can be addressed.

Reassurance is felt necessary that the Police could monitor the area to enable any ASB to be managed by a multi-agency response. Reassurance is also felt necessary to ensure that the Parks Department would be able to maintain the area in the future.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

b) Access arrangements need to be confirmed. We understand that two access routes are proposed: one via Creswicke Rd for vehicle access to maintain the MUGA site; the other via Manning Road for vehicles and pedestrian access. However, we understand that access from Manning Road is not certain at this stage.

Safe pedestrian access to the MUGA is essential, including suitable lighting to ensure safety of young people particularly. The vehicle access from Creswicke Road is shown as having no lighting and is therefore unsuitable for pedestrians. The Manning Road/Filwood Park access must be resolved as part of this proposed development.

**6. Other Comments:**

- A construction management plan is needed to cover how the proposals are to be built which would take into account the effects of the construction period, even if short, on nearby housing and green space users.

- An ecological report to see whether there is anything ecologically valuable or not, whether habitats or species, within or using the existing grassland.

- Confirmation from the noise report whether the worse-case levels of noise modelled between 9pm and 10pm, would be experienced how many times in the year and what this would mean to houses nearby.

- How long was the land to be in the control of/or leased to the Council? To ensure that the facility if agreed, would be available.

- Better visualisations of the proposed design and landscaping proposals.'

**BCC Archaeology Team** has commented as follows:-

'Following consultation, the Councils Archaeology Officer noted that the area of the proposed development is known to have been occupied during the Romano-British period. Previous archaeological work in the vicinity has recorded well preserved evidence of a substantial agricultural community during the late Iron Age to Roman era.

The site itself has been subject to previous non-intrusive geophysical surveys that have suggested that there is limited archaeological evidence surviving beneath the playing field, possibly as a result of previous landscaping and drainage works. However, deeper archaeological features may be present.

Based on the submitted information and evaluation report referenced however, there is unlikely to be any impact to archaeological significance posed by this scheme. As such, the application is considered acceptable and there are no further archaeological requirements.'

**BCC Urban Design** has commented as follows:-

## Verbal comments:

'The proposed columns would be unobtrusive given the limited bulk and massing of the structures and will appear in keeping with the surrounding context (sports fields). They will further be a limited height (8 metres) which will ensure they will not be overly visible from long distance views, nor will they appear prominent or incongruous additions within the local townscape.

The proposed MUGA will be surrounded by a 4 metre high ball court, mesh fencing system. This element of the scheme represents the most intense form of development, by virtue of its height and general design. However, the necessity for such fencing around MUGAs and ball courts is



**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

recognised, and the fencing will retain some visual permeability through its mesh design to ensure it doesn't appear an overly solid or prominent addition to the open space or wider area. The MUGA and fencing will further be sited away from the public realm, with the site adjacent to existing established sports pitches. This will minimise its impact on the site's openness and will limit the visibility and prominence when viewed from the surrounding public realm and streets.

The associated ancillary structures and equipment (i.e. seating, exercise equipment) will be in keeping with the immediate context and character of the site (sports pitches). Further detail of these elements should be secured via condition to ensure it is of a scale and design which will not appear overly prominent with regards to the surrounding townscape.

The soft landscaping to be removed does not hold significant visual amenity value, being primarily long grass and shrubs not of a significant size. Further, the amount of soft landscaping removed would only equate to a very small proportion of the total soft landscaping within the open space.'

**Avon and Somerset Constabulary Crime Reduction Unit** has commented as follows:-

'In order to mitigate crime/ASB we would ask

- o The facility is secured overnight.
- o CCTV is capable of achieving 'identification' quality images (Home Office 28/09).
- o Features are in place to prevent unauthorised vehicular access.'

**BCC Flood Risk Manager** has commented as follows:-

'The flood risk posed to the site is deemed as relatively low from all sources of flooding.

A suitable means of drainage provision has been identified to serve the development. This includes porous macadam surfacing, French drains and soakaway trenches. The infiltration potential appears good from the ground investigation conducted and so the infiltrating SuDS methods should operate effectively. The regular maintenance schedule for the site will help continue their ongoing functioning. Such as relieving the risk of blockages occurring through routine sweeping and litter clearances. The removal of silt build-up in trenches and drains could be added to this to avoid clogging of the system over time.

It is noted that it states: "Drainage design to be confirmed once geo-technical survey is completed". Once this is firmly established please can the finalised drainage strategy be submitted for further review. This can be secured via condition.'

**BCC Nature Conservation Officer** has commented as follows:-

'The site is located in an urbanised area on a recreational (sports) site and is directly adjacent to the Airport Road Site of Nature Conservation Interest (SNCI). The site is not within the West of England Nature Partnership (WENP) Nature Recovery Network. It is not considered this development will have an impact to the SNCI site.

The Preliminary Ecological Appraisal (PEA) (Avondale Ecology, August 2023) appropriately describes the ecological features of the site and any mitigation required. The Reptile Survey Report (Avondale Ecology, September 2023) identifies mitigation and avoidance measures that must be in place to avoid the risk of killing/injury of reptiles present on site. Evidence that these are in place must be provided in a Construction Environmental Management Plan (CEMP), conditioned below.

The Biodiversity Net Gain (BNG) Assessment (Avondale Ecology, August 2023) calculates a 22.31% gain in area habitat units. This is supported. A Biodiversity Net Gain Landscape Management Plan has been submitted (Avondale Ecology, September 2023) which identifies management requirements

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on the site for the BNG calculation to be achieved and outlines an appropriate work schedule. This is supported.'

**BCC Pollution Control** has commented as follows:-

'Whilst it is unlikely that all potential noise issues can be eliminated at such an accessible community use I do feel that the measures now proposed in the management plan show that through the use of CCTV, Parks Management and the Police that any noise or anti-social behaviour issues can be suitably dealt with particularly during the evening/night time when most likely to cause disturbance or distress to nearby residents.

I also feel it has to be noted that some people may or could use the MUGA in an inconsiderate manner the majority of users are unlikely to do so with the MUGA hopefully providing other social and health benefits.'

Refer to Key Issue B for full comments.

**Sport England** has commented as follows:-

'Sport England raises no objection to this application as it is considered to meet exception 5 of our Playing Fields Policy and to accord with Paragraph 99 of the National Planning Policy Framework (NPPF)' - see Key Issue F for full comments.

**BCC Transport Development Management** has commented as follows:-

'TDM are satisfied the applicant has provided sufficient information to address the concerns of TDM.

The general arrangements have been prepared by City Engineering in BCC Highways which adheres to the appropriate guidance.

No objections are raised in terms of access, transport or highway safety.'

Refer to Key Issue D for full comments.

**BCC Contaminated Land Environmental Protection** has commented as follows:-

'The applicants need to demonstrate the proposed application is suitable for use, there is a wealth of information available for the adjacent housing development site which may prove useful in informing any such assessment.

A minimum of a phase 1 desk study looking into contamination must be submitted to the local planning authority and where deemed necessary a phase 2 intrusive investigation shall take place.

This should be secured via condition. If any information is already prepared submission prior to determination is encouraged to reduce the burden of pre-commencement conditions.'

## RELEVANT POLICIES

National Planning Policy Framework – September 2023

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

**KEY ISSUES****(A) PRINCIPLE OF DEVELOPMENT***Need/Justification*

The supporting Planning Statement sets out the proposed MUGA is required to replace an existing facility at Filwood Broadway which is being decommissioned, with the site allocated for Business, Retail and Housing within the Bristol Local Plan Site Allocation and Development Management Policies (Policy SA1). This aligns with the Filwood Broadway Framework, which was co-developed by the Council, community and key local stakeholders and identified six key priority change projects, one of which being the former Filwood Swimming Pool site which contains the existing MUGA. The proposed new MUGA will be funded by the Council and Filwood's Levelling Up Fund investment.

It is evident that the existing MUGA at Filwood Broadway is not fit for purpose as it is only suitable for a limited number of sports, including football and basketball. The proposed new facility aims to tackle this by increasing the number of sports that can be played, whilst providing additional facilities such as seating areas and fitness equipment.

It is proposed that the new MUGA is constructed to combat both the loss of the existing facilities at Filwood Broadway and the loss of MUGA's in the wider Filwood area, where three have been removed in recent years, including Broadplain MUGA, Airport Road MUGA and Salcombe Road MUGA.

Bristol City Council's Playing Pitch Strategy aims to include development of a network of multi-use games areas for informal and organised sport at 1km intervals. The proposed new MUGA location is 130m away from the existing games area, ensuring that users are not required to travel considerable distances to reach the new facility. This is particularly important for younger users who may be travelling to the MUGA on their own. In accordance with Council's Playing Pitch Strategy, the proposed MUGA location will ensure that MUGAs remain at 1km intervals. The proposed MUGA will also be located within the existing activity and leisure space of Filwood Playing Fields and will therefore complement the sporting activity within the area.

Given the above, the Local Planning Authority is satisfied that there is a need for the facility in the local area.

*Discounted Locations*

The applicant has provided evidence which indicates that a number of alternative sites were considered for the MUGA, and the reasons why they were discounted.

One location off Gerard Close was considered, however as it was 650 metres from the existing facility this was considered too far for existing residents to walk to access the facility. This location was also 400m from the new South Bristol Youth Zone development, which includes a MUGA facility meaning that both facilities would be in close proximity to one another and serving the same area of the community, whilst leaving a gap in provision closer to the neighbourhood centre of Filwood Broadway where the existing MUGA is located.

A potential location within the Mendip Broadwalk Football Club car park was considered, however the Football Club would not agree to this, as it would prohibit the club's ability to grow into the higher leagues or develop in the future, and potentially cause wider parking issues in the residential areas during football events.

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One location as suggested by Sport England was considered, however this is within the privately owned Filwood Park and therefore the land is not within public ownership (meaning the Council would be unable to develop it). This location would also be closer to Manning Road and neighbouring properties than the proposed location. Filwood Park residents would therefore not agree to a MUGA on this part of their land due to the additional noise, disturbance and maintenance burden this would produce.

It is recognised that some objections to the application have requested whether the MUGA can be moved further south to an unused area of land between the Community Hub and sports pitch. This location was considered by the applicant, however it was concluded that the location has reduced visibility as the MUGA would sit in a dip and be partially hidden by the Community Hub, therefore causing issues in terms of safety and security. This location would also cause difficulties in achieving maintenance vehicle access to the site. A potential longer maintenance vehicle access route which causes additional losses of green space and habitat disruption, difficulties in achieving Biodiversity Net Gain and significant cost increases. This location is also not as accessible as the proposed MUGA, due to the level changes on the Filwood Park land (not in ownership of the applicant).

Given the above, the Local Planning Authority recognises that alternative locations have been considered and is satisfied for the reasoning why they have not been selected.

*Community Use*

Core Strategy Policy BCS12 sets out the general approach to the protection of community facilities. This policy states that community facilities should be located where there is a choice of travel options and should be accessible to all members of the community and where possible community facilities should be located within existing centres. Existing community facilities should in addition be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made.

Policy DM5 in the Site Allocations and Development Management Policies sets out that the term community facilities is wide-ranging and can include education establishments, health and social care facilities and sport and recreation facilities. It may also include other uses whose primary function is commercial but perform a social or community role i.e. sport, recreational and leisure facilities. Policy DM5 states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

- i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or
- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or
- iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or
- iv. Appropriate replacement community facilities are provided in a suitable alternative location.

It is recognised that the existing community use which forms part of the site (i.e. Mendip Broadwalk Football pitch) will be retained which is welcomed. This development doesn't seek to remove any existing community facilities from the site or wider area.

It is however noted that the existing MUGA at Filwood Broadway is due to be decommissioned to enable new housing development, with the site allocated for Business, Retail and Housing under Policy SA1 within the Site Allocations and Development Management Policies (2014). The

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redevelopment of the allocated site would result in the loss of the existing MUGA; the current application seeks to replace and enhance these facilities in a suitable alternative location. The location is sustainable, in very close proximity to the existing MUGA (130 metres away) and the Filwood Broadway Local Centre which is approximately 100 metres to the north. The site is also considered to be accessible to all members of the existing community, with accessible pathways and entrances included. The proposed location of the new MUGA is therefore considered acceptable, and the provision of these facilities to the local area and community are welcomed.

*Important Open Space*

The application site is located in an area of Designated Important Open Space as defined within the Policies Map associated within the Council's Site Allocations and Development Management Policies Local Plan (2014). Policy DM17 in this document states that development on part, or all of an important open space as designated will not be permitted unless the development is ancillary to the open space use. Policy BCS9 of the Bristol Development Framework Core Strategy (2011) is also applicable, and states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. Open spaces which are important for recreation, leisure and community, townscape and landscape quality and visual amenity should be protected.

In this specific instance the open space is considered to be important for leisure and community quality, being designated sports pitches and playing field. The overall development will maintain the use of the open space for community use and leisure use and will result in no reduction to size or number of the exist sports pitches. Whilst new structures are proposed in the form of the MUGA, fencing, floodlighting, pathways, seating and exercise equipment this will be ancillary to the wider open space sport/recreation use which will remain the primary function of the site. Whilst the new MUGA and pathways will result in the loss of some existing grass areas the open aspect of the site will broadly be maintained despite the introduction of fencing and other ancillary development as referenced above. Further, the proposed new facilities would fall under the same use class as the existing, being sport and leisure based in nature, which would provide a supporting role of benefit to the ongoing use/function of the open space as playing fields. As such, it is considered that the development would not result in a harmful loss of important open space in this instance. The application is subsequently considered acceptable on this basis.

**(B) WOULD THE PROPOSAL HARM THE AMENITY OF NEARBY OCCUPIERS?**

Policy BCS23 in the Bristol Core Strategy (2011) states that the locating of development should take account of the impact of the proposed development on the viability of existing surrounding uses by reason of its sensitivity to noise pollution. This policy further states that development should be sited and designed in a way as to avoid adversely impacting upon the environmental amenity or biodiversity of the surrounding area by reason of light pollution. Policy DM35 in the Site Allocations and Development Management Policies (2014) states that any scheme which will have an unacceptable impact on environmental amenity by reason of noise will be expected to provide an appropriate scheme of mitigation.

Policy DM33 in the Site Allocations and Development Management Policies (2014) states that development which has the potential for an unacceptable impact on environmental amenity by reason of pollution will be expected to provide an appropriate scheme of mitigation. This policy further states in the supporting text that light pollution occurs when the night sky, important views or other properties close to development sites become unduly lit by excessive or poorly directed lighting. Light pollution can be mitigated by reducing the overall levels of lighting and ensuring that light is directed away from the sky and nearby light-sensitive development such as housing.

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The existing site is in use as playing fields and pitches with floodlighting, which are used on a regular basis, both during the week and at weekends. It is recognised however that the new MUGA will be located on an area of land to the east of the existing playing fields which is currently not used for sport/recreation activities.

The closest properties to the proposed MUGA are located at Manning Road, the boundary of these properties being located approximately 32 metres to the east at the closest point. The properties themselves along Manning Road are approximately 36 metres away from the proposed MUGA at the closest point. Further residential properties exist at Creswicke Road to the north, with the closest property boundary located approximately 35.5m away from the site. The properties themselves at Creswicke Road are approximately 50 metres away.

The main consideration in terms of the impact on amenity of local residents is whether the use of the proposed MUGA is likely to result in increased levels of noise/disturbance or light pollution (though flood lighting) compared to the existing situation.

Flood lighting is proposed to the new MUGA in the form of 4.no eight metre high column lights arranged to the four corners of the court. In terms of light pollution, the application is supported by a Floodlighting Impact Assessment and LUX plan to demonstrate the luminance levels and light spill from the proposed floodlights. This information shows that the proposed lighting system has been designed to meet the specific lighting requirements for recreational play of large ball sports, however no harm will be caused to the amenity of any surrounding neighbouring properties by virtue of light pollution. This is primarily due to the limited height of the floodlights, separation distance with neighbours and luminance levels. To ensure that the use of the lights is limited as much as possible the floodlights will also be switched off at 8pm, and after 6pm they will be on an activation button where they will only be switched on if activated manually. The hours of use of the floodlighting is consistent with that of the adjacent sports pitches, which also have flood lighting. Given the above, the Council's Pollution Control Team raised no objections to the proposed floodlights with regards to impact on neighbours.

With regards to noise pollution, it is accepted that the nature of the development would result in increased activity at the site and the playing of sports/activities which could be noisy. It is further recognised that a number of objections from surrounding neighbour properties have raised noise and disturbance as a concern.

The MUGA however adheres to Fields in Trust guidance which states that there should be a 30-metre minimum separation between any MUGA activity zone and the boundary of the nearest property containing a dwelling. As noted above, the boundary of no residential property is located within 30 metres of the proposed MUGA activity zone. Fields in Trust is the operating name of the National Playing Fields Association (NPFA) which protects parks and green spaces and promotes the cause of accessible spaces for play, sports and recreation in British cities and towns.

A noise impact assessment has also been submitted to support the application. The assessment considers the impact of noise from the MUGA during sports type uses such as basketball, football etc during times that the floodlights will be on (originally this was proposed to be up to 10pm in the evening). During these times, with these activities, the assessment predicts that noise from the MUGA would be above Sport England guidance levels and 6 dB higher than the background noise level between 21.00 and 22.00. At these sort of levels, the Council's Pollution Control Team confirmed that there would likely be an impact on neighbours, despite the relatively considerable separation distance between the MUGA and neighbouring properties.

An earlier finish time for the floodlights was therefore considered necessary; the applicant agreed to limit the use of the floodlights so that they will be switched off at 8pm, and after 6pm they will be on an activation button where they will only be switched on if activated manually. The Council's Pollution Control Team confirmed that this would ensure that noise and disturbance will be minimised during

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the quieter periods of the day, during winter months (between September and April when it gets dark before 8pm).

It is noted that the use of the MUGA (and associated noise issues) may extend into the evening during the summer months (between May and August where it stays light for longer) however there is no effective way to manage this aside from locking the MUGA at 8pm each night. This however is not considered to be appropriate or practical for the reasons set out in Key Issue J (see below). The MUGA however has been designed so that it can be secured at night, with gates that could be locked in the future by the Council's Parks Team if necessary, should noise, disturbance and anti-social behaviour issues become an apparent problem when post development monitoring begins. This is set out in the Management Statement, compliance of which is secured via condition.

Overall there is no way to completely eliminate the risk of noise and disturbance arising from the proposed MUGA. The nature of the facility is such that noisy activities may arise; both from 'typical' uses associated with the MUGA (sports and recreation) but also through other uses, including anti-social behaviour. However, the LPA is satisfied that efforts have been made to limit anti-social behaviour (refer to Key Issue J) and limit the impact of noise on surrounding residential properties as much as possible. The MUGA activity zone will be sited at least 30 metres away from all neighbours, floodlighting will be switched off at 8pm and the facility has been designed so that it can be secured at night, with gates that could be locked in the future by the Council's Parks Team if necessary, should noise/disturbance become an apparent problem. Any noise and disturbance arising from the use of the MUGA for sports/recreation deemed to be harmful would likely only occur for a third of the year, in the evening during the summer months, between May and August where it stays light for longer. Whilst there is potential for further noise impacts arising from other uses of the MUGA, including some people using the MUGA in an inconsiderate manner at night time due to it being an unsecured facility, overall it is the view of the LPA that this will be infrequent and measures to prevent/limit anti-social behaviour issues have been considered at the design stage (refer to Key Issue J).

Given the above, on balance the proposal is not considered harmful enough to the amenity of surrounding residential properties with regards to noise and disturbance to warrant refusal when weighed in the balance with the significant community, recreation and health benefits associated with the new MUGA facility.

Initially a secondary pedestrian route linking the MUGA to the east (Manning Road) was included within the proposals however following concerns raised by local residents this was removed from the scheme entirely by the applicant.

**(C) APPEARANCE, DESIGN AND CHARACTER**

Policy BCS21 in the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Site Allocations and Development Management (2014) Policy DM27 also states that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting.

Flood lighting is proposed to the MUGA in the form of 4. no eight metre high column lights arranged to the four corners of the ball court. CCTV will be attached to the floodlights. The proposed columns would be unobtrusive given the limited bulk and massing of the structures and will appear in keeping with the surrounding context (sports fields). They will further be a limited height (8 metres) which will ensure they will not be overly visible from long distance views, nor will they appear prominent or incongruous additions within the local townscape.

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The proposed MUGA will be surrounded by a 4 metre high ball court, mesh fencing system. This element of the scheme represents the most intense form of development, by virtue of its height and general design. However, the necessity for such fencing around MUGAs and ball courts is recognised, and the fencing will retain some visual permeability through its mesh design to ensure it doesn't appear an overly solid or prominent addition to the open space or wider area. The MUGA and fencing will further be sited away from the public realm, with the site adjacent to existing established sports pitches. This will minimise its impact on the site's openness and will limit the visibility and prominence when viewed from the surrounding public realm and streets.

The associated ancillary structures and equipment (i.e. seating, exercise equipment) will be in keeping with the immediate context and character of the site (sports pitches). Further detail of these elements is secure via condition to ensure it is of a scale and design which will not appear overly prominent with regards to the surrounding townscape.

A 4 metre wide bitmac path is proposed to surround the court. A 3m wide access route from Creswicke Road will ensure that the MUGA can be accessed by pedestrians and serviced and maintained by the Bristol Council Parks team. The access route will be constructed using heavy duty permeable plastic paving grids. It is accepted that the MUGA and new access routes will result in the loss of soft landscaping and green infrastructure. This is not ideal, however following consultation the Council's City Design Group and Nature Conservation Officer confirmed that the soft landscaping to be removed does not hold significant visual amenity value, being primarily long grass and shrubs not of a significant size. Further, the amount of soft landscaping removed would only equate to a very small proportion of the total soft landscaping within the open space. The boundary scrub at the site will be retained and there will be new habitat management and new tree planting, which enable Biodiversity Net Gain to be achieved. The loss as a whole would subsequently not impact significantly or detrimentally enough upon the existing character of the open space or wider area to warrant refusal.

The overall design, layout and scale of development is therefore considered acceptable in the context of the site and surrounding area and is recommended for approval on this basis, subject to conditions.

**(D) DOES THE PROPOSAL ADEQUATELY ADDRESS HIGHWAY SAFETY ISSUES?**

Policy BCS10 in the Bristol Core Strategy (2011) states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians.

The application has been considered by the Council's Transport Development Management Team (TDM).

The application originally sought approval for two access routes for maintenance purposes, however one route to the east via Manning Road was removed during the course of the application. The Manning Road access route was subject to consultation and approval with Filwood Park residents and their management company. Following the consultation exercise, the management company advised the applicant that the access route across their land at Filwood Park would not be supported. The access proposal plans were therefore amended to reflect this advice, and revised plans submitted. The access route is now only proposed from Creswicke Road. This route will be fully secured and locked via a gate, utilising the Bristol Parks team locking system and will be locked for vehicles at all times except when cleaning and maintenance is being carried out. Pedestrian access will be obtained



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through a chicane gate, therefore prohibiting unauthorised private vehicle access. TDM confirmed that the access route, including for maintenance purposes, is acceptable and will result in no highway safety or transport issues.

It is recognised that pedestrians may still try and access the MUGA directly from the east via Manning Road. There is currently an existing fence and a considerable scrub / shrubbery buffer to the east of the MUGA which will be retained as a defensible boundary. Whilst this may not completely restrict access via Manning Road it will be a suitable deterrent; a larger, higher or more restrictive boundary treatment would not be appropriate in this location from a landscape, ecology and visual perspective.

Emergency vehicles will be able to access Filwood Fields playing pitches via the football club car park. To reach the MUGA, these vehicles will be able to drive down the maintenance access route, via the football club entrance. Alternatively, it is also possible to drive emergency vehicles from Manning Road across the path/grass towards the rear of the Filwood Park Hub building, as it is only 10m away from the MUGA and within reach of fire hoses. TDM raised no concerns or objections in relation to the emergency access arrangements.

There will be a loss of 1-2 parking spaces to enable maintenance access from Creswicke Road. The carriageway will be reconstructed in the location of a new vehicle access kerb and the footway will also be reconstructed to accommodate a dropped kerb. TDM raised no objections to the limited loss of on street parking spaces given the context, however noted that as the application will have some impact on the current highway a financial contribution of £6,310 is required to cover the cost of any Traffic Regulation Order. This will be secured via a Memorandum of Understanding between Council departments.

The applicant has confirmed that the maintenance access route will not be Adopted Highway, and following a request from TDM vehicle visibility splay measuring 2.4m x 25m from the proposed vehicle accessway at Creswick Road has been provided. Sheffield stands for bicycles have also been included, following a request from TDM.

A construction management plan is secured via condition, to ensure the development has no impact on the existing highway network and neighbouring properties during the construction period.

Following the submission of further information and revised plans TDM confirmed that they have not objections to the proposal with regards to the access or highway safety issues. The application is therefore recommended for approval on this basis, subject to conditions.

**(E) NATURE CONSERVATION**

The proposal is within a locally identified Wildlife Corridor Site (Bonnington Walk Playing Fields). Policy DM19 in the Site Allocations and Development Management Policies (2014) seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys. This policy further states that development which would have a harmful impact on the connectivity and function of sites in Wildlife Corridors will only be permitted where the loss in connectivity, or function, of an existing Wildlife Corridor is mitigated in line with the following hierarchy:

- a. Creation of a new wildlife corridor within the development site;
- b. Enhancement of an existing corridor or creation of a new corridor off-site to maintain the connectivity of the Bristol Wildlife Network.'

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This policy further states that development should integrate existing wildlife corridors. Where this is not practicable it should provide suitable mitigation in the form of on-site, functional Wildlife Corridor(s). Development should also provide mitigation for any habitats, species or features of value associated with the Wildlife Corridors, where they are harmed or lost. This should take place on the development site wherever possible.

The application has been considered by the Council's Nature Conservation Team, who confirmed that the site is located in an urbanised area on a recreational (sports) site and is directly adjacent to the Airport Road Site of Nature Conservation Interest (SNCI). The site is not within the West of England Nature Partnership (WENP) Nature Recovery Network. It is not considered this development will have an impact to the SNCI site.

The application is supported by a Preliminary Ecological Appraisal (PEA) which appropriately describes the ecological features of the site and any mitigation required. The submitted Reptile Survey Report identifies mitigation and avoidance measures that must be in place to avoid the risk of killing/injury of reptiles present on site. Evidence that these are in place must be provided in a Construction Environmental Management Plan (CEMP), which is secured via condition.

Following Case Officer advice further information was provided with regards to light levels and the potential impact on bats. Following review of this information the Council's Nature Conservation Officer confirmed that lux (light) levels will be low enough beyond the 10m 5lux mark of the lighting plan, where some of the linear features slightly more attractive to bats are. The timer will also prevent excessive lighting disturbance to nocturnal animals during their usual foraging/commuting periods, and recommendations in the ILP guidance for bats have been followed. As such, the Council's Nature Conservation Officer confirmed that the development will cause no harm to existing nocturnal animals and bats.

The application is supported by a Biodiversity Net Gain (BNG) Assessment which calculates a 22.31% gain in area habitat units. The majority of the site comprises infrequently cut species-poor semi-improved grassland; the biodiversity net gain will be achieved by the creation of new mixed native scrub planting areas, species-rich neutral grassland, the reseeded of existing modified grassland with a more diverse seed mix, maintaining existing long tussocky grassland, the planting of at least two standard trees, the creation of habitat piles for reptiles and other species and the installation of hedgehog connectivity measures at the site boundaries. This is supported. A Biodiversity Net Gain Landscape Management Plan has also been submitted which identifies management requirements on the site for the BNG calculation to be achieved and outlines an appropriate work schedule. This is also supported.

The application is therefore considered acceptable on ecology grounds, subject to conditions requiring the submission of a CEMP as noted above.

**(F) DO THE PROPOSALS RAISE ANY SPORTS AND LEISURE PROVISION ISSUES?**

The proposal prejudices the use of land being used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). Consultation with Sport England is therefore a statutory requirement.

Following consultation, Sport England commented that MUGAs can be an important facility for informal physical activity and formal recreational sport. Sport England therefore recognised that the proposal would improve the local area but raised concern that the siting of the facility may affect the future of the adjacent playing pitch that has sports lighting already in place.

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Sport England therefore queried whether the MUGA could be located in an alternative position away from the adjacent sports pitch, however this was discounted by the applicant for the reasons set out in Key Issue A.

Further information was therefore requested to demonstrate that the development of the MUGA adjacent to the sports pitch would not prejudice the future expansion of Mendip Broadwalk FC (the first team of which has aspirations to progress through the football pyramid, which would require additional stadia requirements).

The applicant subsequently provided this information, and engaged directly with the adjacent sports club and Football Foundation to discuss the proposals and provide assurance that the MUGA development can be undertaken without impacting the future expansion of Mendip Broadwalk FC.

Sport England therefore raised no objections to the application, confirming that it meets exception 5 of their Playing Fields Policy and to accord with Paragraph 99 of the National Planning Policy Framework (NPPF), in that the proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

**(G) FLOOD RISK**

Bristol Core Strategy (2011) Policy BCS16 states that all development will also be expected to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).

The Council's Flood Risk Team have reviewed the application and confirmed that the flood risk posed to the site is deemed as relatively low from all sources of flooding. A suitable means of drainage provision has been identified to serve the development. This includes porous macadam surfacing, French drains and soakaway trenches. The infiltration potential appears good from the ground investigation conducted and so the proposed infiltrating SuDS methods should operate effectively. The regular maintenance schedule for the site will also help continue their ongoing functioning. The application is therefore considered acceptable on flood risk grounds in principle, however it is noted that the final drainage design will be confirmed once geo-technical survey is completed. A further detailed drainage scheme is therefore secured via condition.

**(H) DO THE PROPOSALS ADEQUATELY ADDRESS ANY CONTAMINATION ISSUES RELATING TO THE SITE?**

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- ii. The proposed development will not cause the land to become contaminated, to the detriment of future use

Following consultation, the Council's Contaminated Land raised no objections to the application in principle, however noted that it must be demonstrated that the proposal is suitable for use in terms of land contamination. A minimum of a phase 1 desk study looking into contamination is required, and where deemed necessary a phase 2 intrusive investigation should take place. This is secured via condition.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA****(I) IMPACT ON TREES**

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. Individual green assets should be retained wherever possible and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size. Policy DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

The Council's Arboricultural Officer confirmed that there are no substantial trees located in close enough proximity to the proposed development to be impacted upon by the proposals. The boundary scrub at the site will be retained and there will be new habitat management and new tree planting which is welcomed.

**(J) SAFETY AND SECURITY**

Paragraphs 92, 97 and 130 of the National Planning Policy Framework (2023) require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 97, 106, 108, 110, 112 and 119 also require the creation of safe environments within the context of the appropriate section.

Bristol Core Strategy (2011) states that one of the overarching issues for ensuring a sustainable future is reducing the opportunity for crime. Site Allocations and Development Management Policy DM28 (2014) states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction. Section 4 adds that development will be expected to reduce crime and fear of crime by creating a well-surveyed public realm that is well managed and cared for.

The application has been considered by the Avon and Somerset Constabulary Designing Out Crime Officer (DOCO) who has a responsibility for Crime Prevention Through Environmental Design (CPTED) projects within the Bristol area. In assessment of the application, the DOCO has considered guidance on play areas as contained in the document Secured by Design Homes 2023.

A number of objections have been raised by surrounding residents regarding the development increasing anti-social behaviour issues (ASB) and resulting in crime, and it is recognised based on local crime data that ASB forms the highest incident count in the area.

Initial concerns were raised by the DOCO regarding the scope and purpose of the CCTV system. Further information was therefore provided by the applicant, including confirmation that the Council's CCTV Operations Centre will be providing the monitoring. On this basis, the DOCO confirmed they are satisfied that evidential quality images will be captured by the CCTV which could be used for effective prosecution. The CCTV will therefore act as a crime/ASB deterrent and will be of a suitable quality to give investigators reasonable lines of enquiries to identify and deal with offenders of both crime and ASB. The Local Police highlighted a recent nearby example outside of Dame Emily Park where an incident captured on Council CCTV enabled the police to issue multiple notices and warnings to those involved quelling their behaviour. The Police noted that without the CCTV the behaviour would likely continue without them being able to identify and deal with offenders.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

It is proposed that the MUGA will remain open and accessible 24/7. It is recognised that this will increase the risk of crime and ASB (including vandalism and graffiti that occurs after dark). Discussions were held between the LPA and applicant regarding the potential to lock the MUGA overnight. It was however determined, following further discussion with the Council's Parks Team (who will be responsible for the management and maintenance of the MUGA) that implementing an overnight locking service from Bristol Workplace can be unreliable and may not always be practical. If the MUGA was in use there would also be difficulties and disadvantages to it being locked, as users would need to be removed first. It was also considered that locking the MUGA failed to accord with the general purpose and benefit of the development, offering unrestricted access to sporting facilities to all people, at all times. As such, on balance it was not considered necessary to secure the locking of the MUGA overnight. The MUGA however has been designed so that it can be secured at night, with gates that could be locked in the future by the Council's Parks Team if necessary, should ASB and crime become an apparent problem when post development monitoring begins (including CCTV). This is set out in the Management Statement, compliance of which is secured via condition.

Pedestrians will be able to reach the access route via a chicane gate, which is separate from the locked maintenance gate. The chicane gate will ensure that unauthorised vehicles (e.g. motorbikes) are unable to access the site.

Initially a secondary pedestrian access route linking the MUGA to the east (Manning Road) was included within the proposals however following concerns raised by local residents this was removed from the scheme entirely by the applicant. A secondary emergency route for pedestrians however will be available to the south. The inclusion of only one dedicated access to the MUGA (from the north via Creswicke Road) is not ideal, however it is recognised that the secondary route (as initially proposed) was removed following safety and security concerns raised by local residents. The northern access route will include no lighting. It is noted that this could result in safety and security issues, however it is unlikely that the route will be used frequently during night time or darkness hours given that the MUGA floodlighting will not operate after 8pm. Further illuminating the route with lighting could result in further amenity issues for properties to the north along Creswicke Road with regards to light pollution. The DOCO was consulted on the revised access arrangement and raised no objections/concerns. Overall the dedicated access from the north, and emergency access to the south are considered sufficient to serve the MUGA from a safety and security perspective. It is recognised that people may still try and access the MUGA directly from the east via Manning Road. There is currently an existing fence and a considerable scrub / shrubbery buffer to the east of the MUGA which will be retained as a defensible boundary. Whilst this may not completely restrict access via Manning Road it will be a suitable deterrent; a larger, higher or more restrictive boundary treatment would not be appropriate in this location from a landscape, ecology and visual perspective.

Ultimately it is not possible to eliminate the risk of crime completely, nor is there any evidence which could be provided to demonstrate that the development will not cause issues. Given the above however, the LPA is satisfied that the proposal is policy compliant in that crime and disorder and fear of crime has been considered in the design stage of the development. The use of CCTV, the facility being designed so that it could be secured at night, features in place to prevent unauthorised vehicular access and the commitment to regular maintenance and monitoring by the Council's Parks Team (as detailed in the approved Management Statement) will help reduce the opportunity for crime arising from the proposal and demonstrate that crime has been considered. The application is therefore considered acceptable on this basis.

**(K) ARCHAEOLOGY**

Following consultation, the Council's Archaeology Officer noted that the area of the proposed development is known to have been occupied during the Romano-British period. Previous archaeological work in the vicinity has recorded well preserved evidence of a substantial agricultural community during the late Iron Age to Roman era.

**Development Control Committee A – 24 January 2024**

**Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

The site itself has been subject to previous non-intrusive geophysical surveys that have suggested that there is limited archaeological evidence surviving beneath the playing field, possibly as a result of previous landscaping and drainage works. However, deeper archaeological features may be present. Therefore an assessment of the potential impact to the archaeological significance on this site was requested.

Based on the submitted information and evaluation report referenced, the Council's Archaeology Officer confirmed that there is unlikely to be any impact to archaeological significance posed by this scheme. As such, the application is considered acceptable on this basis and there are no further archaeological requirements.

**(L) PUBLIC HEALTH**

Policy DM14 (The Health Impacts of Development) of the Site Allocations and Development Management Policies (2014) outlines that development should contribute to reducing the causes of ill health, improving health and reducing health inequalities within the city through promoting and enabling healthy lifestyles as the normal, easy choice.

By means of providing the new, enhanced facilities to the local area, with potential to play a range of sports and activities, as well as fitness equipment, the proposal would result in a wide ranging physical and mental health benefits. This would contribute to objectives of reducing ill health and improving public health within Bristol.

**CONCLUSION**

Following the submission of further detail the application is considered acceptable and is recommended for approval, subject to conditions.

**COMMUNITY INFRASTRUCTURE LEVY**

How much Community Infrastructure Levy (CIL) will this development be required to pay?

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

**EQUALITY ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA****RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

## 1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Pre commencement condition(s)**

## 2. Protection of Retained Trees during the Construction Period

No work of any kind shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown on the Tree Protection Plan referenced 22-010 06 Rev A. Once installed photos should be electronically sent to the Local Authority Case Officer, shall be submitted to and approved in writing by the LPA in order that the council may verify that the approved tree protection measures are in place when the work may commence. The approved fences shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

## 3. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

4. Site Specific Construction Environmental Management Plan (CEMP)

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must include measures to comply in full with the recommendations made in the Preliminary Ecological Appraisal (PEA) (Avondale Ecology, August 2023) and the Reptile Survey Report (Avondale Ecology, September 2023), i.e to avoid offences against legally protected and priority species and habitats during construction, including site clearance and demolition. Provision shall be made within the CEMP for the appointment of an Ecological Clerk of Works (ECoW) to undertake site visits and to supervise ecologically sensitive operations.

Where considered to be required by the project ecologist, the CEMP shall be supplemented by a Method Statement for a Preliminary Method of Working (MS-PMW) to avoid accidental harm being caused to any protected, priority or notable habitats or species.

The development shall be carried out in full accordance with the approved details or any amendments agreed in writing by the Local Planning Authority.

Reason: To demonstrate compliance with: the 1981 Wildlife & Countryside Act (as amended); the 1996 Wild Mammals Protection Act; the 2017 Habitats Regulations; the 2006 NERC Act; the 2006 Animal Welfare Act; and the 1992 Protection of Badgers Act.

5. Sustainable Drainage System (SuDS)

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the MUGA commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

6. Site Characterisation and Risk Assessment

No development shall take place until the works relating to land contamination below are completed:



**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

With consideration to human health, controlled waters and the wider environment, the following documents shall be completed (as required) to characterise potential risk to sensitive receptors and submitted to the LPA for approval:

- I. Preliminary Risk Assessment (PRA);
- II. Generic Quantitative Risk Assessment (GQRA);
- III. Detailed Quantitative Risk Assessment (DQRA).

Submission of a PRA is the minimum requirement. DQRA only to be submitted if GQRA findings require it.

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

#### 7. Remediation Strategy and Verification Plan

No development shall take place until the works relating to land contamination below are completed:

In accordance with the findings of Site Characterisation & Risk Assessment, documents from the following shall be submitted (as required) to the LPA for approval:

- I. Remedial Options Appraisal;
- II. Remediation Strategy;
- III. Verification Plan.

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 8. Remediation and Verification

The consented development shall not be taken into use until the works relating to land contamination below are completed:

Remediation (if required) shall be carried out in accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the LPA for approval. The Verification Report must include information validating all remediation works carried out; details of imported fill materials (source/quantity/suitability); details of exported fill materials; and details of any unexpected contamination.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Further details of pedestrian access

No development shall take place until details of the proposed dedicated pedestrian and cycling access to the site have been submitted to and approved in writing by the Local Planning Authority. Prior to occupation the access shall be completed in accordance with the approved plans.

Reason: To ensure safe and adequate pedestrian access to the site.

10. Large scale detail

Prior to the commencement of the relevant part of the works hereby approved drawings to a minimum 1:10 scale (also indicating location, materials, treatments, and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

- (a) Exercise equipment
- (b) Benching and shelter
- (c) All new boundary treatment

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To ensure that the external appearance is satisfactory and that the character and appearance of the area would not be harmed.

**Pre occupation condition(s)**

11. Unexpected Contamination

The consented development shall not be taken into use until written confirmation is provided to the LPA that unexpected or previously-unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the LPA for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

Remediation (if required) shall be carried out in accordance with the approved Remediation Strategy. Upon completion of works, a Verification Report shall be submitted for approval.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and objectives of the National Planning Policy Framework. Where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner.

12. Further details of external lighting provision within the site:

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- A system of external lighting in the publicly accessible areas within the site;
- The results of a lighting assessment undertaken in accordance with Guidance Note 1 for the Reduction of Obtrusive Light (2020).

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To minimise the discharge of surface water onto the adopted highway

13. Completion of Vehicular Access - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

14. Installation of vehicle crossover - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility

15. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

16. Provision of Vehicular Visibility Splays

No building or use hereby permitted shall be occupied or use commenced until visibility splays 2.4 metres back from the centre line of the access and extending (FILL IN) metres on the nearside carriageway edge shall be provided at all accesses/junctions, as shown on the

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

approved plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure motorists have clear and unrestricted views of approaching cyclists/vehicles in the interest of highway safety.

**Post occupation management**

## 17. Management Statement

The development hereby approved shall be undertaken, maintained and managed in full accordance with the Filwood Multi Use Games Area Management Statement Version 2, submitted on the 1st December 2023.

Reason: To protect the residential amenities of neighbouring occupiers and the general character of the area.

## 18. Floodlighting - Time Restriction

The floodlighting hereby approved shall only operate between the following hours:

17.00 to 20.00 Monday to Friday

10.00 to 20.00 Saturdays

10.00 to 18.00 Sundays

Reason: To protect the residential amenities of neighbouring occupiers from late night floodlighting and noise pollution.

## 19. Artificial Lighting (external)

Any light created by reason of the development shall not exceed the maximum values of vertical illuminance on premises as detailed in table 3 of the Institute of Light Engineers Guidance Note 01/21 The Reduction of Obtrusive Lighting.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

## 20. Installation of CCTV

The approved CCTV system shall be installed and made operation prior to the commencement of use.

Reason: In the interest of residential amenity, safety and security.

## 21. Landscaping

The landscaping/planting proposals hereby approved (shown on drawing 22-010 07 Rev A) shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a program, details of which shall be submitted to and agreed in writing by the Local Planning Authority. All planted materials shall be maintained for 5 years and any trees removed, dying, being severely damaged or become seriously diseased within 5 years of planting shall be replaced with others of a similar size and species to those originally required to be planted.

**Development Control Committee A – 24 January 2024****Application No. 23/03423/FB : Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA**

Reason: To ensure that the appearance of the development is satisfactory and in line with Bristol City Council Policy DM17.

**List of approved plans**

## 22. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

P05-03 Rev B MUGA Design Option 5 Crewsicke & Manning Rd Access General Arrangement, received 7 December 2023  
 22-010 09 Elevations of MUGA fence, received 13 September 2023  
 Reptile Survey Report prepared by Avondale Ecology dated September 2023, received 25 September 2023  
 CCTV Bracket Information Predator Installation Manual V2.3.00.29.2, received 1 November 2023  
 CCTV Information Invictus Ruggedised-Hybrid PTZ Camera, received 1 November 2023  
 D05 Rev A Cross sections, received 7 December 2023  
 22-010 05 Site location plan, received 13 September 2023  
 22-010 06 Rev A Tree Protection Plan, received 15 December 2023  
 22-010 07 Rev A Landscape proposals, received 15 December 2023  
 HLS6901 Floodlighting plan, received 13 September 2023  
 P05-00 Creswicke & Manning Road access general arrangement, received 7 December 2023  
 P05-01 Rev A Creswicke & Manning Road access general arrangement, received 7 December 2023  
 P05-02 Rev A Creswicke & Manning Road access general arrangement, received 7 December 2023  
 Filwood Multi Use Games Area Management Statement Version 2, submitted on the 1st December 2023., received 1 December 2023  
 Preliminary Ecological Appraisal (PEA) prepared by Avondale Ecology dated August 2023, received 13 September 2023

Reason: For the avoidance of doubt.

**Advices**

## 1 Excavation Works on the Adopted Highway

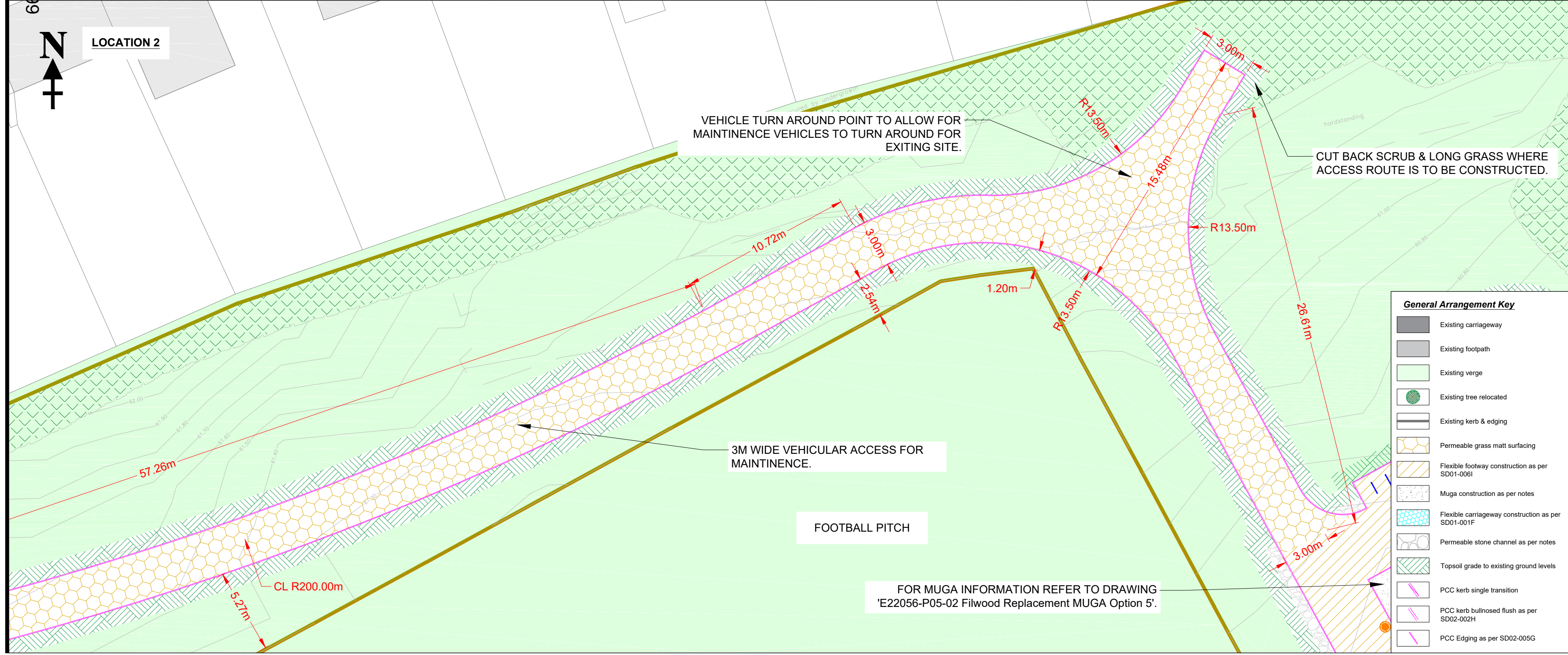
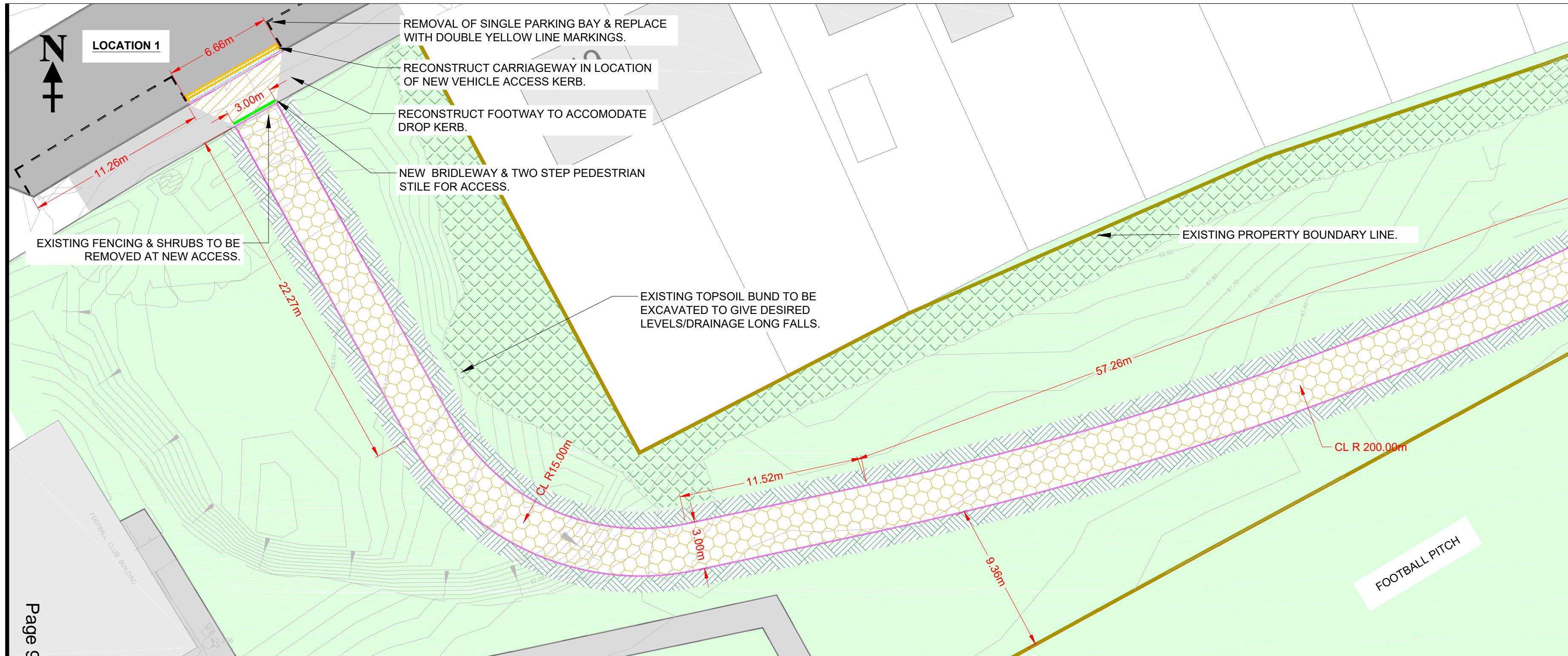
The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at [www.bristol.gov.uk/highwaylicences](http://www.bristol.gov.uk/highwaylicences)

- 2 If works are proposed within the nesting bird period (March to August inclusive), nesting bird checks shall be completed by a suitably qualified ecological consultant to ensure that no breeding birds would be adversely affected including by disturbance by the works. Where checks for nesting birds are required, they shall be undertaken no more than 48 hours prior to the removal of vegetation. If nesting birds are found, a 5m buffer zone shall be implemented and works shall not be carried out in that area until the chicks have fledged.

## Supporting Documents

2. **Filwood Park Playing Fields, Creswicke Road, BS4 1UA.**
  1. E22056-P05-01-A Filwood Replacement MUGA Option 5
  2. E22056-P05-02-A Filwood Replacement MUGA Option 5
  3. E22056-P05-03-B Filwood Replacement MUGA Option 5
  4. Proposed Elevations





**General Arrangement Key**

- Existing carriageway
- Existing footpath
- Existing verge
- Existing tree relocated
- Existing kerb & edging
- Permeable grass matt surfacing
- Flexible footway construction as per SD01-006I
- Muga construction as per notes
- Flexible carriageway construction as per SD01-001F
- Permeable stone channel as per notes
- Topsoil grade to existing ground levels
- PCC kerb single transition
- PCC kerb bullnosed flush as per SD02-002H
- PCC Edging as per SD02-005G

FOR MUGA INFORMATION REFER TO DRAWING 'E22056-P05-02 Filwood Replacement MUGA Option 5'.

- NOTES:**
1. All dimensions are in meters unless otherwise stated.
  2. For SD numbers please refer to Bristol City Council standard drawings.
  3. For road marking diagram numbers - refer to the traffic sign regulations and general directions 2019.
  4. Access to frontages to be maintained at all times unless agreed otherwise with the supervisor.

**BRISTOL CITY COUNCIL**  
**TRAFFIC & HIGHWAYS MAINTENANCE**  
**ENGINEERING & DESIGN**

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Rev.	Date	Description	By
A	28.11.23	Manning Road Access Removed	HHJ

Project  
**Replacement MUGA**  
**Filwood Broadway**  
**Filwood Park**

Title  
**MUGA Design Option 5**  
**Crewsicke & Manning Rd Access**  
**General Arrangement**

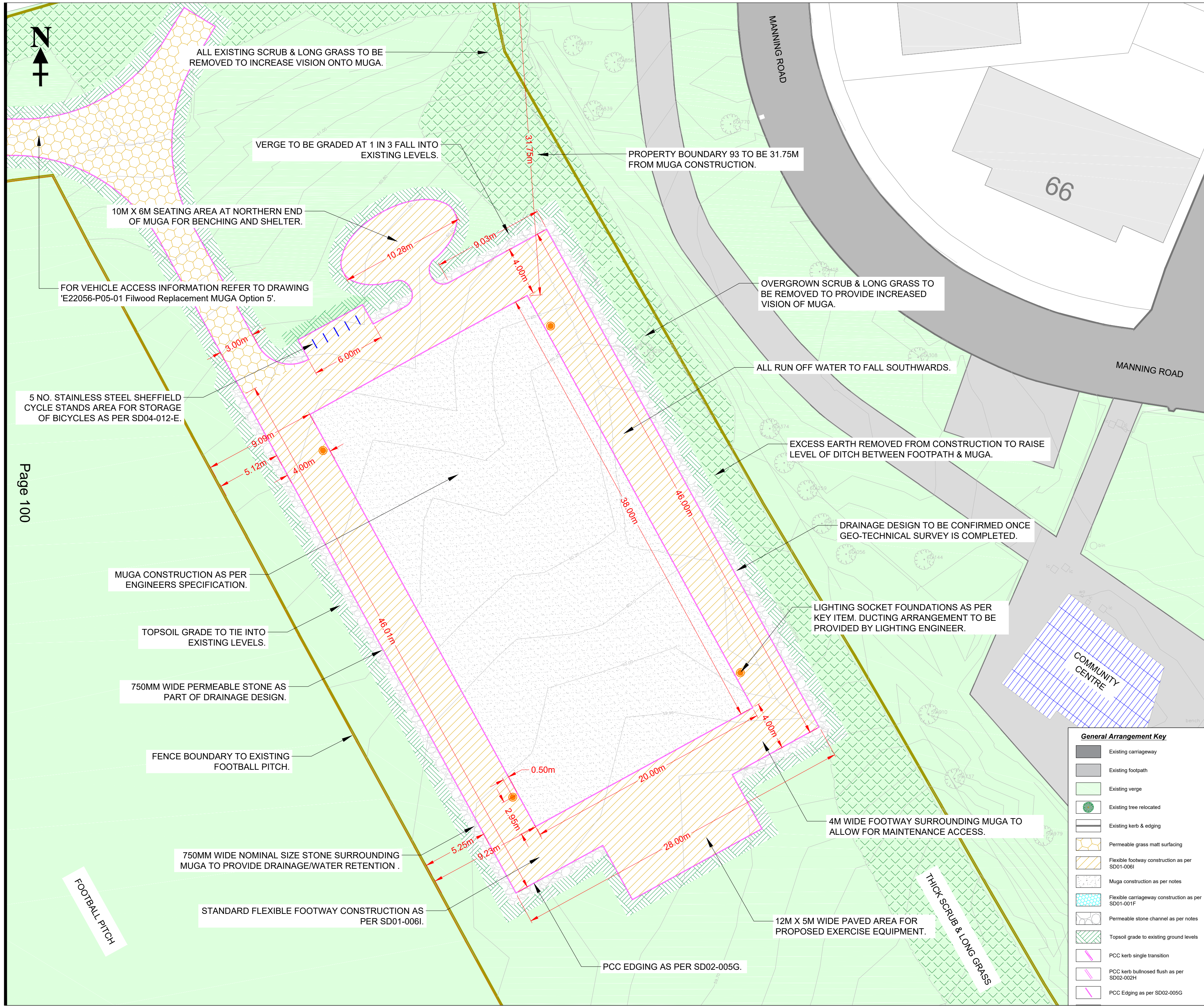
Client  
**Local and Sustainable Transport**  
**Management of Place - Growth & Regeneration**  
**L.E**

Drawn by <b>HHJ</b>	Checked by <b>MHB</b>
Date Drawn <b>AUG 2023</b>	Date Issued <b>28.11.23</b>
Status <b>DRAFT</b>	Issued by <b>HHJ</b>

Scale  
**1:200 @ A2**

Project Number <b>E22056</b>	Drawing <b>- P05-01 -</b>	Revision <b>A</b>
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Page 100

- NOTES:
1. All dimensions are in meters unless otherwise stated.
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  4. Access to frontages to be maintained at all times unless agreed otherwise with the supervisor.

**BRISTOL CITY COUNCIL**

**TRAFFIC & HIGHWAYS MAINTENANCE**

**ENGINEERING & DESIGN**

PO Box 3399, Bristol City Council, Bristol BS1 9NE

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Rev.	Date	Description	By
A	28.11.23	Manning Road Access Removed	HHJ

Project  
**Replacement MUGA**  
**Filwood Broadway**  
**Filwood Park**

Title  
**MUGA Design Option 5**  
**Creswicke & Manning Rd Access**  
**General Arrangement**

Client  
**Local and Sustainable Transport**  
**Management of Place - Growth & Regeneration**  
**L.E**

Drawn by <b>HHJ</b>	Checked by <b>MHB</b>
Date Drawn <b>AUG 2023</b>	Date Issued <b>28.11.23</b>
Status <b>PRELIMINARY</b>	Issued by <b>HHJ</b>

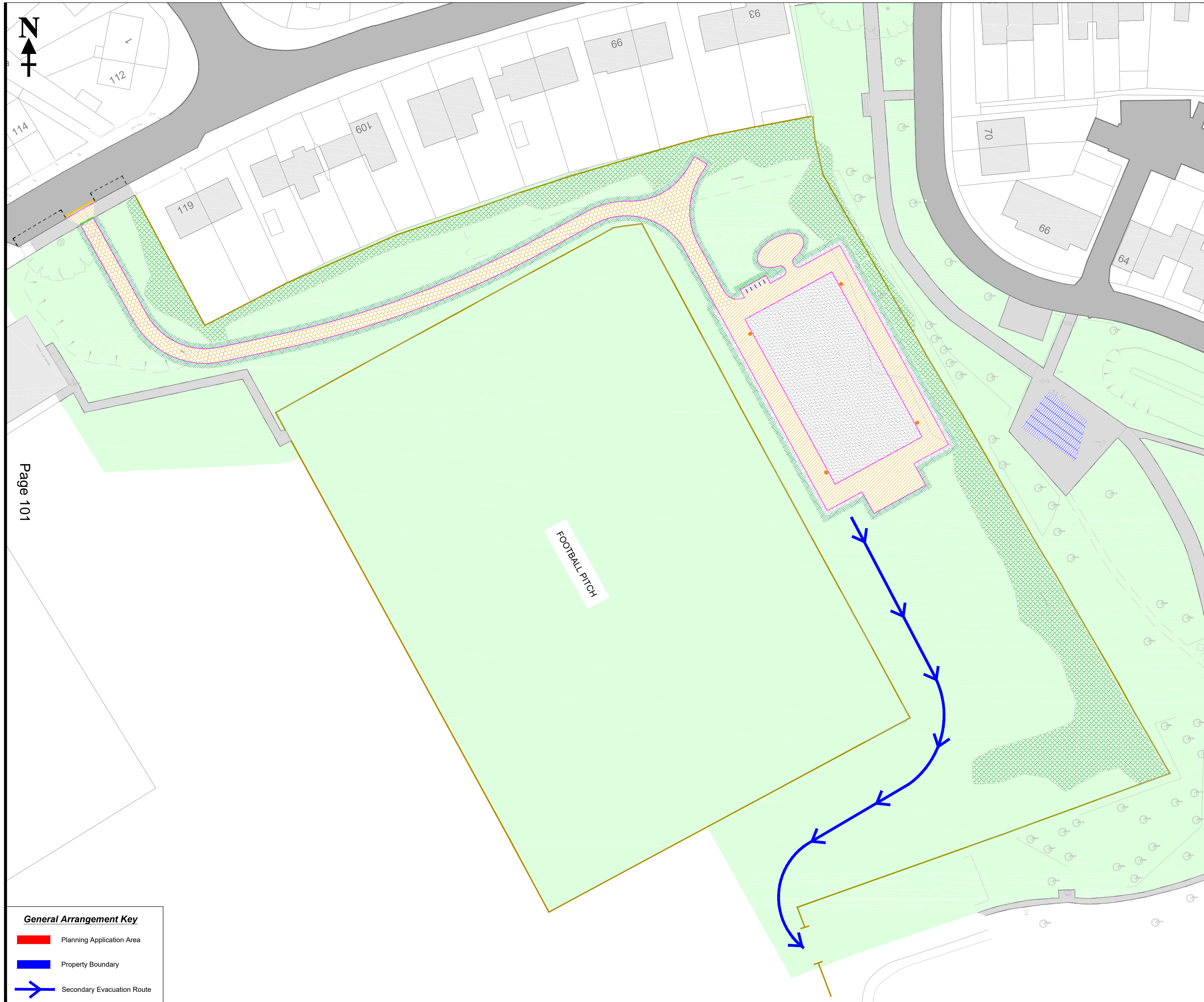
Scale  
**1:200 @ A2**

Project Number <b>E22056</b>	Drawing <b>- P05-02 -</b>	Revision <b>A</b>
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**General Arrangement Key**

- Existing carriageway
- Existing footpath
- Existing verge
- Existing tree relocated
- Existing kerb & edging
- Permeable grass matt surfacing
- Flexible footway construction as per SD01-006I
- Muga construction as per notes
- Flexible carriageway construction as per SD01-001F
- Permeable stone channel as per notes
- Topsoil grade to existing ground levels
- PCC kerb single transition
- PCC kerb bullnosed flush as per SD02-002H
- PCC Edging as per SD02-005G





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**General Arrangement Key**

- Planning Application Area
- Property Boundary
- Secondary Evacuation Route

- NOTES:**
1. All dimensions are in meters unless otherwise stated.
  2. For SD numbers please refer to Bristol City Council standard drawings.
  3. For road marking diagram numbers - refer to the traffic sign regulations and general directions 2019.
  4. Access to frontages to be maintained at all times unless agreed otherwise with the supervisor.

**TRAFFIC & HIGHWAYS MAINTENANCE**  
 ENGINEERING & DESIGN

PO Box 3399, Bristol City Council, Bristol BS1 9NE

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Rev.	Date	Description	By
B	28.11.23	Manning Road Access Removed	HHJ
A	01.09.23	MUGA Surround Changes	HHJ

Project  
**Replacement MUGA**  
**Filwood Broadway**  
**Filwood Park**

Title  
**MUGA Design Option 5**  
**Crewsicke & Manning Rd Access**  
**General Arrangement**

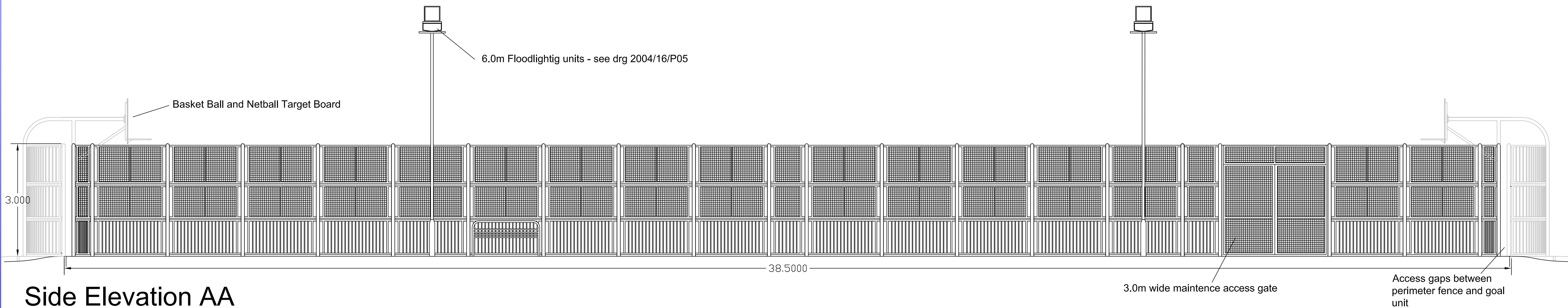
Client  
**Local and Sustainable Transport**  
**Management of Place - Growth & Regeneration**  
**L.E**

Drawn by <b>HHJ</b> Date Drawn <b>AUG 2023</b> Status <b>PRELIMINARY</b>	Checked by <b>MHB</b> Date Issued <b>28.11.23</b> Issued by <b>HHJ</b>
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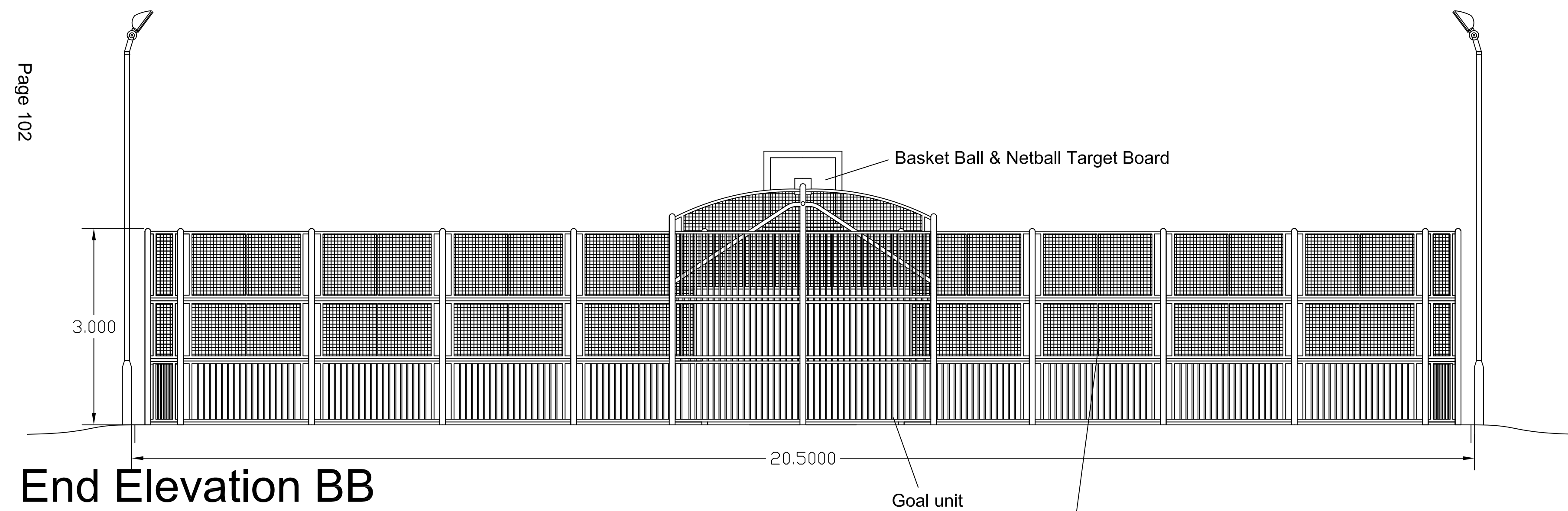
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Project Number	Drawing	Revision
<b>E22056</b>	<b>- P05-03 -</b>	<b>B</b>

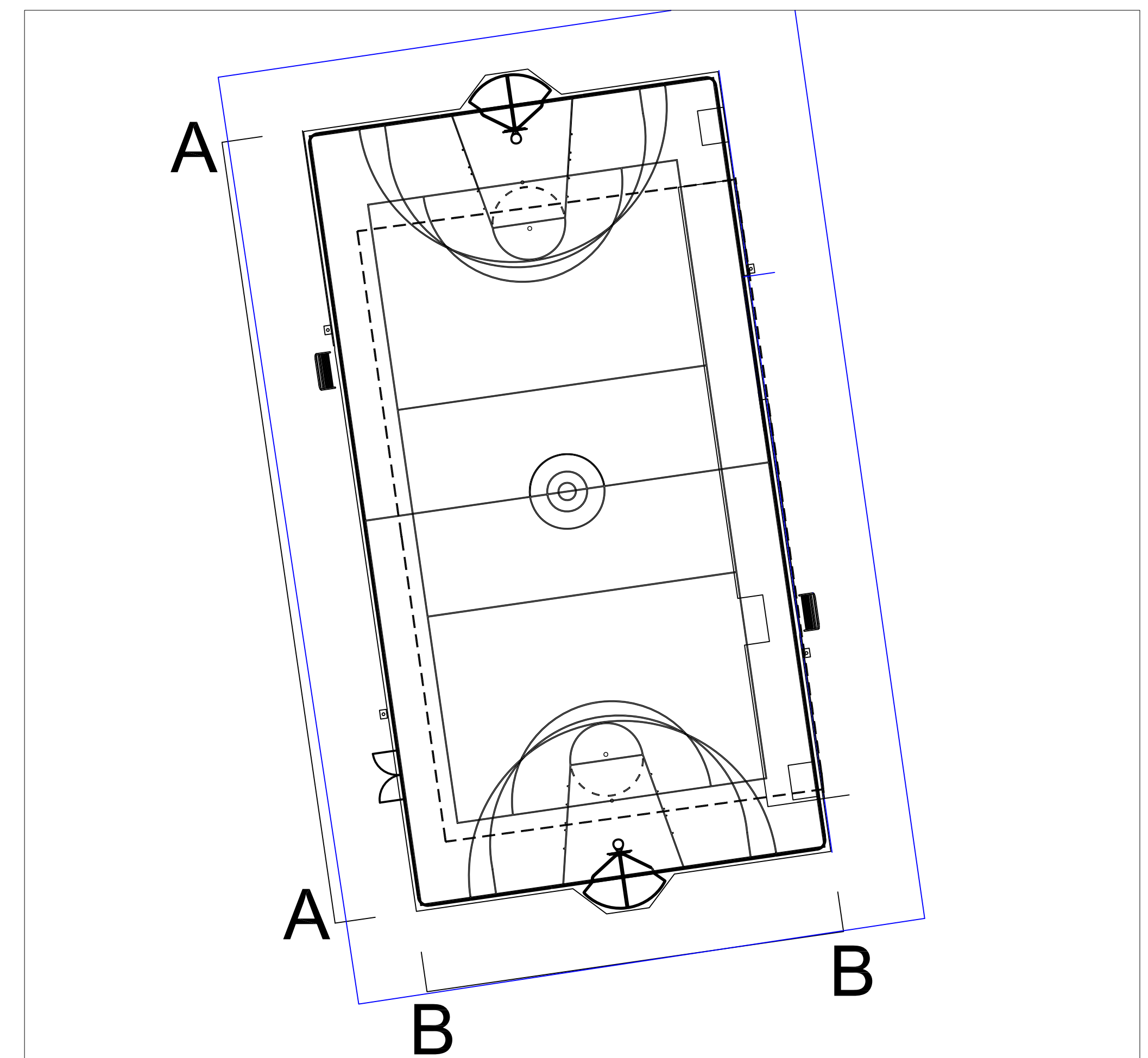




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- New Ball Court Fencing System:
- 1.0 internal rebound panel at ground level to all fence panels
  - Two Accessible chicane pedestrian gates
  - 3.0m wide x 2.4m high maintenance access gate
  - Post colour- tba
  - Fence panel colour - tba
  - Polyester powder coated finish



# Elevations of Proposed Muga Fence 1:100

Rev	Description	Date
Client	Housing Strategy & Delivery	
Project Title	Filwood MUGA	
Drawing Title	Elevations of MUGA fence	
Information Status	Outline	
Project / Dwg No.	Revision	Scale
CDG 22-010 09		1:100@A1
Date	Drawn	Checked
24.7.23	LE	CB

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