

THE DOWNS COMMITTEE

Clifton and Durdham Downs (Bristol) Act 1861

To : Members of the
Downs Committee

The Lord Mayor and 6 City Councillors

The Rt. Hon. The Lord Mayor Councillor Cleo Lake
Councillor Peter Abraham
Councillor Don Alexander
Councillor Barry Clark
Councillor Chris Davies
Councillor Kye Dudd
Councillor Paula O'Rourke

The Master and 6 Merchant Venturers

Antony Kenny	Ross Ancell
Jonathon Baker	Simon Cooper
Francis Greenacre	Mary Prior
Tim Ross	

Dear Member,

You are invited to attend a meeting of the **Downs Committee** to be held at **2.00 pm on Monday, 8th April, 2019 at The Writing Room, City Hall, College Green, Bristol, BS1 5TR.**

The agenda for the meeting is set out overleaf and the supporting documents are attached.

Yours sincerely
Jeremy Livitt

Agenda

Democratic Services Section
3rd Floor, City Hall, College Green,
Bristol BS1 5TR.

Louise De Cordova
Interim Democratic and Scrutiny
Manager

Website
www.bristol.gov.uk

- 1. Welcome, Introductions and Safety Information**
- 2. Apologies and introductions**
- 3. Minutes of last meeting - Monday 28th January 2019 (Pages 5 - 12)**

The Committee is requested to approve the minutes of the last meeting held on Monday 28th January 2019.

- 4. Declarations of interest**

To note any Declarations of Interest raised by Councillors.

- 5. Public Forum (Pages 13 - 14)**

To consider items of Public Forum sent to the Downs Committee. Interested parties can submit a written statement of approximately one side A4 to the Downs Committee by sending it to Democratic Services **by no later than 12pm on Friday 25th January 2019.**

Please find attached a Public Forum statement received from the Friends of the Downs and Avon Gorge.

- 6. Matters Arising From the Events and Finance Group - Wednesday 27th February 2019 (Pages 15 - 16)**

Please find attached details of the matters arising from the Events and Finance Sub-Group meeting held on Wednesday 27th February 2019.

- 7. Events Report (Ann-Marie Leighton) (Pages 17 - 19)**

- 8. Downs Maintenance Report (Ben Skuse) (Pages 20 - 32)**

This item also includes a report from Mandy Leivers (Avon Gorge and Downs Wildlife Project).

9. Sea Walls - Planning Sea Walls Café – Revised Application Including Re-Design of Rooftop Terrace

Jonathon Baker will provide an update on the above planning application which was considered at Bristol City Council's Development Control B Committee on Wednesday 13th March 2019.

10. Planning Application - Proposed Pedestrian-Cycle Bridge over Bridge Valley Road near the Junction Bridge Valley Road - Ladies Mile - Clifton Down, Bristol (Pages 33 - 120)

Following the approval of the above planning application after an appeal, the Downs Committee have previously been advised by e-mail of a Section 38 application to the Secretary of State.

The following is attached:

- (1) A copy of the Section 38 application and details of the Inspector's decision at the appeal
- (2) Report and Minute Extract from 13th July 2016 meeting of the Development Control B Committee
- (3) Report and Minute Extract from 21st December 2016 meeting of the Development Control B Committee

The application was initially approved contrary to officers' recommendations at Development Control B Committee on 13th July 2016.

It went back to a later committee on Wednesday 21st December 2016 when one of the conditions regarding landscaping mitigation could not be complied with. It was then refused in line with the officers' recommendation.

The applicant appealed against this decision and it was overturned and allowed by the Inspector on appeal.

At the request of the Lord Mayor and Master, the Development Control Section of Bristol City Council have been asked to provide advice concerning any potential consultation process for this scheme. No response has so far been received but if it is, this will be reported verbally to the Committee.

The Committee's views on this issue are requested.

11. Any Other Business

12. Date of Next Meeting

The next meeting is scheduled to be held at **11.00am on Monday 1st July 2019 in the Merchants Hall, The Promenade, Clifton, Bristol.**

Agenda Produced By:

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Bristol City Council Minutes of the Downs Committee

28 January 2019 at 2.00 pm



Members Present:-

Councillors: Anthony Kenny (Vice-Chair - in the Chair) , Councillor Peter Abraham, Councillor Donald Alexander, Councillor Barry Clark, Councillor Kye Dudd, Councillor Christopher Davies, Councillor Paula O'Rourke, Ross Ancell, Jonathon Baker, Simon Cooper, Francis Greenacre, Mary Prior and Tim Ross

Apologies for Absence: Councillor Cleo Lake (Lord Mayor)

Officers in Attendance:-

Steven Riley, Ann-Marie Leighton, Jemma Prince, Ben Skuse, Becky Belfin, Jeremy Livitt

Apologies for Absence: Ben Wilson White

Other Attendees: Vicki Cracknell and Jonny Wood (Cycling Sunday), Mandy Leivers (Avon Gorge and Downs Wildlife Project, Tom Hedges (Bristol Zoological Gardens), Owen Dow (Secretary of the Bristol Downs Football League)

1. Welcome, Introductions and Safety Information

In the absence of the Lord Mayor, the Vice Chair took the chair for the duration of the meeting.

He informed all parties what to do in the event of a fire alarm.

All parties introduced themselves.

2 Apologies for Absence

Apologies were received from the Lord Mayor and Ben Wilson White.

3. Minutes of the Previous Meeting – Monday 19th November 2018

Resolved – that the minutes of the above meeting be approved as a correct record and signed by the Chair subject to the minute on Declarations of Interest being altered to confirm that Ross Ancell declared an interest in the Quartet Community Foundation as the chair of Churngold which is involved in this project through the Churngold Environmental Fund.



4. Declarations of Interest

Jonathon Baker declared in interest in the minutes of the previous meeting in his capacity as a trustee of the Quarter Community Foundation.

5. Public Forum

The Committee heard the following Public Forum statements:

(1) Robert Westlake – Friends of the Downs and Avon Gorge

In response to a question from Robert Westlake concerning the future of the urinal at the top of Whiteladies Road, Councillor Don Alexander confirmed that it was listed and any alterations would require planning permission. He confirmed that work was currently being carried out on a planning application to put gates across the site which could be closed at nights.

(2) Jon Usher – Sustrans: Agenda Item 7 – Leisure Loop

The Committee noted this statement supporting the Downs Leisure Cycling Loop proposed by Cycling Sunday.

(3) Downs For People: Peter and Jenny Weeks: Zoo Parking on the Downs – Agenda Item 13 (The use of the Land off Ladies Mile 2018 Report to the Downs Committee by Bristol Zoological Gardens)

The Committee heard a statement by Peter Weeks expressing concern at the current car parking arrangements on the Downs and stating that these were against the national and local planning permission guidelines. Peter Weeks welcomed the decision by Bristol Zoo not to seek further planning permission on the site and that alternative options were being considered.

(4) Jeremy Pilling – GCP Chartered Architects Limited - The Repair and refurbishment of Durdham Down Water Tower, Stoke Road, Clifton, Bristol BS9 1FG

The Committee noted that Jeremy Pilling was unable to attend as he was on an urgent site visit.

It was agreed that the Committee should formally request that they be invited to a meeting with GCP and Bristol Water for discussions as part of a pre-application stage. Francis Greenacre and Jonathon Baker were agreed by the Committee to participate in this process.

It was also noted that there were a number of events taking place on the Downs during the period of the proposed works (July to October 2019) which would require the GCP and Bristol water to contact the Events and Maintenance teams to ensure that the works avoided any potential problems.



Action: Jeremy Livitt to write to GCP to advise them of this request and to pursue this directly with the above nominees and with the events and maintenance teams.

6, Cycling Provision Alongside A4018

Steven Riley introduced this report and explained that a consultation process was taking place concerning improved transport provision alongside the A4018 which would include 5 public drop ins, including three in Westbury-on-Trym library and 1 in Henbury.

In response to a member's question, confirmed that it was beyond the scope of his project to seek Section 106 funding for the remainder of the Seven Sisters Loop, which Ben Skuse confirmed was only alongside Saville Road as Stoke Road already has a cycle path beside it.

During discussion of this item, it was noted that the provision of a new footpath was quite a complicated issue and would require a range of difficult decisions.

The Committee agreed that, following the consultation, a report would need to be brought back to a meeting of the Movement and Place Sub Group for further discussion.

Resolved – that this matter be further discussed at a meeting of the Movement and Place Sub-Group once the consultation process has been completed.

Action: Steven Riley

7. Leisure Loop

Vicki Cracknell and Jonny Wood gave a presentation on this issue and made the following points:

- A leisure loop was proposed as a means of addressing the concerns of some cyclists who were not currently confident around parts of the Downs
- Many people used cyclists as a mobility aid. Discussions had taken place with Gordon Richards (Chair of the Bristol Disability Forum) concerning difficulties along the current route for disabled people as there were many driveways with dips for them to reverse across the Downs to reach the Sea Walls
- The path along Ladies Mile had been identified as very difficult for cyclists and therefore a new path was proposed
- At a recent event, 3000 people had attended. Cycling Sunday had been overwhelmed by the level of support they had received
- The proposals for cycling would also help in encouraging children to get exercise on the Downs
- The proposed traffic free loop around the edges of the Downs would be set back from the Downs and would consist of a hard surface path. It would need to be 3 metres in width
- It was proposed that the existing path along Ladies Mile would be replaced by a new one with tree guards put in place to minimise the disturbance to the roots.



- The path would be widened to use as a shared path for cyclists and pedestrians. Whilst it was acknowledged that there were concerns about shared paths, particularly in the city centre, they had proved successful in Stoke Park, Blaise Castle, as well as elsewhere in the country such as Richmond Park and the Stray in Harrogate. Experience showed that these worked well in leisure areas as opposed to commuter areas
- It was proposed to make circular road a one way road with physical traffic calming measures such as speed bumps being proposed to address any problems with speeding
- Some preliminary enquiries had been made with charitable trusts to obtain funding. A proposal to apply for £5,000 to £10,000 funding from the Quartet Foundation was being prepared

Councillor Don Alexander stated that improvements to disability access needed to be carefully considered since parts of the Downs were dangerous for a scooter.

In response to Downs Committee members' questions, Vicki Cracknell made the following points:

- Following discussions with Sustrans, it had been considered that 3 metres was required to enable shared use of paths. In addition, paths would need to be a machine sealed surface and not loose for safe disabled use
- Costs were estimated at £150,000 for Downleaze/Lockleaze and at £190,000 for Ladies Mile with an estimated 15 year life span. Details of maintenance costs would be provided to the Movement and Place Sub-Group if it was agreed to consider these proposals in more detail
- The proposals would require the corner football pitch near the Sea Walls to be moved forward about 3 metres
- A lot of initial work in obtaining funding had already been carried out
- One key aspect of the proposals was to demonstrate that not all cyclists were the same and that leisure cyclists had different needs and behaved very differently when cycling in leisure areas. They would be unlikely to cycle through the area at speed

Resolved – that this issue is referred to the Movement and Place Sub-Group for further consideration.

Action: Jeremy Livitt

8. Matters Arising From the Events and Finance Sub-Group

The Committee noted the notes outlining the key issues arising from the latest meeting of the Events and Finance Sub-Group held on 9th January 2019.

Note: The Events and Finance Sub Group are still in discussion with Bristol Pride regarding their event proposal.



9 Event Schedule

Ann-Marie Leighton introduced this report and made the following points:

- Members' attention was drawn to the list of events and to the dates fixed for Funderworld and the new Glow Run Event
- There was a new Rotary Event for 2019 as set out in the schedule
- Arrangements for the Downs concert were indicated, together with details of the proposed fees
- Circus Tender – Tony Hopkins would be providing the circus for 2019. It was noted that he replaced the existing provider Moscow State Circus but that this company had been the circus provider in the past

10 Finance Update

Jemma Prince introduced this report. She pointed out that it was the intention to ensure that next year's budget would break even with an incremental saving of a £100,000 contribution to the Downs Committee.

Committee members noted that, whilst they adopted the budget, they did not recognise that Bristol City Council's role in the Act of Parliament had been dismissed.

11 Downs Maintenance Update

Ben Skuse introduced this report and made the following points:

- (1) There were four weeks remaining for the Scrub Management Plan prior to the nesting bird season
- (2) Meetings had been held with the organisers of a number of events concerning maintenance including the Glow Run and the Avon Gorge and Downs Wildlife Project (for the implementation of the tree trail on the Granny Run)
- (3) A catch fence had been built at the recommendation of engineers following a recent rock fall in the Bridge Road Valley area
- (4) Details of further Bridge Valley Road closures would be provided to the clerk for circulation
Action: Ben Skuse to provide to Jeremy Livitt for circulation

Francis Greenacre expressed concern that the original plan for lighting on the path leading up onto the Clifton Observatory Hill was different from the proposed plan set out in the report. He stated that he would speak directly with Ian Johnston concerning this issue. **Action: Francis Greenacre**

12 Avon Gorge and Downs Wildlife Project Annual Report 2018

Becky Belfin introduced this report and made the following points:



- The habitat management works in the gully would be taking place next month. This site was difficult to manage and involved employing a company using rope access
- The health and safety of goats in the gully area was being monitored

Mandy Leivers made the following comments:

- The Education Programme was run by her and Gill Parsons. Slightly fewer community projects events had been delivered in 2018 and had received good feedback
- Development of an audience development plan had been completed by the end of 2017, which had focused on gaps in current provision. The first year of its implementation in 2018 had involved 1749 children and had received excellent feedback from teachers
- A grant from the John James project had helped to bring people across the city to learn about the Downs. Work had also been carried out with five refugee families as part of a very successful social integration project throughout the city about British wildlife – the Wild Adventures Family Project. It was hoped to repeat this project in 2020
- The Downs Challenge had been developed to help children facing difficulties to enable them to develop an attachment
- The project had engaged with 8000 people in community events such as the Festival of Nature and had taken part in a meeting of the British and Irish Association of Zoos and Aquaria
- Funding had now been received for the Botany Without Boundary Project which was aimed at tackling isolation and which looked at how people had collected herbaria
- The Lord Mayor would be launching the Granny Downs Tree Trail at 10.30am on 12th April 2019

Mandy Leivers thanked the Committee for their continued funding support. The Committee congratulated the Avon Gorge and Downs Wildlife Project for all the work they were carrying out.

13 The Use Of Land Off Ladies Mile – 2018 Annual Report to the Downs Committee by the British Zoological Gardens

Tom Hedges introduced this report and made the following comments:

- Details of the level of usage of the Downs and cars parked were set out in the report. It was noted that 2,524 cars had been parked in 2018 than in 2017
- Bristol Zoo was encouraging guests to travel to the zoo by alternative transport
- Details of travel surveys were set out in the report, including guest and staff usage. It was noted that there had been a reduction in staff car usage between 2012 and 2018 of 21%
- Encouragement of sustainable forms of travel would continue. However, the current 33% discount would need to be reviewed as it was unsustainable

In response to a member's question, Tom Hedges indicated that he could examine the possible use of taxi fleets as a means of reducing single usage of vehicles in travelling to the zoo.



14 Update – Health and Future of the Downs Football League

Owen Dow (Secretary of the Bristol Downs Football League) was introduced to the Committee by Councillor Kye Dudd and made the following points:

- He gave a brief history of football on the Downs - following the 1861 Downs Act, informal groups played football on the Downs, including the first competitive playing of football in 1890 and the first football league being created in 1896. By 1905, there were 7 clubs playing home matches there
- Following a request to the Lord Mayor, the Downs League had been formally created in September 1905 with three divisions of ten teams. There were initially no changing rooms and results were communicated in local papers and lists of players displayed in Giles Brothers at the top of Whiteladies Road
- In recent years, the number of pitches had decreased to 29 and there had been a reduction in the number of players, in common with other sports due to the impact of work, an increase in spectator sports, other family commitments and cheap travel abroad
- Small sided football had grown but increased costs relating to the costs of training and insurance meant that it was no longer inexpensive and very little sponsorship was available
- Football could continue on the Downs with the right facilities. There were 1500 players in the league with 700 players participating each weekend
- Two Saturdays were currently lost in September in order to accommodate clubs from other leagues.
- There were also youth and women's leagues

He stated that any suggestions for the future of football on the Downs would be welcomed.

It was noted that the Hackney Marshes League had been very supportive in helping the Downs Football League in resolving financial difficulties that they had.

The Downs Committee recognised the importance of football for the Downs, both historically and currently, for all the people of Bristol. The Downs Football League was thanked for their work in maintaining the football pitches on the site.

16 Any Other Business

(1) Sea Walls Café



It was noted that this issue had been added to the agenda at the request of the Lord Mayor.

Jonathon Baker stated that a planning application had now been submitted for the original site and would now be considered by the Development Control Committee in March 2019. The application was part of a concept to provide a replacement building on the existing dilapidated site. It had been advertised in the Evening Post. Revenue obtained would go to the Downs and would ensure that a service was provided to the community.

It was confirmed that the recommendation for this application would not be known until the agenda for the meeting was formally published.

(2) Recovery of Ground at the 3 Sisters Site

Ben Skuse reported that a second attempt was underway to recover the ground at this site to enable grass growth on it.

16 Date of Next Meeting

It was noted that the next meeting of the Downs Committee was scheduled for 2pm on Monday 8th April 2019 in the Writing Room, City Hall, College Green, Bristol.

The meeting finished at 3.35pm

CHAIR





Friends of the Downs and Avon Gorge

April 2019.

FOD+AG welcomes the opportunity to update the Downs committee on our most recent activities and some of the events planned for the coming months.

FOD+AG remains committed to its core values to represent legitimate users of the Downs and to support the City Council and the Downs committee in the good governance of the Downs and Avon Gorge.

Since the last meeting FODAG volunteers have had a busy time carrying out a range of tasks in support of the Downs operational team including, completion of the dead hedge programme at Circular Road, a spring clean of the Haven shelter and essential annual maintenance to keep the Victorian steps in good order.

Weekly goat monitoring, deep weekend litter patrols and additional litter projects with University students have been completed. We continue with a conservation project monitoring the regeneration of Downs wildflower grasses at the Botanic Gardens. Members have also been responsible for the removal of regrowth at the Iron Age Fort site. In the next few weeks we are planning to carry out a refurbishment of the Cabman's shelter at the White tree Roundabout.

FOD+AG continues with regular walking events and 21 members attended a fascinating visit to the New Hotwell led by Paul Wood. A full programme of walks, talks and events are planned for the summer.

FOD+AG are close to completing an arrangement with AXA Health Insurance to permit us to display the results of a planned Downs Photographic Festival. We are negotiating the use of a large roadside window at their prominent location at the top of Redland Hill. The intention is to provide an electronic rolling display of submitted images 24/7 for a period of three weeks.

To ensure we stay up to date we have commissioned a new three-fold pamphlet for distribution to the wider public. The purpose is to inform and

educate and to assist with a planned membership recruitment. A smaller bi-fold pamphlet will also be produced.

Tim Clarke has recently agreed to join our committee and brings a wealth of experience gained as a volunteer with Avon Wildlife Trust.

During these potentially uncertain times and to reaffirm we remain relevant as an organisation FOD+AG is in the process of carrying out an in-depth analysis of all of our activities. We are using a modern business tool to ensure we remain focused and concentrate our efforts to provide the greatest good in support of the Downs. Once completed the document will provide FOD+AG with a blueprint for the future.

Our late colleague Richard Bland was a regular contributor to several north Bristol publications. Richards informative articles about the flora and fauna of the Downs were extremely popular and well received. As a tribute to Richard we intend to keep up the tradition and aspire to meet Richards high literary standards.

FOD+AG are pleased to be associated with the new Granny Downs Tree Trail scheduled to be officially launched later this month and thanks the Lord Mayor for agreeing to officially open the tree trail.

We are pleased that the work to permit the Whiteladies Road cast iron urinal to be secured has been completed and thanks the Downs committee for its commitment to ensure that toilet provision for the Downs is sustained.

Downs Committee
Matters Arising Events & Finance Sub Group Meeting
27th February 2019 at 11.15am

Below is a precis of matters that were discussed at the Events and Finance Sub-Group. Note that confidential items discussed within this group cannot be published. For Events, Maintenance and Finance updates see their respective reports in this pack.

Finance

No finance issues were discussed at the meeting.

Team Love Event

Tony Kenny confirmed that, following further negotiations, the decision agreed by the Sub-Group was that this should be a two-day event in 2019.

During discussion, Team Love made the following points:

- (1) On Sunday, finishing time would be at 9pm
- (2) The same team that had operated in previous years would be operating this year which would help to ensure the continued very good relations with local residents was maintained.
- (3) Local meetings, such as with the Sneyd Park Residents Association which had taken place in previous years, would be arranged and would help to explain how controls on noise levels would operate. There would also be discussions as required concerning the layout. Discounted ticket sales for residents would be on offer as before
- (4) Each day would be marketed separately as each was geared to a different audience. The announcement of the band for Saturday would be made on 1st March 2019 and for the Sunday would be made on 8th March 2019.

Tony Kenny acknowledged that there needed to be very early engagement for this event in future years to ensure the maximum success for all parties.

Various Other Issues

The Events and Finance Sub Group met on Wednesday 27th February 2019 and agreed terms of fees for Team Love.

Ice Cream Tender – Francis Greenacre reported that bids were closed for this tender which included a requirement for silent generators and only three of the original four sites (ie not

Ladies Mile). The Sub-Group noted that moderation would take place on 5th, 6th and 7th March 2019. It was agreed that Francis Greenacre and one other Sub-Group member (either Tony Kenny or Jonathon Baker) would attend for the beginning of the moderation session at 12pm on Tuesday 5th March 2019.

Bristol Pride – It was noted that Bristol Pride had accepted the Sub-Group’s proposal from 9th January 2019 and it was confirmed that the Merchant Venturers would be making a charitable donation of £1,000 towards its costs.

Glow in The Park – It was noted that this event had now moved to Ashton Court.

Installation of Two New Lighting Units to the Observatory – Ben Skuse advised that a meeting had not yet taken place between him, Francis Greenacre and the owner of the observatory concerning this issue.

Sea Walls Café – Councillor Don Alexander reported that a new planning application with the roof terrace having been removed had been submitted and would be considered by Development Control B Committee on 13th March 2019. Councillor Peter Abraham noted that, as this was a new planning application, details should be recorded in the minutes of the meeting.

Zoo Parking Parameters – Councillor Don Alexander noted that there had been two long and robust sets of discussions with representatives of the zoo on this issue during which they had been made aware of the Downs Committee’s view concerning future parking arrangements. It was noted that the zoo would be drawing up a strategy for the next five years. Consultants for the zoo had looked at the temporary car parking site and given them an assessment of the estimated costs.

Blackboy Hill Urinal - Councillor Don Alexander advised that it was proposed that gates are provided for these urinals and installed at a cost of £3,000. It was noted that there was currently no planning permission. Discussions would be taking place with Ben Skuse concerning the terms under which they were re-opened. One option was for the urinal to be kept open during the day but to be locked at night. Since there had been extensive lobbying from taxi drivers for the urinal to be open at night, it might be possible to provide a key for their use, perhaps with a specially procured padlock for security purposes.

Rubbish on the Downs - It was noted that an article concerning rubbish on the Downs would be published on Thursday 28th February 2019 in the Bristol Post.

Downs Committee
Events Update 14th March 2019

Glow Run – no longer taking place on the Downs

Glow run was scheduled for April on the Downs. Due to lack of time for planning the event and a reduction in the number of participants (from 3000 to 1000), the event organiser has pulled their premises licence for the Downs.

New events and updates

Bristol Pride

Bristol Pride will be taking place on the Down this year on Saturday 13th July.

Circus – Tony Hopkins Entertainments

Tony Hopkins Entertainments have confirmed dates. They will set up on 23rd September, operate from 24th September until 13th October and break down on 14th October.

Events taking place before the next meeting

Foodies Festival will be on the Downs from the 7th-14th May.

Set up dates: 7th - 9th May

Operating dates: 10th to 12th May

Breakdown dates: 13th to 14th May

The Lady Boys of Bangkok will be returning and will be onsite from 4th-20th June.

Set up dates: 4th to 6th June

Operating dates: 7th to 18th June

Breakdown dates: 19th to 20th June

Race for Life will be returning to the Downs in 2019 and will be onsite from 28th June-1st July

Set up date: 28th June

Operating dates: 29th and 30th June

Breakdown dates: 1st July

Tough Mudder 10k will be onsite from 4th-6th July.

Set up date: 3rd to 4th July

Operating dates: 5th and 6th July

Breakdown Dates: 7th July

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Downs Maintenance Report

The football trailer breakdown was a bit of major event in the period since the last report. Widely misreported as a tractor breakdown, not being able to provide football for two weeks seemed to open up a bit of a social media firestorm of criticism. Mainly focused on why we could not continue with the operation with another bit of kit. It did serve to highlight how unique within the UK that the whole operation is. A bit of research revealed to me that there are four sites within the UK with a similar amount of pitches in one place (Downs Inc). However the other three put their posts up in September and leave them up until May. So we are unique within the UK and therefore our trailer is also unique. It is a bespoke manufacture designed to carry out a specific function and therefore to think as many did, that we would have another suitable trailer within BCC Parks fleets was a little misguided and hopeful. We are back operational now and I am sure that the whole issue will become yesterday's news very quickly.

Bristol Downs league have been able to reconfigure their fixtures satisfactorily and I am working with Bristol University to find suitable dates that we can accommodate the two Wednesdays that were lost.

Winter scrub and tree related work has now finished until the Autumn. We are just finishing up repainting the last of the benches that were cleaned this Winter. Next we'll be looking towards recommencing mowing activities for another Summer. Speaking of the Summer, we are looking at another busy year of event activity and I look forward to welcoming Funderworld onto site on March 25th to commence their build. Obviously Funderworld are a returning event so need less support in the build-up but I am in ongoing site meetings and email exchanges with Bristol Pride to facilitate their smooth planning for their new home with us in July.

Meetings are also ongoing regarding the Leisure Loop proposals. It has been useful for us to get out to the site so I can better illustrate some of the operational realities and issues that may arise from installing the loop. Discussions and meetings are ongoing towards a decision from this committee at some point.

I assisted Mandy Leivers with another well attended Meet the Avon Gorge Goat Keeper event a few weeks back. It was preceded by an interview with Radio Bristol about the project. Keeping the profile of the project high is important, although judging by the content of a Radio 4 piece sent to me by Councillor Alexander, we clearly need to up our game and start producing a range of Goat related souvenirs which seem to be selling well for Norfolk County Council and their grazing herd !

The preparatory works for the new ice cream concession have begun and are ongoing.

Hopefully Ian Johnson, Francis and I have concluded our discussion's around the new lighting proposal on Observatory Hill. Ian has agreed to remove the third unit out in the open on the hill. Just two units will now be installed (subject to DC approval). Both within the tree cover as you proceed up before coming out onto the hill. Details of these amends can be seen in this report.

HEALTH AND SAFETY

It has come to my attention that the area outside the Retreat Café and the dressing rooms has become a bit of a car park. Having met with Gayle Tate who runs the Café we are concerned that there could be some sort of incident especially given the proximity to the Stoke Rd cycle route. I am going to have some no parking signage put up there (probably mounted on the wall of the dressing rooms). In addition I am getting the cycle route markings that were faded repainted along with some other road markings. Hopefully in this way we can stop this unauthorised parking before some type of collision happens.

CLIFTON OBSERVATORY



Lighting on Path Proposal

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Lighting on Path proposal – Clifton Observatory

On behalf of The Clifton Observatory we would like to add additional lighting to the path leading down from The Observatory to the main road. We are specifically looking at the dense wooded section of the path that is dark for pedestrians to walk back to the main road on an evening after leaving The Observatory.

Therefore we would like to propose the following:-

- Proposed to use matching lamps to those already existing on The Downs to ensure in keeping with the area.
- The lamps would be spaced in line with the current lights – 30 yards apart.
- Clifton Observatory will cover the costs and implementation.
- Location – path ½ - at 30yard intervals, up to the intersection with path 5 (see below) – so no lighting on the top section
- Historic and Natural England sign off – see in this document.

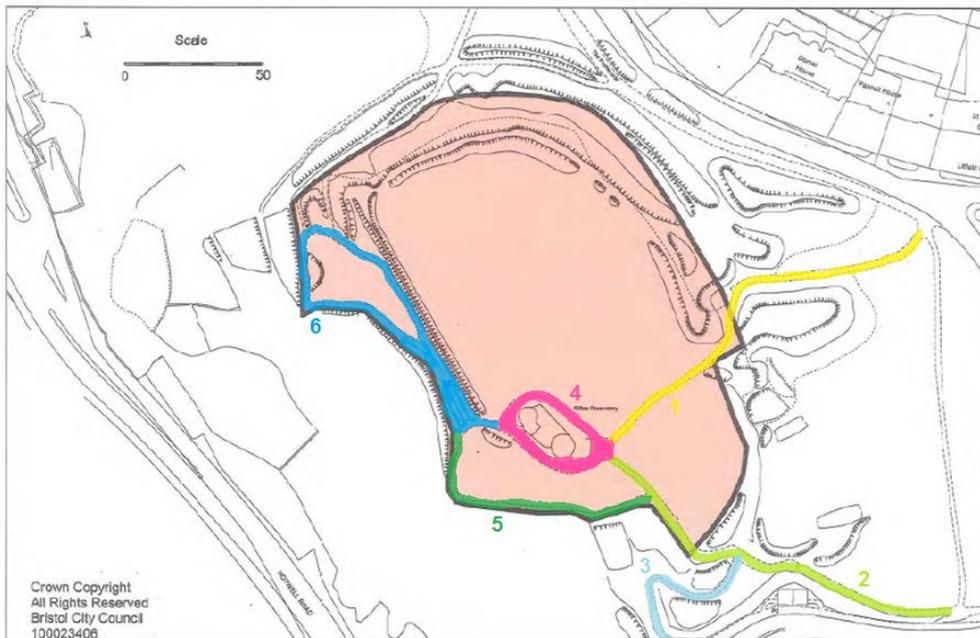


Fig.18 Extent of Scheduled Ancient Monument SAM 29 (BCC)

Lighting on Path proposal – Clifton Observatory

Consent from Historic England – Email

From: Barge, Melanie [<mailto:Melanie.Barge@HistoricEngland.org.uk>]
Sent: 05 December 2017 11:57
To: Ian Johnson <ian@sixdegs.com>
Cc: Souter, Samuel <Samuel.Souter@HistoricEngland.org.uk>
Subject: RE: Observatory - Path to the Observatory

Dear Ian

Sorry for the delay in getting back to you on this. I've discussed it with Samuel and we have no concerns, it looks like a good solution. The works will need scheduled monument consent but the archaeological contractor will know this and be able to apply on your behalf. Are you still looking to use Wessex?

All the best

Mel Barge (Ms)
Inspector of Ancient Monuments
Planning Group
29 Queen Square, Bristol, BS1 4ND
Direct Line: 0117 9751300 Mobile: 07795 665657

<https://historicengland.org.uk/southwest>

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Historic England

Lighting on Path proposal – Clifton Observatory

Location of existing lighting



The above is Path 1 in yellow on the below diagram.

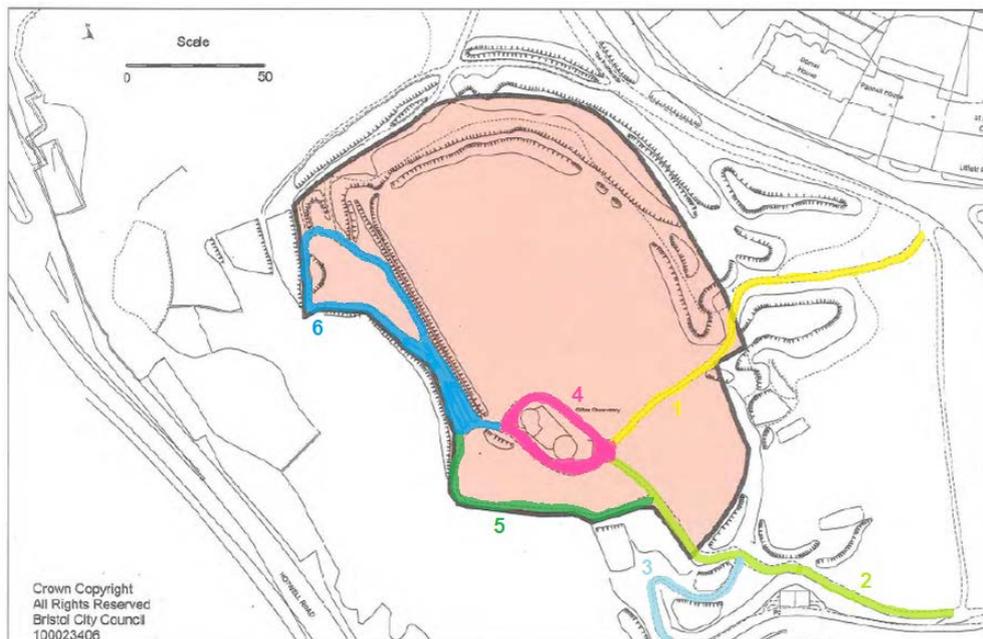


Fig.18 Extent of Scheduled Ancient Monument SAM 29 (BCC)

Lighting on Path proposal – Clifton Observatory

Location of existing lighting



The above is Path 1 in yellow on the below diagram. We propose to use the like for like lamps and matching the spacing of the above lighting.

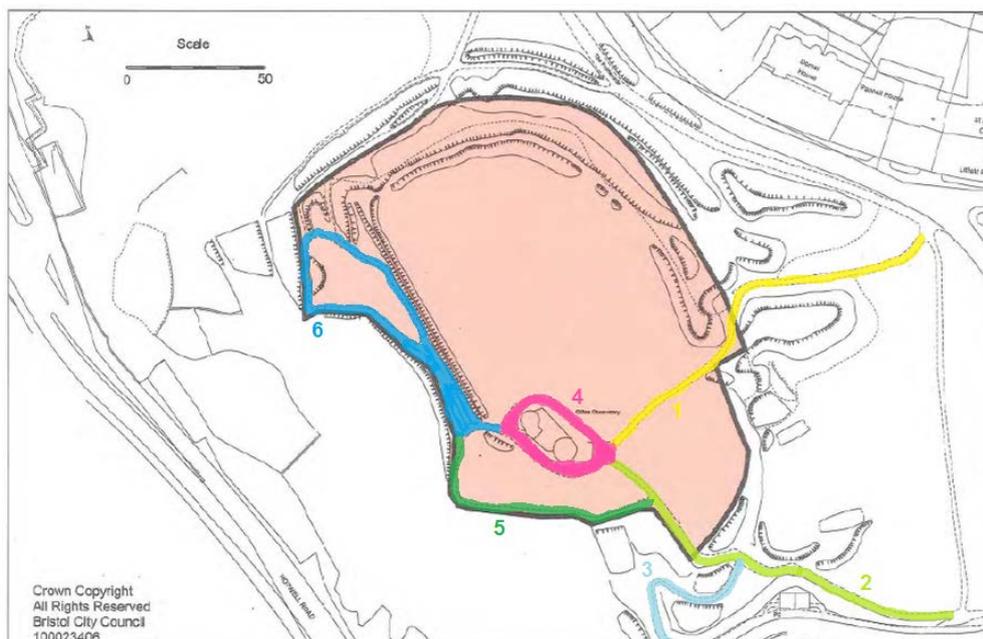


Fig.18 Extent of Scheduled Ancient Monument SAM 29 (BCC)

Lighting on Path proposal – Clifton Observatory

Proposed location of additional lighting

The above proposed lighting locations are highlighted as above and located on Path 5 & 6 on the below diagram. We propose to use the like for like lamps and matching the spacing of the lighting already in place in this area.

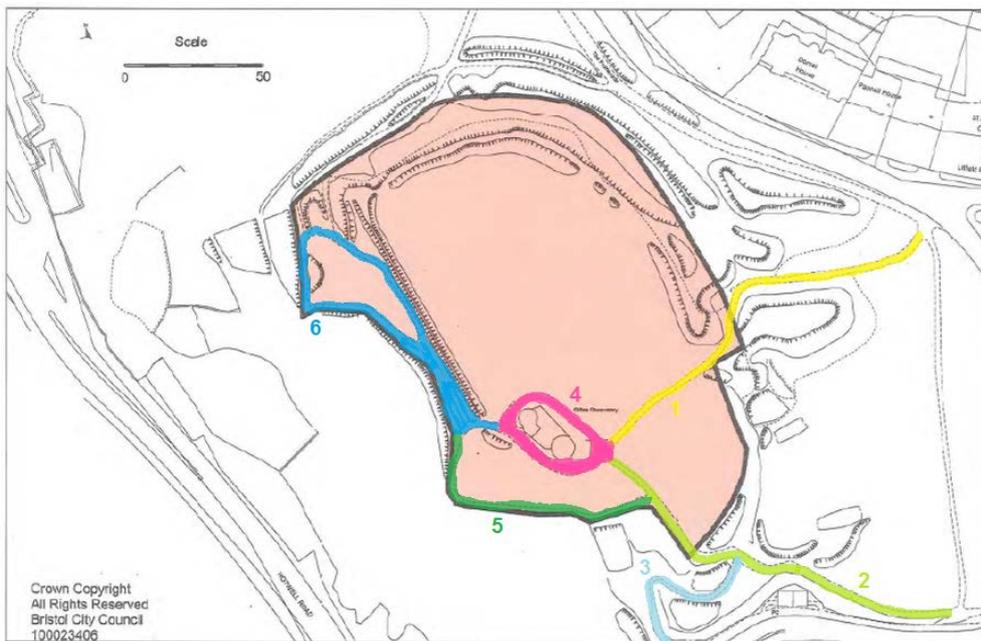


Fig.18 Extent of Scheduled Ancient Monument SAM 29 (BCC)

Below are

images of where we propose the lighting would be situated, relating to the above points on the map.

1. Light 1 - On the corner on the grass verge by the path to the children's play area



Light 2 – Behind the bench, on the curve, going down the hill



Lighting on Path proposal – Clifton Observatory

Detailed works to be carried out for installation

TBC

Summary of activities of the Avon Gorge and Downs Wildlife Project education programme

Although it's a relatively quiet time of year in terms of events, we engaged with 436 people through the education programme. This included: two talks; one guided walk; two courses; one children's holiday event; a lecture to one higher education group and three talks to community groups. Unfortunately snow meant that a talk we were due to give to the Parkinson's Society had to be postponed until later in the year. We have also been busy booking in school educational visits for the spring and summer terms.

Bristol Museum and Art Gallery confirmed that the funding was in place for us to collaborate with them on the 'Botany without Boundaries' project. This is our Audience Development Plan (ADP) project for 2019 and involves working with a group of older Asian ladies from an organisation called Dhek Bhal. Through this project we will introduce the women to the plants of the Avon Gorge and Downs, and explore the ways in which people throughout history have collected, preserved and displayed plants in herbaria and through botanical illustration. The project will include tours of the Museum, the University of Bristol Botanic Gardens and the Downs. There will also be workshops for the women to have a go at creating botanical art, as well as collecting plants and pressing them to prepare herbarium sheets. The project will culminate in a display at the Museum where the participants will be able to share the skills they have learnt with visitors.

As part of the ADP we also visited 'Off the Record' (an organisation that supports young people with mental health challenges) to meet with their Nature Works Co-ordinator. Together we discussed preliminary ideas for projects. We agreed that one of them, 'Nature in the streets' should be taken forward and that we should look for funding to start this project in 2020.

The Granny Downs Tree Trail was completed. Created as a collaboration between the Avon Gorge & Downs Wildlife Project and the Friends of the Downs and Avon Gorge (FOD+AG), the trail encourages participants to visit an under-explored part of the Downs and find out about 17 trees along the way. The initial research for the trail was carried out by the late Richard Bland and has been finished in his memory. The trail will be officially launched on 12th April. The Downs' Team and FOD+AG volunteers carried out management works to free up some of the trees featured on the trail.

Work is underway to create a new website for the Avon Gorge & Downs Wildlife Project. This is a big but essential piece of work as the current one is no longer fit for purpose. Together with FOD+AG, we held a very successful volunteer day on the Downs for employees of OVO Energy. The group re-built some of the dead hedges that protect the main meadow on the Downs from trampling by runners. In the afternoon we took them for a guided walk. It was great to have an opportunity to show their staff the special wildlife of our site and to tell them about the projects that their funding* has made possible. We are grateful to the FOD+AG team for guiding the volunteers in the dead hedging and to the Downs' team for providing the materials and tools.

(*The OVO Foundation had given us a generous donation, supporting programmes such as the Wild Adventures Project and the Downs Challenge and funded the development of the Granny Downs Tree Trail and the project website.)

APPLICATION FOR CONSENT TO CARRY OUT WORKS ON COMMON LAND COMMONS ACT 2006: SECTION 38

We are applying to the Secretary of State for Environment, Food and Rural Affairs (Defra) for consent to construct works on Clifton Common under section 38 of the Commons Act 2006. The Planning Inspectorate will determine the application on behalf of Defra.

We are required to give you notice of our proposals, and are sending you a copy of the attached notice in order to comply with that requirement.

Under section 38, we need Defra's consent to carry out any restricted works on **land registered as common land** under the Commons Registration Act 1965 or the Commons Act 2006 (and on certain other land specified in section 38). Restricted works are any that prevent or impede access to or over the land. They include fencing, buildings, structures, ditches, trenches, embankments and other works, where the effect of those works is to prevent or impede access. They also include, in every case, new tarmac (or similar) surfaces, such as for a new car park or access road.

Defra's decision will be based on the merits of the proposal, and will balance all the interests in the common, taking account of all views expressed. Regard must be given to the criteria set out in section 39 of the Commons Act 2006. These are:

- (a) the interests of persons having rights in relation to, or occupying, the land (and in particular persons exercising rights of common over it);
- (b) the interests of the neighbourhood;
- (c) the public interest, which includes the public interest in:
 - nature conservation
 - the conservation of the landscape
 - the protection of public rights of access to any area of land, and
 - the protection of archaeological remains and features of historic interest;
- (d) any other matter considered relevant.

These criteria will be viewed in the light of the overriding objective of protecting, maintaining or improving the common, and of ensuring that the overall stock of common land is not diminished. This will enable the diversity, variety, and overall extent, of common land to be safeguarded.

Any representations about the proposal should be sent to the Planning Inspectorate by the closing date specified in the notice.

Dr A. Tomor
University of the West of England, Bristol
Coldharbour Lane, Bristol, BS16 1QY

28 February 2019

**APPLICATION FOR CONSENT TO CARRY OUT WORKS ON COMMON LAND
COMMONS ACT 2006: SECTION 38
NOTICE
CLIFTON COMMON**

Dr A. Tomor has applied to the Secretary of State for Environment, Food and Rural Affairs for consent under section 38 of the Commons Act 2006 to carry out restricted works on Clifton Common. The Planning Inspectorate will decide the application on behalf of the Secretary of State.

The proposed works are a 70 metre long and 5 metre wide pedestrian and cycle bridge with adjoining footpaths. The works will be located over Bridge Valley Road near the junction Bridge Valley Road – Ladies Mile – Clifton Down.

A copy of the application form and accompanying documents can be inspected at Clifton Library, 13 Princess Victoria St, Bristol BS8 4BX during normal office hours until 31 March 2019. A copy of the application form and accompanying documents may be obtained by writing to Dr A. Tomor, University of the West of England, Coldharbour Lane, BS16 1QY.

Any representations should be sent in writing ON or BEFORE that date to The Planning Inspectorate, Commons Team at 3F Temple Quay House, Temple Quay, Bristol, BS1 6PN or commonlandcasework@pins.gsi.gov.uk. Representations sent to The Planning Inspectorate **cannot be treated as confidential**. They will be copied to the applicant and possibly to other interested parties. For information about how The Planning Inspectorate processes personal information please see the Common Land Privacy Policy at <https://www.gov.uk/government/publications/common-land-guidance-sheet-13-privacy-policy>

Dr A. Tomor
University of the West of England, Bristol
Coldharbour Lane, Bristol, BS16 1QY

28 February 2019



APPLICATION FOR CONSENT TO CARRY OUT WORKS ON COMMON LAND

Commons Act 2006: Section 38

National Trust Act 1971: Section 23

Greater London Parks and Open Spaces Order 1967: Article 12

Return completed application to:

The Commons Team
The Planning Inspectorate
3F Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0303 444 5408

E-mail: commonlandcasework@pins.gsi.gov.uk

- **Before you apply for consent you should consult informally and widely about the proposed works as this may help you identify and overcome any objections.**
- Answer all the questions on this form in full, tick all relevant boxes and use a separate sheet where there is insufficient space for your answer.
- Refer to separate **Notes** on completing this form (the "Notes") and **Guidance Sheets** (listed at **Annex F** of the **Notes**) before applying.
- Read **Guidance Sheets 1a, 1b and 1c** for all Section 38 cases.
- Read **Guidance Sheet 2a** if the land is owned by the National Trust.
- Read **Guidance Sheet 2b** if the land is registered as a town or village green.
- Read **Guidance Sheet 2c** if the land is regulated by a scheme of management.
- Read **Guidance Sheet 2d** if the land is owned/managed by a London Borough Council.

Legislation

This application is made under:

- Section 38: Commons Act 2006 for land which is:-
- registered common land
 - other land (e.g. registered town or village green) to which Section 38 applies
- Section 23: National Trust Act 1971
- Article 12: The Greater London Parks and Open Spaces Order 1967

SECTION A – The common land (see Note 1)

1. Name and full address of common	Clifton Down
CL no or VG no	CL1
Commons Registration Authority (Usually the county council or unitary authority)	Bristol City Council

SECTION B1 – The applicant

2. Forename	Adrienn
Surname	Tomor
Organisation (if appropriate)	
Title (Mr/Mrs/Miss/Dr)	Dr

Full Postal Address	University of the West of England, Coldharbour Lane
Postcode	BS16 1QY
Telephone No/Mobile	01173283516
E-mail address	adrienn.tomor@uwe.ac.uk

3. Do you prefer to be contacted by Post E-mail
(ignore if you are using an agent)

SECTION B1a – The agent (where relevant)

3a. Forename

Surname

Organisation (if appropriate)

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

Postcode

Telephone No/Mobile

E-mail address

- Do you prefer to be contacted by Post E-mail

SECTION B2 – The owner of the common land

4. Forename

Surname

Organisation (if appropriate)

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

Postcode	BS8 3NH
Telephone No/Mobile	0117 973 8058
E-mail address	

SECTION C – Area of common and common rights (See Note 2)

5. What is the total area of the common as registered? 81.83ha

What common rights, if any, are registered? (e.g. number and type)

None registered

Are the common rights ever exercised? Yes No

6.

If yes, please give details e.g. which commoners are active, which rights are exercised and how frequently?

N/A

7. Give details of any relevant leaseholders, other occupiers, those holding any relevant charges or those with rights of access over the land.

N/A

SECTION D1 – The proposal (See Note 3 - 6)

8. What works are proposed? (tick **all** that apply)

- fencing
- building(s)
- other structures(s)
- ditch(es), trench(es), embankment(s)
- sealed paths, roads or tracks (e.g. concrete or tarmacadam)
- other works, please specify:

PS: Fencing will be temporary during the construction.

9. What area (in square metres) will the works occupy or the fencing enclose?

ca. 8000m²

How long (in metres) will the works/fencing be?

ca. 900m

10. Are the proposed works permanent or temporary?

- permanent
- temporary
- mixed permanent and temporary

If temporary, how long will they be needed?

Bridge - permanent
Fencing - temporary, up to 3 years

11. Is this application, or any part of it, for works that have already been carried out?

Yes No

12. Describe the proposed works below and make clear which works, if any, have already been carried out. (If the works are only for fencing go straight to Section D2)

Proposed works:

- 1) Site setup (including fencing), environmental protective measures
- 2) Foundations, abutments and piers
- 3) Ramp
- 4) Scaffolding, arch centering
- 5) Arches
- 6) Spandrel walls, backfill and parapet walls
- 7) Surfacing, foot/cycle path, lighting
- 8) Regeneration

13. Explain why the proposed works are needed and how they fulfil the criteria set out in Section 39 of the Commons Act 2006. If the proposed works include fencing, please also complete section D2.

A pedestrian-cycle bridge is proposed over Bridge Valley Road near the junction Bridge Valley Road – Ladies Mile – Clifton Down, Bristol.

The bridge is intended to

- i) provide safe crossing to pedestrians and cyclists
- ii) make the junction accessible for those with wheelchairs and disabilities currently unable to use it
- iii) re-connect the two sides of Clifton Down through a physical link and create a key link for the circular pedestrian route around the Downs.

The proposal fulfills criteria Section 39 - 1(b) 'the interests of the neighbourhood'; and (c) 'the public interest' by enabling public rights of access across a difficult and dangerous location.

14. Give details of any measures proposed to mitigate the visual impact of the works.

Green colour temporary hoarding fencing will be used to minimise the visual impact of the works. The construction site will be located in a small valley amongst rich vegetation, limiting visual impact.

SECTION D2 – Where the proposed works include fencing (temporary and permanent) (See Note 6)

(If your proposal does not include fencing, go straight to Section E)

15. Please give details of the type(s) of fence proposed, including the height and the materials used.

Solid timber or steel temporary hoarding fencing is proposed, green colour, >2m height.

16. Please explain why the fencing is needed and how it fulfils the criteria set out in Section 39 of the Commons Act 2006. This should cover: why fencing of this type is needed, what the aim of the fencing is, and why it is the length proposed. You should also explain what other types of fencing, if any, have been considered and rejected. If you are applying for permanent consent please explain why temporary consent is not appropriate.

Temporary fencing is needed to protect the public and secure the site during construction works.
Solid hoarding fencing is proposed around the entire construction site to reduce visual impact and protect from unauthorised access.

17. Please say what other measures (if any) you have considered (i.e. alternatives to fencing) and explain why these are not suitable.

N/A

18. Give details of any measures proposed to mitigate the visual impact of the fencing.

Green colour temporary hoarding fencing will be used to blend in with the surrounding vegetation and minimise visual impact.

19. Give details of the number, type and location of stiles, gates, gaps or other means of access.

The construction site will be divided into two areas (as shown in 'Attachment - Proposed bridge (Works)'):

Site A - along the Promenade

Site B - between Bridge Valley Road and the existing footpath NW of the construction site.

Three secure works accesses will be used for the site:

1) North of Site A along the Promenade

2) North-east of Site B, at the junction

3) North-west of Site B (pedestrian access only).

SECTION E – Planning permission (See Note 7)

20. a) Is planning permission needed for your proposal?

Yes No

b) If yes, has planning permission been given?

Yes No

If yes to b), please enclose a copy of the planning permission.

Copy enclosed.

SECTION F – Designations (See Note 8 – 9 and Guidance Sheet 8)

21. Is the proposal in or near a Site of Special Scientific Interest (SSSI), a Special Area of Conservation (SAC) a Special Protection Area (SPA), or a wetland listed in accordance with the Ramsar convention? Yes No

If yes, please give details and identify this area on the map (see Section J).

The site is located within in the Avon Gorge SSSI (units 15, 16) as shown in attachment 'SSSI Avon Gorge - Maps'.
Site details (for units 15 and 16) are given in attachment: 'SSSI Avon Gorge - Details'.

22. Will the proposal affect a Scheduled Ancient Monument (SAM)? Yes No

If yes, please give details and identify the location of the SAM on the map (see Section J).

23. Is the proposal in a National Park? Yes No

If yes, please give the name of the National Park.

Is the proposal in an Area of Outstanding Natural Beauty (AONB)? Yes No

If yes, please give the name of the AONB.

Will the proposal affect an area of special landscape value or World Heritage Site? Yes No

If yes, please give details and identify the area on the map (see Section J).

SECTION G – Existing works and adjacent common land (See Note 10)

24. Are there any existing buildings, roads, fences or other constructions on the common? Yes No

If yes, please give details. Please also identify these on the map (see Section J).

- For roads and footpath as per map
- Alderman Proctor's Drinking Fountain (grid ref. ST566738)
- Safety fencing along cliff edge
- Containment fencing around The Gully.

25. Does any area of common land or village green of a different registration number adjoin the common on which the works are proposed? Yes No

If yes, please give details. Please also identify the boundaries on the map (see Section J).

Durdham Downs (CL5)

SECTION H – Advertisement and consultation (see Notes 11 - 14)

26. **You must advertise your proposal** in one main local newspaper and at the main points of entry to the common (or, if there are none, at a conspicuous place on the boundary of the common) within 7 days of making your application. Use the draft notice at **Annex A** of the **Notes**.

27. You must also send a copy of the notice (using the letter at **Annex C, C1** or **C2** of the **Notes**) to the following:

- the owners of the land (if different from the applicant)
- the commons council or commoners' association (if there is one)
- all active commoners
- others with a legal interest e.g. tenants, those with easements, or other rights over the land and any other person occupying the land
- the relevant Commons Registration Authority (usually the county council or unitary authority), District or Borough Council and Parish Council (where known)
- Natural England
- Historic England
- National Park Authority (if the proposal is in a National Park)
- AONB Conservation Board or Joint Advisory Committee (if the proposal is in an AONB)
- Open Spaces Society

- the local authority archaeological service

28. Which newspaper will the advertisement appear in?

Western Daily Press

On what date?

28 Feb 2019

On what date will the representation period end?

31 March 2019

This date must be at least 28 days from the date the application is advertised. Incorrect notices are a common problem and may result in you having to re-advertise, so please read note 11 carefully.

Section I – Maps (See Note 15)

29. Please enclose two copies of the map that meets the requirements set out in Note 15. The map should show everything required by sections F and G of this form, and it must clearly show what you are proposing to do and where. **Incorrect or unclear maps are a common type of problem with applications for works, so please read note 15 carefully.**

Section J – Checklist (tick to confirm)

30. For all applications:

- I have read the relevant Notes and Guidance Sheets.
- I have answered all the questions on this form in full. (Where appropriate.)
- I have enclosed a map (2 copies) that meets the requirements of Note 15.
- I have enclosed a copy of the commons register in respect of this common, where registered, i.e. details of the land, rights, ownership and the register map.
- I have enclosed a copy of any document mentioned in answering the questions on this form (e.g. planning permission, etc.)
- I understand that any of the application papers may be copied to anyone who asks to see them.

31. For Section 23 (National Trust Act 1971) only:

- I have enclosed a letter from the National Trust confirming its view that the proposed works are "desirable" under Section 23(1)

32. I will, as soon as possible:

- Advertise the proposal in one local newspaper
- Post a copy of the notice at the main entry points to the common
- Send a copy of the notice to all those listed at Section H
- Place a copy of the notice, map and application at the inspection point
- Write to you using the letter at Annex D of the Notes, to confirm that the advertising requirements have been met.

Signed

Name

Date

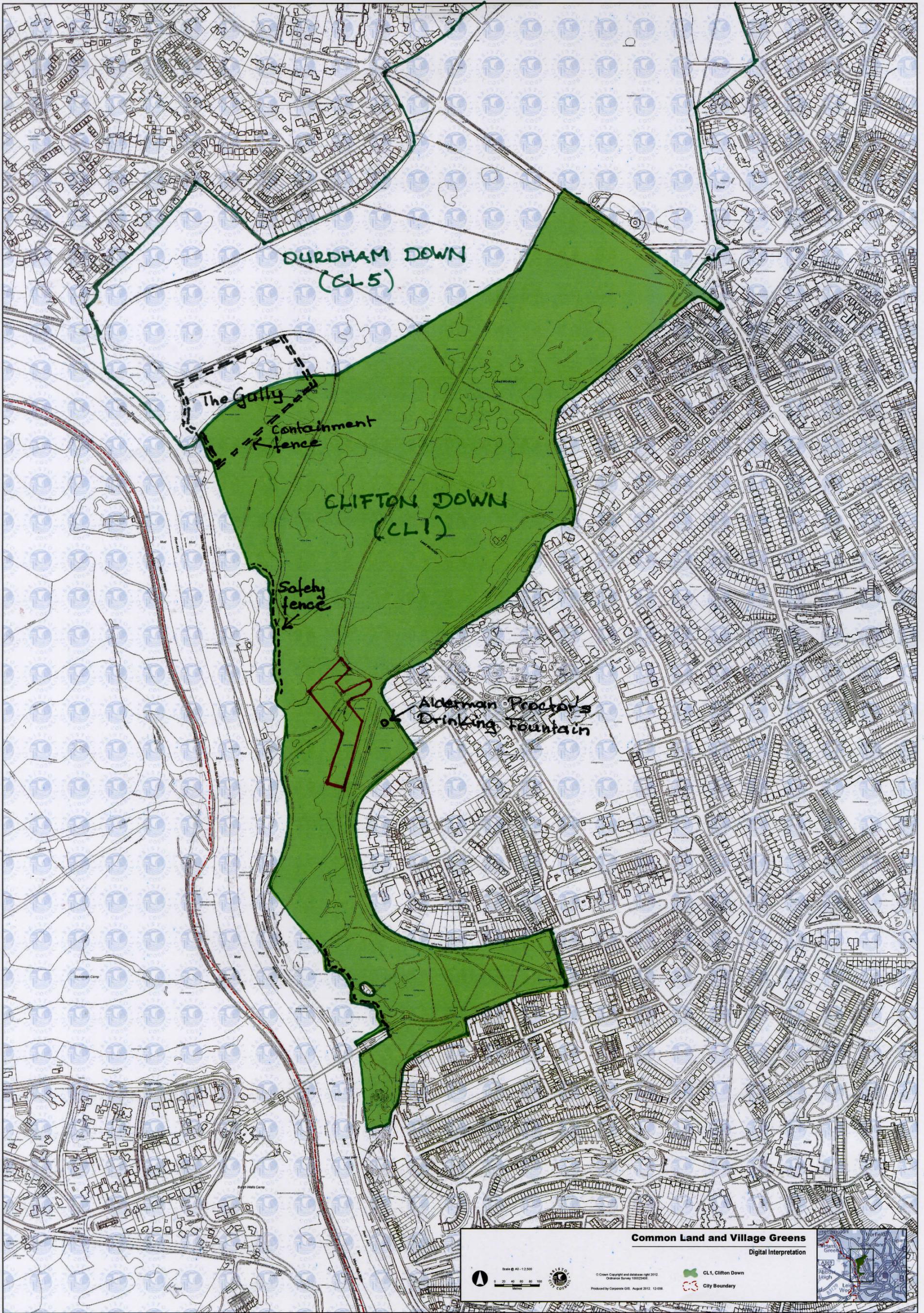
You should keep a copy of the completed form.

General Data Protection Regulation

Your application will be in the public domain. Therefore all documents (both paper and electronic) associated with it may be disclosed during the application process to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.

For information about how we process the information you provide please see Common Land Guidance Sheet 13: Privacy Policy at the link below.

<https://www.gov.uk/government/publications/common-land-guidance-sheet-13-privacy-policy>



Commons Registration Act 1965

Note: This section contains the registration of the land comprised in this register unit.

Registration authority

Bristol City Council

Register of Common Land

Clifton Down

Register unit No. CL00001

Land Section

No and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1 29/9/1967 2 06/10/1970	The piece of land called Clifton Down containing 230 acres or thereabouts as marked with a green verge line inside the boundary on the register maps which are sheet nos. St57se and st57ne and distinguished by the number of this register unit. Registered by the registration authority without application. Registration modified by the exclusion of the site of the Clifton observatory. (see objection no. 2) The modified registration at entry no.1 above, being undisputed, became final on the 1st October 1970.
No and date of note	Notes
1 16/10/1970	The objection no.2 of the master warders and commonalty of the Merchant Venturers of the city of Bristol is noted in respect of the register entry no.1 in this section.

Commons Registration Act 1965

Note: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority
Bristol City Council

Register of Common Land

Clifton Down

Register unit No. CL00001

Rights section

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1 No and date of entry	2 No and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached

No and date of note	Notes
1 16/10/197 0	Every objection to the registration, whether as common land or as a town or village green of any land comprised in this register unit has effect as an objection to any registration (whenever made) under section 4 of the commons registration act 1965 of any rights over that land, whether that registration appears in this register or in the register of town or village greens. If any of the land is also registered as a town or village green, a note to that effect will appear in each section of this register unit.

Commons Registration Act 1965

Note: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority

Bristol City Council

Register of Common Land

Clifton Down

Register unit No. CL00001

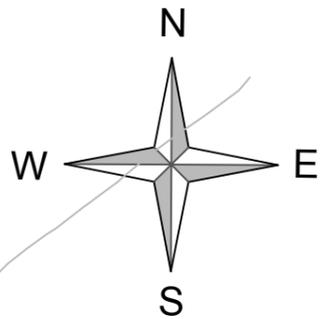
Ownership Section

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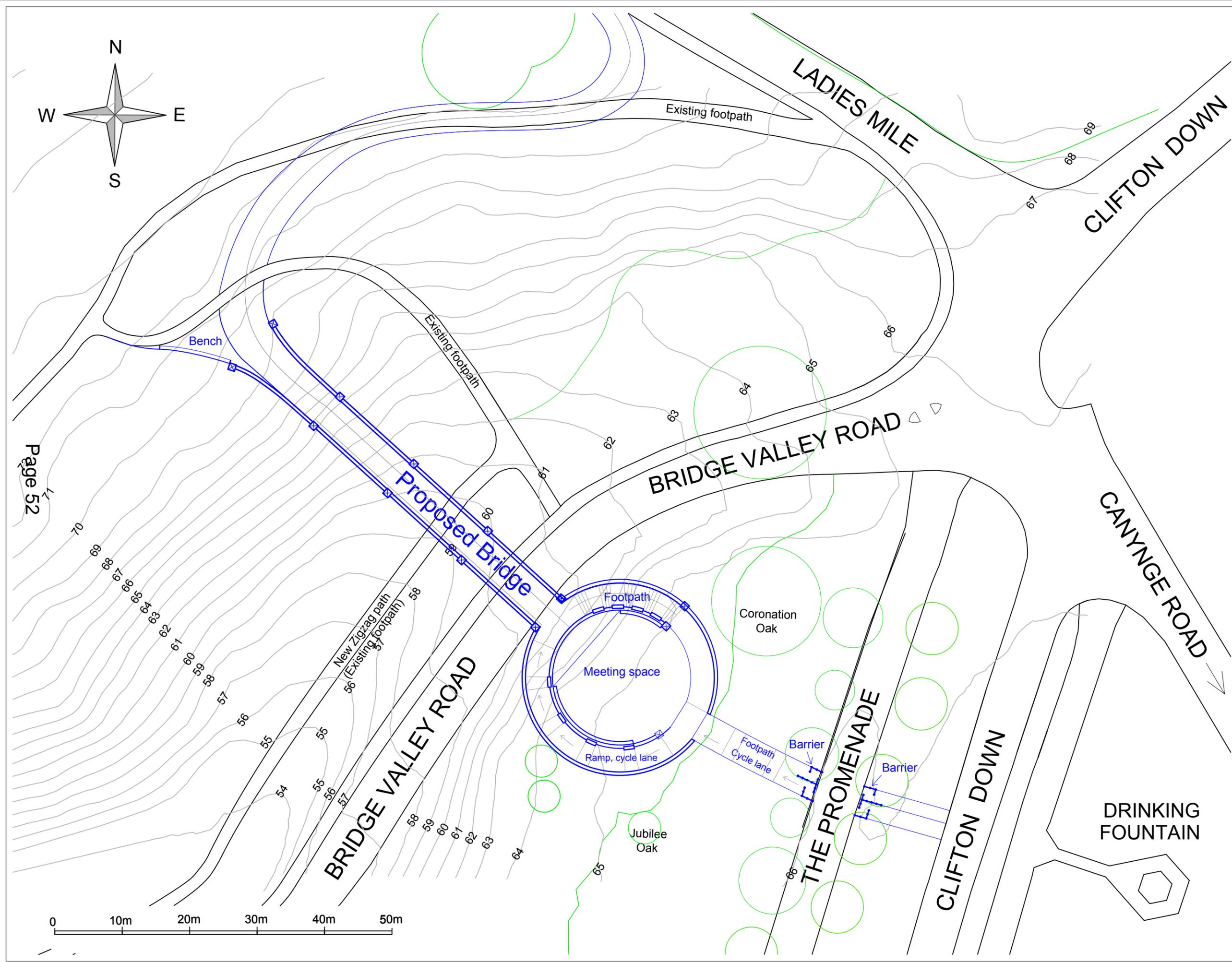
1 No and date of Entry	2 No and date of Application	3 Name and address of person registered as owner	4 Particulars of the land to which the registration applies
<p>1 30/6/1968</p> <p>2 6/10/70</p> <p>3 24/2/1977</p>	<p>27/06/1968</p>	<p>The master wardens and commonalty of Merchant Venturers of the city of Bristol, Merchants Hall, Clifton Down Bristol 8</p>	<p>The whole of the land contained in this register unit except the site of the former Clifton turnpike house and its garden, and a small piece of land near the entrance to Clifton Suspension Bridge, shown edged on the register map. The modified registration at entry no.1, being undisputed, became final on the 1st October 1970. In part, the registration is deleted. 24/2/77 see notes entry no 1</p>

No and date of note	Notes
<p>1 24/02/1977</p>	<p>The registration at entry no.1 has, in part, been deleted under section 12 of the Act, the land shown edged red on supplemental map no.1 to the register map which bears the number of the register unit to which it applied having been registered under the land registration acts 1925 and 1936.</p>





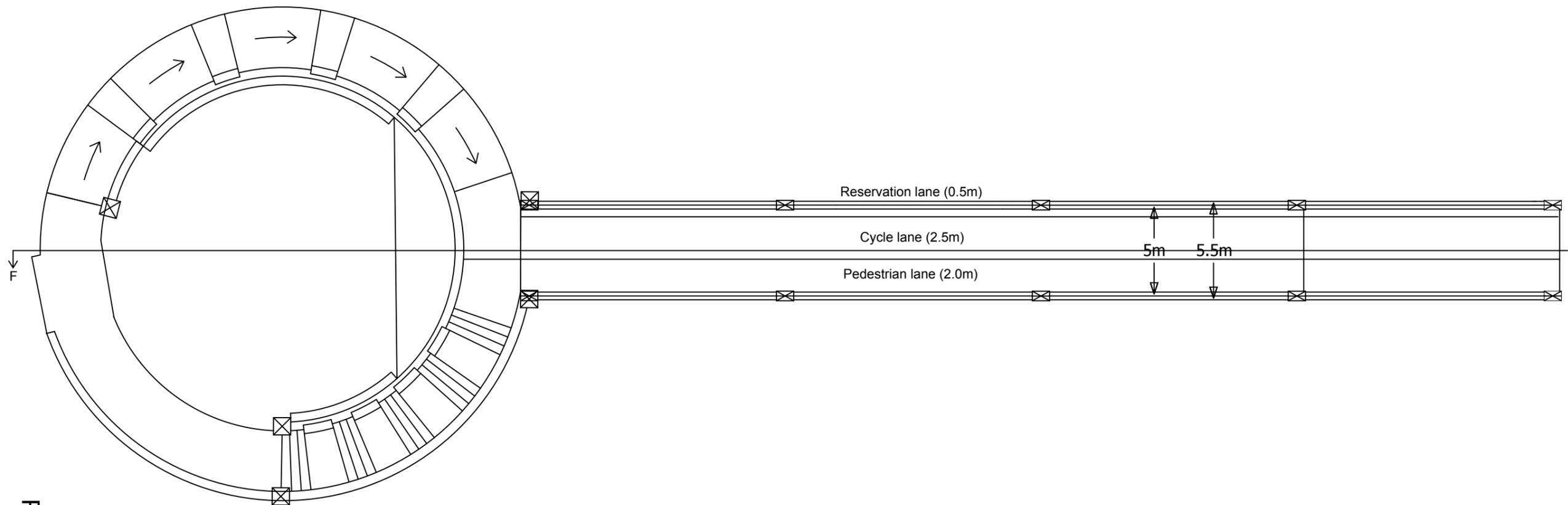
Page 52



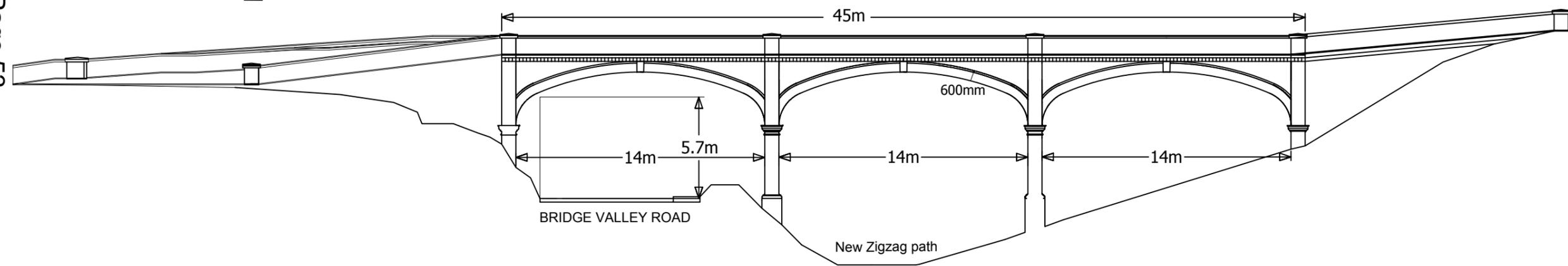
Legend

Designed by: Dr Adrienn Tomor	
Project name: Bridge over Bridge Valley Road	
Drawing title: Proposed bridge with circular ramp	
Drawing No.: 20-01	
Scale: 1:500	Date: 1 March 2016

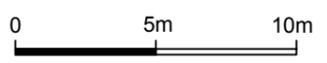
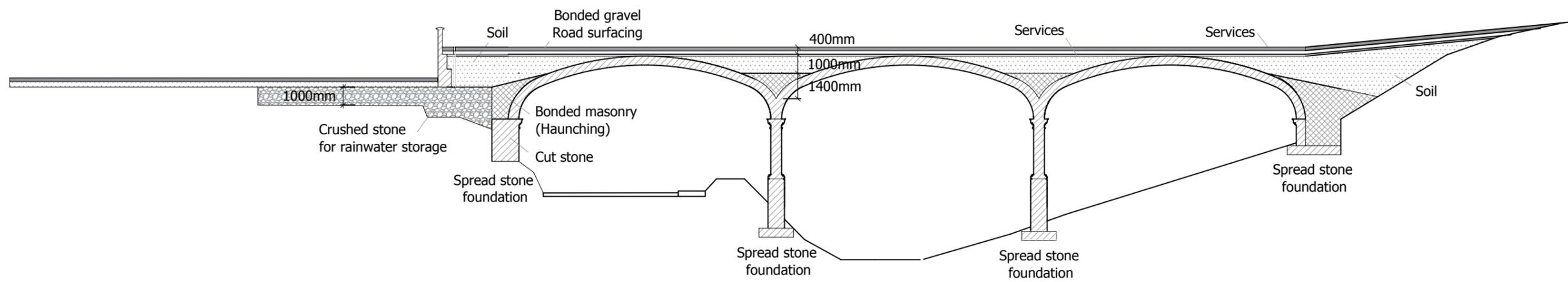
20



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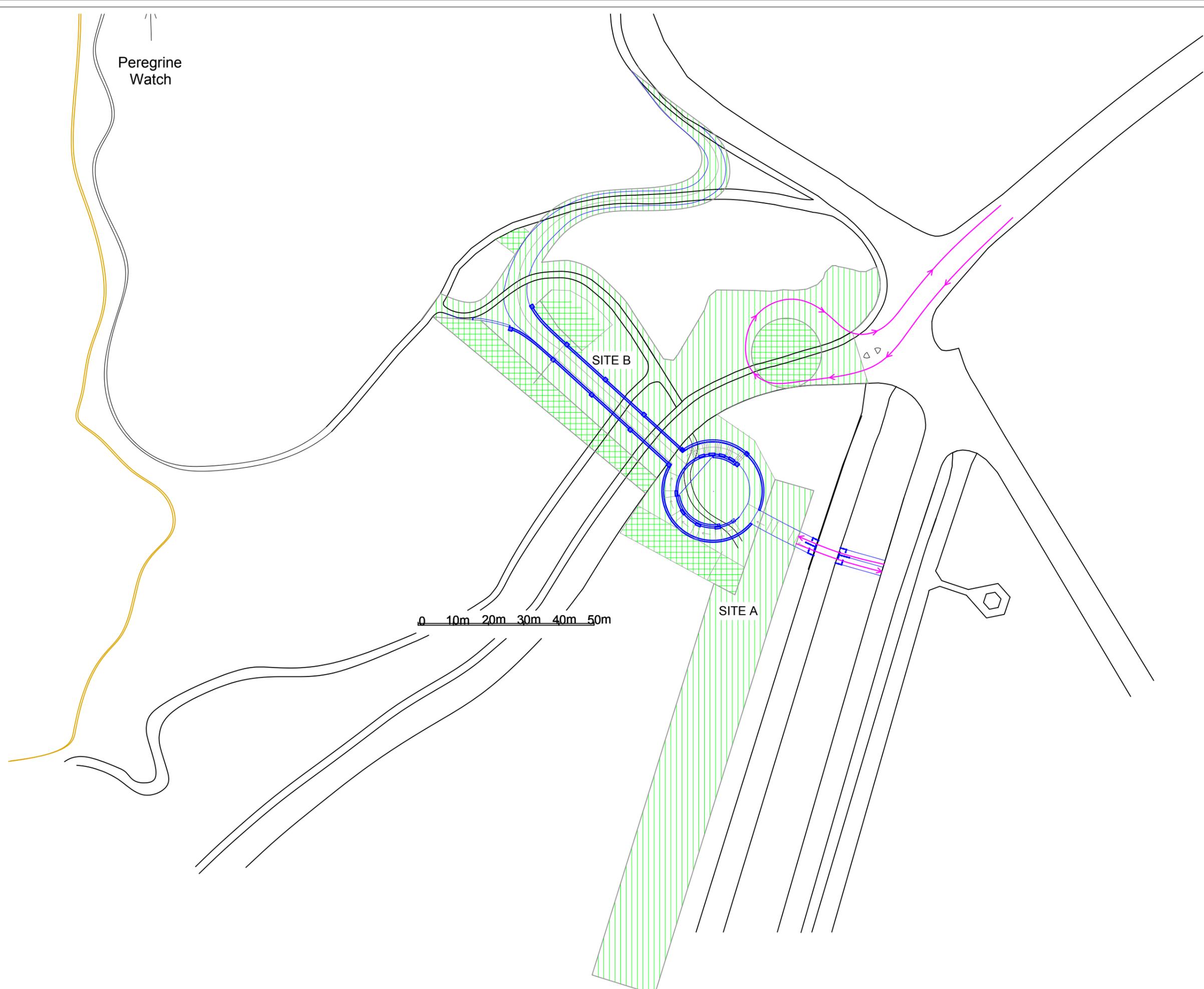


SECTION F-F



Designed by: Dr Adrienn Tomor	
Project name: Bridge over Bridge Valley Road	
Drawing title: Sections 2	
Drawing No.: 50-02	
Scale: 1:250	Date: 1 March 2016

Peregrine
Watch



Legend

-  Works access
-  Works area, site facilities, storage
-  Tree protection
-  Access routes, deliveries

Designed by:
Dr Adrienn Tomor

Project name:
Bridge over
Bridge Valley Road

Drawing title:
Works 2

Drawing No.:
60-02

Scale: 1:1000 Date: 1 March 2016



Appeal Decision

Site visit made on 26 September 2017

by **H Butcher BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 October 2017

Appeal Ref: APP/Z0116/W/17/3176180

Land between Ladies Mile and Clifton Down, Bridge Valley Road, Bristol

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr Adrienn Tomor against the decision of Bristol City Council.
 - The application Ref 16/01266/F, dated 5 March 2016, was refused by notice dated 3 January 2017.
 - The development proposed is described as: "The proposed bridge offers a safe crossing for pedestrians and cyclists but does not affect the vehicle traffic flow at the junction".
-

Decision

1. The appeal is allowed and planning permission is granted for a pedestrian/cycle bridge over Bridge Valley Road at land between Ladies Mile and Clifton Down, Bridge Valley Road, Bristol in accordance with the terms of the application, Ref 16/01266/F, dated 5 March 2016, subject to the conditions in the attached schedule.

Preliminary Matter

2. For clarity I have used the Council's description of development in my decision above.

Main Issues

3. The main issues are whether the development would preserve or enhance the character or appearance of The Downs Conservation Area having particular regard to the effect on trees, and the effect on the setting of the Clifton and Hotwells Conservation Area.

Reasons

4. The appeal site concerns a wooded area at the edge of open parkland, known as The Downs, and adjacent to the junction of Bridge Valley Road, Ladies Mile and Clifton Down. The Downs is an extensive area of open parkland dating from the Victorian period. It is a designated Important Open Space and a Local Historic Park and Garden and falls within The Downs Conservation Area (CA). It also sits within a Special Area of Conservation and a Site of Special Scientific Interest.
5. Immediately adjacent to the appeal site is a large open space formally laid out with trees and pathways (including The Promenade). Alderman Proctor's Drinking Fountain, which is Grade II listed, is in the vicinity of the appeal site. In the wider area there are also a number of substantial and elegant buildings,

dating from the Victorian and Edwardian periods (Grade II Listed) which are constructed from materials which include limestone. These properties fall within the adjacent Clifton and Hotwells Conservation Area. Altogether, these features make an important contribution to the character and appearance of the area.

6. The proposal is to erect a classic stone arch bridge with ancillary ramps and footpaths to provide pedestrian and cycle access from The Downs across Bridge Valley Road. The appeal site is heavily wooded. The proposal would therefore require the removal of 38 trees: 31 of which are low quality, and 7 of which are of moderate quality. These trees do not have any individual value. However, collectively they form part of a wider green backdrop to the parkland and as such have value in terms of their contribution to the character and appearance of the area.
7. There is limited opportunity for replacement planting on the application site. A planning obligation to secure off-site planting was considered by the Council to mitigate the loss of these trees, but there is nothing before me to this effect. In any event, such an obligation would not be directly related to the development.
8. The gap created as a result of the loss of these trees would be replaced by the proposed bridge. This would be constructed using traditional methods and materials (limestone). It would therefore be a relatively substantial structure. However, it would be entirely in-keeping with its traditional and grand surroundings in terms of its design and use of materials.
9. As identified above the proposal would result in a loss of greenery. This would be harmful to the character and appearance of The Downs Conservation Area and the setting of the adjacent Clifton and Hotwells Conservation Area. In this respect I find a degree of conflict with Policies BCS9 and BCS22 of the Core Strategy (2011) and DM17, DM26 and DM31 of the Site Allocations and Development Management Policies (2014) which seek to protect local distinctiveness and heritage assets by, amongst other things, preserving and enhancing green infrastructure. However, this harm would only be minor given the quality of the trees involved and that the extent of tree loss would be relatively small when viewed in the context of the parkland as a whole. Furthermore, the design and materials to be used for the bridge itself would be high quality and in-keeping with the character and appearance of the surrounding area.
10. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration. In terms of paragraph 134 of the Framework the minor harm I have identified would be 'less than substantial' and as such should be weighed against the public benefits of the proposal. The Council confirm that there are highway safety concerns in respect of the existing crossing facilities at Bridge Valley Road. There is also public support for the bridge in terms of the highway safety benefits it would provide to groups such as pedestrians and cyclists. I therefore consider this to be a significant public benefit. Furthermore, there would be modest employment and learning opportunities arising from the proposal.

11. The harm to The Downs Conservation Area and the setting of the Clifton and Hotwells Conservation Area, and the conflict with the development plan in this regard, would therefore be outweighed by the public benefits the bridge would provide. This indicates that the development would constitute sustainable development in the terms set out by the Framework and as such the development should be approved.

Other matters

12. Whilst the Council's City Design Group has recently produced the 'Clifton and Durdham Downs: Place and Movement Framework' which looks at improving access to and around The Downs and includes improvement of the Bridge Valley Road junction these are not formal proposals at this stage and as such would not affect the outcome of this appeal.
13. The Council have found that the proposed bridge would not have a harmful impact on the settings of nearby listed buildings or structures. Given the distances involved I find no reason to disagree. Furthermore, no specific objection to the ramps and associated street furniture required by the proposal has been raised by the Council. From all that I have seen and read, I similarly find no reason to conclude differently on these matters.
14. Any disruption as a result of the construction of the bridge would be temporary in duration and would not cause significant harm. I find no reason to conclude that the proposal would lead to antisocial behaviour. Pedestrian and cycle lanes would be segregated on the bridge for safety, and the bridge would link into existing highways as cycling is prohibited on The Downs and The Promenade.
15. There is no substantive evidence before me to indicate that the stability of the cliff would cause structural concerns but, in any event, this would be covered by other legislation. Whether or not funding for the construction of the bridge is in place does not affect my findings above. Furthermore, an appellant does not have to own a site to seek planning permission.

Conditions

16. Given the complexity of the proposal I have imposed a five year time limit condition. I have also imposed a condition specifying the approved plans as this provides certainty, and to ensure a satisfactory appearance I have included conditions relating to materials, hard and soft landscaping, lighting, and the protection of retained trees.
17. I have imposed various conditions relating to wildlife and habitats given the sensitive nature of the appeal site. I note the appellant's reservations with respect to bird and bat boxes therefore I have amended this condition to allow the number to be agreed with the Council. I have also conditioned the submission of a Construction Management Plan and Bridge Construction Plan and included conditions relating to drainage and contamination to ensure a satisfactory development. A number of pre-commencement clauses are included where this is essential for the condition to achieve its purpose.
18. It is not necessary, however, to condition a 10 year landscape and nature conservation management plan given the size of the site and the fact that the Downs are currently managed. It is also not necessary to require a highways

condition survey as any damage to the highway as a result of the development would be a matter between the parties involved.

Conclusion

19. For the reasons given above the proposed development would be acceptable. Therefore, having had regard to all matters raised, and subject to the above conditions, the appeal is allowed.

Hayley Butcher

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1:1250 Site Location Plan
 - 1:2500 Site Location Plan
 - 1:5000 Site Location Plan
 - 10-01 - Site Layout Plan - Current
 - 20-01 - Proposed Bridge With Circular Ramp
 - 30-01 - Ramp 1
 - 30-2 - Ramp 2
 - 30-3 - Ramp Sections
 - 40-01 - Elevations (NE & SW)
 - 40-02 - Elevations (SE & NW)
 - 40-03 - Ground Levels
 - 50-1 - Sections 1
 - 50-2 - Sections 2
 - 50-3 - SUDS
 - 60-1 - Works 1
 - 60-2 - Works 2
 - 70-1 - Trees
 - 70-2 - Trees & Works
 - 90-01 - Bats & Badgers
 - 90-01 - Lighting 1
 - 90-02 - Lighting 2
- 3) No development shall commence until details/samples of all materials to be used in the construction of the bridge hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.
- 4) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan. The CEMP shall include best practice pollution control measures to ensure that adverse impacts (including dust

and air pollution, effects on water quality, pollution from fuel use and storage and other potentially hazardous materials) do not occur in the Special Area of Conservation (SAC). The CEMP should include details of robust protective fencing incorporating warning signs and its location and a plan showing the working area and boundaries of the SAC. Contractors and sub-contractors should be briefed on the importance of the ecological features which are to be retained on site and the ecological value of the SAC prior to the commencement of works.

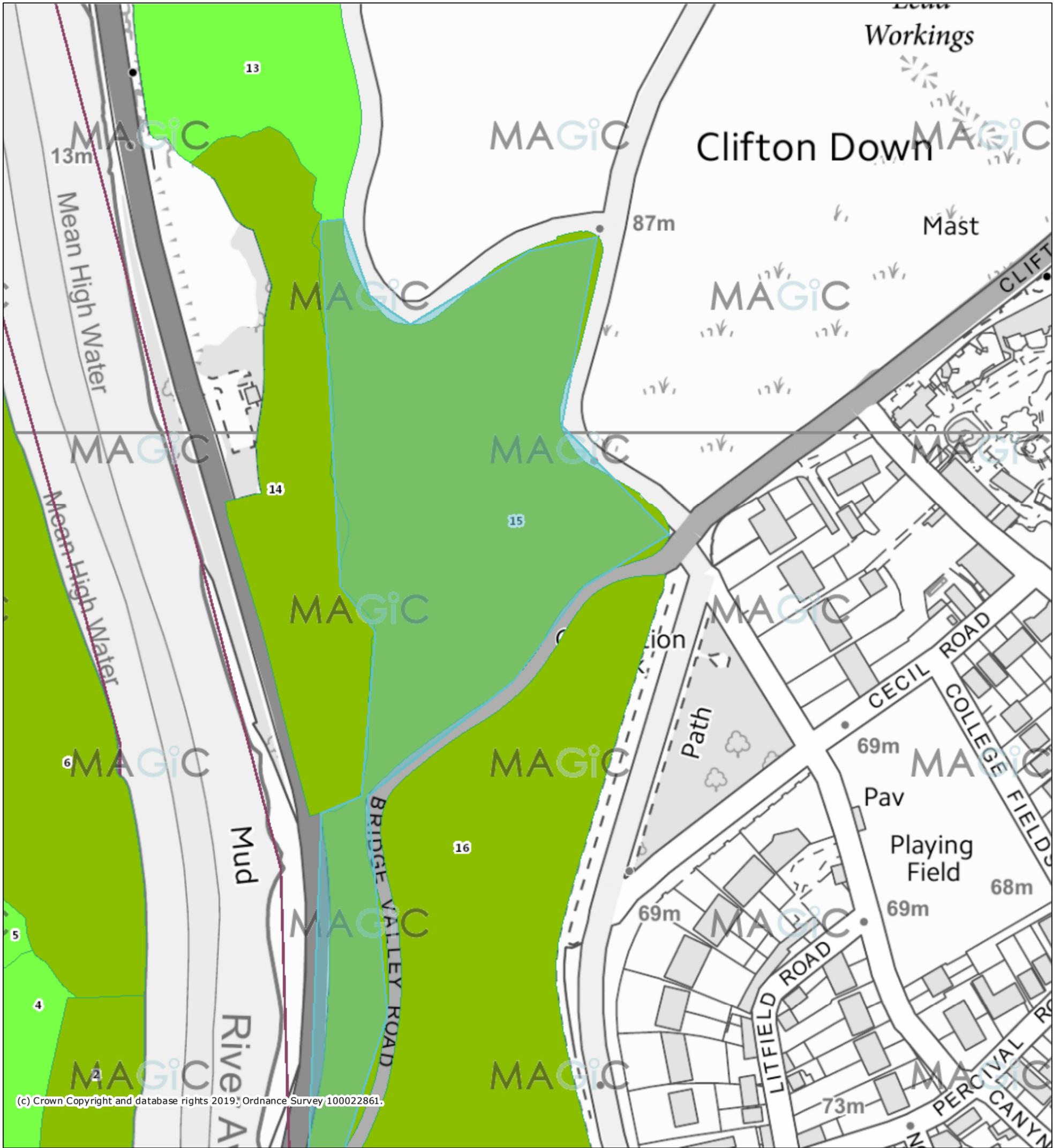
- 5) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The hard landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use. All planting, seeding or turfing comprised in the approved soft landscaping details shall be carried out in the first planting and seeding season following the first use of the bridge. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) No development shall commence until a method statement for the retention and/or closure of the badger setts or creation of new artificial badger setts has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) No development shall commence until details of bat and bird box(es) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 8) No development shall commence until details for any proposed external lighting have submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 9) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. This shall include:
 - i) Access and parking arrangements for vehicles of site personnel, contractors, visitors and arrangements for delivery and removal of materials;
 - ii) Loading, unloading and storage of plant and materials;
 - iii) Wheel washing facilities;
 - iv) Arrangements for protecting and/or diverting Public Rights of Way either within the site boundary or adjacent to the site;
 - v) A scheme for routing/control of traffic associated with the construction during the construction and decommissioning phases;
 - vi) The safe movement of vehicular and pedestrian traffic;
 - vii) The protection of workers from passing traffic;
 - viii) The design, construction, maintenance and removal of any necessary temporary roadways and detours;

- ix) The provision of traffic management, including installation of temporary signs, road markings, lighting barriers etc;
- x) Maintenance of the existing highway corridor, including the carriageway, footway and shoulder, and existing road that may be used for the temporary diversion of traffic for the duration of the construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

- 10) No development shall take place until a detailed Bridge Construction Plan including methods of construction and connection to existing networks has been submitted to and approved in writing by the local planning authority. The Bridge Construction Plan shall include:
 - i) A construction methodology;
 - ii) Cycleway and pathway alignment where meeting existing pathways/cycleways;
 - iii) Widths of all connecting cycleways and footways;
 - iv) Details of all street furniture;
 - v) Details of any bollards/barriers;
 - vi) Details of all segregated cycle and pedestrian pathways and cycleways;
 - vii) Street marking where required;
 - viii) Highway signage;
 - ix) Details of all gradients;
 - x) All balustrades;
 - xi) Details demonstrating new cycleways/footways are of an adoptable standard.
- 11) No development shall take place until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The surface water drainage works shall be implemented as approved prior to the use of the bridge and maintained thereafter for the lifetime of the development.
- 12) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 13) All site clearance and construction works shall be carried out in accordance with the recommendations in the Ecological Appraisal dated December 2014, as updated by the Addendum to the Ecological Appraisal dated March 2016, unless otherwise agreed in writing by the local planning authority.

- 14) The development hereby approved shall be undertaken in strict accordance with the tree protection measures included within the Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan prepared by Hillside Trees Ltd, dated March 2015.

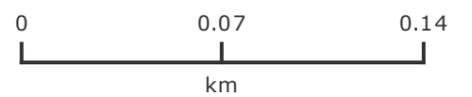


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Legend

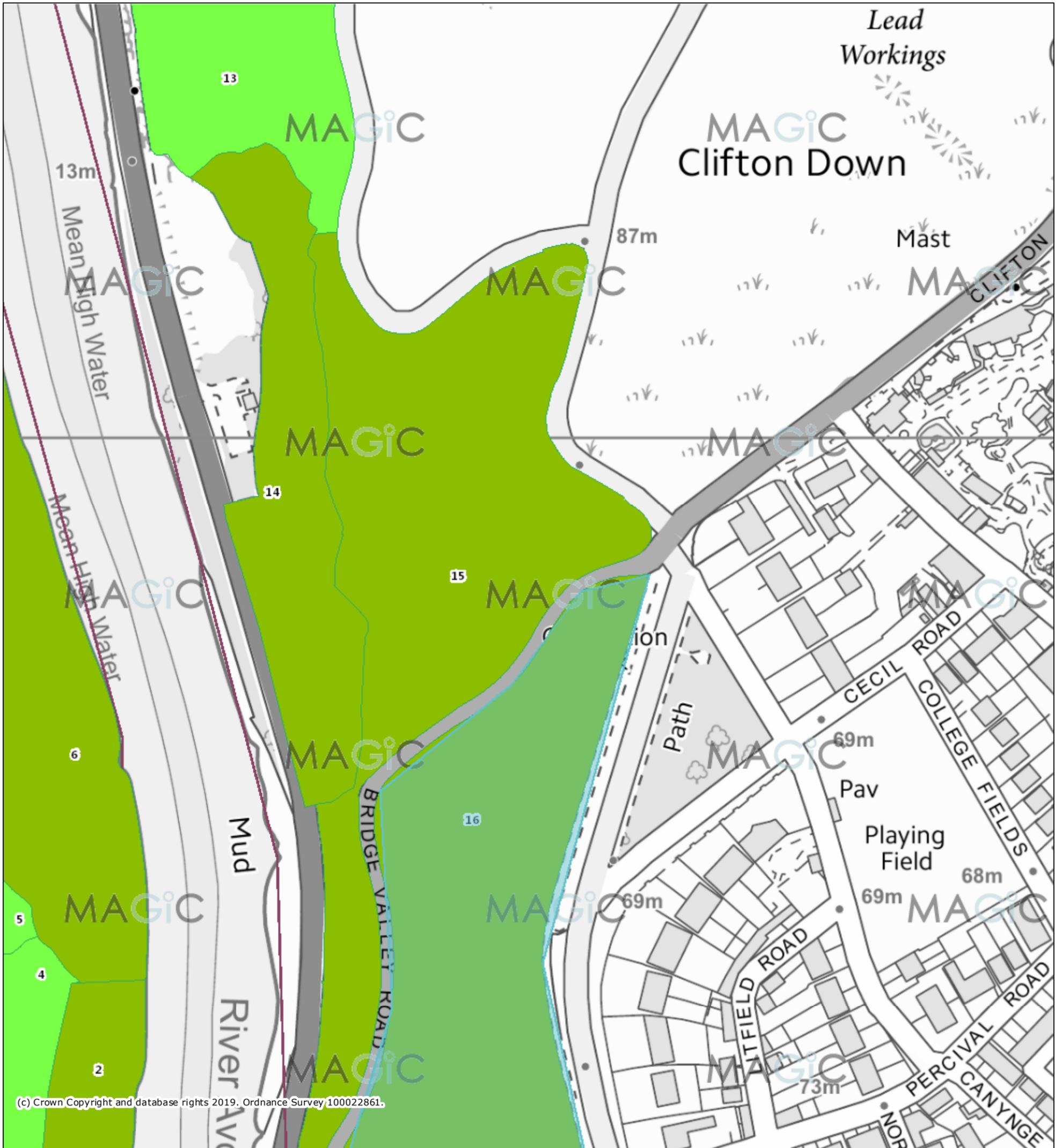
Sites of Special Scientific Interest Units (England)

- Favourable Condition
- Unfavourable Recovering
- Unfavourable no change
- Unfavourable Declining
- Part Destroyed
- Destroyed
- Not Assessed



Projection = OSGB36
 xmin = 356000
 ymin = 173700
 xmax = 356900
 ymax = 174100

Map produced by MAGIC on 19 February, 2019.
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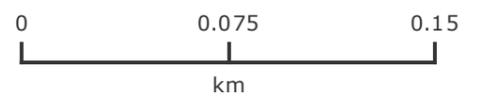


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SSSI Avon Gorge – Details

Area	Clifton Down (015)¹ [Map²]		
Staff member responsible:	CHRIS WESTCOTT		
Unit Id:	1002299		
Unit area (ha):	5.5044		
Unit Status:	Live	Gridref:	ST 564 739
Main habitat:	BROADLEAVED, MIXED AND YEW WOODLAND - Lowland		
Condition (click for history):	Unfavourable - Recovering	Assessed by:	MARTIN, (JOHN)
Last assessed:	18/10/2010	Last field visit:	18/10/2010
ISA Survey:	View Surveys		
Date of site check:		Last CSM assessment:	18/10/2010
Comment:	Lowland calcareous grassland, vascular plant assemblage, RDB plants: The `grassland? areas are very limited in extent in this unit. The area holds several of the rare whitebeam species. Surveys in summer 2010 show them to be doing well in the gorge as a whole and in this unit, though growth of Holm Oak and other alien shrub species needs continued work in this unit. Avon Gorge and Downs Wildlife Project, and BCC manage or fund management in this area. HLS agreement started in 2009 to continue funding specialist rope access and other scrub clearance work here. Unfavourable recovering Geology: EO Inland outcrops Favourable Geology: EO Inland outcrops Favourable		
Number of adverse condition reasons:	0		

Area	Observatory Hill (016)³ [Map⁴]		
Staff member responsible:	CHRIS WESTCOTT		
Unit Id:	1002301		
Unit area (ha):	10.6141		
Unit Status:	Live	Gridref:	ST 565 734
Main habitat:	BROADLEAVED, MIXED AND YEW WOODLAND - Lowland		
Condition (click for history):	Unfavourable - Recovering	Assessed by:	MARTIN, (JOHN)
Last assessed:	18/10/2010	Last field visit:	18/10/2010
ISA Survey:	View Surveys		
Date of site check:		Last CSM assessment:	18/10/2010
Comment:	Vascular plant assemblage and RDB plant species: Various species here include Spring Cinquefoil, Bristol Rock-cress, Compact Brome, Spiked Speedwell, Little-robin, Dwarf Mouse-ear all recorded in 2010 survey. Some are in open amenity type grassland and others in small fragments of open rocky habitat in woodland and along woodland edge. Their sites are often precarious and their continued presence here depends on ongoing work to cut back and treat scrub including alien species such as Holm Oak, Laurestine etc. Ivy is locally a threat to some species. Microhabitats for several species therefore not in ideal condition but with ongoing work can be considered to be recovering. Avon Gorge and Downs Wildlife Project, and BCC manage or fund management in this area. HLS agreement started in 2009 to continue funding specialist rope access and other scrub clearance work here. Rare whitebeams are still present in the unit and doing well. Geology: EO Inland outcrops Favourable		
Number of adverse condition reasons:	0		

¹<https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1002299&SiteCode=S1003073&SiteName=avon%20gorge&countyCode=&responsiblePerson=>

²<https://magic.defra.gov.uk/MagicMap.aspx?startTopic=Designations&activelayer=siteunitIndex&query=HYPERLINK%3D%271002299%27>

³<https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1002301&SiteCode=S1003073&SiteName=avon%20gorge&countyCode=&responsiblePerson=>

⁴<https://magic.defra.gov.uk/MagicMap.aspx?startTopic=Designations&activelayer=siteunitIndex&query=HYPERLINK%3D%271002301%27>

WARD: Stoke Bishop **CONTACT OFFICER:** Charlotte Sangway
SITE ADDRESS: Land Between Ladies Mile & Clifton Down Bridge Valley Road Bristol BS8

APPLICATION NO: 16/01266/F Full Planning
EXPIRY DATE: 2 May 2016

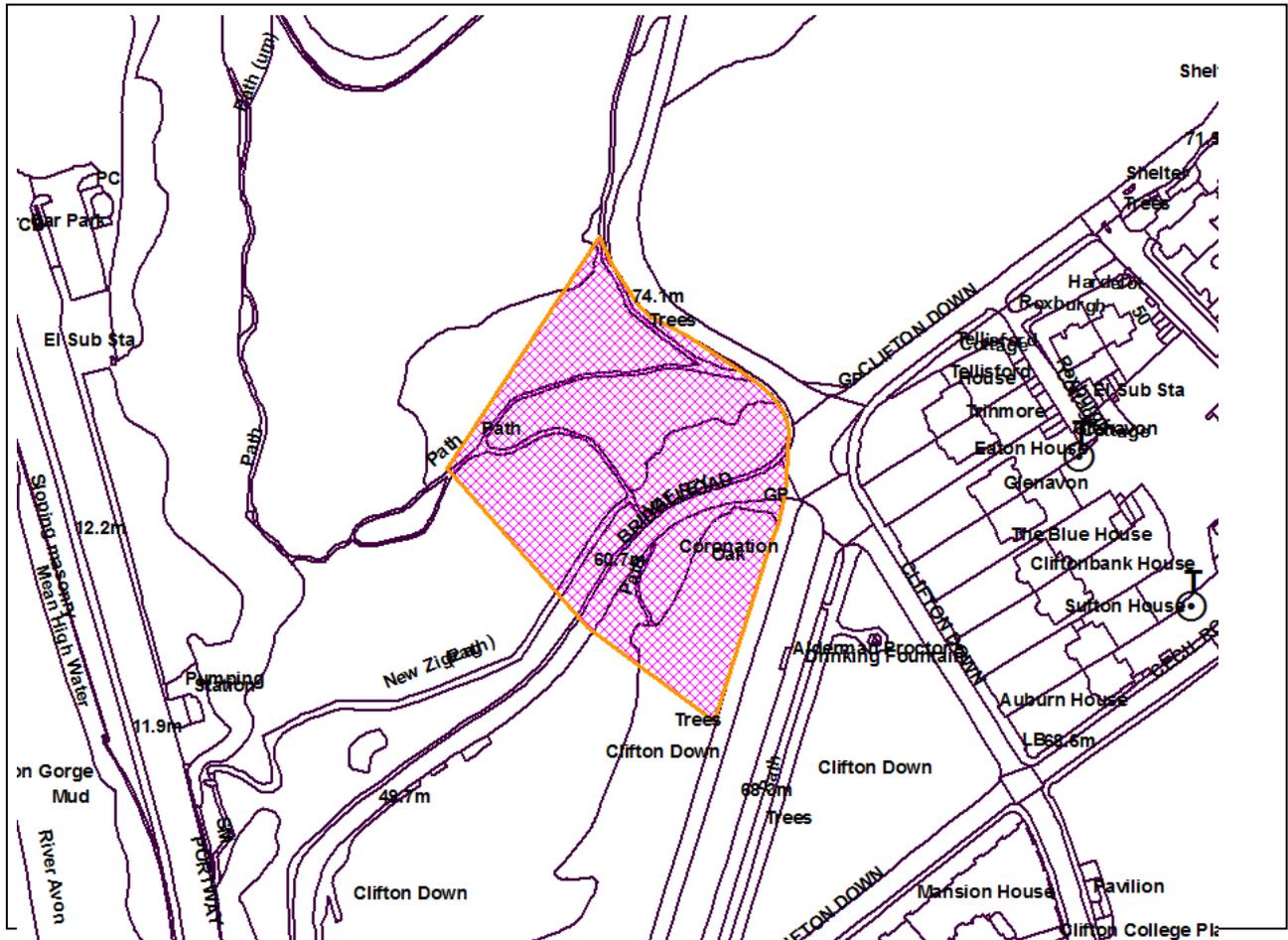
Proposed pedestrian/cycle bridge over Bridge Valley Road.

RECOMMENDATION: Refuse

APPLICANT: Dr Adrienn Tomor
Frenchay Campus
Coldharbour Lane
Bristol
BS16 1QY

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

LOCATION PLAN:



Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8****SUMMARY**

The application relates to a site situated within Clifton ward at the junction of Bridge Valley Road, Clifton Down, The Promenade (pedestrian route) and Ladies Mile/ Downs Circular Road. The site has a number of designations in terms of its heritage and conservation value (see Site Description below).

The application has been proposed by the Friends of the Downs and Avon Gorge (FODAG) group and has been put together by a Senior Lecturer in Engineering at the University of the West of England, a specialist in the design of stone bridges. The current application follows a pre-application enquiry on the site and a planning application that was subsequently withdrawn by the applicant following concerns raised by officers regarding the visual and landscape impact of the proposals. The proposal is for a stone bridge to provide pedestrian and cycle access crossing Bridge Valley and ancillary paths and ramps giving access to the bridge. The bridge would measure approximately 80m in length (including ramps) and 5.0m wide with a segregated footpath and cycle path. The application requires the removal of 38 trees to facilitate the proposals (31 of 'C' grade quality and 7 of 'B' grade quality).

Public consultation on the application has elicited 166 representations to the proposals- 148 in support and 14 in objection. The comments in support welcome the opportunity of the proposal for knowledge sharing and as an engineering project, enhanced safety for pedestrians and cyclists and the design and sustainability of the proposed stone bridge. The objections received were on the basis of the landscape impact of the proposal, the siting and the lack of consideration of other options.

The key considerations for this application relate to the impact on the landscape character of the Conservation Area, impact on green infrastructure and nature conservation and transport and access matters. The officer recommendation is for the refusal of the application on the grounds of impact on landscape quality and the character and special interest of the Conservation Areas.

SITE DESCRIPTION

The application site forms part of Clifton Down and is within Bristol City Council ownership, under the management of The Downs Committee and the stewardship of The Society of Merchant Venturers. The site is designated as forming part of The Downs Important Open Space and Local Historic Park and Garden. The site is within The Downs Conservation Area and adjoining the Clifton and Hotwells Conservation Area. The site is also within a Special Area of Conservation (SAC), Site of Nature Conservation Interest (SNCI) and a Site of Special Scientific Interest (SSSI).

There are also a number of listed structures on The Downs including Alderman Proctor's Drinking Fountain close to Clifton Down (Grade II listed) and several listed lamp posts (Grade II listed). The properties on Clifton Down are Grade II listed and there are a number of Grade II* listed properties further south along Clifton Down.

RELEVANT HISTORY

15/01128/F- Proposed pedestrian/cycle bridge over Bridge Valley Road.

The above application was withdrawn following concerns raised by officers regarding the visual and landscape impact of the proposal and loss of green infrastructure. Concerns were also raised that

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8**

alternative options to improve access with a lesser visual impact had not been sufficiently explored and that the proposed bridge would be premature in light of The Clifton and Durdham Downs Place and Movement Framework being brought forward by The Downs Committee.

13/04123/PREAPP- Proposed bridge for the junction of Bridge Valley Road, Clifton Down and Ladies Mile.

APPLICATION

The application proposal is for the installation of a combined pedestrian and cycle bridge with associated access (ramps, paths and barriers). The proposed bridge would be approximately 80m in length (including ramps) and 5.0m in width with additional footpaths/ cyclepaths leading to the bridge. The bridge itself and ramps/ paths leading to the bridge would be segregated as a separate cycle path and footpath. The cycle path width would be 2.5m and the pedestrian lane 2.0m in width. An additional 0.5m in width has been allowed on the South side of the bridge for users to stop (e.g. to enjoy the view).

The additional proposed footpaths/ cycle paths are required to give access to the bridge from existing roads given that cycling is prohibited on The Downs and The Promenade. Barriers would be required to footpaths/ cycle paths where they cross The Promenade to prevent conflict between cyclists and pedestrians and to prevent vehicles driving on to the bridge.

The proposed materials of the bridge would be Limestone with bonded gravel surfacing demarcated/ signed to indicate the cycle lane and pedestrian lane. The bridge parapets would be 1.1m high and 25cm thick with a 45cm wide capstone. Lighting columns are proposed to illuminate the bridge surface access.

The application proposes the removal of 38 trees to facilitate the proposals (31 of 'C' grade quality and 7 of 'B' grade quality) - please refer to Appendix B (Tree Protection Plan 15305-BVR-TTP-AM) of the Arboricultural Statement.

PRE APPLICATION COMMUNITY INVOLVEMENT

The submission of a formal Statement of Community Involvement is not a requirement of this application given that it is not classified as 'major' development. However, the applicant has undertaken community consultation and this is outlined within their Heritage and Planning Statement (Section 4). They state that the design of the bridge was developed in consultation with the Downs Committee, the Friends of the Downs and Avon Gorge group (FODAG), Bristol City Council departments, various access groups and local interest groups including via an Open Day at Engineers House.

In response to the consultation a number of amendments were made to the design, for example inclusion of a segregated cycle lane as requested by the Downs Committee; allowing suitable lane width for two-way pedestrian/ cycle traffic; realignment of the bridge and ramp design.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice have been posted/ published and neighbours have been consulted by individual letter. 166 written representations have been received to the proposals on the following grounds.

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8**

Representations in support (148 representations):

It is noted that many of the representations in support of the proposals are made by parties not local to Bristol.

The Friends of the Downs and Avon Gorge (FOD+AG) commented (in summary) that:

'The proposal is fully supported by FOD+AG. Clifton Down, Durdham Downs and Avon Gorge are one very special, cultural and historic place but this unique environment has been severed by Bridge Valley Road. The Downs Management Plan has identified the need to create a safe circular path allowing people to access the Gorge from the Downs and encourage more pedestrian and cyclist movement around the Downs. The proposed bridge will cater for pedestrians, school children, the disabled, the elderly and others who find the current crossing dangerous to negotiate. It will provide a focal point and social link and contribute to the improved circular pedestrian route.'

Other representations in support are summarised below:

- The proposal offers significant safety benefits for users as a crossing and would safely link the separate parts of the Downs;
- The proposal would encourage healthier lifestyles and mobility;
- The proposal would perfectly match the surroundings and be an excellent addition to the neighbourhood that would add to the ambience of the streetscape.
- The stone bridge would be a more beautiful, sustainable and long lasting solution with lower maintenance requirements than a steel bridge and would add to the natural beauty of the area;
- The project is a significant opportunity for Clifton and the South West as the construction of the first large stone bridge in Europe for more than 100 years and would bring cultural benefits and be an attraction;
- The construction project would involve the local community and local apprentices and it would make Bristol a hub of knowledge in Europe for this type of engineering project.

Representations in objection (14 representations):

The Stoke Bishop Residents' Planning Group/ Stoke Bishop Forum have commented as follows (in summary): The group considers that in principle a bridge of some sort is acceptable, though are not convinced of its necessity in traffic terms. There is a safe pedestrian crossing near the zoo but the group recognise that both cyclists and pedestrians cross Bridge Valley Road at the top of the hill. However, the proposed bridge is a substantial structure which seems heavy and obtrusive in this place. In particular, its width seems excessive, the dismount on the Promenade side is a very bulky structure which would impact on views of the tree-lined Promenade and is very close to the Coronation Oak. The proposal requires substantial loss of trees, which would substantially change the character of the Downs in this location, regardless of the replanting proposals. The proposal may result in conflict between users. In the event that a bridge is deemed necessary, a lighter bridge with lesser impact would be preferred. It is suggested that a competition be held to find a solution, depending on funding.

Councillor John Goulandris objects to the application on behalf of residents that the site is an extremely sensitive location and the proposal would harm visual amenity. A stone bridge would not be in keeping with the historic environment and loss of so many trees is unacceptable and would harm the natural environment. The mix of pedestrian and cyclist users will result in accidents. There are structural concerns regarding the stability of the cliffs. There is no discernible need for the bridge.

Bristol Civic Society commented that while they consider the broad aims of the proposal (connectivity, safety, skills training and durability) to be admirable; they consider the proposal to be

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8**

harmful to the wooded, rural character of Bridge Valley Road and the open and parkland character of the Promenade, which they feel could only absorb a light structure without harmful effects.

Clifton and Hotwells Improvement Society (CHIS) questioned the need for a bridge in this location and raised concerns regarding the width of the bridge and the inclusion of a cycle lane which increases the size of the structure. Some considered that reviving outmoded technology was inappropriate and raised concerns regarding the funding of bridge construction and maintenance. Further research would be needed into the impact on Bridge Valley Road during construction. CHIS are pleased that the Highways Department is considering the possibility of a roundabout in this location. The application is the only way of separating pedestrian and disabled users of this crossing and it is agreed that both traffic lights and a zebra crossing would not be appropriate. Though the bridge is a bulky structure, the nature of the site and existing tree cover ensures that its visual impact is minimal. CHIS are concerned about the potential approach paths, particularly from the Promenade and the circular access ramps.

The Bristol Tree Forum objects to the loss of so many trees, especially the B grade trees, and comments that mitigation planting in the woodland will not recreate the visual amenity that these trees currently provide. The design seems not to have considered existing trees at all, contravening Policy BCS9 para 2.

The Conservation Advisory Panel strongly objects to the proposal for the following reasons:

"The Panel reiterates its previous meeting minute. It supports the position of Natural England. The bridge proposal is an inappropriately designed bridge in a very sensitive location. The need for a bridge in this location needs to be established through the Development Plan process before a development proposal is formulated. If a bridge in this location is considered appropriate then the design of this should be open to a competition. Furthermore a viable economic case needs to be made for this.

April 2015 minute on withdrawn application 15/01128/F:

The principle of a bridge in this particular location is questioned, as there is a greater need to deal with the design of the existing junction. Bristol is a city of innovative bridges and a historicist pastiche is not appropriate. The architectural language of the proposed design is considered to be ill-conceived and poorly designed. The solid masonry mass would be a visual intrusion in this area of natural beauty. In addition the approach works to the bridge were not detailed and would have at least as great an impact on the conservation area as the bridge itself. The width of 4.5m as proposed is questioned and is considered to be insufficient for a combination of moving pedestrians and cyclists and viewing. A balustrade of 1.4m high would be required for cyclists' safety and this must not be added at a later date. There is a need to provide an archaeological assessment of the area covered by the bridge and access works. Surfaces, grades and appearance need greater consideration and detail."

Other public comments received objecting to the proposals are summarised below:

- Resolution of the access issues requires independent and transparent consultation. A pedestrian crossing/ traffic calming measures should be employed instead. Many people would continue to use the existing short cut across the road or the existing crossing 200m away. The proposal would distract drivers negotiating the incline and sharp bend and be vulnerable to damage from vehicles. The proposal may result in conflicts between cyclists and pedestrians. Cycling on the Downs is not permitted and should not be encouraged.
- The proposals are of a significant scale and would have a significant negative and intrusive impact on the Promenade and surrounding area. A modern lightweight pedestrian-only bridge would be more appropriate. The proposed bridge design should be modern.
- Impact on Site of Special Scientific Interest and the proposed lighting would detract from the current night time "dark sky" aspect of the Downs area.

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8**

- Cliff stability is an issue.
- The proposal would attract anti-social behaviour.
- The costs of the proposal appear to have been underestimated and there is no indication of the funding of future repair and maintenance works. *
- At the Neighbourhood Partnership meeting (29 March 2016) it was agreed that the Neighbourhood Partnership would allocate £15000 of Community Infrastructure Levy to fund a design study for junction improvements at Clifton Down Road/ Bridge Valley Road. This was deferred for 6 months pending a 20mph assessment and the outcome of The Downs Place and Movement Framework.

* NB The costs of the development are not a planning consideration, though the maintenance costs would need to be considered should the Council wish to adopt the structure.

OTHER COMMENTS

City Centre Projects (Public Art) has commented as follows:-

The proposed masonry arch bridge - developed with historical construction skills and community involvement - would offer scope for the involvement of an artists and crafts people and contributing to its design.

Urban Design has commented as follows:-

Concerns are raised regarding the scheme and withdrawal of the application is recommended. Please refer to Key Issues for further details.

Transport Development Management has commented as follows:-

The principle of the bridge is considered acceptable in highways terms but practical considerations are significant in terms of ensuring the structure would not impede traffic flow/ visibility and the following matters would need to be addressed:

Design

- The proposed layout of the bridge lanes may lead to conflict;
- The detailed construction of the structure would need to go through the Approved in Principle (AiP) process following a decision on the planning application;
- Large scale plans and details of the existing public right of ways (PROWs) and any proposed pathways connecting into the existing network are required;
- Confirmation by applicant needed if bridge adoption by BCC would be sought. If yes, a financial contribution towards ongoing maintenance would be sought;

Justification

- The applicant should include analysis of any personal injury collisions (PICs) at this junction within their Transport and Movement Statement;
- The applicant has considered alternative options to improving access at this junction, but has not considered traffic management/ traffic calming measures as a means of slowing traffic.

Management

- A Construction Management Plan and Condition Survey would be required via condition.

Contaminated Land Environmental Protection has commented as follows:-

There are no objections subject to conditions. (See background papers for full details).

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Bristol BS8**

Nature Conservation Officer has commented as follows:-

An Appropriate Assessment has been carried out and supplied to Natural England, as required. It is concluded that the proposal would not result in any adverse effect on the Avon Gorge Special Area of Conservation, Site of Special Scientific Interest, Site of Nature Conservation Interest or any protected species. No objections are raised to the proposals subject to detailed conditions. (See background papers for full details).

Natural England has commented as follows:-

There is no objection to the proposal. In their letter dated 15 April 2016 they raised questions in relation to the potential effects of the proposals on the Avon Gorge Woodlands Special Area of Conservation (SAC) and Avon Gorge Site of Special Scientific Interest (SSSI). Based on the information provided, the extent of permanent habitat loss within the SAC/ SSSI boundary is relatively small and the area is not thought to currently contain any qualifying features. Natural England agrees with the local planning authority's conclusion in the Appropriate Assessment that the works are unlikely to result in an adverse effect on the integrity of the SAC provided that any planning permission includes the recommended planning conditions. (Comment received 22 June 2016; see background papers for full details).

Crime Reduction Unit has commented as follows:-

There are no objections subject to details of lighting and approaches. (See background papers for full details).

Flood Risk Manager has commented as follows:-

No objection. (See background papers for full details).

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM14	The health impacts of development
DM15	Green infrastructure provision
DM16	Open space for recreation
DM17	Development involving existing green infrastructure
DM19	Development and nature conservation
DM23	Transport development management

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DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM35	Noise mitigation
DM37	Unstable land

Supplementary Planning Documents

SPD5 Sustainable Design and Construction (February 2006)**Supplementary Planning Documents**

SPD7 Archaeology and Development (March 2006)**Supplementary Planning Documents**
Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Supplementary Planning Guidance

Clifton & Hotwells Conservation Area Character Appraisal

PAN 2 Conservation Area Enhancement Statements (November 1993)

The Planning (Listed Buildings and Conservation Areas) Act 1990

KEY ISSUES

(A) WOULD THE PRINCIPLE OF THE DEVELOPMENT BE ACCEPTABLE IN LAND USE TERMS?

The application site has a number of designations being part of The Downs, including nature conservation designations (refer to Site Description above). In land use terms, the site is designated as Important Open Space.

Policy DM17 (of the Site Allocations and Development Management Policies document- SADMP) states that development on part or all of, an Important Open Space will not be permitted unless the development is ancillary to the open space use. The proposed bridge structure would be considered to be ancillary to this open space use given that it would provide improved access to the area of open space and for these reasons; there is no objection in principle in land use terms.

(B) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN TERMS OF ITS VISUAL AND LANDSCAPE IMPACT AND WOULD IT SAFEGUARD THE SPECIAL INTEREST OF ALL RELEVANT HERITAGE ASSETS?

Impact on the Local Historic Park and Garden and Conservation Areas

Development is required by national and local planning policy and legislation to give considerable weight and importance to preserving the special interest, character and setting of Conservation Areas (in this case The Downs and neighbouring Clifton & Hotwells Conservation Areas) and to conserving local historic parks and gardens as heritage assets. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies BCS22 and DM31 of the Local Plan refer.

The proposed site of the bridge is a wooded area at the periphery of The Downs and the Avon Gorge. The Promenade (adjacent) is a historic, formal pedestrian route lined by mature trees,

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giving way to open areas of grassland and the woodland lining Bridge Valley Road and the Avon Gorge. The bridge would be around 80m in length (including ramps) and 5.0m in width with new footpath/ cycle way structures leading up to the bridge, and would be constructed from stone.

The structure would be of a substantial scale appearing highly prominent and as a significant intervention into both the natural, landscaped character of the Gorge and the formal character of The Promenade. The proposed loss of trees (38 in total) would result in a gap in the wooded character of the area thereby diminishing its landscape value. It is the view of officers that the proposals would have an unacceptably harmful impact on the special landscaped character of The Downs and Clifton & Hotwells Conservation Areas through the introduction of a structure of such a substantial scale and the loss of trees within this sensitive and historic setting.

The application submission does not demonstrate whether other, less intrusive bridge design options have been considered and it is possible that a more lightweight design and materials would have a lesser impact. The application submission (see the Transport Statement) sets out the alternative options considered by the applicant for highways improvements in this location- which have been ruled out by the applicant on the grounds of ability to meet the needs of all users, feasibility and highways safety.

The Council's City Design Group has recently produced the 'Clifton and Durdham Downs: Place and Movement Framework' on behalf of The Downs Committee. This document sets out 3 scenarios for improving access to/ around The Downs- one of which includes improvement of the Bridge Valley Road junction for all users through redesign while 'avoiding the adverse landscape and visual impact of a more costly pedestrian/ cycle bridge structure across Bridge Valley Road.' This document is not a planning policy or guidance document and therefore while it can be given some weight, this is not full weight in planning terms.

Summary: There are highways safety concerns in this location given the nature of the road network/ existing crossing facilities and access could be improved. The proposal therefore offers clear public benefits in addressing this issue. However, there are fundamental concerns with the proposed structure in terms of its visual impact on this landscape and the Downs and Clifton & Hotwells Conservation Areas due to its scale and form that would not be outweighed by these public benefits. Officers are therefore unable to recommend approval of this application as they would consider it to be contrary to planning policy.

It is noted that alternative options are under consideration by other parties in terms of addressing access issues in this location; however the application proposal must be judged on its own merits and these options cannot be taken into consideration in the assessment of this application.

The proposals are considered by officers to be contrary to Sections 11 and 12 of the National Planning Policy Framework (NPPF) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also be contrary to local policies BCS9, BCS21 and BCS22 of the Core Strategy and DM17, DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (SADMP).

Impact on nearby listed buildings and structures

The nearest directly affected listed structure (Grade II) is Alderman Proctor's water fountain situated on the east side of Clifton Down. While the proposal would have an impact on the setting of the fountain through the introduction of increased hard landscaping and infrastructure; this would not be considered to be harmful such that refusal of the application would be recommended on this basis. The proposals would also safeguard the setting of neighbouring listed buildings and lampposts, and would be in accordance with Section 12 of the NPPF and Section 16 (2) of the Planning (Listed

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Buildings and Conservation Areas) Act 1990, which requires development to preserve the special interest and setting of listed buildings.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN RESPECT OF ITS IMPACTS ON GREEN INFRASTRUCTURE AND NATURE CONSERVATION?

Green infrastructure/ trees

Policy BCS9 of the Core Strategy states that loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan document or is necessary, on balance, to achieve the aims of the Core Strategy. Appropriate mitigation will be required. While local planning policy (DM23 refers) encourages the enhancement of the pedestrian and cycle network; the creation of a bridge in this location is not an objective of the Local Plan.

As outlined above, the proposal would result in the loss of 38 trees; 31 of which are Category 'C' trees (low quality) and 7 of which are Category 'B' trees (Moderate quality). The Arboriculture Officer has advised that the trees to be lost are not specimens of particular individual value and raises no objections on that basis, though there would be an inevitable landscape impact through the loss of this number of trees.

The applicant proposes that compensatory replanting be undertaken in an area adjacent to the site of the proposed bridge. The Bristol Tree Replacement Standard (BTRS) would require the replanting of 111 trees. However, the area identified for replanting (Site B) is small and already heavily planted and therefore replacement planting would need to be off-site via a financial contribution towards the Council undertaking this replanting. The contribution would be significant (£84,938.31) based on 111 trees at £765.21 per tree. In addition, any replanting on the Downs may need to go through a further detailed consultation process with relevant parties given the sensitivity of the environment and the large number of new trees to be replanted. There is no guarantee that suitable sites for all trees could be found on the Downs.

In the event that Members are minded to approve this application, a legal agreement undertaking to pay this contribution would be required from the application prior to a decision on the application being taken.

Summary: While the individual trees to be lost are not of significant individual value, it remains the view of officers that through its impacts, including the loss of a large number of trees, the application would result in an and a harmful impact on the landscape quality of the area and the character and appearance of The Downs and Clifton and Hotwells Conservation Areas, as set out under Key Issue B) above.

Nature conservation

The application site has a number of important nature conservation designations (refer to 'Site Background' above). The proposal has been reviewed by the Council's Nature Conservation Officer and Natural England in accordance with the requirements of The Conservation of Habitats and Species Regulations 2010 and the Conservation of Habitats and Species (Amendment) Regulations 2012 and all other national and local planning policies (Local Plan policies BCS9 and DM19 refer). The Council's Nature Conservation Officer has carried out an Appropriate Assessment, as required by Natural England, who raises no objections to the proposals subject to appropriate conditions.

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8****(D) WOULD THE PROPOSAL BE ACCEPTABLE IN HIGHWAYS TERMS?**

The proposed development would be acceptable in highways terms in principle as it addresses objectives of improving access for all users. However there would be significant practical considerations that would need to be addressed through the submission of further detailed plans following the planning application stage, as outlined below.

It is proposed that the bridge would be adopted by the Council following construction. As proposed, the bridge structure would not meet adoptable standards in its current form. However in the event that permission is granted, detailed construction drawings would need to be agreed by the Council's Structures and Highways Teams to ensure that these standards would be met. Were this to result in amendments to the planning permission, then an application to vary the permission may be necessary. Some changes may be minor and not require planning amendments (e.g. surfacing materials) whereas others may do so (e.g. gradient of ramps). Through this process it would be ensured that the structure would meet an adoptable standard and provide appropriate access for all users including those with disabilities. A financial contribution to the Council would be required for on-going maintenance of the structure, which would be secured via highways agreement outside the planning process.

Should Members be minded to recommend the approval of the application planning conditions would be recommended to obtain any further details necessary for planning purposes as well as an Advice Note to the applicant advising them of the highways agreement process. The following further elements would need to be addressed either by planning condition or separate highways agreement:

- The segregated lanes (with additional 0.5m width for pedestrians) are over complicated and it would be simpler to have just two segregated lanes for cycles and pedestrians- or to move the 'reservation' lane to the same side as the pedestrian lane;
- Balustrades would be required to a height of 1.4m;
- Ramp/ bridge gradients should be no greater than 1:20;
- Detailed lighting plans would be required (to an adoptable standard);
- Detailed constructions plans and methodology would be required;
- Large scale plans and details of the proposed pathways are required;
- The barriers to the Promenade should be replaced by bollards;
- Appropriate signage would be required;
- Further consideration of junctions with the highways network would be needed;
- Further drainage details are sought;
- A Construction Management Plan would be required;

(E) WOULD THE PROPOSALS SAFEGUARD RESIDENTIAL AMENITY?

The proposed development would be concluded to safeguard the residential amenity of neighbouring residential occupiers and the environmental amenity of the area. Should Members be minded to approve the application, conditions seeking further details of the lighting to the bridge would be require to ensure appropriate light levels for this setting.

(F) HAVE SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS BEEN ADDRESSED?

The proposed development is exempt from the requirement to submit a Sustainability Statement and Energy Strategy given that it is not for a building. However, the application submission (Heritage and Planning Statement- Section 8.2.5) makes reference to the development's contribution to addressing objectives for achieving healthy sustainable communities including

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through environmental, economic and social sustainability.

The main construction material proposed (limestone) is a highly durable, low maintenance material and can be recycled. It is possible that limestone can be locally sourced, though importation is an alternative and would result in an increased carbon footprint. More generally, the loss of trees would be contrary to wider sustainability objectives, though through replanting that could be mitigated. The applicant states that the proposed materials are an environmentally sustainable choice and carbon neutral and that the proposal has been included as a national pilot study for the new BREAAAM Infrastructure scheme by the Building Research Establishment (BRE). They also state that the construction project would benefit the local economy through employment and knowledge-building opportunities; and in terms of social sustainability, the proposal includes a social space acting as a community focal point.

Overall, there are no objections to the proposals on these grounds such that refusal would be recommended on this basis.

(G) HAVE LAND STABILITY AND LAND CONTAMINATION MATTERS BEEN ADDRESSED?

Land contamination: There are no objections in this regard subject to conditions, should Members be minded to recommend approval of the application.

Coal: The site is within an area of low development risk as designated by the Coal Authority and there are no objections or further information required on this basis.

Land stability: The application has been accompanied by a Geological Assessment that provides a basic desktop study of the characteristics of the site in terms of geology and natural hazards and which concludes that the site is in an area where there are no superficial deposits and the bedrock is virtually at existing ground level. Therefore the present bridge design is unlikely to have any effect on the stability of the Avon Gorge at the point of its proposed construction.

Policy DM37 of the Site Allocations and Development Management Policies Document (SADMP) states that in instances where remediation of land stability issues are required, that the further exploration of these can be subject of planning conditions. Should approval of the application be granted, then an appropriate condition would be recommended to secure further geological investigation as required, which may require specialist advice from outside the Council.

(H) ARE THERE ANY OTHER MATERIAL CONSIDERATIONS?**Equalities impact assessment**

During the determination of the 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.

The proposal is for pedestrian and cyclist access via a new bridge and different groups would therefore have different needs, experiences, issues and priorities in relation to this particular proposed development. While the approval of this application would have implications for these different groups, it is considered that any outstanding matters can be addressed to ensure that the proposals would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010 (please refer to Transport Key Issue for further details).

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In terms of economic factors and employment opportunities, in the event of an approval, there is an opportunity for workers/contractors in its construction to be secured from local workers via a planning condition. In this event, the proposals would offer local employment and economic opportunities.

CONCLUSION

In conclusion, refusal of the application is recommended on the grounds of the landscape and Conservation Area impact of the proposals. While the benefits of the proposals in terms of access improvements for all users are welcomed and recognised, these benefits would not be concluded to outweigh the landscape harm arising from the proposed development and harmful impact on The Downs and Clifton & Hotwells Conservation Areas.

HOW MUCH COMMUNITY INFRASTRUCTURE LEVY (CIL) IS PAYABLE?

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.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. The proposal by reasons of its scale, form and siting and the loss of a significant number of trees would have a harmful impact on the landscape character and visual amenity of this area and would fail to preserve the character and special interest of The Downs and Clifton and Hotwells Conservation Areas. The proposals are concluded to be contrary to Sections 11 and 12 of the National Planning Policy Framework (NPPF) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also be contrary to local policies BCS9, BCS21 and BCS22 of the Core Strategy and DM17, DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (SADMP).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

- 1:1250 Site Location Plan, received 7 March 2016
- 1:2500 Site Location Plan, received 7 March 2016
- 1:5000 Site Location Plan, received 7 March 2016
- 10-01 Current Site Layout Plan, received 7 March 2016
- 20-01 Proposed Bridge With Circular Ramp, received 7 March 2016
- 30-01 Ramp 1, received 7 March 2016
- 30-02 Ramp 2, received 7 March 2016
- 30-03 Ramp Sections, received 7 March 2016
- 40-01 Elevations (NE & SW), received 7 March 2016
- 40-02 Elevations (SE & NW), received 7 March 2016

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40-03 Ground Levels, received 7 March 2016
 50-01 Sections 1, received 7 March 2016
 50-02 Sections 2, received 7 March 2016
 50-03 SUDS, received 7 March 2016
 60-01 Works 1, received 7 March 2016
 60-02 Works 2, received 7 March 2016
 70-01 Trees, received 7 March 2016
 70-02 Trees & Works, received 7 March 2016
 90-01 Bats & Badgers, received 7 March 2016
 90-01 Lighting 1, received 7 March 2016
 90-02 Lighting 2, received 7 March 2016
 Arboricultural Impact Assessment, Method Statement & Tree Protection Plan, received 7 March 2016
 Appendix A - H, received 7 March 2016
 Construction Statement, received 7 March 2016
 Ecology Statement, received 7 March 2016
 Ecology Survey Update, received 7 March 2016
 Geological Report, received 7 March 2016
 Heritage Statement, received 7 March 2016
 Transport & Moving Statement, received 7 March 2016
 Supporting Statement, received 7 March 2016
 Design & Access Statement, received 7 March 2016
 Whitebeam Survey, received 7 March 2016

BACKGROUND PAPERS

City Centre Projects (Public Art)	23 April 2016
Urban Design	19 April 2016
Contaminated Land Environmental Protection	3 May 2016
Nature Conservation Officer	9 June 2016
Natural England	18 April 2016
Crime Reduction Unit	30 March 2016
Flood Risk Manager	13 April 2016

Minute Extract – Development Control (B) Committee – Wednesday 13th July 2016

2. 16/01266/F – Land between Ladies Mile and Clifton Down, Bridge Valley Road, Bristol BS8; Stoke Bishop Ward

The Committee considered the Application proposal which was for the installation of a combined pedestrian and cycle stone bridge with associated access for pedestrian and cycle access crossing Bridge Valley with ancillary paths and ramps to enable access to the bridge.

The Committee discussed various aspects of the Application regarding design, safety and appropriateness of the development in a Conservation Area. Concern however focussed mostly on the loss of trees that would be necessary as part of the overall development.

Seeking appropriate mitigation it was moved and seconded that the Application be approved subject to delegated authority being given to the Planning Authority to secure a legally binding financial contribution towards tree mitigation planting.

On being put to the vote there were five in favour, two against and two abstentions.

Resolved – that permission be granted subject to conditions and subject to a legal agreement to secure a financial contribution towards tree mitigation planting.

WARD: Stoke Bishop **CONTACT OFFICER:** Charlotte Sangway
SITE ADDRESS: Land Between Ladies Mile & Clifton Down Bridge Valley Road Bristol BS8

APPLICATION NO: 16/01266/F Full Planning
EXPIRY DATE: 2 May 2016

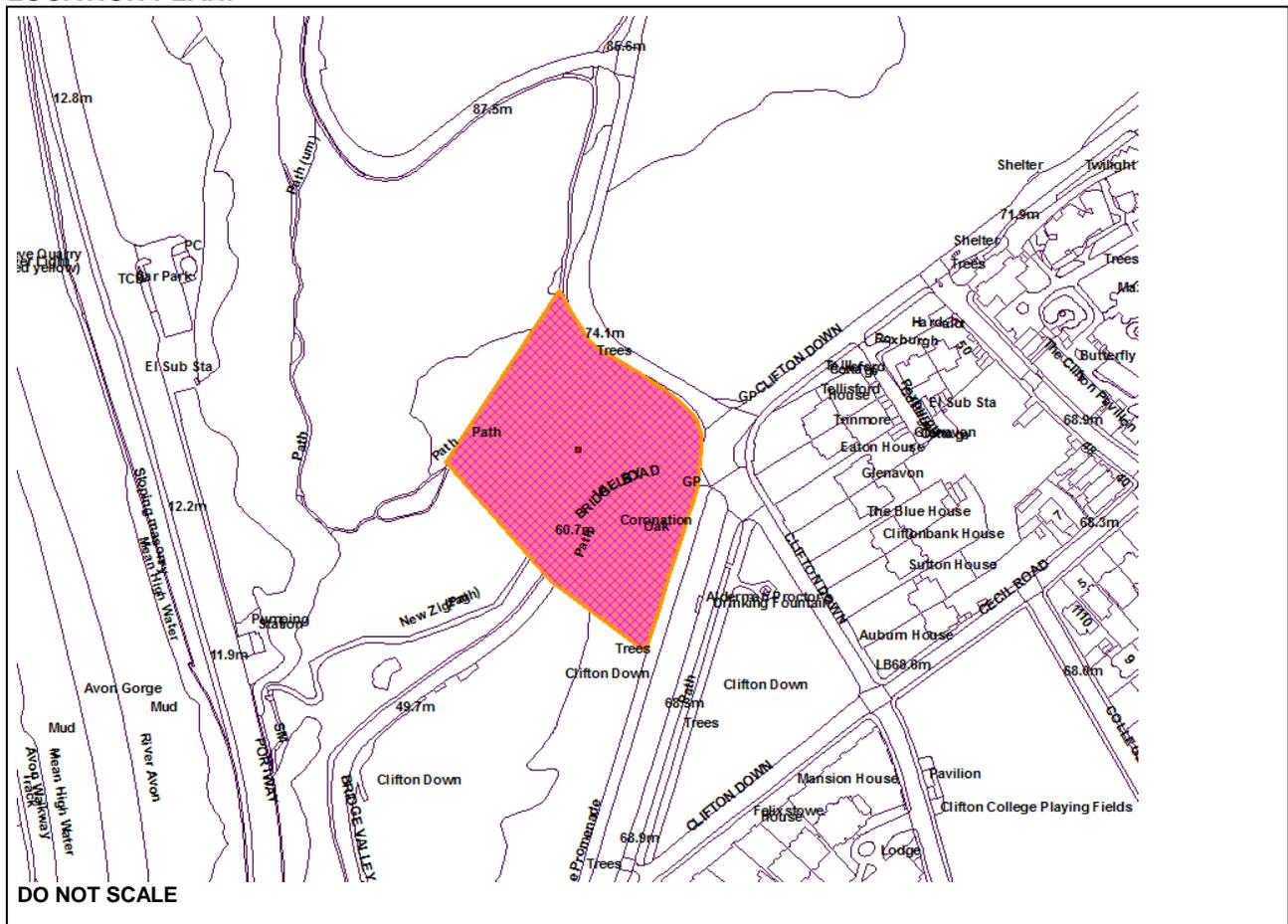
Proposed pedestrian/cycle bridge over Bridge Valley Road.

RECOMMENDATION: Refuse

AGENT: **APPLICANT:** Dr Adrienn Tomor
 Frenchay Campus
 Coldharbour Lane
 Bristol
 BS16 1QY

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

LOCATION PLAN:



Development Control Committee B – 21 December 2016
Application No. 16/01266/F: Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8

APPLICATION BACKGROUND

The above application was considered by Development Control Committee B on 13th July 2016. The officer recommendation for the application was for refusal for the following reason:

1. The proposal by reasons of its scale, form and siting and the loss of a significant number of trees would have a harmful impact on the landscape character and visual amenity of this area and would fail to preserve the character and special interest of The Downs and Clifton and Hotwells Conservation Areas. The proposals are concluded to be contrary to Sections 11 and 12 of the National Planning Policy Framework (NPPF) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also be contrary to local policies BCS9, BCS21 and BCS22 of the Core Strategy and DM17, DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (SADMP).

Members resolved to grant permission for the proposed pedestrian/ cycle bridge subject to a legal agreement to require a financial contribution towards tree mitigation planting to compensate for the loss of trees proposed by the application, in accordance with the Bristol Tree Replacement Standard (BTRS). The proposal would result in the loss of 38 trees; 31 of which are Category 'C' trees (low quality) and 7 of which are Category 'B' trees (Moderate quality). The Bristol Tree Replacement Standard (BTRS) would require the replanting of 111 trees to compensate for this loss. However the application site is small and already heavily planted with trees; therefore replacement planting would need to be off-site via a financial contribution to enable the Council to undertake replanting on land within Bristol City Council's control. The contribution would be £84,938.31 based on 111 trees at £765.21 per tree.

APPLICATION UPDATE AND REASON FOR REFERRAL TO DEVELOPMENT CONTROL COMMITTEE

Since the Committee resolution to grant approval, officers have engaged in discussions with the applicant and the Council's Legal Team to seek the legal agreement for this contribution. However as the application site is not within the applicant's ownership, this has not been possible. The Council's Legal Team confirm that the owners of part of the site are the Master Wardens and Commonalty of Merchant Venturers of the City of Bristol (The Merchant Venturers). The remainder of the site is unregistered and comprises adopted highway. Any legal agreement to secure the financial contribution would need to be provided by a party who have a legal interest sufficient to bind the land and provide the Council with the ability to enforce the requirement if the terms of the legal agreement are not met. So in this case the legal agreement would need to be provided by the Merchant Venturers.

The applicant has been notified of the above and has sought their own legal advice regarding this matter and has advised officers that the Merchant Venturers will not be able to sign up to the legal agreement. Consequently, it is not possible to secure the financial contribution required under the Bristol Tree Replacement Standard to mitigate for the loss of trees from the site.

The application is therefore referred back to Committee for determination of whether they would continue to recommend the grant of approval without any compensatory tree planting.

Development Control Committee B – 21 December 2016**Application No. 16/01266/F: Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8****KEY CONSIDERATIONS**

Members have already accepted the landscape impact of the proposals in terms of the visual appearance of the physical bridge structure and consequential loss of trees from the site. While previously some tree replanting in the immediate vicinity of the site could have been achieved, this would be limited and would not completely mitigate the visual impact of the loss of the 38 trees proposed from the site (i.e. there would still appear a gap in the tree canopy cover).

It is not possible to secure further tree planting through a legal agreement. Some, minimal tree planting on the site itself could be secured through a condition seeking a landscaping plan prior to the commencement of the development- this condition would be enforceable against the land owner. A planning condition seeking tree planting outside of the red site boundary line would not meet the tests set out within national planning guidance for the use of conditions due to problems with enforceability.

The key consideration before Members is therefore whether the failure to comply with the Council's Core Strategy Policy BCS9 and Development Management Policy DM17 through failing to provide tree compensation would be outweighed by the other benefits of the proposals.

Whilst any refusal clearly would not enable the proposed bridge to be built unless a permission was obtained, this outcome would not negate the decision made by Committee to grant planning permission for the bridge. The Committee's original resolution to grant planning permission would still stand as a material planning consideration. Therefore, if an appropriate legal agreement could be completed in future, the promoters of the bridge could make a new application, which would have to be considered in the light of the previous resolution and the accompanying draft agreement as material considerations to which the committee could attach such weight to as it deemed appropriate.

RECOMMENDATION

Officers recommend the refusal of the application on the basis of the failure to mitigate the removal of existing trees contrary to Policies BCS9 of the Bristol Core Strategy and Policy DM17 of the Site Allocations and Development Management Policies.

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8****SUMMARY**

The application relates to a site situated within Clifton ward at the junction of Bridge Valley Road, Clifton Down, The Promenade (pedestrian route) and Ladies Mile/ Downs Circular Road. The site has a number of designations in terms of its heritage and conservation value (see Site Description below).

The application has been proposed by the Friends of the Downs and Avon Gorge (FODAG) group and has been put together by a Senior Lecturer in Engineering at the University of the West of England, a specialist in the design of stone bridges. The current application follows a pre-application enquiry on the site and a planning application that was subsequently withdrawn by the applicant following concerns raised by officers regarding the visual and landscape impact of the proposals. The proposal is for a stone bridge to provide pedestrian and cycle access crossing Bridge Valley and ancillary paths and ramps giving access to the bridge. The bridge would measure approximately 80m in length (including ramps) and 5.0m wide with a segregated footpath and cycle path. The application requires the removal of 38 trees to facilitate the proposals (31 of 'C' grade quality and 7 of 'B' grade quality).

Public consultation on the application has elicited 166 representations to the proposals- 148 in support and 14 in objection. The comments in support welcome the opportunity of the proposal for knowledge sharing and as an engineering project, enhanced safety for pedestrians and cyclists and the design and sustainability of the proposed stone bridge. The objections received were on the basis of the landscape impact of the proposal, the siting and the lack of consideration of other options.

The key considerations for this application relate to the impact on the landscape character of the Conservation Area, impact on green infrastructure and nature conservation and transport and access matters. The officer recommendation is for the refusal of the application on the grounds of impact on landscape quality and the character and special interest of the Conservation Areas.

SITE DESCRIPTION

The application site forms part of Clifton Down and is within Bristol City Council ownership, under the management of The Downs Committee and the stewardship of The Society of Merchant Venturers. The site is designated as forming part of The Downs Important Open Space and Local Historic Park and Garden. The site is within The Downs Conservation Area and adjoining the Clifton and Hotwells Conservation Area. The site is also within a Special Area of Conservation (SAC), Site of Nature Conservation Interest (SNCI) and a Site of Special Scientific Interest (SSSI).

There are also a number of listed structures on The Downs including Alderman Proctor's Drinking Fountain close to Clifton Down (Grade II listed) and several listed lamp posts (Grade II listed). The properties on Clifton Down are Grade II listed and there are a number of Grade II* listed properties further south along Clifton Down.

RELEVANT HISTORY

15/01128/F- Proposed pedestrian/cycle bridge over Bridge Valley Road.

The above application was withdrawn following concerns raised by officers regarding the visual and landscape impact of the proposal and loss of green infrastructure. Concerns were also raised that

Development Control Committee B – 13 July 2016**Application No. 16/01266/F : Land Between Ladies Mile & Clifton Down Bridge Valley Road
Bristol BS8**

alternative options to improve access with a lesser visual impact had not been sufficiently explored and that the proposed bridge would be premature in light of The Clifton and Durdham Downs Place and Movement Framework being brought forward by The Downs Committee.

13/04123/PREAPP- Proposed bridge for the junction of Bridge Valley Road, Clifton Down and Ladies Mile.

APPLICATION

The application proposal is for the installation of a combined pedestrian and cycle bridge with associated access (ramps, paths and barriers). The proposed bridge would be approximately 80m in length (including ramps) and 5.0m in width with additional footpaths/ cyclepaths leading to the bridge. The bridge itself and ramps/ paths leading to the bridge would be segregated as a separate cycle path and footpath. The cycle path width would be 2.5m and the pedestrian lane 2.0m in width. An additional 0.5m in width has been allowed on the South side of the bridge for users to stop (e.g. to enjoy the view).

The additional proposed footpaths/ cycle paths are required to give access to the bridge from existing roads given that cycling is prohibited on The Downs and The Promenade. Barriers would be required to footpaths/ cycle paths where they cross The Promenade to prevent conflict between cyclists and pedestrians and to prevent vehicles driving on to the bridge.

The proposed materials of the bridge would be Limestone with bonded gravel surfacing demarcated/ signed to indicate the cycle lane and pedestrian lane. The bridge parapets would be 1.1m high and 25cm thick with a 45cm wide capstone. Lighting columns are proposed to illuminate the bridge surface access.

The application proposes the removal of 38 trees to facilitate the proposals (31 of 'C' grade quality and 7 of 'B' grade quality) - please refer to Appendix B (Tree Protection Plan 15305-BVR-TTP-AM) of the Arboricultural Statement.

PRE APPLICATION COMMUNITY INVOLVEMENT

The submission of a formal Statement of Community Involvement is not a requirement of this application given that it is not classified as 'major' development. However, the applicant has undertaken community consultation and this is outlined within their Heritage and Planning Statement (Section 4). They state that the design of the bridge was developed in consultation with the Downs Committee, the Friends of the Downs and Avon Gorge group (FODAG), Bristol City Council departments, various access groups and local interest groups including via an Open Day at Engineers House.

In response to the consultation a number of amendments were made to the design, for example inclusion of a segregated cycle lane as requested by the Downs Committee; allowing suitable lane width for two-way pedestrian/ cycle traffic; realignment of the bridge and ramp design.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice have been posted/ published and neighbours have been consulted by individual letter. 166 written representations have been received to the proposals on the following grounds.

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Representations in support (148 representations):

It is noted that many of the representations in support of the proposals are made by parties not local to Bristol.

The Friends of the Downs and Avon Gorge (FOD+AG) commented (in summary) that:

'The proposal is fully supported by FOD+AG. Clifton Down, Durdham Downs and Avon Gorge are one very special, cultural and historic place but this unique environment has been severed by Bridge Valley Road. The Downs Management Plan has identified the need to create a safe circular path allowing people to access the Gorge from the Downs and encourage more pedestrian and cyclist movement around the Downs. The proposed bridge will cater for pedestrians, school children, the disabled, the elderly and others who find the current crossing dangerous to negotiate. It will provide a focal point and social link and contribute to the improved circular pedestrian route.'

Other representations in support are summarised below:

- The proposal offers significant safety benefits for users as a crossing and would safely link the separate parts of the Downs;
- The proposal would encourage healthier lifestyles and mobility;
- The proposal would perfectly match the surroundings and be an excellent addition to the neighbourhood that would add to the ambience of the streetscape.
- The stone bridge would be a more beautiful, sustainable and long lasting solution with lower maintenance requirements than a steel bridge and would add to the natural beauty of the area;
- The project is a significant opportunity for Clifton and the South West as the construction of the first large stone bridge in Europe for more than 100 years and would bring cultural benefits and be an attraction;
- The construction project would involve the local community and local apprentices and it would make Bristol a hub of knowledge in Europe for this type of engineering project.

Representations in objection (14 representations):

The Stoke Bishop Residents' Planning Group/ Stoke Bishop Forum have commented as follows (in summary): The group considers that in principle a bridge of some sort is acceptable, though are not convinced of its necessity in traffic terms. There is a safe pedestrian crossing near the zoo but the group recognise that both cyclists and pedestrians cross Bridge Valley Road at the top of the hill. However, the proposed bridge is a substantial structure which seems heavy and obtrusive in this place. In particular, its width seems excessive, the dismount on the Promenade side is a very bulky structure which would impact on views of the tree-lined Promenade and is very close to the Coronation Oak. The proposal requires substantial loss of trees, which would substantially change the character of the Downs in this location, regardless of the replanting proposals. The proposal may result in conflict between users. In the event that a bridge is deemed necessary, a lighter bridge with lesser impact would be preferred. It is suggested that a competition be held to find a solution, depending on funding.

Councillor John Goulandris objects to the application on behalf of residents that the site is an extremely sensitive location and the proposal would harm visual amenity. A stone bridge would not be in keeping with the historic environment and loss of so many trees is unacceptable and would harm the natural environment. The mix of pedestrian and cyclist users will result in accidents. There are structural concerns regarding the stability of the cliffs. There is no discernible need for the bridge.

Bristol Civic Society commented that while they consider the broad aims of the proposal (connectivity, safety, skills training and durability) to be admirable; they consider the proposal to be

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harmful to the wooded, rural character of Bridge Valley Road and the open and parkland character of the Promenade, which they feel could only absorb a light structure without harmful effects.

Clifton and Hotwells Improvement Society (CHIS) questioned the need for a bridge in this location and raised concerns regarding the width of the bridge and the inclusion of a cycle lane which increases the size of the structure. Some considered that reviving outmoded technology was inappropriate and raised concerns regarding the funding of bridge construction and maintenance. Further research would be needed into the impact on Bridge Valley Road during construction. CHIS are pleased that the Highways Department is considering the possibility of a roundabout in this location. The application is the only way of separating pedestrian and disabled users of this crossing and it is agreed that both traffic lights and a zebra crossing would not be appropriate. Though the bridge is a bulky structure, the nature of the site and existing tree cover ensures that its visual impact is minimal. CHIS are concerned about the potential approach paths, particularly from the Promenade and the circular access ramps.

The Bristol Tree Forum objects to the loss of so many trees, especially the B grade trees, and comments that mitigation planting in the woodland will not recreate the visual amenity that these trees currently provide. The design seems not to have considered existing trees at all, contravening Policy BCS9 para 2.

The Conservation Advisory Panel strongly objects to the proposal for the following reasons:

"The Panel reiterates its previous meeting minute. It supports the position of Natural England. The bridge proposal is an inappropriately designed bridge in a very sensitive location. The need for a bridge in this location needs to be established through the Development Plan process before a development proposal is formulated. If a bridge in this location is considered appropriate then the design of this should be open to a competition. Furthermore a viable economic case needs to be made for this.

April 2015 minute on withdrawn application 15/01128/F:

The principle of a bridge in this particular location is questioned, as there is a greater need to deal with the design of the existing junction. Bristol is a city of innovative bridges and a historicist pastiche is not appropriate. The architectural language of the proposed design is considered to be ill-conceived and poorly designed. The solid masonry mass would be a visual intrusion in this area of natural beauty. In addition the approach works to the bridge were not detailed and would have at least as great an impact on the conservation area as the bridge itself. The width of 4.5m as proposed is questioned and is considered to be insufficient for a combination of moving pedestrians and cyclists and viewing. A balustrade of 1.4m high would be required for cyclists' safety and this must not be added at a later date. There is a need to provide an archaeological assessment of the area covered by the bridge and access works. Surfaces, grades and appearance need greater consideration and detail."

Other public comments received objecting to the proposals are summarised below:

- Resolution of the access issues requires independent and transparent consultation. A pedestrian crossing/ traffic calming measures should be employed instead. Many people would continue to use the existing short cut across the road or the existing crossing 200m away. The proposal would distract drivers negotiating the incline and sharp bend and be vulnerable to damage from vehicles. The proposal may result in conflicts between cyclists and pedestrians. Cycling on the Downs is not permitted and should not be encouraged.
- The proposals are of a significant scale and would have a significant negative and intrusive impact on the Promenade and surrounding area. A modern lightweight pedestrian-only bridge would be more appropriate. The proposed bridge design should be modern.
- Impact on Site of Special Scientific Interest and the proposed lighting would detract from the current night time "dark sky" aspect of the Downs area.

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- Cliff stability is an issue.
- The proposal would attract anti-social behaviour.
- The costs of the proposal appear to have been underestimated and there is no indication of the funding of future repair and maintenance works. *
- At the Neighbourhood Partnership meeting (29 March 2016) it was agreed that the Neighbourhood Partnership would allocate £15000 of Community Infrastructure Levy to fund a design study for junction improvements at Clifton Down Road/ Bridge Valley Road. This was deferred for 6 months pending a 20mph assessment and the outcome of The Downs Place and Movement Framework.

* NB The costs of the development are not a planning consideration, though the maintenance costs would need to be considered should the Council wish to adopt the structure.

OTHER COMMENTS

City Centre Projects (Public Art) has commented as follows:-

The proposed masonry arch bridge - developed with historical construction skills and community involvement - would offer scope for the involvement of an artists and crafts people and contributing to its design.

Urban Design has commented as follows:-

Concerns are raised regarding the scheme and withdrawal of the application is recommended. Please refer to Key Issues for further details.

Transport Development Management has commented as follows:-

The principle of the bridge is considered acceptable in highways terms but practical considerations are significant in terms of ensuring the structure would not impede traffic flow/ visibility and the following matters would need to be addressed:

Design

- The proposed layout of the bridge lanes may lead to conflict;
- The detailed construction of the structure would need to go through the Approved in Principle (AiP) process following a decision on the planning application;
- Large scale plans and details of the existing public right of ways (PROWs) and any proposed pathways connecting into the existing network are required;
- Confirmation by applicant needed if bridge adoption by BCC would be sought. If yes, a financial contribution towards ongoing maintenance would be sought;

Justification

- The applicant should include analysis of any personal injury collisions (PICs) at this junction within their Transport and Movement Statement;
- The applicant has considered alternative options to improving access at this junction, but has not considered traffic management/ traffic calming measures as a means of slowing traffic.

Management

- A Construction Management Plan and Condition Survey would be required via condition.

Contaminated Land Environmental Protection has commented as follows:-

There are no objections subject to conditions. (See background papers for full details).

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Nature Conservation Officer has commented as follows:-

An Appropriate Assessment has been carried out and supplied to Natural England, as required. It is concluded that the proposal would not result in any adverse effect on the Avon Gorge Special Area of Conservation, Site of Special Scientific Interest, Site of Nature Conservation Interest or any protected species. No objections are raised to the proposals subject to detailed conditions. (See background papers for full details).

Natural England has commented as follows:-

There is no objection to the proposal. In their letter dated 15 April 2016 they raised questions in relation to the potential effects of the proposals on the Avon Gorge Woodlands Special Area of Conservation (SAC) and Avon Gorge Site of Special Scientific Interest (SSSI). Based on the information provided, the extent of permanent habitat loss within the SAC/ SSSI boundary is relatively small and the area is not thought to currently contain any qualifying features. Natural England agrees with the local planning authority's conclusion in the Appropriate Assessment that the works are unlikely to result in an adverse effect on the integrity of the SAC provided that any planning permission includes the recommended planning conditions. (Comment received 22 June 2016; see background papers for full details).

Crime Reduction Unit has commented as follows:-

There are no objections subject to details of lighting and approaches. (See background papers for full details).

Flood Risk Manager has commented as follows:-

No objection. (See background papers for full details).

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM14	The health impacts of development
DM15	Green infrastructure provision
DM16	Open space for recreation
DM17	Development involving existing green infrastructure
DM19	Development and nature conservation
DM23	Transport development management

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DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM35	Noise mitigation
DM37	Unstable land

Supplementary Planning Documents

SPD5 Sustainable Design and Construction (February 2006)**Supplementary Planning Documents**

SPD7 Archaeology and Development (March 2006)**Supplementary Planning Documents**
Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Supplementary Planning Guidance

Clifton & Hotwells Conservation Area Character Appraisal

PAN 2 Conservation Area Enhancement Statements (November 1993)

The Planning (Listed Buildings and Conservation Areas) Act 1990

KEY ISSUES

(A) WOULD THE PRINCIPLE OF THE DEVELOPMENT BE ACCEPTABLE IN LAND USE TERMS?

The application site has a number of designations being part of The Downs, including nature conservation designations (refer to Site Description above). In land use terms, the site is designated as Important Open Space.

Policy DM17 (of the Site Allocations and Development Management Policies document- SADMP) states that development on part or all of, an Important Open Space will not be permitted unless the development is ancillary to the open space use. The proposed bridge structure would be considered to be ancillary to this open space use given that it would provide improved access to the area of open space and for these reasons; there is no objection in principle in land use terms.

(B) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN TERMS OF ITS VISUAL AND LANDSCAPE IMPACT AND WOULD IT SAFEGUARD THE SPECIAL INTEREST OF ALL RELEVANT HERITAGE ASSETS?

Impact on the Local Historic Park and Garden and Conservation Areas

Development is required by national and local planning policy and legislation to give considerable weight and importance to preserving the special interest, character and setting of Conservation Areas (in this case The Downs and neighbouring Clifton & Hotwells Conservation Areas) and to conserving local historic parks and gardens as heritage assets. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies BCS22 and DM31 of the Local Plan refer.

The proposed site of the bridge is a wooded area at the periphery of The Downs and the Avon Gorge. The Promenade (adjacent) is a historic, formal pedestrian route lined by mature trees,

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giving way to open areas of grassland and the woodland lining Bridge Valley Road and the Avon Gorge. The bridge would be around 80m in length (including ramps) and 5.0m in width with new footpath/ cycle way structures leading up to the bridge, and would be constructed from stone.

The structure would be of a substantial scale appearing highly prominent and as a significant intervention into both the natural, landscaped character of the Gorge and the formal character of The Promenade. The proposed loss of trees (38 in total) would result in a gap in the wooded character of the area thereby diminishing its landscape value. It is the view of officers that the proposals would have an unacceptably harmful impact on the special landscaped character of The Downs and Clifton & Hotwells Conservation Areas through the introduction of a structure of such a substantial scale and the loss of trees within this sensitive and historic setting.

The application submission does not demonstrate whether other, less intrusive bridge design options have been considered and it is possible that a more lightweight design and materials would have a lesser impact. The application submission (see the Transport Statement) sets out the alternative options considered by the applicant for highways improvements in this location- which have been ruled out by the applicant on the grounds of ability to meet the needs of all users, feasibility and highways safety.

The Council's City Design Group has recently produced the 'Clifton and Durdham Downs: Place and Movement Framework' on behalf of The Downs Committee. This document sets out 3 scenarios for improving access to/ around The Downs- one of which includes improvement of the Bridge Valley Road junction for all users through redesign while 'avoiding the adverse landscape and visual impact of a more costly pedestrian/ cycle bridge structure across Bridge Valley Road.' This document is not a planning policy or guidance document and therefore while it can be given some weight, this is not full weight in planning terms.

Summary: There are highways safety concerns in this location given the nature of the road network/ existing crossing facilities and access could be improved. The proposal therefore offers clear public benefits in addressing this issue. However, there are fundamental concerns with the proposed structure in terms of its visual impact on this landscape and the Downs and Clifton & Hotwells Conservation Areas due to its scale and form that would not be outweighed by these public benefits. Officers are therefore unable to recommend approval of this application as they would consider it to be contrary to planning policy.

It is noted that alternative options are under consideration by other parties in terms of addressing access issues in this location; however the application proposal must be judged on its own merits and these options cannot be taken into consideration in the assessment of this application.

The proposals are considered by officers to be contrary to Sections 11 and 12 of the National Planning Policy Framework (NPPF) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also be contrary to local policies BCS9, BCS21 and BCS22 of the Core Strategy and DM17, DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (SADMP).

Impact on nearby listed buildings and structures

The nearest directly affected listed structure (Grade II) is Alderman Proctor's water fountain situated on the east side of Clifton Down. While the proposal would have an impact on the setting of the fountain through the introduction of increased hard landscaping and infrastructure; this would not be considered to be harmful such that refusal of the application would be recommended on this basis. The proposals would also safeguard the setting of neighbouring listed buildings and lampposts, and would be in accordance with Section 12 of the NPPF and Section 16 (2) of the Planning (Listed

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Buildings and Conservation Areas) Act 1990, which requires development to preserve the special interest and setting of listed buildings.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN RESPECT OF ITS IMPACTS ON GREEN INFRASTRUCTURE AND NATURE CONSERVATION?

Green infrastructure/ trees

Policy BCS9 of the Core Strategy states that loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan document or is necessary, on balance, to achieve the aims of the Core Strategy. Appropriate mitigation will be required. While local planning policy (DM23 refers) encourages the enhancement of the pedestrian and cycle network; the creation of a bridge in this location is not an objective of the Local Plan.

As outlined above, the proposal would result in the loss of 38 trees; 31 of which are Category 'C' trees (low quality) and 7 of which are Category 'B' trees (Moderate quality). The Arboriculture Officer has advised that the trees to be lost are not specimens of particular individual value and raises no objections on that basis, though there would be an inevitable landscape impact through the loss of this number of trees.

The applicant proposes that compensatory replanting be undertaken in an area adjacent to the site of the proposed bridge. The Bristol Tree Replacement Standard (BTRS) would require the replanting of 111 trees. However, the area identified for replanting (Site B) is small and already heavily planted and therefore replacement planting would need to be off-site via a financial contribution towards the Council undertaking this replanting. The contribution would be significant (£84,938.31) based on 111 trees at £765.21 per tree. In addition, any replanting on the Downs may need to go through a further detailed consultation process with relevant parties given the sensitivity of the environment and the large number of new trees to be replanted. There is no guarantee that suitable sites for all trees could be found on the Downs.

In the event that Members are minded to approve this application, a legal agreement undertaking to pay this contribution would be required from the application prior to a decision on the application being taken.

Summary: While the individual trees to be lost are not of significant individual value, it remains the view of officers that through its impacts, including the loss of a large number of trees, the application would result in an and a harmful impact on the landscape quality of the area and the character and appearance of The Downs and Clifton and Hotwells Conservation Areas, as set out under Key Issue B) above.

Nature conservation

The application site has a number of important nature conservation designations (refer to 'Site Background' above). The proposal has been reviewed by the Council's Nature Conservation Officer and Natural England in accordance with the requirements of The Conservation of Habitats and Species Regulations 2010 and the Conservation of Habitats and Species (Amendment) Regulations 2012 and all other national and local planning policies (Local Plan policies BCS9 and DM19 refer). The Council's Nature Conservation Officer has carried out an Appropriate Assessment, as required by Natural England, who raises no objections to the proposals subject to appropriate conditions.

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The proposed development would be acceptable in highways terms in principle as it addresses objectives of improving access for all users. However there would be significant practical considerations that would need to be addressed through the submission of further detailed plans following the planning application stage, as outlined below.

It is proposed that the bridge would be adopted by the Council following construction. As proposed, the bridge structure would not meet adoptable standards in its current form. However in the event that permission is granted, detailed construction drawings would need to be agreed by the Council's Structures and Highways Teams to ensure that these standards would be met. Were this to result in amendments to the planning permission, then an application to vary the permission may be necessary. Some changes may be minor and not require planning amendments (e.g. surfacing materials) whereas others may do so (e.g. gradient of ramps). Through this process it would be ensured that the structure would meet an adoptable standard and provide appropriate access for all users including those with disabilities. A financial contribution to the Council would be required for on-going maintenance of the structure, which would be secured via highways agreement outside the planning process.

Should Members be minded to recommend the approval of the application planning conditions would be recommended to obtain any further details necessary for planning purposes as well as an Advice Note to the applicant advising them of the highways agreement process. The following further elements would need to be addressed either by planning condition or separate highways agreement:

- The segregated lanes (with additional 0.5m width for pedestrians) are over complicated and it would be simpler to have just two segregated lanes for cycles and pedestrians- or to move the 'reservation' lane to the same side as the pedestrian lane;
- Balustrades would be required to a height of 1.4m;
- Ramp/ bridge gradients should be no greater than 1:20;
- Detailed lighting plans would be required (to an adoptable standard);
- Detailed constructions plans and methodology would be required;
- Large scale plans and details of the proposed pathways are required;
- The barriers to the Promenade should be replaced by bollards;
- Appropriate signage would be required;
- Further consideration of junctions with the highways network would be needed;
- Further drainage details are sought;
- A Construction Management Plan would be required;

(E) WOULD THE PROPOSALS SAFEGUARD RESIDENTIAL AMENITY?

The proposed development would be concluded to safeguard the residential amenity of neighbouring residential occupiers and the environmental amenity of the area. Should Members be minded to approve the application, conditions seeking further details of the lighting to the bridge would be require to ensure appropriate light levels for this setting.

(F) HAVE SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS BEEN ADDRESSED?

The proposed development is exempt from the requirement to submit a Sustainability Statement and Energy Strategy given that it is not for a building. However, the application submission (Heritage and Planning Statement- Section 8.2.5) makes reference to the development's contribution to addressing objectives for achieving healthy sustainable communities including

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through environmental, economic and social sustainability.

The main construction material proposed (limestone) is a highly durable, low maintenance material and can be recycled. It is possible that limestone can be locally sourced, though importation is an alternative and would result in an increased carbon footprint. More generally, the loss of trees would be contrary to wider sustainability objectives, though through replanting that could be mitigated. The applicant states that the proposed materials are an environmentally sustainable choice and carbon neutral and that the proposal has been included as a national pilot study for the new BREAAAM Infrastructure scheme by the Building Research Establishment (BRE). They also state that the construction project would benefit the local economy through employment and knowledge-building opportunities; and in terms of social sustainability, the proposal includes a social space acting as a community focal point.

Overall, there are no objections to the proposals on these grounds such that refusal would be recommended on this basis.

(G) HAVE LAND STABILITY AND LAND CONTAMINATION MATTERS BEEN ADDRESSED?

Land contamination: There are no objections in this regard subject to conditions, should Members be minded to recommend approval of the application.

Coal: The site is within an area of low development risk as designated by the Coal Authority and there are no objections or further information required on this basis.

Land stability: The application has been accompanied by a Geological Assessment that provides a basic desktop study of the characteristics of the site in terms of geology and natural hazards and which concludes that the site is in an area where there are no superficial deposits and the bedrock is virtually at existing ground level. Therefore the present bridge design is unlikely to have any effect on the stability of the Avon Gorge at the point of its proposed construction.

Policy DM37 of the Site Allocations and Development Management Policies Document (SADMP) states that in instances where remediation of land stability issues are required, that the further exploration of these can be subject of planning conditions. Should approval of the application be granted, then an appropriate condition would be recommended to secure further geological investigation as required, which may require specialist advice from outside the Council.

(H) ARE THERE ANY OTHER MATERIAL CONSIDERATIONS?**Equalities impact assessment**

During the determination of the 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.

The proposal is for pedestrian and cyclist access via a new bridge and different groups would therefore have different needs, experiences, issues and priorities in relation to this particular proposed development. While the approval of this application would have implications for these different groups, it is considered that any outstanding matters can be addressed to ensure that the proposals would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010 (please refer to Transport Key Issue for further details).

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In terms of economic factors and employment opportunities, in the event of an approval, there is an opportunity for workers/contractors in its construction to be secured from local workers via a planning condition. In this event, the proposals would offer local employment and economic opportunities.

CONCLUSION

In conclusion, refusal of the application is recommended on the grounds of the landscape and Conservation Area impact of the proposals. While the benefits of the proposals in terms of access improvements for all users are welcomed and recognised, these benefits would not be concluded to outweigh the landscape harm arising from the proposed development and harmful impact on The Downs and Clifton & Hotwells Conservation Areas.

HOW MUCH COMMUNITY INFRASTRUCTURE LEVY (CIL) IS PAYABLE?

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.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. The proposal by reasons of its scale, form and siting and the loss of a significant number of trees would have a harmful impact on the landscape character and visual amenity of this area and would fail to preserve the character and special interest of The Downs and Clifton and Hotwells Conservation Areas. The proposals are concluded to be contrary to Sections 11 and 12 of the National Planning Policy Framework (NPPF) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would also be contrary to local policies BCS9, BCS21 and BCS22 of the Core Strategy and DM17, DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (SADMP).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

- 1:1250 Site Location Plan, received 7 March 2016
- 1:2500 Site Location Plan, received 7 March 2016
- 1:5000 Site Location Plan, received 7 March 2016
- 10-01 Current Site Layout Plan, received 7 March 2016
- 20-01 Proposed Bridge With Circular Ramp, received 7 March 2016
- 30-01 Ramp 1, received 7 March 2016
- 30-02 Ramp 2, received 7 March 2016
- 30-03 Ramp Sections, received 7 March 2016
- 40-01 Elevations (NE & SW), received 7 March 2016
- 40-02 Elevations (SE & NW), received 7 March 2016

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40-03 Ground Levels, received 7 March 2016
 50-01 Sections 1, received 7 March 2016
 50-02 Sections 2, received 7 March 2016
 50-03 SUDS, received 7 March 2016
 60-01 Works 1, received 7 March 2016
 60-02 Works 2, received 7 March 2016
 70-01 Trees, received 7 March 2016
 70-02 Trees & Works, received 7 March 2016
 90-01 Bats & Badgers, received 7 March 2016
 90-01 Lighting 1, received 7 March 2016
 90-02 Lighting 2, received 7 March 2016
 Arboricultural Impact Assessment, Method Statement & Tree Protection Plan, received 7 March 2016
 Appendix A - H, received 7 March 2016
 Construction Statement, received 7 March 2016
 Ecology Statement, received 7 March 2016
 Ecology Survey Update, received 7 March 2016
 Geological Report, received 7 March 2016
 Heritage Statement, received 7 March 2016
 Transport & Moving Statement, received 7 March 2016
 Supporting Statement, received 7 March 2016
 Design & Access Statement, received 7 March 2016
 Whitebeam Survey, received 7 March 2016

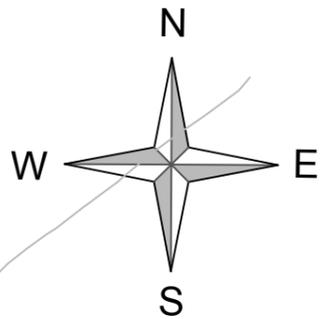
BACKGROUND PAPERS

City Centre Projects (Public Art)	23 April 2016
Urban Design	19 April 2016
Contaminated Land Environmental Protection	3 May 2016
Nature Conservation Officer	9 June 2016
Natural England	18 April 2016
Crime Reduction Unit	30 March 2016
Flood Risk Manager	13 April 2016

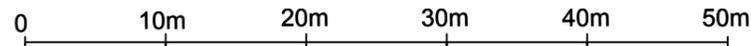
Supporting Documents

2. Land between Ladies Mile & Clifton Down Bridge Valley Road

1. Site location plan
2. Proposed bridge layout
3. Elevations
4. Tree removal and protection plan
5. Proposed images



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Legend

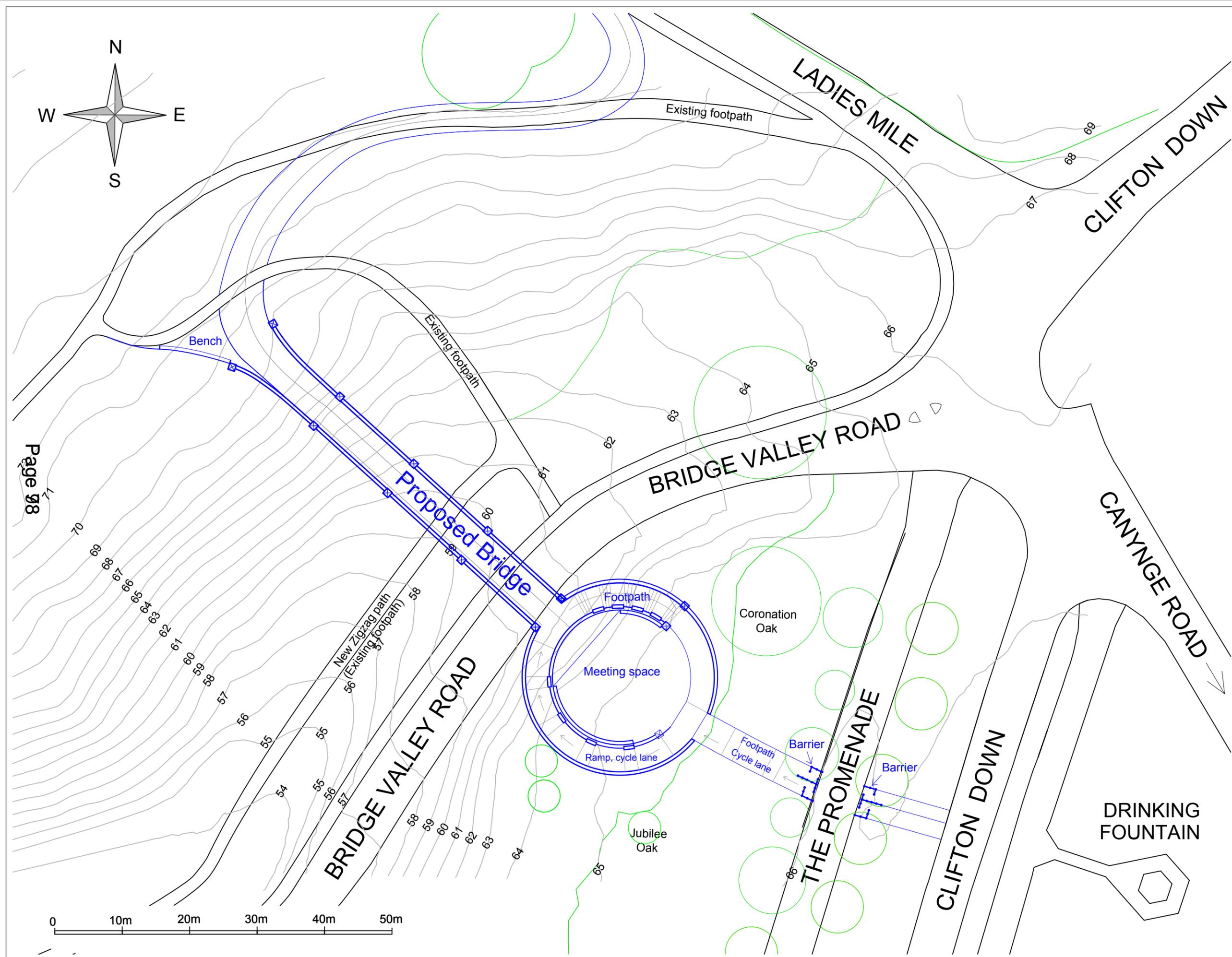
Designed by:
Dr Adrienn Tomor

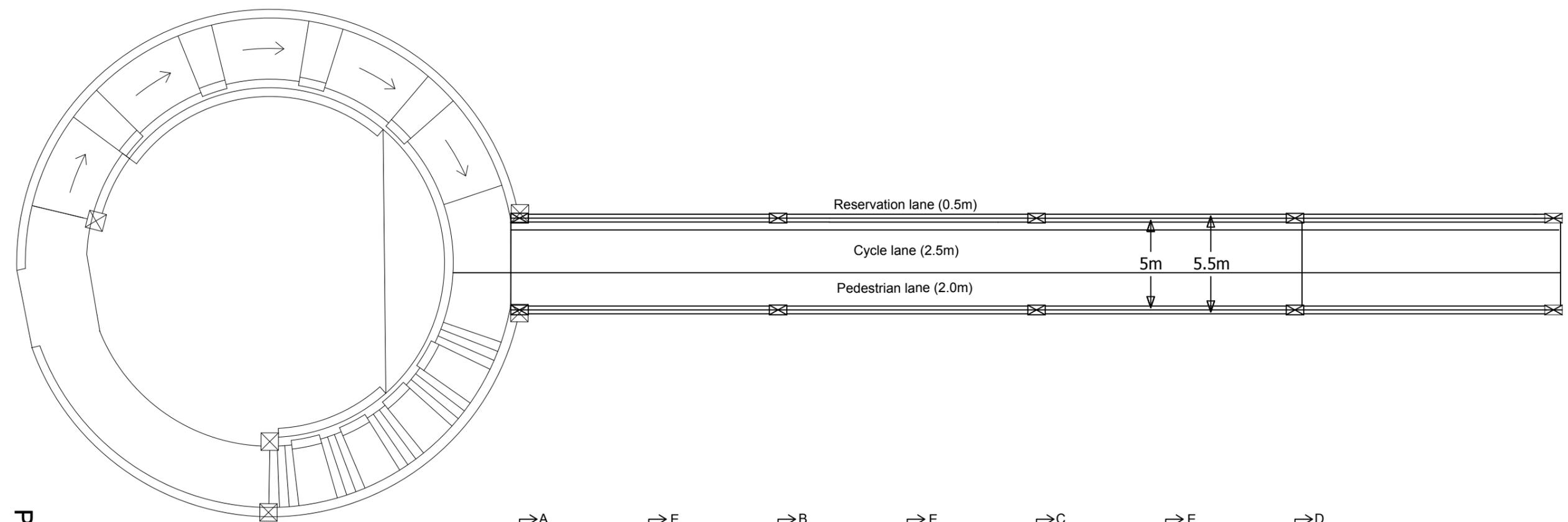
Project name:
Bridge over
Bridge Valley Road

Drawing title:
Proposed bridge
with circular ramp

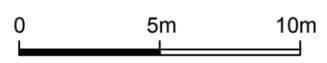
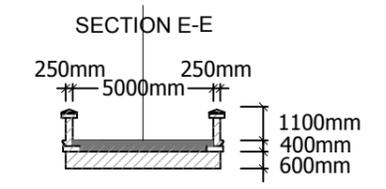
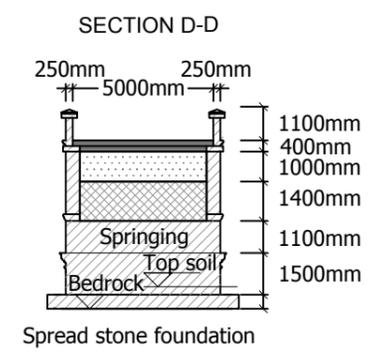
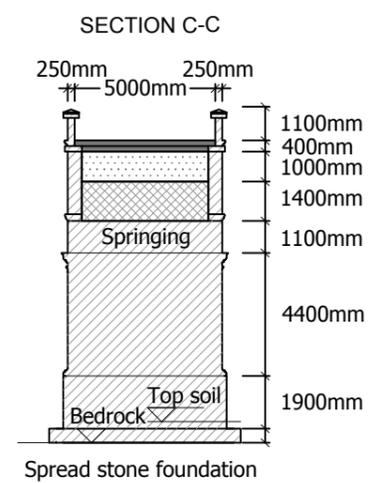
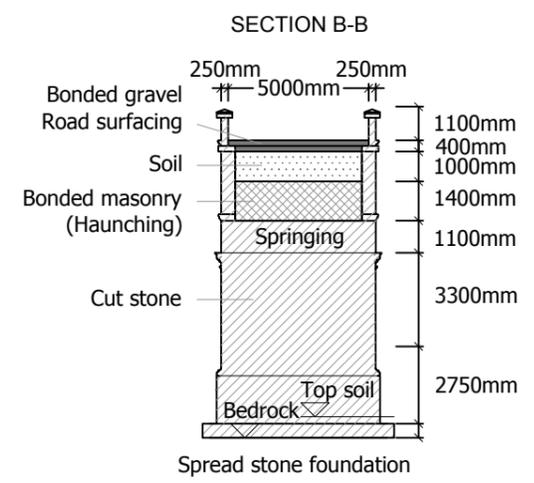
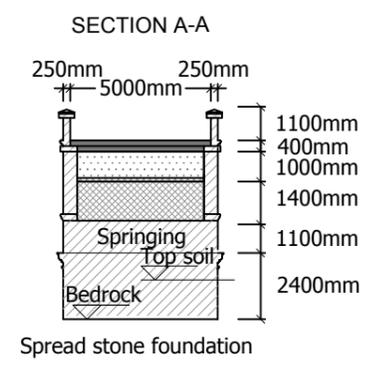
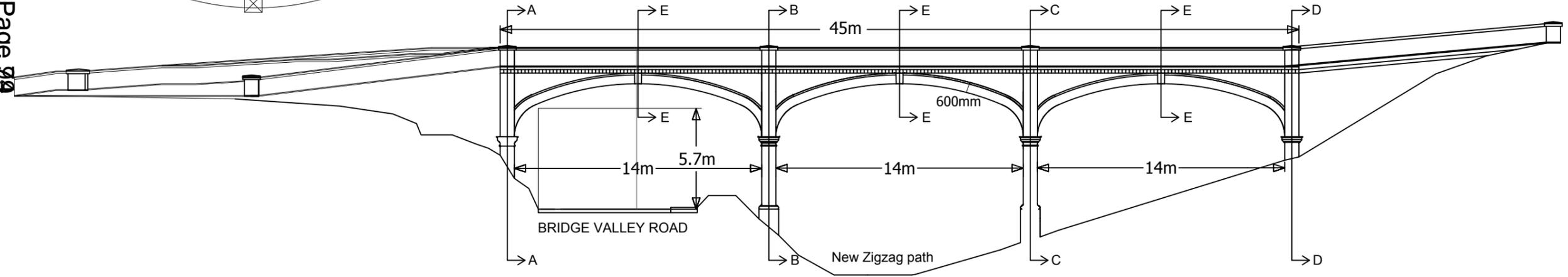
Drawing No.:
20-01

Scale: 1:500	Date: 1 March 2016
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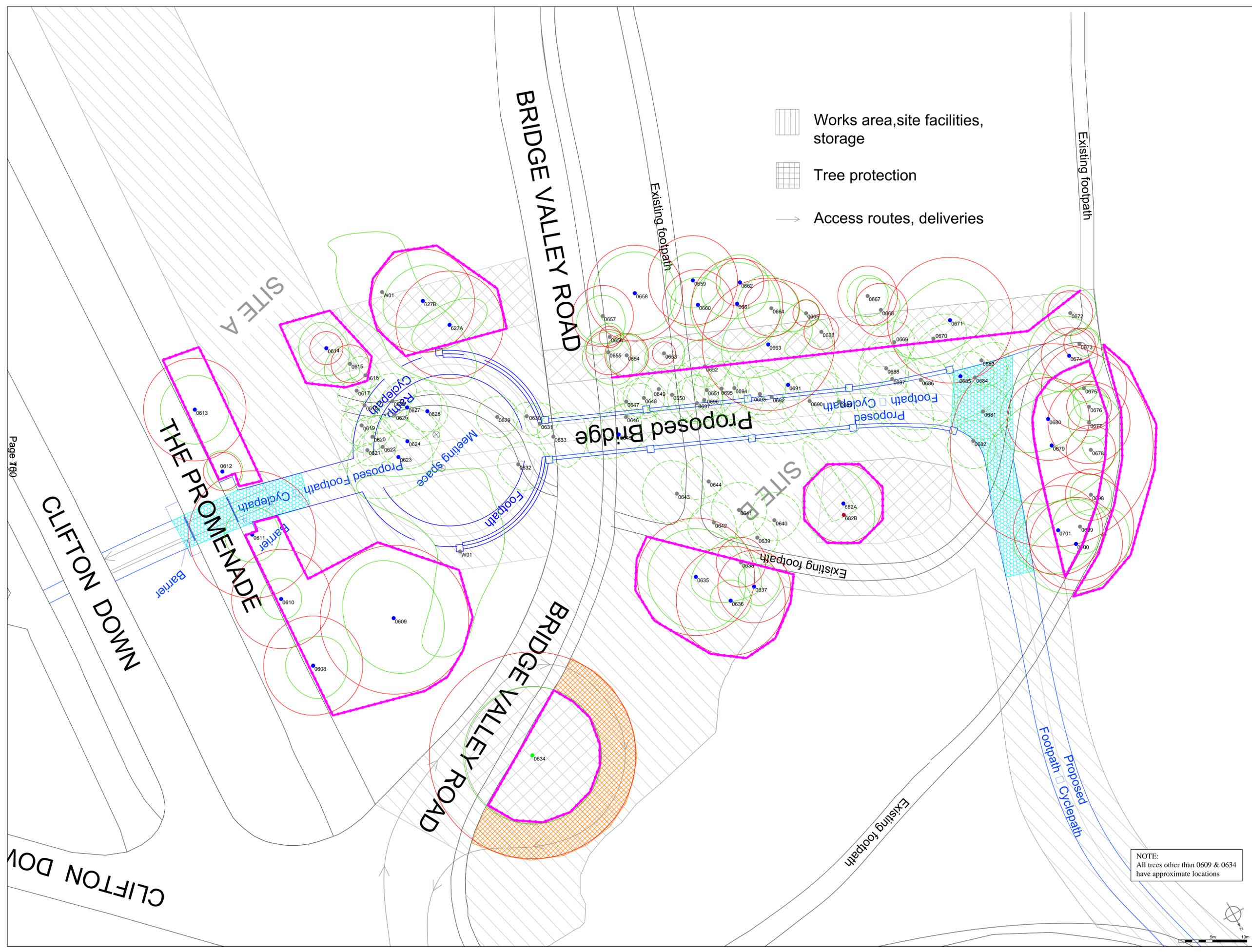




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Designed by: Dr Adrienn Tomor	
Project name: Bridge over Bridge Valley Road	
Drawing title: Sections 1	
Drawing No.: 50-01	
Scale: 1:250	Date: 1 March 2016



-  Works area, site facilities, storage
-  Tree protection
-  Access routes, deliveries

Symbol Guide

-  Root Protection Area
-  Canopy Spread
-  Tree Position, (colour represents retention category)
-  Tag Number

BS5837:2012 - Tree Category

 Category A Trees High Quality	 Category C Trees Low Quality
 Category B Trees Moderate Quality	 Category U Trees Poor Quality/Remove
 Proposed Tree for Removal	 Line of Protective Fencing
 Ground Protection	 Cellular Confinement System



Project Name:	Bridge Valley Road, Clifton
Drawing Title:	Tree Protection Plan
Drawing Number:	150305-BVR-TPP-AM
Client:	Dr Adrienn Tomor
Agent:	-
Date:	March 2015
Scale:	1-250@A1

NOTE:
All trees other than 0609 & 0634
have approximate locations

Bridge over Bridge Valley Road Planning application

Views

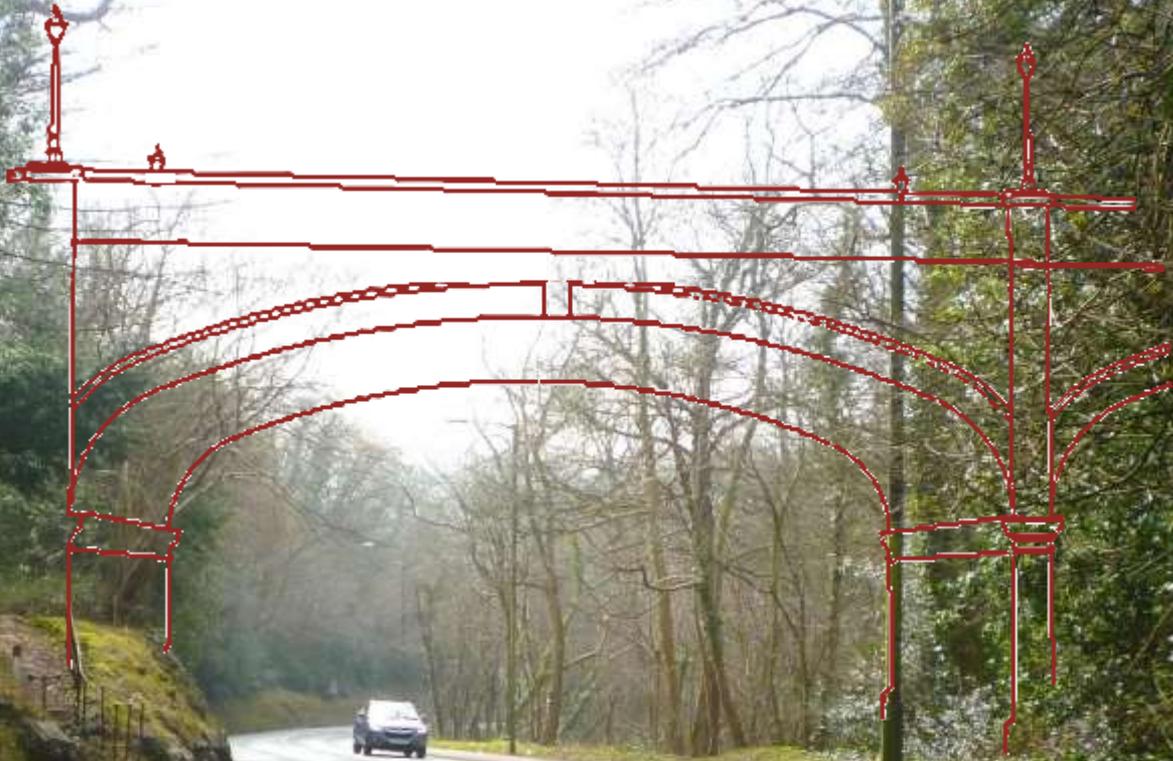


































The application went back to a later committee on Wednesday 21st December 2016 when one of the conditions regarding landscaping mitigation could not be complied with.

MINUTE EXTRACT – DEVELOPMENT CONTROL B COMMITTEE – WEDNESDAY 21ST DECEMBER 2016

16/01266/F – Land between Ladies Mile and Clifton Down, Bridge Valley Road, Bristol.

The Representative of the Service Director – Planning commented as follows:-

- The proposal was for a pedestrian/cycle bridge
- This application had come before a Committee on 13 July and officers had recommended refusal for the reason of harmful impact. However, the Committee decided to grant with a requirement for a legal agreement securing mitigation for the loss of 38 trees at a cost of £85,000;
- Legal officers had worked to secure this agreement but in conclusion it had not been possible as the applicant did not own the land and therefore a legal agreement would not be binding. The Merchant Venturers, as owners were not able to enter into a legal agreement;
- Officers therefore recommended that the application therefore be determined with the absence of a legal agreement and that it be refused because of the failure to mitigate the loss of the trees in line with policies BCS9 and DM17;
- The resolution in July still existed as a material planning consideration which a future Committee could take into account so it was not a reverse of a previous decision.

The following points arose during discussion :-

- Councillor Eddy appreciated officers advice to determine the application but he preferred that the existing consent be left in case a charity was formed in the future to mitigate the tree loss;
- Councillor Mead supported the officer recommendation to refuse the application;
- Councillor Denyer made a declaration of interest at this point which is detailed at Minute 22. She also stated that she had voted to grant the previous application as she could find no grounds to refuse it. She now supported the officer recommendation for this application;
- Councillor Bradley stated that she found the proposal environmentally intrusive and supported the recommendation to refuse it;
- Councillor Davies agreed that the consent should be left in place. He asked whether a future application, if rejected today, would come back to a Committee or be delegated and was informed that that would be determined by the level of public response. If there was a great deal of response in support the application might be delegated but if the response was more balanced it was more likely to come before a Committee.

Councillor Eddy then moved the officer recommendation and this was seconded by the Chair.

On being put to the vote, there were 6 for, 3 against.

RESOLVED – that the application be refused.