Development Control Committee B - 6 November 2019

ITEM NO. 1

WARD: Lockleaze

SITE ADDRESS: Stoke Park Park Road Stapleton Bristol

APPLICATION NO: 19/01213/FB Full Planning (Regulation 3)

DETERMINATION 8 November 2019

DEADLINE:

Proposed development of a formal access route through Stoke Park estate from Sir Johns Lane (Bristol) to Jellicoe Avenue (South Gloucestershire) including access works at Stanfield Close, Romney Avenue and Long Wood Meadows, following historic route and former carriage ride, comprising self-binding gravel surfaced path and associated works.

RECOMMENDATION: Grant subject to Condition(s)

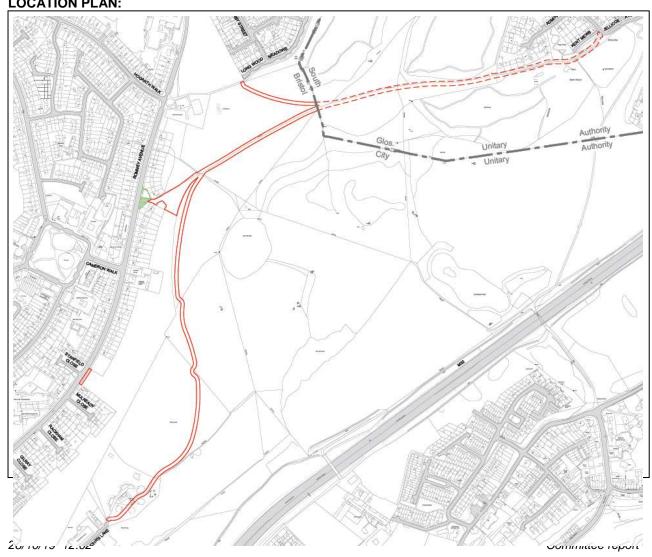
AGENT: Nicholas Pearson Partnership LLP **APPLICANT: Bristol City Council**

1 St. Paul Street 100 Temple Street

Tiverton **Bristol EX16 5HT** BS1 6AG

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

LOCATION PLAN:



SUMMARY

The planning application before Committee for their determination relates to the Stoke Park Estate open space in north east Bristol. The application is submitted by Bristol City Council. It seeks full planning permission for development of a proposed shared use (pedestrian and cyclist) path which would run broadly north/south through the park, joining existing routes at either end as well as two other points along the route.

Stoke Park Estate is owned and managed by Bristol City Council although the northern quarter is located within South Gloucestershire. Consequently, a concurrent planning application has been made to South Gloucestershire Council for development within their area which will be subject of separate decision. Members are only required to assess development proposed within Bristol e.g. the extent of the proposed path up to the South Gloucestershire boundary.

Stoke Park occupies a wedge of open land extending from 2km to 5km north-east of the centre of Bristol. It is bound by the M32 on the eastern side, with Stapleton, Broomhill and Fishponds beyond. Lockleaze is located to the west of the park. The park is subject of numerous designations; most notably it is nationally significant featuring on Historic England's Register of Historic Parks and Gardens of Special Historic Interest at Grade II level. This relates to the historic landscape design of the estate which was formally planned by Thomas Wright between 1748 and 1766. The site also includes a WW2 camp and anti-aircraft gun battery which is now classified a Scheduled Monument. The site is also located within the Stapleton and Frome Valley Conservation Area, is a Regionally Important Geological Site, a Site of Nature Conservation Interest, a Local Historic Park and Garden as well as being designated Important Open Space.

The proposed path would follow the route of a historic carriage drive which was part of Thomas Wright's original layout for the estate. It would measure a maximum of 3m in width and would be surfaced with a self-binding gravel surface which when laid forms a broadly smooth and continuous surface. This would be similar to paths found in Queens Square, Ashton Court as well as frequently at National Trust sites and the like.

Public consultation on the scheme has presented a mixed response with 50 objections and 19 comments in support of the development. Objections primarily focus on a desire to retain a completely natural, wild and untouched character within the park as well as concerns relating to potential conflict between pedestrians and cyclists. Comments in support welcome the improved access the path will offer, particularly improved equality in access, enabling those with mobility needs access where they couldn't previously due to muddy and slippery conditions.

Historic England, the Conservation Advisory Panel and Bristol City Council Conservation Officer support the application. All other internal and external consultees raise no issues which cannot be addressed by way of conditions.

In the assessment of officers, the proposal would represent an acceptable form of development within a sensitive and protected open space. This is on the basis that the proposed use would enhance recreational use of the park and would be ancillary to the designation as Important Open Space as required by policy. As the path would follow and in parts reinstate part of Thomas Wright's historic layout for the estate, in the most part it is not found to result in harm to the historic significance of the landscape. The access spurs which run away from the historic route would result in a low degree of harm to the landscape however it is found that there is sufficient public benefit associated with the development to offset this harm.

In transport terms, the proposed path would deliver a series of benefits including encouraging use of active and low carbon transport modes as well as providing greater equality in park accessibility. With regards to conflict between users, it is noted that the path is of adequate width and benefits from open

area to both sides for over run if required. The location within an open space ensures good visibility of other users and the gravel surface is not conducive to cyclists achieving high speeds due to available traction. Cautionary shared use signage is proposed at all entrances to the path. These factors are found sufficient to ensure there is not undue risk of conflict between users.

Subject to conditions, the development will have acceptable impacts to nature conservation, trees, archaeology, neighbouring amenity, crime prevention, drainage and flood risk.

In light of these conclusions, subject to the conditions outlined within the report, the development is found to be in accordance with relevant national and local planning policy. There are no material considerations which would warrant the refusal of planning permission. Consequently, it is the recommendation of officers that permission is granted subject to conditions.

SITE DESCRIPTION

The development site is Stoke Park estate which is an open space in north east Bristol. The park has a total area of 108 hectares (267 acres). It is bordered by Lockleaze to the west and the M32 to the east with Stapleton and Broomhill beyond. The park adjoins Purdown open space to the south. The administrative boundary with South Gloucestershire runs across the northern quarter of the park. The landscape layout at Stoke Park relates to the historic country house (Dower House or Stoke Park House, South Gloucestershire - Grade II* Listed) and was arranged between 1748 and 1766 by Thomas Wright (astronomer, mathematician, instrument maker, architect and landscape architect). The park can be entered at multiple points from various orientations however access from the east is restricted by the motorway. The estate comprises undulating topography generating interest and views. It includes three woods, (Barn Wood, Hermitage Wood, and Long Wood) which straddle the ridge to the west of the house. The woods contain a planned footpath system that provides access to woodland gardens and various historic monuments. This links to other serpentine paths which cross the open space. The open space is subject of national Listing at Grade II level for significance as a historic park and garden. The site is also within the Stapleton and Frome Valley Conservation Area. It is also a Regionally Important Geological Site, a Site of Nature Conservation Interest, a Local Historic Park and Garden as well as being designated Important Open Space. Where the park adjoins Purdown to the south at Sir Johns Lane, there is a WW2 anti-aircraft site which is a designated Scheduled Monument. Stoke Park (including land within South Gloucestershire) is owned and managed by Bristol City Council.

PLANNING HISTORY

04/03516/F and 04/03552/LA Restoration of surfacing to private access track referred to as "Carriage Drive" and "The Duchess Gate". Proposed work will be to resurface a previously existing access track GRANTED - 15.10.2004

The application listed above is the last recorded planning application relating to the site. There have been a multitude of applications to carry out works to trees on the estate (tree works within a conservation area) since this date which have all been allowed. Beyond this, there is no further planning history for the site.

APPLICATION

The application seeks full planning permission for the proposed construction of a shared use path through the estate. This would include works to access points at Stanfield Close, 262-270 Romney Avenue and Longwood Meadows as well as minor alterations at Jellicoe Avenue in South Gloucestershire.

The proposed path would have a total length of approximately 1.75km (1 mile). It would generally run north to south but would include a dog leg to the west. The course of the path would follow the course of a historic carriage drive which remains visible across the open space. The southern end of the path would commence at the Purdown WW2 anti-aircraft gun site and adjacent to the BT tower. The path would run through the monument site then turning west across the next field.

On reaching a tree lined field boundary, the path would curve through a gap in the tree line which results from the removal of a silver birch tree which presently exists here. The path then continues north bound to the next field boundary where it would pass through the existing gated junction and run north bound along the upper part of the next field. On reaching the next field boundary, the main course of the path would continue north bound. At this point however, a secondary access spur would run off to the west towards Romney Avenue. This would lead to the existing access point between 262 and 270 Romney Avenue. At this entrance, it is proposed to install a K-Frame access barrier as well as revised surfacing and signage.

An additional K-Frame access barrier is also proposed further south on Romney Avenue adjacent to Stanfield Close however no revised surfacing is proposed here.

The path then continues north east across the next field towards the woods. Adjacent to Long Wood, the path enters South Gloucestershire. At this point, another secondary access path is proposed. This would run north from the main path to the existing shared use path at Long Wood Meadows.

The main course of the path then continues north east, continuing to follow the historic path in this location, between Barn Wood to the south and Hermitage Wood to the north, past the rear of houses on Admiral Close and Kent Mews and utilising the existing access point onto Jellicoe Avenue.

The main course of the path, following the historic carriage drive (north/south) would be 3m in width. The proposed access spurs running to Romney Avenue (east/west) and Long Wood Meadows (north/south) would be 2.5m in width. It is proposed to surface the main course of the path with self-binding stone gravel. The access spurs will utilise the same material however this will be in a different colour. It is proposed to install permeable drainage channelling to one side of the path.

The path is proposed for shared use by pedestrians and cyclists. It is intended to be multi-purpose both for use by existing park users, to facilitate and enable use by wider sections of the community as well as to provide a new active travel route between neighbourhoods.

It is highlighted that a concurrent planning application has been submitted to South Gloucestershire Council for consideration and assessment of development proposed on land within the neighbouring authority.

COMMUNITY INVOLVEMENT

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

Nevertheless, it is understood that the applicant has undertaken their own public consultation prior to submission. Details of this are outlined within the submission and it is understood that proposals have been revised in light of feedback.

EQUALITIES ASSESSMENT

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

RESPONSE FROM PUBLICITY AND CONSULTATION

469 neighbouring properties were directly notified of the application via neighbour notification letter. The proposed development was also advertised via site notices and a local press advert.

The original deadline for responses was 15th April 2019.

A total of 42 responses were received in objection to the application and 17 responses were received in support of the application.

A summary of the grounds of objection is as follows:

- o The path through the middle of the fields will destroy the natural feeling of the park
- o Path should go around the outside of the park instead
- o Good alternative paths around the outside of the park exist
- o There are higher priorities for the park such as drainage at the M32 tunnel and use by motorcyclists
- o Path will lead to more use by motorcycles which will cause injury or worse
- o The park should be retained as natural and not urban environment
- o Unclear what value the path adds when there are already existing paths
- o The proposed route is the most direct possible, going straight through the middle of fields
- o The addition of this path may lead to more paths and buildings within the park
- o Increased use by cyclists will make dog walking unsafe
- o Further engagement with the local community should be undertaken
- o People need natural environments to escape from the fast pace of cities
- o Historic significance of the landscape makes the park inappropriate for a path
- o Use of the park by bicycles with the speed, bustle and potential for misuse would represent an inappropriate intrusion into a heritage landscape
- o The park should not be regarded as an urban park
- o Restoration of the historic carriage drive with modern materials will destroy the open untouched nature of the fields and bury the historic path
- o Due to the urban surroundings, it is now more important than in the past that the open space remains entirely natural
- o Potential for conflict between cyclists and pedestrians

- o Increased noise, disruption and anti-social behaviour may be experienced by residents adjacent to the path
- o The Council will not maintain the path to a high standard
- o A grass path with mesh base would be much more appropriate
- o There should be some areas where cyclists are unable to access and pedestrians can use without harassment
- o The proposal will disturb the habitat of wildlife and birds
- o Path is running in the wrong direction to improve accessibility between stated locations
- o Given the proposed width required for the path to be safe, it should not be built at all
- o There are other green spaces which are already wheel chair accessible
- o The path will become a race track for cyclists

A summary of the grounds of support is as follows:

- o In favour of the park becoming more accessible to disabled users and people who find walking on uneven surfaces difficult
- o Speeding cyclists will be less of a problem as this part of the park is mostly flat
- o Wheel chair users find the current conditions with uneven and muddy surfaces difficult to use
- o Everyone should be able to appreciate the stunning views and fresh air
- o Fantastic opportunity to improve access to this beautiful area of green space to improve the health & wellbeing of all residents in the Lockleaze area & beyond
- o Suitable access gates for use by cyclists should be provided
- o The width of the path should be increased if it is proposed for shared use
- o Consideration should be given to how this path joins the wider network at Concorde Way
- o I would like the path to be fully accessible to mobility scooters as my wife would love to be able to access the park but at the moment there is no access for mobility scooters
- o The path will make it easier to visit the park with a double buggy. It is often too difficult to visit when it's very muddy
- o The proposed gravel surfacing will blend in with the park
- o The opportunity to use this funding for accessible paths should not be wasted
- o The proposed path will make the proposed Trinity Academy both on foot and via bike more accessible
- o Wellbeing benefits of the park should be shared with the full community, not just those currently able to access it
- o The positioning of the path through the centre of the fields will give a historically accurate impression of the park

A second round of public consultation was undertaken following revisions to proposals. This had a deadline of 15th October 2019.

Following this, a total of 8 further objections were received and 2 further comments in support.

A summary of the grounds of objection is as follows:

- o Earlier objections have not been addressed by revisions
- o Walkers and cyclists must be separated on the path
- o Cyclists do not have consideration for other path users
- o The path should run around the edge of the park
- o The path will ruin a historical unspoilt area
- o The path will encourage additional commuter park and cycle from Romney Avenue
- o Additional traffic will pose added danger to children in the local area
- o Potential conflict between dog walking and cyclists
- o Reduction in width of the access spurs increases risk of conflict on these parts of the path
- o Justification behind the proposed path is flawed

A summary of the grounds of support is as follows:

- o The park is inaccessible due to muddy paths for much of the year
- o Accessible paths will allow access for those with mobility constraints
- o It will make community engagement and walks and talks easier and safer, as will enhancing the route with benches
- o Improved access will ensure the park is more inclusive in terms of users it attracts
- o Will allow for a wider range of activities to take place that will help people engage with the wildlife, landscape and local history
- o Use of walking and cycling will improve air quality

ELECTED MEMEBERS & AMENITY GROUP RESPONSES

Lockleaze ward Councillor Gill Kirk has commented on the application as follows:

"Whilst I am aware of and respect the concerns of some park users who oppose this shared use path in Stoke Park, I have taken into consideration a wide range of views from my constituents. I have found that there is considerable support amongst some park users and particularly local Lockleaze residents, for an accessible and all weather shared use path in Stoke Park. There is support for it from older and disabled people (particularly wheelchair users) who currently cannot access this beautiful open space at all, and who would like to use it. Evidence shows the benefits to physical and mental health of access to green spaces and nature and I believe our local park should be accessible to all. There is support from people who find they cannot use the park for several months a year when bad weather makes it slippery and dangerous underfoot. There is support from parents who would like to be able to take prams and buggies into the park and use it more with their children. Those who organise outdoor events in the park would find it easier to manage these safely if there were a path, for example it would benefit the forest school who walk over daily with their children and all their equipment. As a member of the Lockleaze Sports and Physical Activity partnership I would like to see more people use the park for leisure, walking, running, cycling and games, to improve health and wellbeing and a path would open up more opportunities for this kind of activity, including being able to teach children to ride their bikes. From a transport point of view, there is a need for more walking and cycling routes to connect different parts of the city to mitigate the impact of new housing and a new secondary school, and we would like to encourage active travel to reduce traffic congestion on nearby roads. Active travel has benefits for health and the reduction of car journeys will improve the current problems we have with air pollution."

"I believe that the use of established pathways following a historic route would not detract from the historic preservation of the estate. I do have some concerns about the potential speed of cyclists and it will be important to establish guidelines on reasonable speed and conduct of cyclists to keep pedestrians safe and manage the shared use effectively. I am keen to see good signage, effective disabled access points as part of the project that also discourage unauthorised use of motorbikes, and if possible seating, direction signs and any other measures that will make the park easier to navigate and more attractive to walkers. I believe this path would make Stoke Park more inclusive and welcoming, and by opening a new walking/cycling route, would be of benefit to local residents".

Lockleaze ward Councillor Estella Tincknell commented on the application as follows:

"I support my fellow Lockleaze councillor's points about the above. I would also like it recorded that I think it is vital that appropriate mechanisms are used to ensure the path is genuinely accessible to non-cyclists and especially those who are mobility impaired."

Bishopston and Ashley Down ward Councillor Eleanor Combley also commented on the application as follows:

"This is entirely unsuitable as a cycle route. Having cycling directed through fields of cattle is very unsafe, frequent gates are slow and inconvenient, sections are hazardously steep, and a shared use path which attempts to be both a cycle transport route and an accessibility leisure route has conflict between users built in. There is already a suitable route around the outside of the park which could be refurbished without cutting into the greenspace and provide a much safer alternative for both cyclists and other park users. I object to this as a cycle route. Some path to allow wheelchair users and those with buggies etc. all weather access to the greenspace could be reasonable, but it does not need to be a route all the way through the park, it just needs to provide useable entrances and link some of the existing routes. It should not cut right through the centre of fields which will be visually intrusive in what is currently a beautiful 'wild' space in easy reach of urban populations. A smaller path along the edge of the field would be much better".

INTERNAL & EXTERNAL CONSULTEES

Historic England:

Initial response:

"Based on our pre-application response (e mail dated 10/12/18) we accept the revised accessible path proposals submitted for this application which are now more in line with Stoke Park Conservation Management Plan (2016). The exception being the design of the two new 'spurs' into the parkland connecting to the original carriage drive from the north and north west (as detailed on drawing E18013-02 P1118).

As outlined in our pre-application response, we acknowledge that a new connection will need to be introduced to link the Lockleaze estate, from Romney Avenue, to the carriage drive (route Option 1) as this is the proposed location identified in the CMP for future visitor facilities and a potential car park. Regarding the second spur, adjacent to Long Wood Meadows, we acknowledge there will be greater footfall into the park from the proposed Romney House development to the north. However, our concern is that it risks setting a precedent for further spurs being introduced into the park in the future, as a result increased development pressures, negatively impacting on the historic layout, fabric and setting of the park. This second spur would need, therefore, to be considered as an exception to the objectives of the CMP and designed to achieve minimal visual impact. In light of this, and in order to establish a clear circulation hierarchy that enables the principal surviving historical routes to be clearly interpreted and appreciated we consider that the proposed new spurs should be differentiated from the principal carriage drive in width and surface treatment in order delineate them as secondary routes. In the CMP original, secondary circuits are proposed circa. 1.8m wide (subject to archaeological evidence) and gravel surfaced. We wish to request, therefore, that the current proposal for the two spurs being 3m wide and undifferentiated from the carriage drive, be re-considered."

Second response following revisions to proposals:

"Subject to the access spurs at 2.5m width and differentiated material, I confirm we have no further comments and agree to the concessions made by the applicant."

Avon Gardens Trust:

"This application will support Policy BCS 22; Conservation and the Historic Environment, by restoring most of an historic carriage drive route along which are a number of designed

viewpoints. Therefore we think that the up grading of existing paths will have a positive impact on the surrounding parkland. It will also be in keeping with the Stoke Park Conservation and Management Plan".

"The Avon Gardens Trust supports this proposal".

Conservation Advisory Panel:

"The Panel supported the restoration of the historic carriage drive as an accessible route. The Panel endorsed the comments of Historic England that the new spurs should be clearly differentiated from the main path".

"The Panel supports this application".

Conservation Officer, City Design Group, Bristol City Council:

The comments of Historic England with regards to justification for the access spurs are echoed. These must be an exception and therefore appear secondary to the course of the main path. Subject to reduction in their width and differentiation in material, no objection is held. The public benefit associated with improved accessibility to the park is recognised and should be afforded weight.

Transport Development Management, Bristol City Council:

"Traffic modelling undertaken to understand the impact any additional vehicles generated by the new housing would have, indicated that the number of homes planned may not be achievable without the provision of additional sustainable transport infrastructure, such as the shared route proposed (as well as improvements to Muller Avenue). This is due to the fact that the Lockleaze can only be accessed via Shaldon Road, Lockleaze Road and Bonnington Walk. The proposal will also help fulfil both Bristol and South Gloucestershire council's policies to improve connectivity, promote sustainable forms of travel, link key destinations and mitigate congestion and climate change. Whilst the shared route will have an impact on Stoke Park, Transport Development Management considers that the proposed route, access improvements, materials and signage have been designed to minimise this impact as much as possible and are therefore deemed to be acceptable".

"On transport grounds, approval is recommended subject to conditions relating to detailed proposals to upgrade footways adjacent to 262-270 Romney Avenue as well as detailed construction management proposals".

Arboricultural Officer, Bristol City Council:

Generally speaking, I do not have significant concerns related to the impact of the path on retained trees subject to safeguarding conditions. The proposed tree loss is reasonable, with the exception of T379, which I have elaborated on below.

The Bristol Tree Forum have provided an extensive objection to this proposal, however after a thorough read, many of the points are immaterial.

It is noted that whilst Bristol regrets the loss of any trees as a result of development, and particularly healthy Ash trees in the face of Ash Dieback, there is not currently an adopted policy which requires retention of this specific species.

The categorisations of trees and their respective value within the supplied arboricultural report are accepted as unbiased and on face value. No objection is therefore held to the removal of

poor condition U category trees.

It is noted that T379 (Ash) is now proposed for retention and protection, with the course of the path revised to result in the loss of T378 - a small C category Silver Birch instead and this amendment is welcomed.

With regards to tree loss which is predominantly on the South Gloucestershire element of the path, it is acknowledged that replacement planting (x15 Lime) in accordance with Policy DM17 and the Bristol Tree Replacement Standard is proposed. Detailed tree planting plans will be sought via condition.

No objection to the proposal is held on arboricultural grounds.

Nature Conservation Officer, Bristol City Council:

This proposal directly affects part of the Stoke Park Site of Nature Conservation Interest (SNCI). Accordingly Policy DM19 in the Local Plan applies. The location of the proposed site compound outside the SNCI is welcomed.

This proposal also includes part of a Wildlife Corridor site, Pur Down. Accordingly Policy DM19 in the Local Plan applies. I note that external lighting is not proposed along the path (the bat survey report dated 18 October 2018 contains recommendations with respect to lighting). The absence of lighting and limited width of the development means that impacts on the Wildlife Corridor site will be limited.

A planning condition, which accords with the recommendations in the extended phase one ecological survey reports dated 18 October and 27 November 2018 is recommended in the event permission is granted.

Subject to this, the proposal will not cause significant detriment to nature and habitat.

Flood Risk Officer, Bristol City Council:

The proposed drainage strategy is acceptable, we have no further comments

Crime Prevention Design Advisor, Avon & Somerset Constabulary:

"We do not object to this proposal but understand that there is potential that individuals may attempt to ride mopeds/motorbikes on the formal paths and recognise the nuisance and distress that this can cause".

"There are however, no additional access points proposed and the plans indicate K barriers at the existing entrances to try and deter the unauthorised entry of bikes/mopeds. Warning signs are also to be displayed at the entrance points".

"May I suggest that the management plan (currently in draft format) includes a protocol for the reporting of and dealing with offenders of the above nuisance behaviour so that local residents and users of the park are aware of how to report issues to B.C.C and have the confidence that action will be taken"?

"It is anticipated by B.C.C that the measures proposed will significantly increase footfall in the area which, in itself, will provide an increase in natural surveillance and may deter nuisance behaviour".

Public Right of Way Officer, Bristol City Council:

Full comments provided making various recommendations to the applicant in terms of implications for joining existing public right of way routes. These include accessibility standards and signage. These have been passed to the applicant to they are aware of requirements.

No objection has been raised by this team and many elements of the proposals are welcomed.

OFFICER RESPONSE TO PUBLIC CONSULTATION

Many objections received question the need and necessity of the proposal for which this application seeks permission. Objections also discuss other projects which they believe are of greater necessity within the park. In relation to these objections, it is highlighted that the role of the Local Planning Authority relates only to the assessment of the planning application before it. The Planning Authority is required to assess the proposal on its merits against the requirements of planning policy. Planning permission cannot be withheld on the basis that the development is unnecessary. The requirement or prioritisation of other works within the park is not relevant to assessment of the current application. Irrespective of this, it is highlighted that one of the common projects raised by residents is improvements to drainage at the M32 underpass. Transport Development Management have confirmed during the course of the application that Highways England will be funding a range of improvements to this area.

All comments listed above and made following consultation are acknowledged. It is recognised there is a mixed pattern of response, with more public objection than support. Statutory internal and external consultees raise no significant issues.

A full assessment of the merits of proposals against national and local planning policy, accounting for relevant material considerations will follow in the subsequent section of this report.

RELEVANT POLICIES

PAN 2 Conservation Area Enhancement Statements (November 1993)

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

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

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

ASSESSMENT

DEVELOPMENT OF OPEN SPACE

Paragraph 96 of the National Planning Policy Framework (NPPF) states "Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate".

Paragraph 97 then states "Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use".

The local policy in relation to open space can be found at Policy BCS9 of the Bristol Core Strategy which states: "Open spaces which are important for recreation, leisure and community use, townscape and landscape quality and visual amenity will be protected. Some areas of open space may be released, through the development plan process, for appropriate development where":

- They are no longer important for recreation, leisure and community use, townscape and landscape quality and visual amenity;
- O Development of all or part of an open space would result in improved urban form or an enhancement to existing open space areas.

The supporting text for the policy proceeds to expand on the above by stating: "Whilst the Core Strategy aims to retain the vast majority of green open space within the city, not all such land is important for recreation, leisure and community use, townscape and landscape quality and visual amenity. Existing open spaces may also offer opportunities to contribute to the delivery of necessary development, improvements to urban form or enhancements to existing open space areas. In determining whether open space should be released community involvement will be central to decision making. Account will also be taken of open space standards, levels of provision in the locality and the importance of the open space for recreation, leisure and community use, its contribution to townscape and landscape quality and its visual amenity".

Policy DM17 of the Site Allocations and Development Management Policies Local Plan (SADMP) provides more detailed advice regarding development involving existing green infrastructure assets. This policy confirms the designation of Stoke Park as "Important Open Space".

In relation to Important Open Space, Policy DM17 states "Development on part, or all, of an Important Open Space as designated on the Policies Map will not be permitted unless the development is ancillary to the open space use". Essentially this prohibits all by very limited types of development upon such land.

In this case, the proposals involve development comprising creation of a new shared use path through the open space, following the course of a historic carriage drive, from Purdown in the south to Jellicoe Avenue (South Gloucestershire) in the north. The path would run across the existing parkland which is designated Important Open Space.

Paragraph 97 of the NPPF indicates open space should only be developed in the limited circumstances outlined above. In this case, in relation to criteria a) it is noted that the open space concerned (Stoke Park Estate) is not deemed to be surplus to requirements, and in relation to criteria b) no replacement open space is proposed in this instance. As such, the development does not qualify with either of these criteria. In relation to criteria c) the proposed development comprises creation of a new shared use path. This would provide access to the open space itself, thereby encouraging and enhancing use of the park. The fundamental use of the park is for leisure, recreation and in some cases sports purposes (i.e. running, Frisbee, kite flying, angling). The proposed path would be directly linked to encouraging and enhancing recreational and to an extent sports use of the park. The Local Planning Authority is satisfied that the path would support the use of the open space for sports and recreational purposes. The proposal is therefore found to accord with criteria c) of paragraph 97 of the NPPF and the proposed path represents an appropriate form of development within an open space in accordance with the intentions of national planning policy.

In relation to Core Strategy Policy BCS9, it is recognised that the Stoke Park Estate remains highly important for recreation, leisure and community use, townscape and landscape quality and visual amenity. This is reflected by its status as a nationally significant registered park and garden. As such, development on the Important Open Space is subject to improved urban form or alternatively an enhancement of the open space area. The requirement for development on Important Open Space at Policy DM17 to be ancillary to the open space use is also noted.

As highlighted above, the proposed footpath is found to encourage and enhance use of the open space. There are a multitude of recreational uses of the open space including walking, running, cycling, dog walking, sports, games, picnics, education (UWE and local schools), angling, bird watching, woodcraft and various other uses which fall within a recreational categorisation. The proposed path will assist with facilitating the undertaking of many of these recreational activities. For example, it is well known that after periods of wet weather that heavily used sections of the existing park path network become waterlogged, boggy and churned up. This has resulted in various forms of aggregate, gravel and woodchip being laid at sections of the park over recent years, effectively resulting in an informal path. At minimum the poor surface conditions are an inconvenience to the various park users listed above. However in some cases, this scenario means that the park is inaccessible for certain individuals. For example, less able walkers may decide against walking in the park or at all because they are uncomfortable with the terrain. Alternatively a local runner may have to postpone their jog or opt for a less pleasant route with higher levels of air pollution due to the water logged conditions. Introduction of a self-bound gravel path would eliminate these issues and mean that the park can be used and accessed by a wider section of the community which it serves for a greater period of the year. Increased access would represent an enhancement of the open space area which is required to be achieved in order for any development of Important Open Space to be acceptable under Policy BCS9. As such, the proposed path is found to accord with this policy also.

With regards to Policy DM17 which requires development on Important Open Space to be ancillary to the open space use, as discussed above, there is a clear link between the proposed path and the open space use. To a large extent, the footpath will be used by users of the open space, rather than those travelling through the park. Nevertheless, those travelling through the park remain park users. The path would support the primary function of the park for recreational purposes. The development would therefore be ancillary to the open space use.

In this case, the proposed development of a path within the open space would accord with the objectives of national and local planning policy which seeks to control development within such important areas. As such, there is no objection to the principle of development of a path within the open space. The acceptability of the proposal in terms of its other impacts will follow within the forthcoming sections of this report.

APPEARANCE, CHRACTER & HERITAGE ASSETS

The Authority is required (under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as well as the setting and significance of Listed buildings or structures. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight".

Section 12 (Achieving well-designed places) of the NPPF outlines that "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Planning policies and decisions should aim to ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 of the NPPF also states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents".

Section 16 (Conserving and enhancing the historic environment) of the NPPF outlines that heritage assets "are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

Paragraph 189 of the NPPF states that "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Paragraph 195 of the NPPF states that "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

Policy BCS21 (Quality Urban Design) of the Core Strategy advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy BCS22 (Conservation and the Historic Environment) of the Core Strategy states that new development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including:

- o Scheduled ancient monuments;
- o Historic buildings both nationally and locally listed;
- o Historic parks and gardens both nationally and locally listed;
- o Conservation areas;
- o Archaeological remains

Policy DM26 (Local Character & Distinctiveness) of the Site Allocations & Development Management Policies (SADMP) Local Plan outlines that all development is expected to contribute positively to an area's character and identity. The policy builds on policy BCS21 (above) by stipulating the characteristics which development should seek to respond to. General principles include:

- i. Responding appropriately to and incorporating existing land forms, green infrastructure assets and historic assets and features; and
- ii. Respecting, building upon or restoring the local pattern and grain of development, including the historical development of the area; and
- iii. Responding appropriately to local patterns of movement and the scale, character and function of streets and public spaces; and
- iv. Retaining, enhancing and creating important views into, out of and through the site; and
- v. Making appropriate use of landmarks and focal features, and preserving or enhancing the setting of existing landmarks and focal features; and
- vi. Responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes; and

- vii. Reflecting locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion; and
- viii. Reflecting the predominant materials, colours, textures, landscape treatments and boundary treatments in the area.

The policy states that "development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions."

Policy DM27 (Layout and Form) of the SADMP outlines that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. It should make efficient use of land, provide inclusive access and take account of local climatic conditions.

Policy DM31 (Heritage Assets) of the SADMP outlines that where development has an impact upon a heritage asset, it will be expected to conserve and, where appropriate, enhance the asset or its setting.

With regards to Registered Historic Parks and Gardens, Policy DM31 states:

"Development will be expected to have no adverse impact on the design, character, appearance or settings of registered historic parks and gardens and to safeguard those features which form an integral part of their character and appearance".

In this case, Stoke Park is listed by Historic England on the Register of Historic Parks and Gardens of Special Historic Interest in England (List Entry Number: 1000129) at Grade II level and therefore the park is of national importance. This designation covers the whole park area, except the southern end of Purdown, either side of Sir John's Lane. The parts of the park located in Bristol (including Purdown) also falls within the Stapleton & Frome Valley Conservation Area however this status ends at the boundary with South Gloucestershire. Both the park landscape itself and the wider conservation area represent designated heritage assets.

The listing entry which describes the historic significance of the park reads as follows:

"Stoke Park occupies a wedge of open land extending from 2km to 5km north-east of the centre of Bristol. The 140ha park occupies the scarped and indented eastern flank of Purdown, a ridge of lias limestone rising to c 90m above sea level and commanding wide views over Kingswood, Bristol and the valley of the River Frome. The park retains its open character but is now surrounded on all sides by housing and other development and is divided by the M32 motorway. The park is bounded to the north by fences and a stone wall from a cycle track which marks the southern boundary of the grounds of the University of the West of England. The west boundary is formed by the back gardens of houses on Romney Avenue, the south-west boundary by public open space and the boundary wall of Heath House, and the south-east boundary by the M32 motorway and Frenchay Park Road. The southern end of the east boundary is formed by Stoke Lane which becomes Coldharbour Lane to the north. The former hospital site to the north-east which has been developed for housing is excluded from the site here registered. Although missing some key landscape features and compromised by its poor condition and the intrusion of the motorway, Stoke Park is of considerable interest as the best documented and most complete surviving landscape design by Thomas Wright."

"Two serpentine drives were laid out between 1725 and 1768, approaching from Bristol to the south-west and from Stapleton to the south. The first is an extension of a public footpath, formerly a drive, called Sir John's Lane which runs along the top of the Purdown Ridge,

entering Stoke Park c 25m west of Purdown Camp (scheduled ancient monument) which was used as an anti-aircraft gun site (1940). The drive provides a variety of extensive views over the park and the surrounding countryside to the east and glimpsed views of the House to the north-east. It passes through the remains of Purdown Camp and, after c 400m, curves to the north, west of Pale Plantation, and follows a mid C20 fence line to a mid C20 gateway where it turns north-east through parkland on the top of the ridge, then east between Hermitage Wood to the north and Barn Wood to the south, before turning south to meet the north drive c 100m north of the House."

The Stapleton & Frome Valley Conservation Area Enhancement Statement states in relation to Stoke Park:

"The plateau providing the historic site of Stapleton Village ends at the M32 motorway where the land rises steeply again to form the estate of Stoke Park, a Grade II site (in the register of Gardens and Grounds of Special Historic Interest), which provides setting for the Dower House, (a Grade II* Listed Building)".

The significance and consequent inclusion within the conservation area largely relates to the landscape quality and the same characteristics which warranted listing as a Historic Park and Garden.

In terms of Enhancement Objectives for the conservation area, the Enhancement Statement outlines the following:

"An environmental traffic management scheme, including provision for cyclists needs to be considered for Stapleton Village in conjunction with the Highway Authority. This should address the issues of through traffic, parking and the needs of the residents and shoppers within the area".

"That part of the Conservation Area presently comprising the Stoke Park, and Purdown Hospital Estates and adjoining Bristol City Council owned recreation grounds and playing fields, and Bridge Farm represents an open landscape and is essential to the character of the Conservation Area and provides a green gateway into the city. Development altering this character will not normally be permitted".

"The sub division of large garden plots is a particular problem in the area and will not normally be permitted".

"'Stoke Park, Purdown Enhancement and Preservation Policy 1990', will apply to development and land in the Conservation Area north of Frenchay Park Road, the Stoke Park and Purdown Hospital Estates, and the recreation grounds and playing fields adjacent to Lockleaze; including Bridge Farm".

It is highlighted that 'Stoke Park, Purdown Enhancement and Preservation Policy 1990' has now been superseded by national and local planning policy which is included at the beginning of this section.

The proposed path would commence adjacent to the BT Tower and WW2 anti-aircraft site to the south at Purdown. It would run north bound for a total of 1.75km including a westbound curve before returning east again. The path would cross the outer and upper fields of the park. It is noted that alternative routes which may have been more direct but passed through more prominent parts of the park were ruled out following public consultation prior to submission of the current proposal. The proposed course of the path would follow a path or carriage drive which featured in Thomas Wright's original layout for the estate. This is an 18th century carriage drive route which runs north/south following the route now proposed and leading to Dower House/Stoke Park House (Grade II* Listed). This is the driveway which is quoted and described above from the Historic England Register of Historic Parks and Gardens. The southern part of this route is now longer visible however the northern

part remains a popular and clear desire line through the estate. The section of this route which remains is in a poor state of repair however. The proposed works would restore this historic route by laying a protective membrane on the historic carriage drive stone surface and building the new path construction on top. The path would be a maximum of 3m in width and would be finished with a self-binding gravel surface. This material is essentially stone ground to dust/gravel consistency which when laid forms a broadly smooth and continuous surface. It is noted that the material is commonly used for paths in sensitive historic settings. Within Bristol it is employed at Queens Square and Ashton Court as well as frequently at National Trust sites and the like.

In terms of the impact of the proposed path to the significance of the historic landscape, it is known that a path, track or carriage drive originally followed a very similar course to that now proposed within Thomas Wright's original 18th Century layout. This is evidenced on both historic city plans (earliest being the 1840 Tithe plan) as well as on the ground today. As a result, the proposal to reinstate this route would be true to the original historic layout of the estate which has warranted listed status. Whilst the proposed path may be wider than the historic equivalent, this would be by a relatively minor degree. This justification is accepted by Historic England and also the Council's Conservation Officer. The historic remnants of the 18th Century carriage drive would be retained as existing beneath the proposed path. This approach is supported by conservation and archaeology. The archaeological aspects will be discussed further detail beneath.

It is recognised that two access spurs are proposed which would deviate from the route of the historic carriage drive. These would lead from the main course west bound to an entrance to the park at Romney Avenue and further north to the existing footpath adjacent to Longwood Meadows. The Romney Avenue spur would be approximately 120m in total length before reaching the public highway. The Longwood Meadows spur would be approximately 170m total length. There is no historic precedent for these elements of development. Whilst these locations are isolated at the periphery of the estate, given the current green character, it is accepted these proposals will cause a degree of harm to the historic significance and integrity of the open green space. The path has been reduced in width for these sections by 0.5m. It is recognised this is a fairly low level reduction over the main course however there is limited by requirements to maintain accessibility on the path itself. The stone colour is also proposed to be different to that of the main path, further emphasising the secondary nature of these parts of the route. These aspects of the proposal are treated as exceptions. It is noted that Historic England and the Council's Conservation Officer have confirmed the absence of further objection following these amendments.

As a path, track or carriage drive has historically followed the majority of the route now proposed, with parts of this remaining appreciable today, the proposal would not result in harm to the historic significance of the landscape or the character and appearance of the conservation area. With regards to the conservation area as a whole, it is noted within the conservation area enhancement statement that Stoke Park and Purdown represents an open landscape, is essential to the character of the conservation area and provides a green gateway into the city. In this regard, due to the position at ground level, the path would cause no decline in the physical openness of the landscape. It is recognised there will be a minor loss of what is presently green grassland which will cause a degree of harm to the visual character of the open space. However paths and routes of varying degrees of formality and scale do exist at the estate and have done historically. Due to the location and course of the proposed path which runs around the outside and upper fields of the estate, it is unlikely to have any perceived impact on Stoke Park's contribution to the green gateway into the city. As such, it would not detract from this stated objective of the conservation area.

With regards to the proposed surfacing material, this would predominantly be a buff coloured stone dust which once laid would self-bind to form a flat and consistent surface. The proposed bound gravel surface is considered by Historic England to be the most appropriate material for the historic park. This notably represents a substantial improvement in heritage terms over existing and more prominent paths within the park such as that which runs diagonally to the M32 underpass which is surfaced with coloured asphalt. The proposed surface as well as associated drainage proposals will

also represent an upgrade in terms of appearance on the waterlogged and boggy conditions which presently prevail commonly along the route following wet or cold weather.

Paragraph 196 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

There are two relevant heritage assets in this instance. These are the Stoke Park Estate as a Grade II Registered Park and Garden and also the Stapleton and Frome Valley Conservation Area. Whilst Stoke Park is an important component, the conservation area relates to a wide geographic area and in this case the proposed development by virtue of its scale and position would have a very low degree of impact to the conservation area on the whole. The Local Planning Authority finds that the degree of harm posed to the conservation area as a heritage asset is negligible.

With regards to impact to the park a Grade II Registered Park and Garden, it is recognised that some loss of currently soft green space beyond the historic carriage drive as well as the introduction of the two access spurs will cause slight adverse harm to the green character of the park. On the whole, it is found that the degree of harm resulting has been minimised to the lowest practical level however. In the assessment of the Local Planning Authority the degree of harm posed by these aspects of development is rated as less than substantial. As such, the public benefits associated with the development must be weighed against the harm posed in accordance with paragraph 196 of the NPPF. Some of the public benefits of the proposal were touched on in the previous section. It is generally accepted by the Local Planning Authority that the path will represent an enhancement to the park. The public will benefit from enhanced access and particularly greater equality regarding the range of people and times of year when users can access the park. Whilst difficult to measure, there will be public health benefits which can be associated with a greater range of people being able to access the park more frequently. Similarly, if the route is used as a quieter alternative commuter route which encourages active travel then this holds further public health benefit, may reduce congestion and reduce carbon emissions. There is also a low degree of public benefit associated with the enhanced appearance and drainage which the path will offer over current conditions. The proposals also include additional works such as revised access control at the site entrances and new park furniture which will represent an enhancement on existing conditions. On weighing the low degree of harm which will result to the open space as a heritage asset against the aforementioned public benefits, it is found that there is sufficient public benefit resulting from development in this instance to warrant the proposals acceptable. As such, the degree of public benefit resulting from the proposed development is sufficient to offset a low level of harm caused to the open space as a heritage asset. The development therefore passes the test as set out at paragraph 196 of the NPPF.

To conclude, the development is found to present an appropriate response to the sensitivity of the setting and would have an acceptable impact to the significance of the park as a designated heritage asset as well as the surrounding conservation area. The proposals are found to broadly accord with the intentions of national and local planning policy in this regard and are consequently acceptable.

NATURE CONSERVATION

Paragraph 175 of the NPPF states: "When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments),

should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 177 of the NPPF states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

Policy BCS9 of the Core Strategy states: "The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken".

"Individual green assets should be retained wherever possible and integrated into new development. 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 policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required".

"Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site".

In relation to Biological Conservation the policy states: "Internationally important nature conservation sites are subject to statutory protection.

National and local sites of biological and geological conservation importance will be protected having regard to the hierarchy of designations and the potential for appropriate mitigation. The extent to which a development would contribute to the achievement of wider objectives of the Core Strategy will be carefully considered when assessing their impact on biological and geological conservation.

Where development would have an impact on the Bristol Wildlife Network it should ensure that the integrity of the network is maintained or strengthened".

Policy DM19 of the SADMP states: "Development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to:

- i. Be informed by an appropriate survey and assessment of impacts; and
- ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and
- iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network.

Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.

Development on or adjacent to sites of nature conservation value will be expected to enhance the site's nature conservation value through the design and placement of any green infrastructure provided".

In relation to Sites of Nature Conservation Importance (SNCI), the policy states: "Development which would have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted".

Stoke Park Estate is a designated Site of Nature Conservation Importance (SNCI) and is also locally designated as a wildlife corridor forming part of the wider Bristol Wildlife Network. The primary impact of development to wildlife, ecology and biodiversity will be through loss of a low degree of habitat including grass and trees. A concern was specifically raised in relation to the potential for the path to be lit however it is confirmed that this will not be the case. Bristol City Council's Nature Conservation Officer has been consulted on the application and noted that the absence of lighting and limited width of the development means that impacts on the Wildlife Corridor site will be limited. As such, there will be no significant impact to the capacity and function of the park as a Wildlife Corridor.

The Nature Conservation officer has confirmed that conditions attached to any eventual consent would be sufficient to safeguard nature and ecology with regard to the Site of Nature Conservation Importance. Submission of a 'Precautionary Method of Working' (PMW) with respect to vegetation and site clearance and the potential presence of nesting birds and any other legally protected and priority species to include badgers and hedgehogs will be required prior to commencement of any development. The PMW shall include measures to protect badgers during construction to prevent them from becoming trapped in excavations or open pipework. This document will need to be agreed by the Local Planning Authority and adhered to throughout construction. Bird and bat boxes will also be required to be installed at various locations along the course of the path to provide further habitat for wildlife.

Subject to these measures, the development would avoid harmfully impacting upon habitat, species or features, which contribute to nature conservation in Bristol. The development is therefore found to accord with the objectives of national and local planning policy and resultantly the development is acceptable in this regard.

TREES & GREEN INFRASTRUCTURE

Section 15 (Conserving and enhancing the natural environment) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".

Paragraph 175 of the NPPF proceeds to outline that when determining planning applications, local planning authorities should apply the following principles: "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". Exception reasons exist in scenarios such as infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Policy BCS9 (Green Infrastructure) of the Bristol Cores Strategy outlines that the integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure

network should be taken. Individual green assets should be retained wherever possible and integrated into new development. 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 policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required. Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.

Policy DM17 (Development Involving Existing Green Infrastructure) of the Site Allocations and Development Management Policies Local Plan (SADMP) outlines that development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted. It is suggested that where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the standard set out within Policy DM17 known as the Bristol Tree Replacement Standard (BTRS).

In relation to green infrastructure provision, it is recognised that the development would result in development of some previously undeveloped open, grassland. However within the context of the wider park, the loss of green infrastructure would be minimal and would not constitute sufficient loss of green infrastructure to warrant mitigation.

With regards to trees, it is recognised that a series of trees are proposed for removal to accommodate the proposed path. The majority of these are located on the course of the path located in South Gloucestershire and therefore are not subject of assessment by this Local Planning Authority. A total of two trees are proposed for removal within Bristol. These are a young, self-seeded sycamore (T373) which is assessed within the supplied Arboricultural Impact Assessment as a category U tree. The second tree is a semi-mature silver birch (T378) located in tree line which marks a field boundary to the south of the park. This is categorised as a C1 tree. Given the quality and likely life expectancy of the young sycamore, no objection is held to its removal and no mitigation is required. In relation to the silver birch, this tree sits at a natural break within a fairly dense tree line. It is not a particularly noteworthy specimen and there are sufficient adjacent trees to mitigate its loss in landscape terms. The loss of this tree would not significantly detract from the appearance and character of this part of the part and therefore no objection is held to its loss. With a stem diameter of 13cm, it is not of a scale which requires replacement planting in accordance with Policy DM17.

It is noted that a total of 9 trees are proposed for removal within South Gloucestershire. Of these, x3 are category U trees, x4 category C1 and x2 category B1. The applicant proposes to provide replacement compensatory tree planting for the loss of these trees in accordance with Bristol Tree Replacement Standard compliant level as outlined at Policy DM17. This would comprise planting of x15 lime trees (Tilia cordata) located in the northern corner of the park reinforcing an existing elm belt. These trees are additional to existing tree planting proposals for the park and as a direct replacement for trees lost as a result of this development. Tree planting along the M32 (funded by Highways England) will continue, as will replacement of historic parkland planting (funded by Metrobus contribution).

Following consultation of Bristol City Council's Arboricultural Officer, no objection is held to tree removal proposals. Protection of retained trees is detailed within the supplied Tree Protection Plan and Arborciltural Method Statement and is also accepted by the Arboricultural Officer. This will be secured by condition in the event of permission being granted. Subject to this measure, the development will accord with policy objectives and would consequently have an acceptable impact to trees and green infrastructure.

ARCHAEOLOGY

Policy DM31 (Heritage Assets) of the Site Allocations and Development Management Policies Local Plan states that: "Development that has an impact upon a heritage asset will be expected to conserve and, where appropriate, enhance the asset or its setting".

In relation to archaeology, the policy states: "Scheduled monuments and other non-designated archaeological sites of equivalent importance should be preserved in situ. In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The appropriate publication/curation of findings will be expected".

The wartime battery structures on Purdown have been scheduled under the monument name: Second World War heavy anti-aircraft battery 590m north east of Highwood House, Pur Down, Bristol (List Entry Number: 1004531). As a scheduled monument, the structures have been identified as a nationally important archaeological site and are legally protected against damage or destruction. Any works to or around the ruined structures require scheduled monument consent from Historic England. The applicant will be advised to determine whether such consent is required and seek this as necessary from Historic England. This process is however separate to the planning process but will ensure the scheduled monument is preserved.

Bristol City Council Archaeological Officer has been consulted on the application and advised that archaeological impacts have been successfully minimised in the design. They are satisfied that the remains of the former carriageway will be protected.

The submitted statement suggests that an intermittent watching brief will be required to ensure that harm to the asset is kept to a minimum and recording can take place where required. This watching brief will be secured through relevant conditions. Subject to these measures, the development would accord with the requirements of policy in relation to archaeology and no detriment shall result.

NEIGHBOURING AMENITY

Section 12 (Achieving well-designed places), paragraph 127 of the NPPF outlines that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Policy BCS21 (Quality Urban Design) of the Core Strategy outlines that all new development within Bristol will be expected to strive to achieve high standards of urban design. With regards to amenity it is outlined, that new development is expected to safeguard the amenity of existing development.

With regard to amenity, it is recognised that the park is located within a predominantly residential area. The nearest residential properties to the course of the path which is located within Bristol are those on the eastern side of Romney Avenue which back directly onto the park. It is noted that the impact of the path to the residential amenity of properties located within South Gloucestershire will be subject of assessment by the neighbouring planning authority under the separate application which has been submitted to that council.

The part of the path which runs nearest to neighbouring properties in Bristol is the western curved section and access spur running to/from Romney Avenue. This would utilise an existing park entrance located between 262 and 270 Romney Avenue. It is accepted that an intended benefit of the proposed path is to improve access to the park. It consequently stands that the entrance between 262 and 270 Romney Avenue may experience an increased level of use following development. This will mean increased comings and goings and a potential increase in noise and disturbance. However this would generally be conversations or the occasional parks maintenance vehicle. Any noise would be passing and therefore brief in duration and consequently would not result in significant disturbance. These properties are located next to an existing entrance and therefore will experience a degree of

similar activity currently. Overall, it is not found that the proposed path would represent a significant deviation resulting in harm to residential amenity experience at these dwellings.

The main course of the proposed path would be separated by a minimum of 40m (and generally upwards of this distance) from other adjacent dwellings. This separation would be sufficient to ensure that no adverse impact is caused to amenity and living conditions presently enjoyed at adjacent properties following development. It is noted that no lighting is proposed on the path and therefore it is not foreseen that the path will be used highly after dark. Overall, the proposed development would preserve an acceptable standard of amenity and living conditions at all surrounding properties.

TRANSPORT, HIGHWAYS & ACCESS

Section 9 (Promoting Sustainable Transport) of the NPPF outlines that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both planmaking and decision-making.

In relation to sustainable transport, the NPPF states that development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy BCS10 (Transport & Access Improvements) of the Core Strategy states that development proposals should be located where sustainable travel patterns can be achieved, with more intensive, higher density mixed use development at accessible centres and along or close to main public transport routes. Proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport.

Developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

The following hierarchy for transport user priorities is set out:

- a) The pedestrian;
- b) The cyclist:
- c) Public transport;
- d) Access for commercial vehicles;

- e) Short stay visitors by car;
- f) The private car.

Policy DM23 (Transport Development Management) of the SADMP outlines that new development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network. The policy also outlines that new development should be accessible by sustainable transport methods such as walking, cycling and public transport.

The path is proposed primarily as a transport and connectivity improvement project which also holds benefits in terms of park access enhancement. The path will provide a more direct route between the neighbourhoods of Lockleaze, Stapleton and Fishponds as well as the university campuses at Frenchay and Glenside. It is also noted that the path provides a longer route away from roads and segregated from motor vehicles, extending significantly further south than existing segregated foot and cycle paths. As such, it offers safety and user experience improvements over existing routes which may encourage more people to opt to walk or cycle. As a shared use foot and cycle path, the proposal fundamentally complies with the intentions of both national and local planning policy which strongly support development which encourages walking and cycling as active and low carbon transport modes.

It is acknowledged that a significant concern raised within public consultation responses relates to the shared nature of the proposed path and the potential for incidents and conflict between foot and cycle traffic. A further aspect of this concern relates to the fact users of the path may be undertaking various recreational activities given the location within a park. These include activities such as dog walking or games/sports. These clearly add a complication to the relationship between users.

In terms of conflict between path users, the proposed path will be predominantly 3m in width which would provide a significant amount of space for users to pass one another safely. The average bicycle is 0.65m width so there is room for two bikes to pass comfortably, whilst also retaining over 1m for pedestrians to continue safely. This is in the unlikely scenario that two cycles and a pedestrian meet at the exact same point on the route.

In relation to cyclists, it is noted that the proposed surface will be made up of gravel. This is not generally conducive to cyclists achieving high speeds due to a lack of traction. As such, the proposed surface will naturally instil a degree of caution in cyclists if not already adopted by the rider themselves. Furthermore, it is noted that the path will predominantly travel through open parkland where there is very good visibility. As such, users will have a good view of oncoming traffic and be able to pass safely. If there was a scenario where there was a sudden, unexpected last minute movement by either a pedestrian, dog or cyclist, it is noted that the side of the path will be level and entirely open. As such, a path user can simply veer or step onto the grass at the side of the path in attempt to avoid collision. Such events are however likely to be rare. As speeds on the path are not anticipated to be high as a result of the surface and cautionary signage, in the unlikely and unfortunate event of an accident, significant injury is generally unlikely. It is noted that there are no formal police reports filed relating to accidents between cyclists and pedestrians on existing shared use paths within the park. This includes a narrower asphalt path where higher speeds and closer proximity are likely. In light of the factors above, it is not found that the proposed shared use path would create undue risk of conflict between users or provide dangerous conditions.

It is noted that signage is proposed at each entrance to the route which will highlight the shared pedestrian/cyclist nature of the path. This is similar to shared use signage used on footways across the city and encourages users to be aware that the path is dual mode and to take required caution. The potential of employing additional signage along the route to reinforce this was discussed with the applicant and may be an option they consider in the future should it be deemed necessary. This would be subject to a further planning application which would need to demonstrate an acceptable design being achieved in respect of the sensitivity of the landscape.

The proposed path will also deliver improvements to the accessibility of the park. This is in terms of both the entrance points to the park as well as navigation for the duration of the path. The path will provide level and direct access to adjacent footways at park entrances offering more equal access than the existing scenario. The proposals to replace existing gates with K barriers will ensure improved accessibility also. Furthermore, the absence of a rutted, muddy and waterlogged grass surface will also offer greater equality in access. On the whole, the proposals offer significant improvement and substantial benefit in terms of equal and improved access to the open space. Bristol City Council Transport Development Management Officers have reviewed the proposals and confirmed their support for the application, subject to safeguarding conditions relating to construction management as well as further details of pavement upgrade works which are required at the Romney Avenue entrance. Overall, the proposed path will contribute towards encouraging active and low carbon travel, improve access and equal access within the park and will avoid undue risk of conflict between users. The proposal is found to accord with the objectives of national and local planning policy in terms of transport and is therefore acceptable.

SITE MANAGEMENT & CRIME PREVENTION

Policy DM28 (Public Realm) of the SADMP states that: "development will be expected to "reduce crime and fear of crime by creating a well-surveilled public realm that is well managed and cared for".

Avon and Somerset Police have been consulted on the development and the local policing team responsible for patrol of the area have raised no specific concerns. It has been noted that increased footfall and numbers of people in the park will provide increased public surveillance and natural deter crime. The installation of K frame barriers is also intended to deter access to the park by motorcycles. It is difficult to entirely prevent motorcycle access given the various points at which the park can be entered and ultimately this is a policing matter. The Crime Prevention officer has however recommended that a means and protocol for park users and members of the public to report issues or misuse of the path is provided within a management plan. A draft management plan has been supplied however does not cover this issue. This can be secured via a condition in the event of permission being granted. Subject to this measure, there are no grounds for refusal on the basis of crime and site management.

DRAINAGE & FLOOD RISK

Policy BCS16 (Flood Risk and Water Management) of the Core Strategy states that development in Bristol will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a sequentially greater risk of flooding will be considered where essential for regeneration or where necessary to meet the development requirements of the city.

Development in areas at risk of flooding will be expected to:

- i. be resilient to flooding through design and layout, and/or
- ii. incorporate sensitively designed mitigation measures, which may take the form of on-site flood defence works and/or a contribution towards or a commitment to undertake such off-site measures as may be necessary, in order to ensure that the development remains safe from flooding over its lifetime.

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

Policy DM33 (Pollution Control, Air Quality and Water Quality) of the SADMP states that Development which has the potential, either individually or cumulatively, for an unacceptable impact on environmental amenity, biodiversity or water quality by reason of pollution as set out in the Core

Strategy but is considered desirable for reasons of economic or wider social need will be expected to provide an appropriate scheme of mitigation.

It is highlighted that the application includes details of a drainage scheme which will accompany the proposed path. This includes infiltration component and piping. These proposals have been reviewed and agreed by Bristol City Council Flood Risk. A condition will be applied to any eventual consent securing the installation of this system. Subject to this measure, the proposals will make an acceptable and policy compliant contribution to offsetting and minimising the risk of flooding.

COMMUNITY INFRASTRUCTURE LEVY

Some new developments granted planning permission will be liable to pay Community Infrastructure Levy (CIL) to Bristol City Council.

CIL is payable where development comprises 100m2 or more of new build floorspace or results in the creation of one or more dwellings.

The proposed development does not qualify to pay CIL.

CONCLUSION

The proposed development has been assessed against all relevant national and local planning policy as well as relevant adopted supplementary guidance. The proposed development of open space is found to be acceptable in this instance on the basis the proposed use would enhance recreational use of the park and would be ancillary to the designation as Important Open Space. The development is found to preserve the significance of the Stapleton and Frome Valley Conservation Area however would cause a low degree of less than substantial harm to the Registered Park and Garden as a heritage asset. Following review, it is deemed that the proposals offer sufficient public benefits to offset this level of harm in accordance with the terms of national planning policy. The proposal is not found to cause undue risk of conflict between users or result in dangerous conditions on route. The path would deliver a series of benefits in transport terms, encouraging use of active and low carbon transport modes as well as providing greater equality in park accessibility. Following assessment and subject to safeguarding conditions, it has been confirmed that the proposed development would avoid detrimental impact to ecology, biodiversity, trees, green infrastructure, neighbouring amenity and living conditions, public safety and flood risk. The development is therefore found to be in accordance with relevant national and local planning policy. There are no material considerations which would warrant the refusal of planning permission. It is therefore recommended permission is granted subject to conditions.

RECOMMENDED: GRANT subject to condition(s) listed beneath

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Approval of Highway Works Necessary

Prior to the commencement of development, general arrangement plan(s) indicating the following works to the public highway shall be submitted and approved in writing by the Local Planning Authority:

o Upgrading of footpaths between 270 and 262 Romney Avenue

These works shall be completed prior to first use of the path hereby approved and to the satisfaction of the Local Highway Authority.

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

3. Construction Management Plan

No development shall take place including any works of demolition (with the exception of erection of the single storey environmental classroom and enabling works) until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- o Parking of vehicles of site operatives and visitors
- o Routes for construction traffic
- o Method of preventing mud being carried onto the highway
- o Pedestrian and cyclist protection
- o Proposed temporary traffic arrangements including hoardings and/or footway closures
- o Arrangements for turning vehicles
- o Arrangements to receive abnormal loads or unusually large vehicles
- o How the delivery of construction materials and the collection of waste will be managed
- o Where construction materials and waste will be stored
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses

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

4. Vegetation Clearance

No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the Local Planning Authority. If clearance is to take place within this period, the Local Planning Authority will require evidence provided by a suitably qualified ecologist that no breeding birds would be adversely affected including by disturbance before giving approval. Where checks for nesting birds by a qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings. Any clearance agreed by the Local Planning Authority must then be undertaken in accordance with the recommendations of the project ecologist.

Reason: To ensure that wild birds, building or using their nests are protected.

5. Precautionary Method of Working

Prior to the commencement of development hereby approved, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance and the potential presence of nesting birds and any other legally protected and priority species including badgers and hedgehogs shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The PMW shall include measures to protect badgers during construction to prevent them from becoming trapped in excavations or open pipework. Open pipework larger than 150 mm outside diameter shall be blanked off at the end of each working day. The development shall be carried out in full accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

6. To ensure implementation of a programme of archaeological works

No development shall take place until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- 1. The programme and methodology of site investigation and recording
- 2. The programme for post investigation assessment
- 3. Provision to be made for analysis of the site investigation and recording
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

7. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees; in the position and to the specification shown on Drawing Nos. TPP-1 (B), TPP-2 (B), TPP-3 (B), TPP-4 (B), TPP-5 (B), TPP-6 (B), TPP-7 (B) and TPP-8 (B);. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work

commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

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

Prior to first use condition(s)

8. Further details: Materials

A manufacturer's specification and sample of the proposed self-binding gravel surfaces shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced or items installed.

The development shall be completed in accordance with the approved details prior to first use of the path, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the appearance of the path is of a high quality and would be appropriate to the setting.

9. Further details: Signage

Prior to installation of signage hereby permitted, full details of all proposed signage demonstrating scale, materials and appearance shall be submitted to and approved in writing by the Local Planning Authority. The agreed signage shall then be installed prior to first use of the path unless otherwise agreed in writing by the Local Planning Authority. Installation of any future signage on the route of the path shall not be undertaken without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the appearance, character and historic significance of the park and surrounding conservation area.

10. Bird and Bat Boxes

Prior to first use of the path hereby approved details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for bird nesting and bat roosting opportunities and shown on a site plan with compass directions marked on it. This shall include eight bird and eight bat boxes.

Bird boxes shall be installed to face between north and east to avoid direct sunlight and heavy rain. Bird boxes shall be erected out of the reach of predators and at least 3.5 metres high on publicly accessible sites. Bat boxes shall face south, between south-east and south-west. Bat boxes shall be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well-lit locations. Development shall be undertaken in accordance with the

approved details prior to first use of the path hereby consented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To help conserve legally protected bats and birds which include priority species.

11. Sustainable Drainage System (SuDS)

The drainage proposals as outlined within the supplied application documents shall be installed and fully operation prior to first use of the path unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the path in terms of flood risk and ensure sustainable drainage techniques are employed.

12. Full details: Management Plan

Prior to first use of the path hereby approved, a final copy of a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include a section outlining how members of the public can report any issues or nuisance resulting from use or misuse of the path hereby consented and the protocol which shall be followed once reports are received. The path shall then be managed in accordance with the contents of the approved Management Plan for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure ongoing management of the development following completion and to safeguard the quality of the public realm.

13. To secure the conduct of a watching brief during development groundworks

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 6:.

Reason: To record remains of archaeological interest before destruction.

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

Use of the development hereby permitted shall not commence until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Post occupation management conditions

15. Tree planting works - shown

The tree planting proposals hereby approved comprising x15 Tilia cordata, 10-14cm minimum girth planting stock (as indicated on drawing titled: Proposed Replacement Tree Planting, numbered: BCC.177.SK01) shall be carried out no later than during the first planting season following the date when the development hereby permitted is first open for public use or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials must be maintained for a minimum of five years and any trees or plants removed,

dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development is satisfactory and the development makes acceptable contributions to replacement of green infrastructure.

16. K-Frame Barriers

All K-Frame entry barriers hereby permitted at entrances shall be set by default to the maximum calibration of 750mm width. If a reduction in accessibility is deemed necessary at any point, this must first be agreed in writing by the Local Planning Authority. If repaired or replaced, this must be with a solution which offers equivalent accessibility, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the barriers do not hinder access to the park by all future users including those with pushchairs, mobility aids, wheelchair users, cyclists etc.

List of approved plans

17. List of approved plans and drawings

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

P1104 REV A Site location plan (S. Glos), received 16 September 2019 P1101 REV A Site location plan, received 11 March 2019

P1124 REV C Detail cross section - sheet 2, received 16 September 2019

P1125 REV A Detail cross section - sheet 3, received 11 March 2019

P1126 REV A Detail cross section - sheet 4, received 11 March 2019

P1127 REV C Detail cross section - sheet 5, received 16 September 2019

P1131 REV A Park access details - sheet 1, received 11 March 2019

P1132 REV A Park access details - sheet 2, received 11 March 2019

P1133 REV A Park access details - sheet 3, received 11 March 2019

TCP-OVERVIEW Tree constraints plan overview, received 11 March 2019

TCP-1 Tree constraints plan, received 11 March 2019

TCP-2 Tree constraints plan, received 11 March 2019

TCP-3 Tree constraints plan, received 11 March 2019

TCP-4 Tree constraints plan, received 11 March 2019

TCP-5 Tree constraints plan, received 11 March 2019

TCP-6 Tree constraints plan, received 11 March 2019

TCP-7 Tree constraints plan, received 11 March 2019

Arboricultural impact assessment and tree protection plan, received 16 September 2019

Arboricultural method statement, received 16 September 2019

Archaeology heritage DBA report - final, received 11 March 2019

Archaeology survey evaluation report - final, received 11 March 2019

Bat survey report final issue, received 11 March 2019

Conservation management plan figures 3-5, received 11 March 2019

Drainage strategy V1 issue, received 11 March 2019

Ecology report 1D section V1 issue, received 11 March 2019

Ecology report main V1 issue, received 11 March 2019

Management statement V3 draft, received 11 March 2019

Public consultation response summary report, received 11 March 2019

Public consultation results, received 11 March 2019

Heritage, design and access statement, received 11 March 2019 BCC-177-14 REV 3 Proposed surfacing plan, received 11 March 2019 P0501 Typical filter drain detail, received 11 March 2019 P1103 REV A Temporary site compound, received 11 March 2019 P1111 REV A General arrangement - sheet 1, received 11 March 2019 P1112 REV A General arrangement - sheet 2, received 11 March 2019 P1113 REV A General arrangement - sheet 3, received 11 March 2019 P1114 REV E General arrangement - sheet 4, received 18 October 2019 P1115 REV E General arrangement - sheet 5, received 18 October 2019 P1116 REV A General arrangement - sheet 6, received 11 March 2019 P1117 REV A General arrangement - sheet 7, received 11 March 2019 P1118 REV D General arrangement - sheet 8, received 18 October 2019 P1121 REV F Proposed typical cross sections for gravel path, received 16 September 2019 P1122 REV D Proposed typical cross sections, received 16 September 2019 P1123 REV A Detail cross section - sheet 1, received 11 March 2019 BCC.177.SK01 Proposed replacement tree planting, received 16 September 2019 EAB 12 03 13 KB7 Showing Range of Plates & Widths, received 16 September 2019 P1102 REV D Site location plan (Bristol), received 16 September 2019

Reason: For the avoidance of doubt.

Advices

1 Scheduled Monument Consent

The wartime battery structures on Purdown are scheduled under the monument name: Second World War heavy anti-aircraft battery 590m north east of Highwood House, Pur Down, Bristol (List Entry Number: 1004531). As a scheduled monument, the structures have been identified as a nationally important archaeological site and are legally protected against damage or destruction. Any works to or around the ruined structures require scheduled monument consent from Historic England. It is the responsibility of the applicant and the applicant is advised by the Local Planning Authority to contact Historic England to confirm whether scheduled moment consent is required for the works proposed and if so to ensure this is obtained prior to works commencing on this aspect of development.

- Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.
- 3 BS Standard tree work: Any works should be completed in accordance with British Standard 3998: Recommendations for tree work, you are advised that the work should be undertaken by a competent and suitably qualified tree contractor.
- Tree Protection: You are advised to refer to BS5837 : 2012 Trees in relation to construction for detailed information on types of tree protection, protection zones and other relevant matters.
- Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).

7 Traffic Regulation Order (TRO)

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

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

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

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

8 Public Right of Way

The property boundary of the development hereby approved abuts a Public Right of Way PROW (No.) (SPECIFY). You are advised that before undertaking any work you must contact the Highway Authority's Public Rights Of Way Team at rightsofway@bristol.gov.uk Whilst it may be unlikely that the Public Right Of Way will be affected by the proposed development (PROW) (No.) (SPECIFY):

- o Should remain open, unobstructed and safe for public use at all times;
- o No materials are to be stored or spilled on the surface of the PROW:
- o There must be no encroachment onto the width of the PROW;
- o No vehicles are to use the PROW without lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.
- o Any scaffolding and/or skips placed over or adjacent to the PROW must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed. Licences are available at www.bristol.gov.uk/highwaylicences
- o Any interference of the PROW either whilst demolition/construction is in progress or on completion, may well constitute a criminal offence.

If construction works are likely to temporarily affect the right of way, a Temporary Traffic Regulation Order (TTRO) may be required to close or divert the PROW for the duration of the works on the grounds of safety of the public. To discuss and/or apply for a TTRO contact the Highway Authority's Network Management Team at traffic@bristol.gov.uk

N.B. Any damage caused to the surface of the PROW during development works must be made good to the satisfaction of the Local Highway Authority.

9 You are advised that the planting season is normally November to February.

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Supporting Documents

1. Stoke Park Park Road Stapleton

- 1. Site Photos
- 2. Site Location Plan Full Bristol Course of Path
- 3. Proposed General Arrangement Plan
- 4. Typical Cross Section
- 5. Drainage Cross Section Details
- 6. Park Access Details
- 7. Proposed Tree Planting











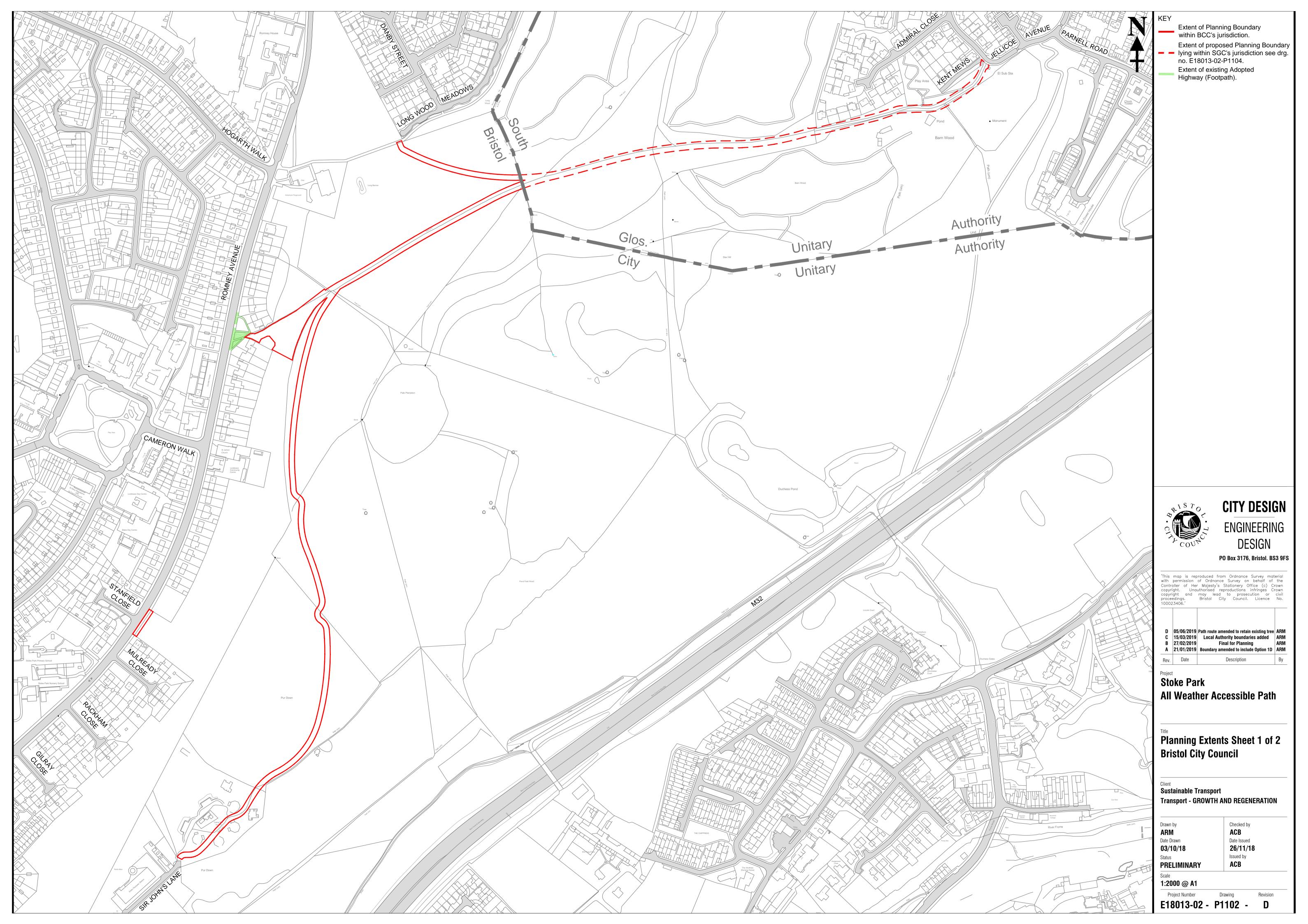


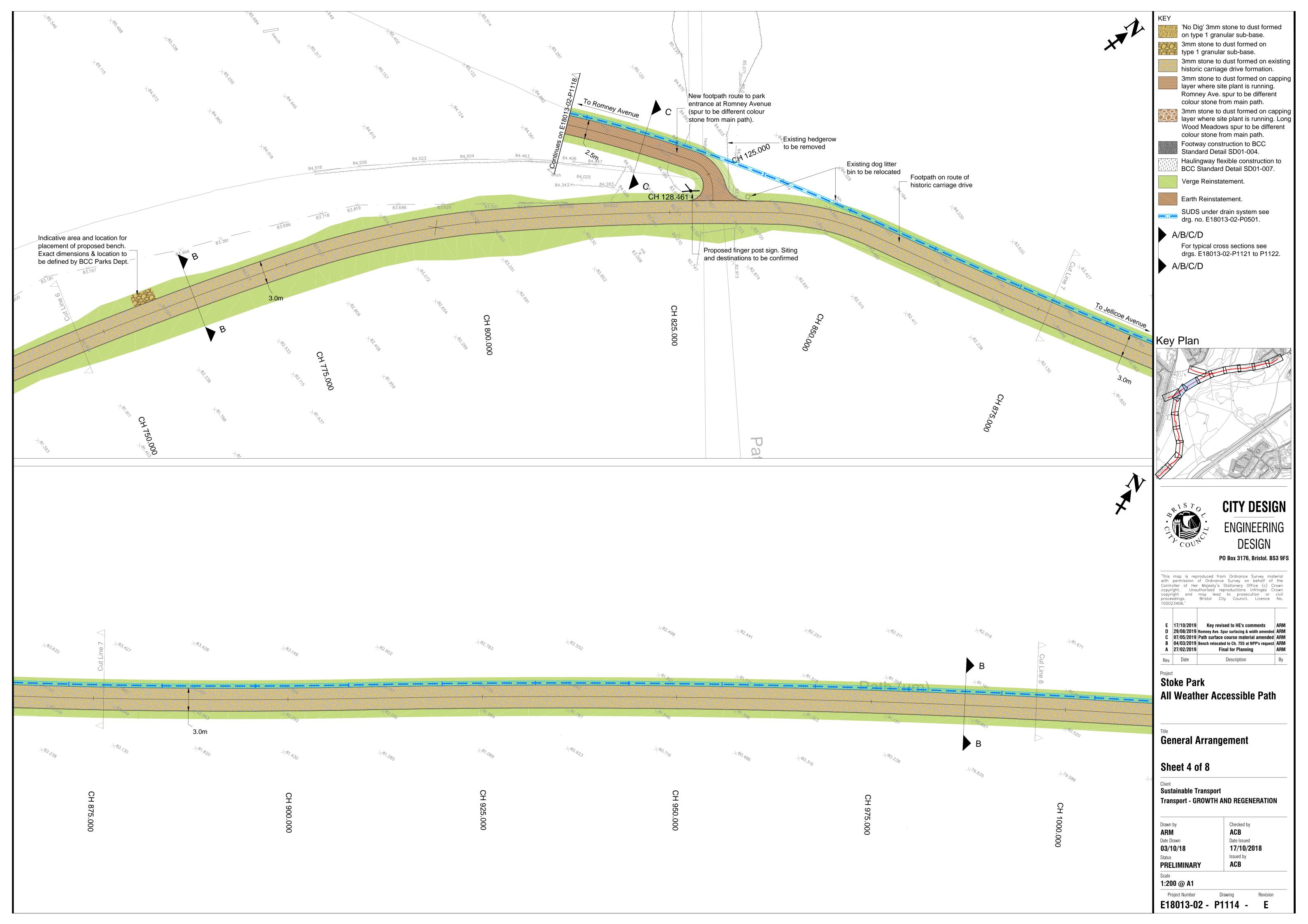


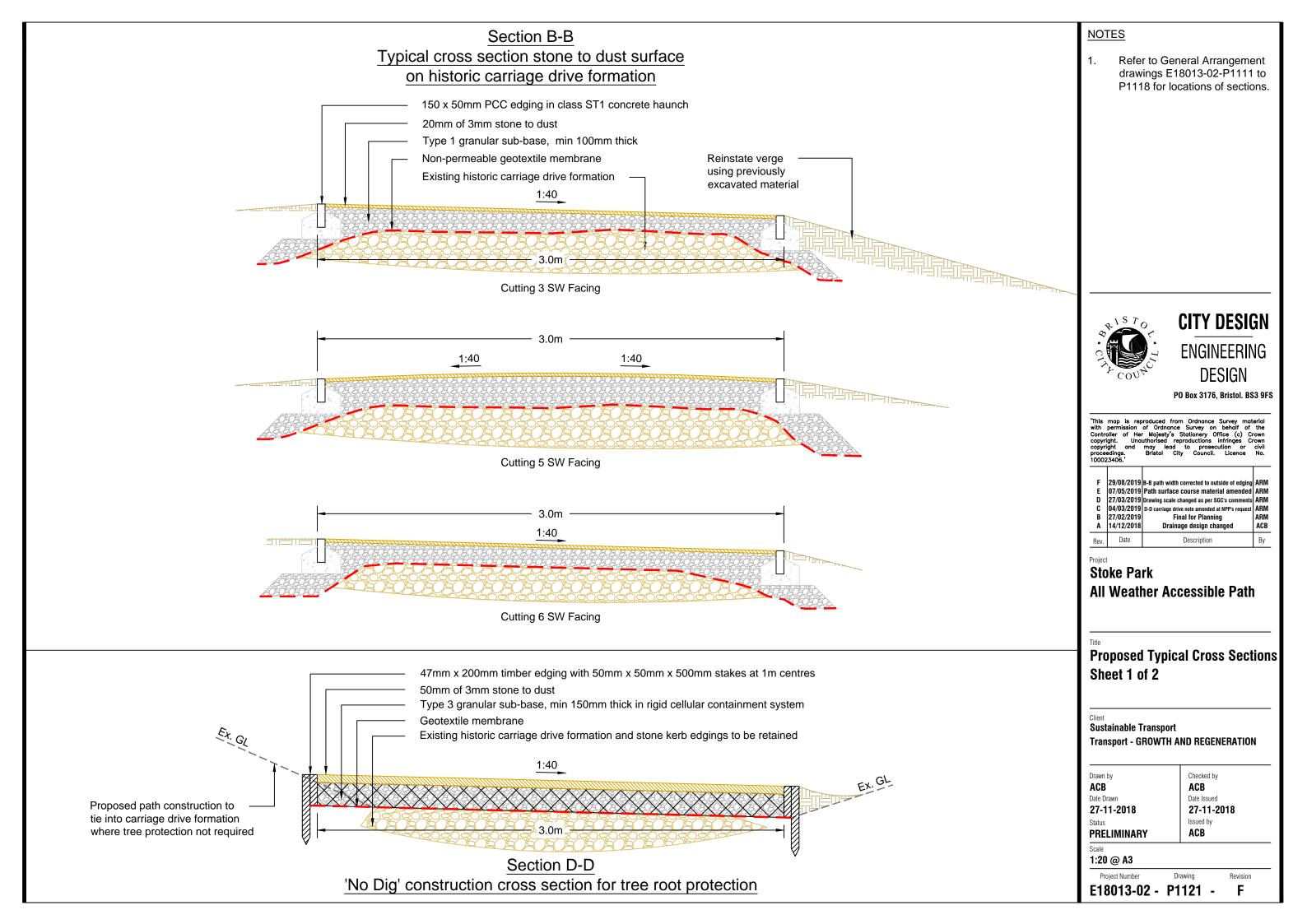


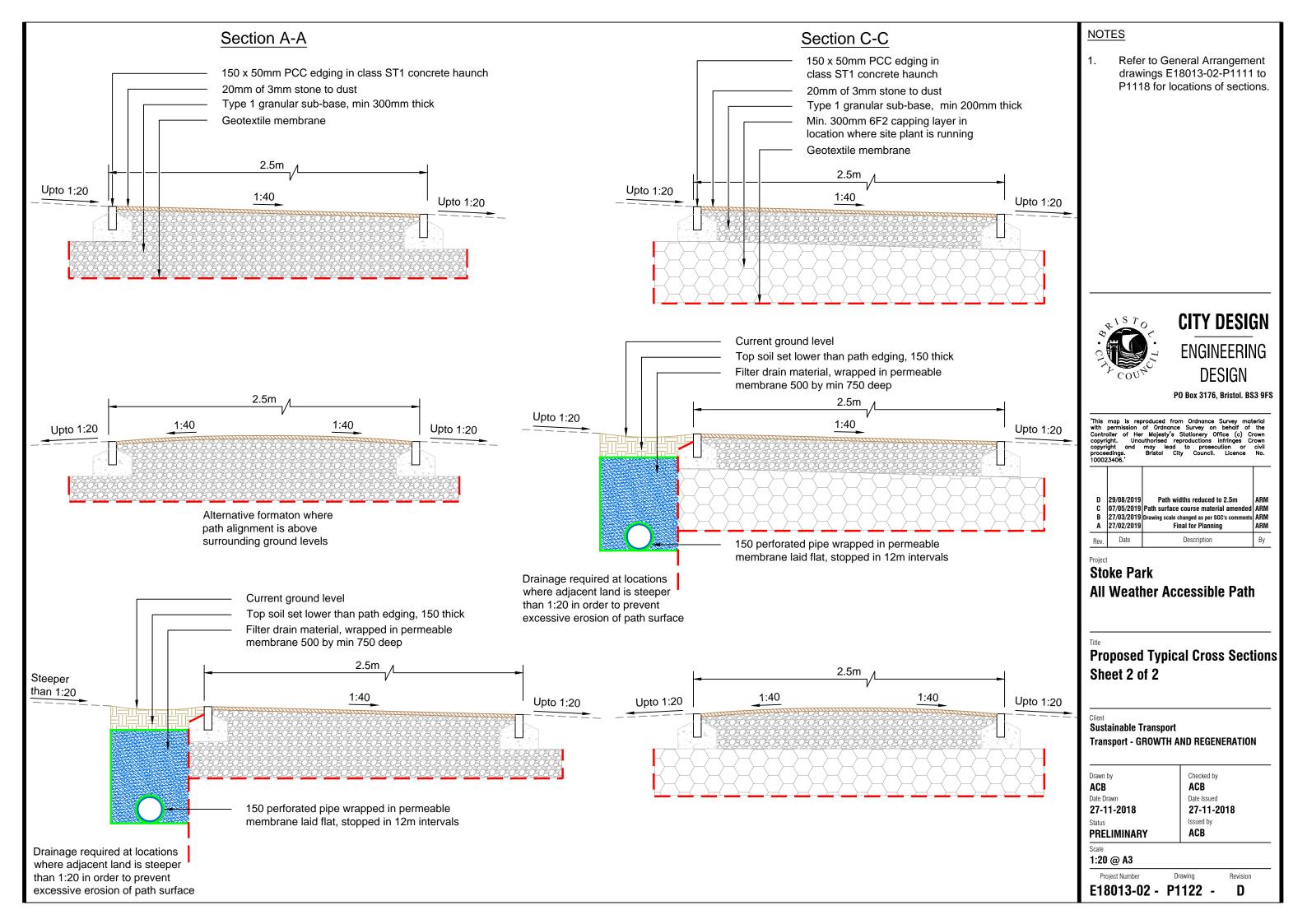


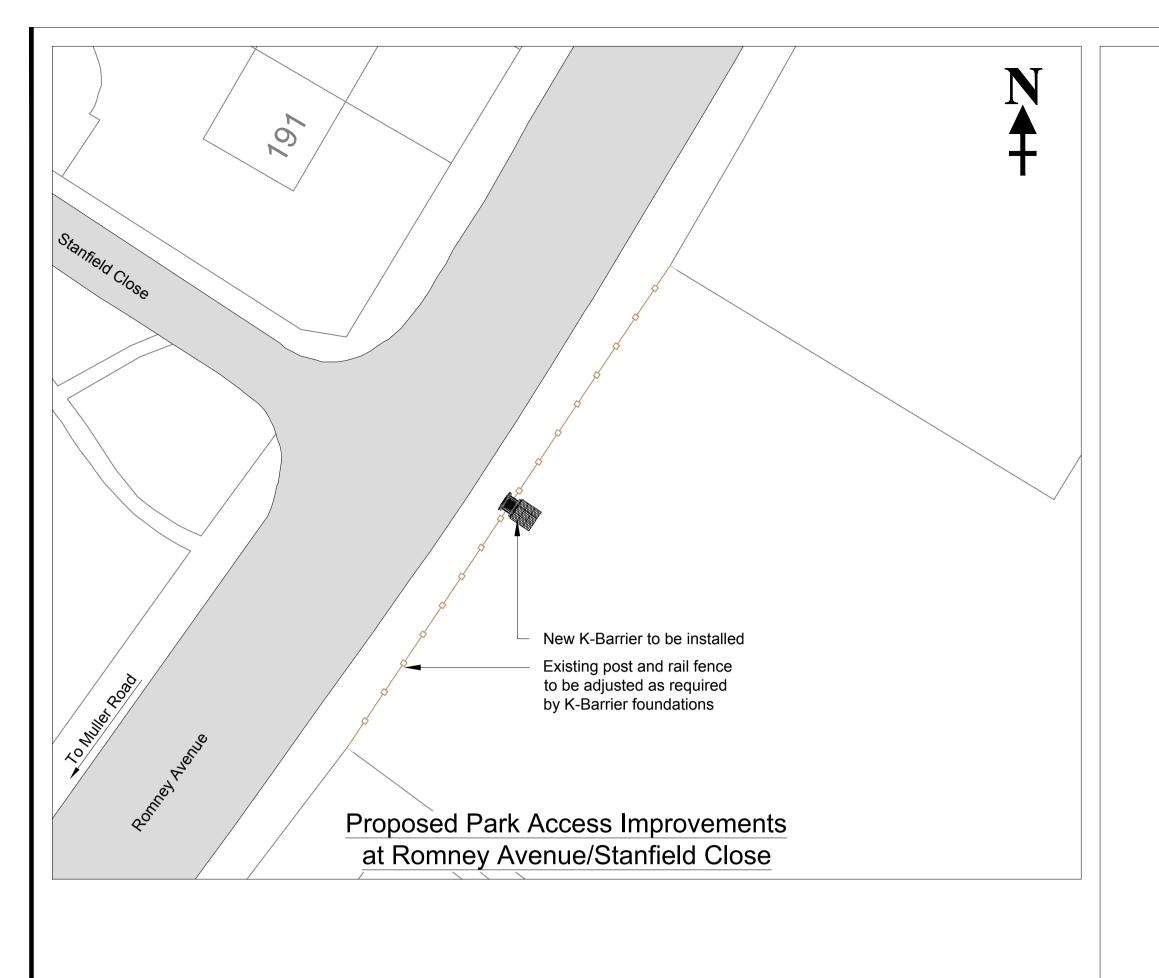


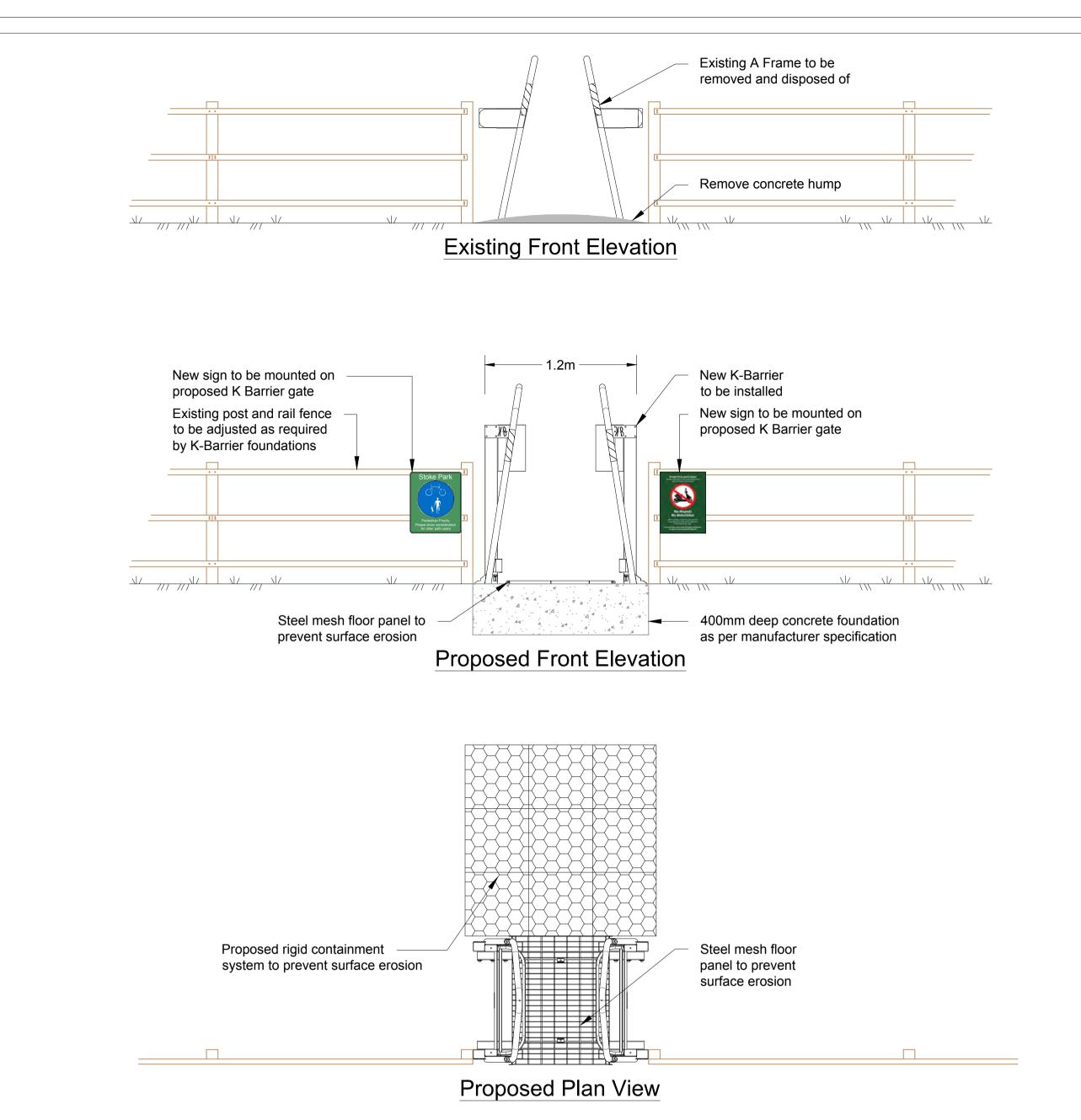


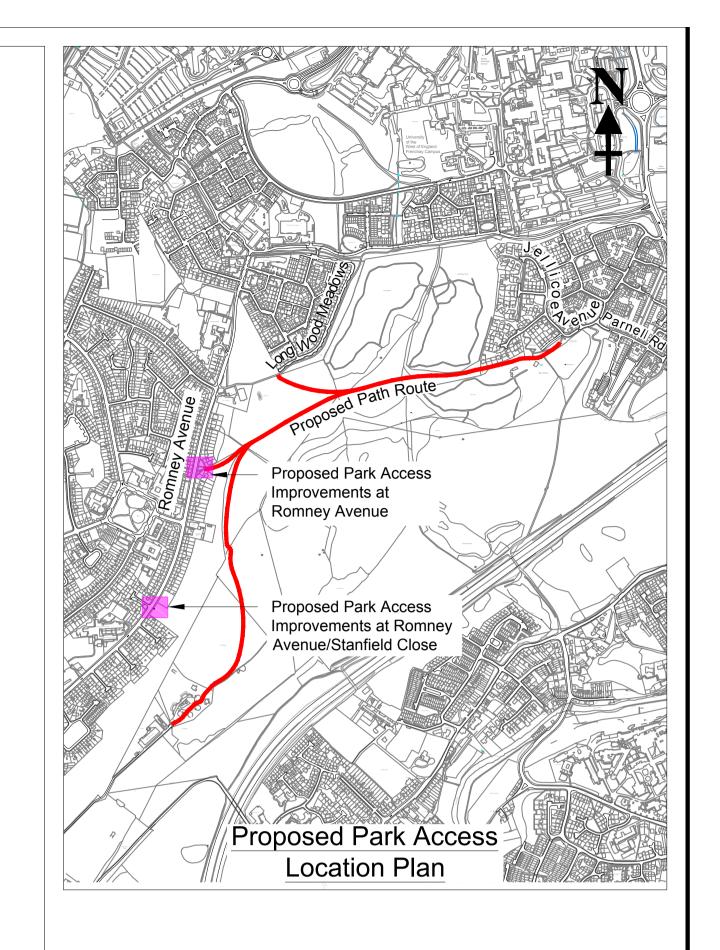


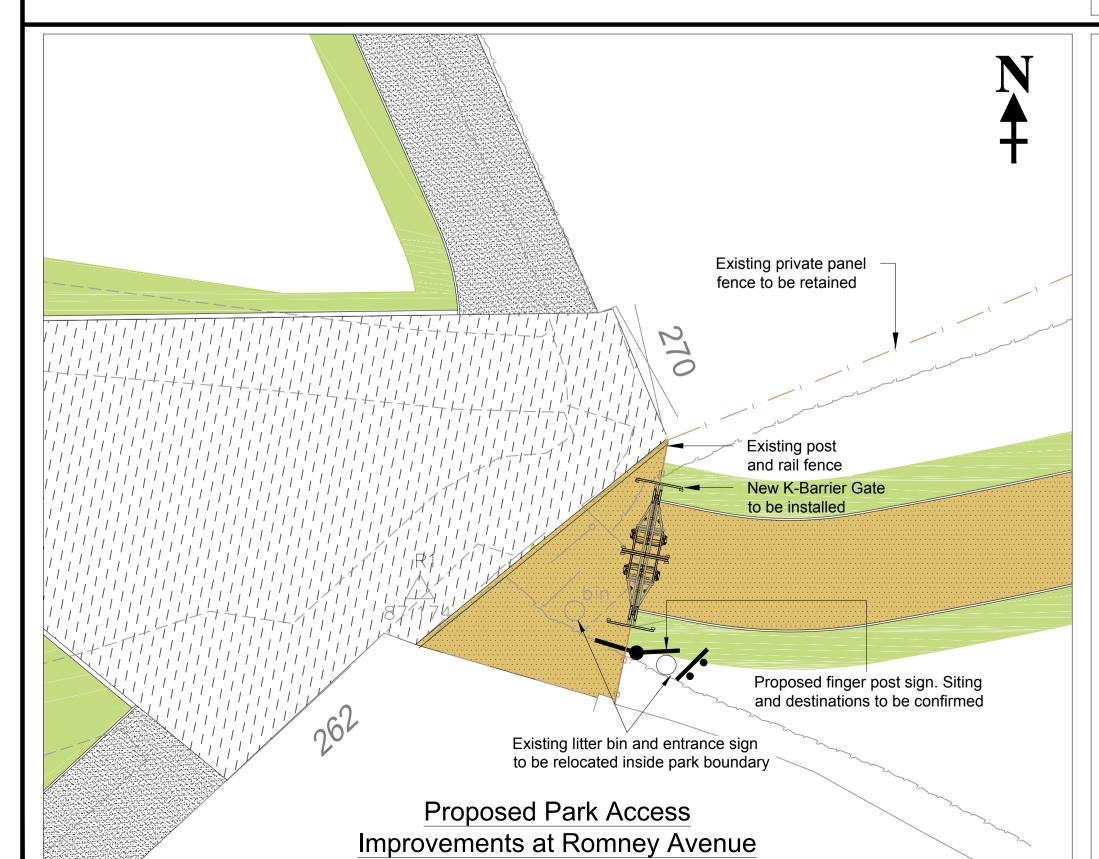


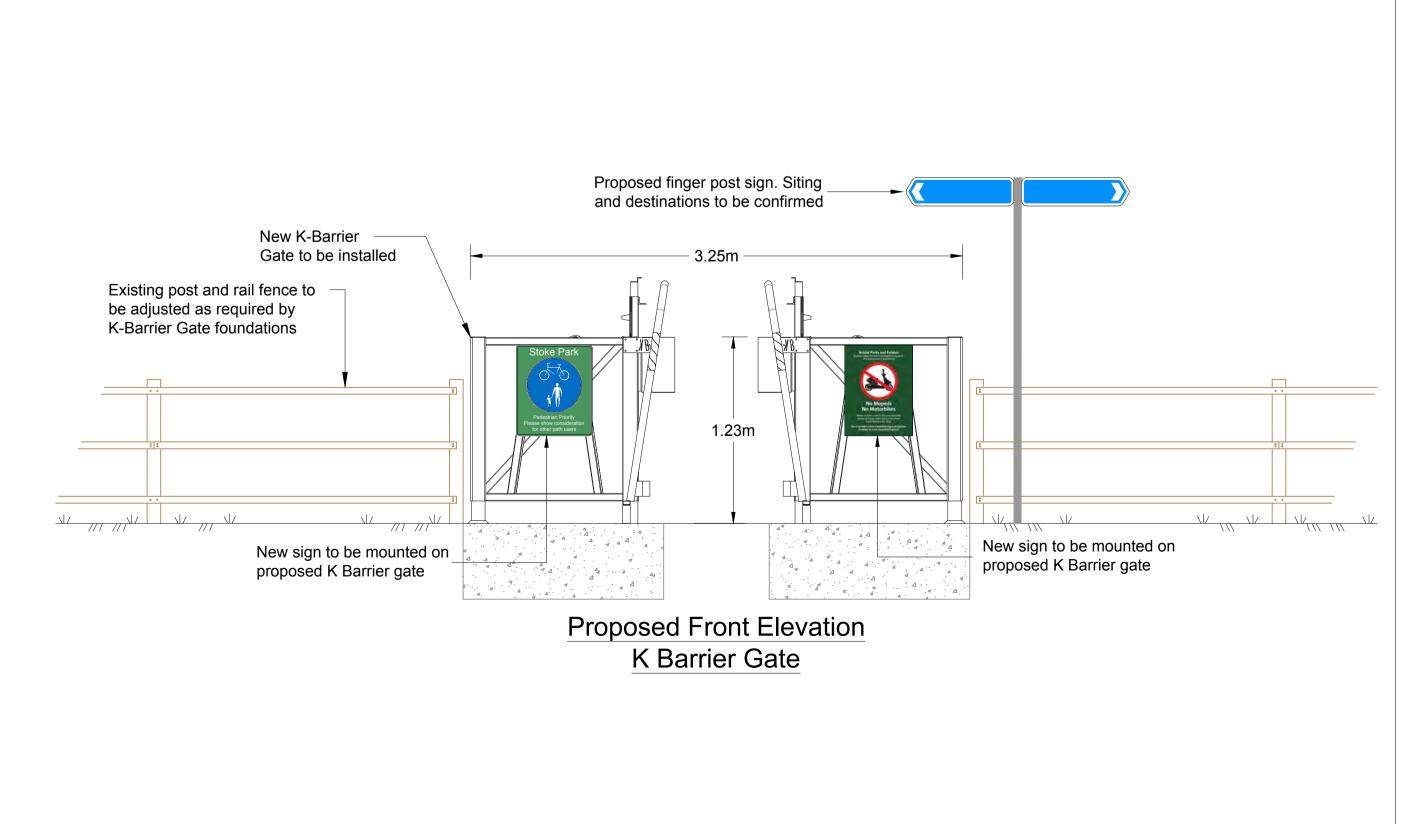


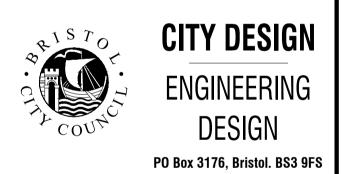












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A 27/02/2019 Final for Planning ARM

Rev. Date Description By

Project

Stoke Park
All Weather Accessible Path

Park Access Details
Sheet 1 of 3

Strategic Transport

Transport - GROWTH AND REGENERATION

ARM
Date Drawn
19/12/18
Status
PRELIMINARY

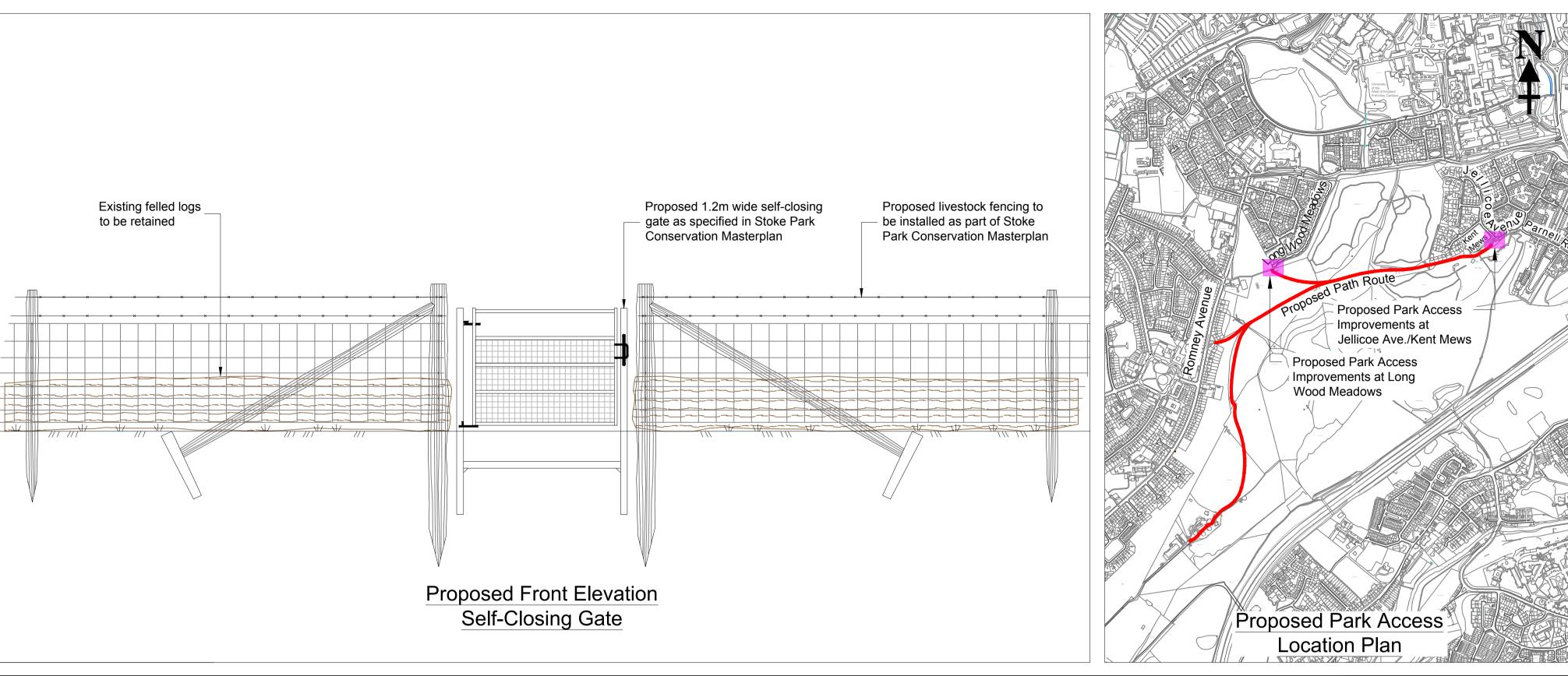
ACB
Date Issued
17/01/19
Issued by
ACB

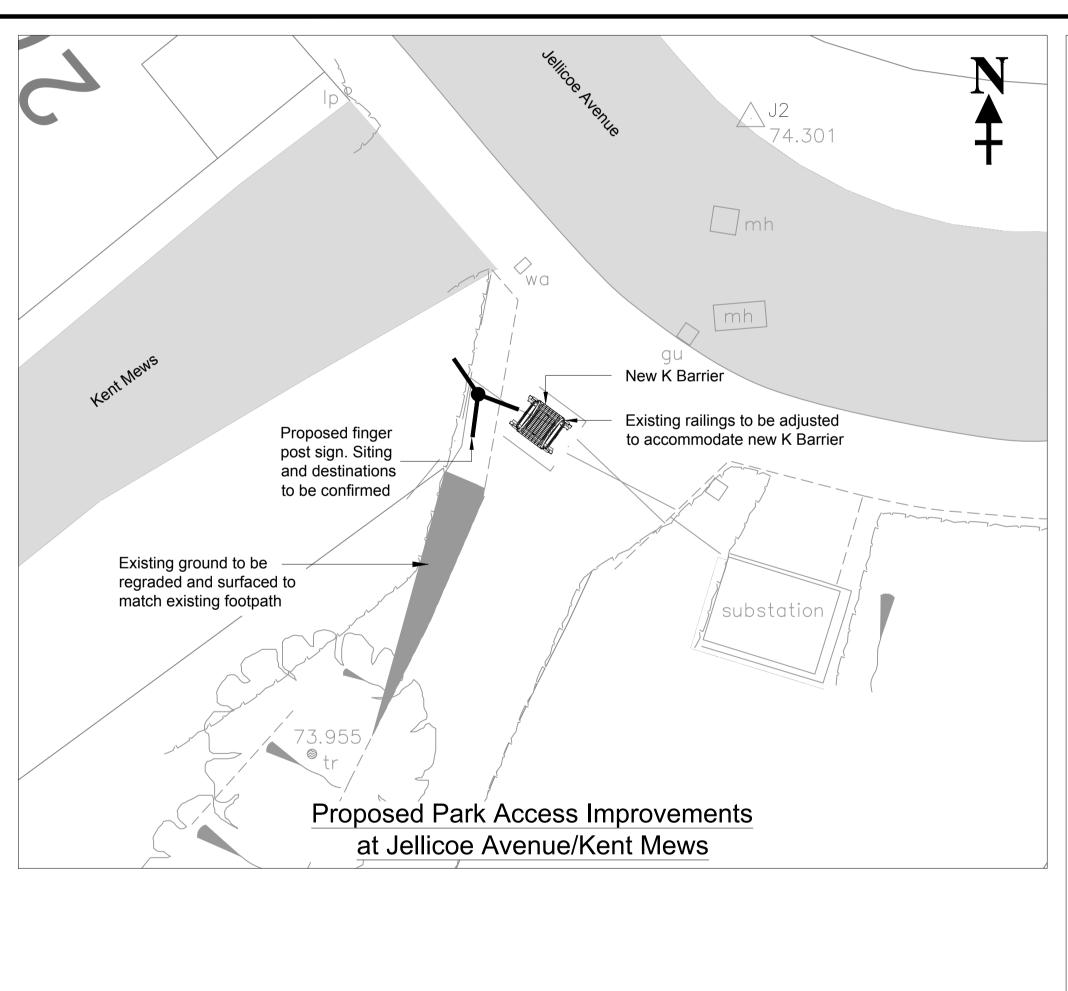
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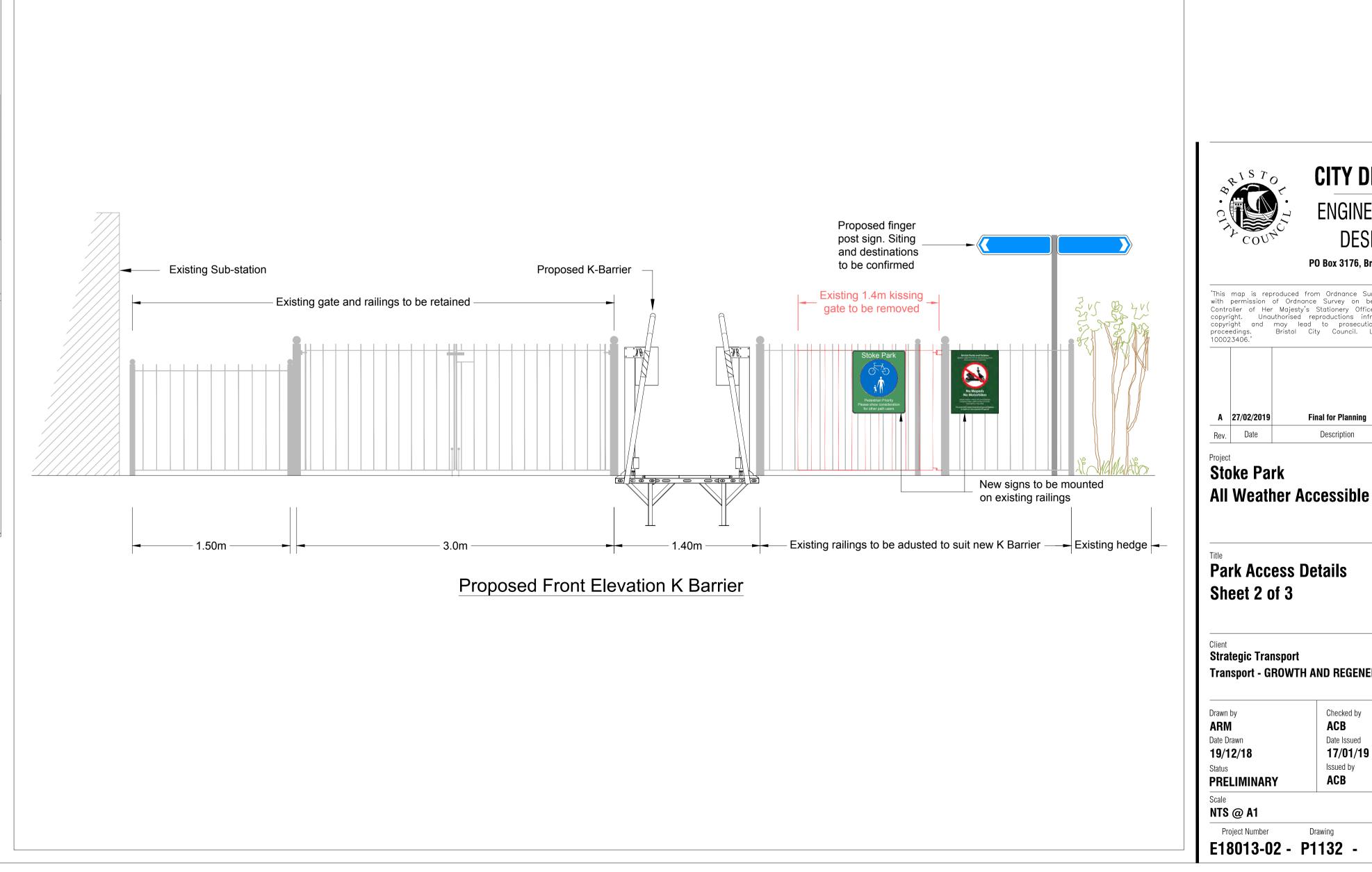
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E18013-02 - P1131 -

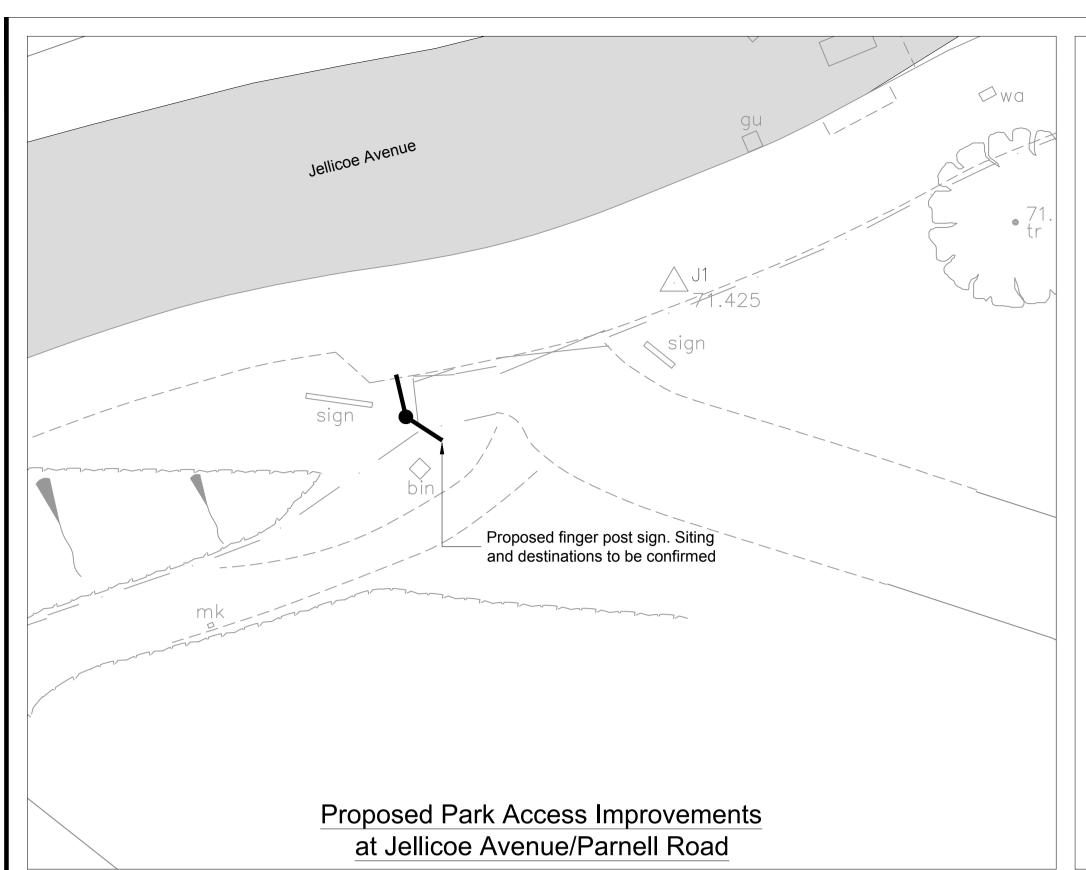


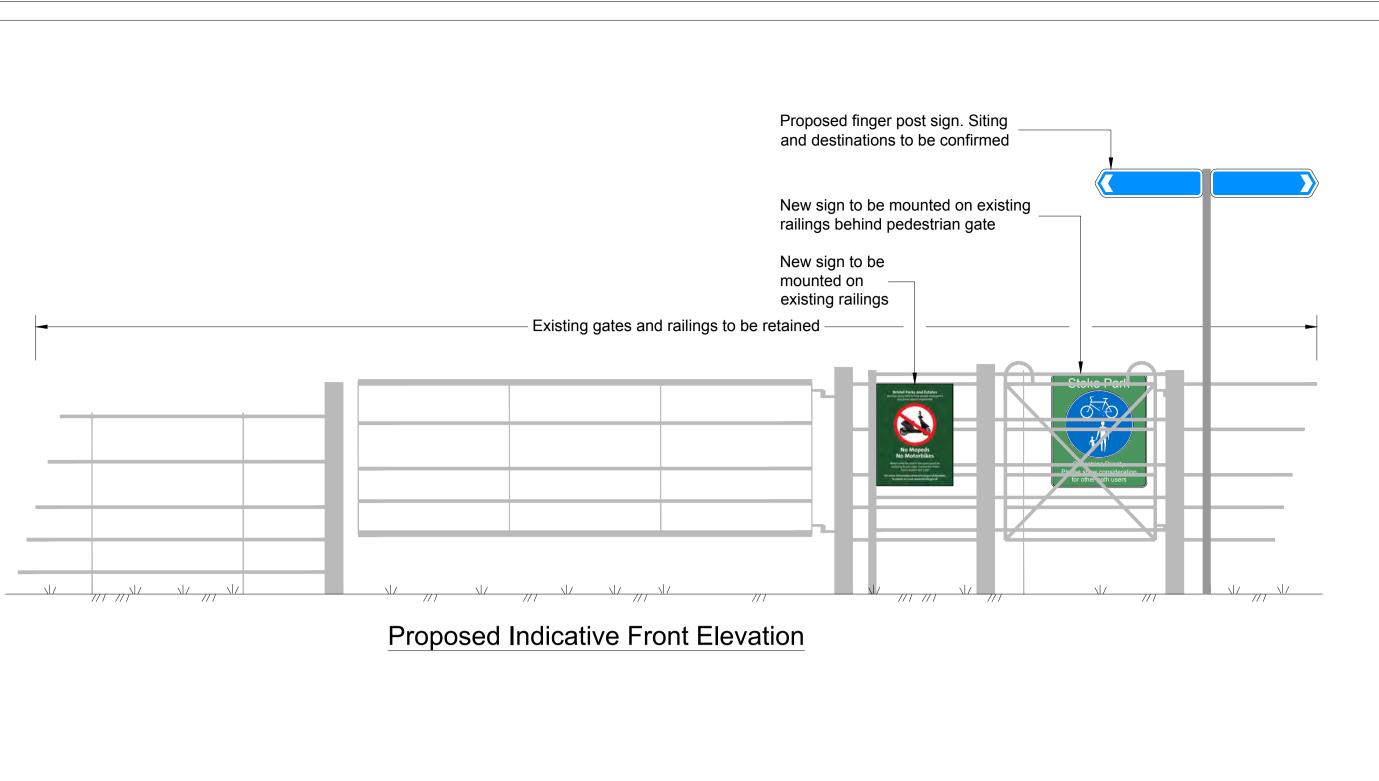


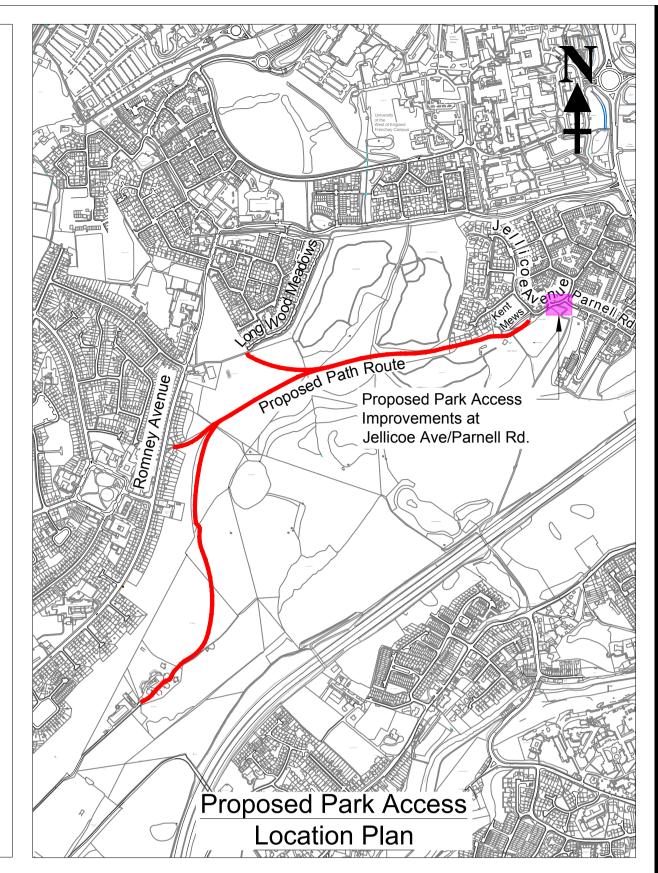


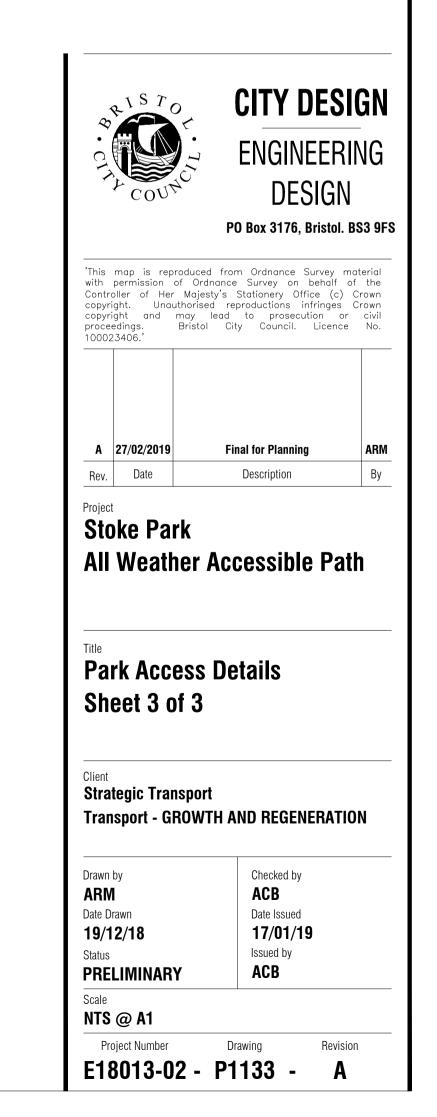


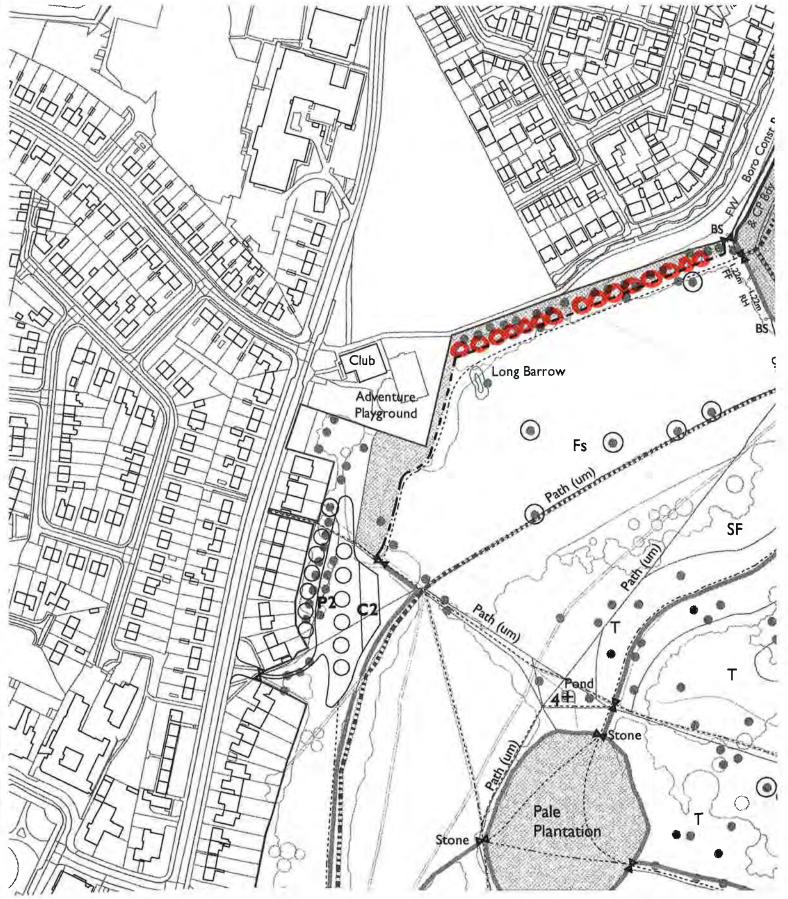












BRISTOL CITY COUNCIL: Stoke Park Accessible Path

Sketch drawing BCC.177.SK01 1:2500 (extract from Conservation Management Masterplan)

Proposed Replacement Tree Planting



15 no. *Tilia cordata*, small leaved lime, seed origin, not grafted, UK grown, 10 -12 or 12-14 cm girth standard tree with timber stake, planted in 2m diameter cleared area with 75cm deep composted bark chip mulch, spiral rabbit guard, maintained weed free and watered for three years, when stake removed. Planted to south side of elm belt, set back 2m from new livestock fence. As per 2016 CMP proposals 6.6.4i and 7.6.6.iv.