

Public Forum

D C Committee A

15th December @ 2pm



Members of the Development Control Committee A

Councillors: Richard Eddy (Chair), John Geater, Paul Goggin, Fi Hance, Tom Hathway, Philippa Hulme, Steve Pearce, Ed Plowden, Andrew Varney and Marley Bennett

Copies to: Zoe Willcox (Director: Development of Place), Gary Collins, Matthew Cockburn, Laurence Fallon, Stephen Peacock (Executive Director for Growth and Regeneration) and Claudette Campbell (Democratic Services Officer)



Statements/Petitions/Questions

No.	Name	Page	Speakers	Application
No.21/03020/F St Mary Le Port				
QU01	Mark CD Ashdown – Tree Forum	P 1-4	S	
	Statements List			
1	Simon Hickman	p.5	S	
2	Russ Leith	p.6		
3	Fraser Bridgeford	p.7	S	
4	John Tarlton	p.8	S	
5	Mark CD Ashdown	p.9	S	
6	Vassili Papastavrou	p.10		
7	John Payne, Bristol Civic Society	p.11		
8	Roz Bird, Commercial Director, MEPC	p.12	S	
9	Rosie Walker Woodlands Trust	p.13		
10	Stephanie French	p.14		



Development Control Committee A – 15th December 2021

Response to Bristol Tree Forum Questions

1. Can you confirm that no evidence has been submitted which would justify the removal of trees identified as T24, T25 & T47 in the applicant's arboricultural evidence because, it has been alleged, they are causing damage to the nearby ancient remains of St Mary le Port church and a nearby mediaeval cellar?

The Applicant's proposed tree removal in respect of T24, T25 & T47 has been informed by the provision of site visits, surveys and reports undertaken by its professional project team, including TEP (arboriculturalists) and FBCS Heritage, and engagement with Bristol City Council (BCC) and Historic England. The Applicant has had sight of two reports, commissioned by BCC, but which are not publicly available:

- St Mary-le-Port, Castle Park, Bristol: Photogrammetric Survey & Interpretation (Wessex Archaeology, December 2017)
- St Mary Le Port, Castle Park, Bristol: Condition Summary, Schedule and Specification of Proposed Works to Ruins (Wild Conservation, 18 November 2016)

FCBS (Heritage) has also undertaken numerous site visits, including some within the High Street vaults. These site visits have been attended by Officers of BCC and/or Historic England.

Background to T24, T25 & T47

T24 & T25

These two mature London plane trees are located within the centre of St Mary le Port ruins and are identified as Category A trees, 17.0m and 16.0m in height respectively. Further commentary on the condition and form are provided in the Arboricultural Impact Assessment (TEP, May 2021), including references to roots being "*visible and girdled in surrounding hard surfacing*" of the St Mary le Port Church ruins.

It is understood that, sometime during 2020, BCC Surveyors took action to prevent the collapse of the St Mary le Port Church graveyard wall and in a bid to limit further impact to the south chancel wall, the southern most tree, T23, was felled leaving just the stump. It is understood T23 was planted in around 1973 sat over the ancient graveyard and an historic area of soil. By contrast T24 & T25, two larger trees in the ruin, also planted in 1973, developed more rapidly due to the contemporary re-filling of the ground within the church. This, it is thought, allowed the trees to more readily develop extensive and expansive root systems.

T47

This mature London plane tree approximately 19.0m in height is located to the south west of the site, within the pavement area of High Street. It is also recognised as Category A. Further commentary on the condition and form are provided in the Arboricultural Impact Assessment (TEP, May 2021), including references to "*large roots being visible in hard surface have pushed up surrounding tarmac*".

The impact of T47 upon the High Street vaults beneath was identified in May 2020 when FCBS Heritage gained access to the vaults for inspections ahead of design work. BCC were seemingly unaware of the issue before this. An initial note was prepared by FCBS Heritage and passed on to BCC (1968 – High St Vaults, note for BCC (FBCS, 22 July 2021)). Photographic evidence within this note illustrates roots protruding into the High Street vaults and clearly damaging its structure. Historic England’s Monuments Officer has acknowledged the damage by the roots and could be sufficient to place the monument on the ‘Heritage at Risk Register’. Historic England’s Monument’s Officer supports the removal of T47.

Application documents addressing T24, T25 & T47

Arboricultural Impact Assessment (TEP, May 2021)

The Applicant has submitted an Arboricultural Impact Assessment as part of the application which includes the following commentary:

“2.11 The London planes are visually prominent from all aspects of the Site with broad, spreading crowns. They are all affecting the paving flags, blocks and tarmac to some degree with trees on High Street and Wine Street in particular causing substantial displacement of the existing surfaces. T47 is also damaging the walls of a historic vault which is a Scheduled Monument underneath High Street.” [emphasis added]

“3.12 Trees T24, T25 and T47 are currently causing damage to the Scheduled Monuments of the vaults and St Mary le Port and are proposed for removal regardless of development.”

Non-application documents addressing T24, T25 & T47

St Mary-le-Port, Castle Park, Bristol: Photogrammetric Survey & Interpretation (Wessex Archaeology, December 2017)

In 2017, Wessex Archaeology was commissioned by BCC to prepare a report for building recording and not condition or defects. However, the report does note that the trees and vandalism are impacting the ruin. The Applicant considers such notes/references would only be made if these were of serious concern to the asset.

“1.2.3 The present site is somewhat overgrown, although in advance of the survey the majority of scrub growth adjacent or on the Church had been removed. Plane trees have been planted in the past as part of the park landscaping. Several fairly mature trees are situated within the footprint of the building and one within the graveyard area. The interior ground surface is a combination of concrete slabs and grass. The slabs are becoming displaced by a mixture of root growth and vandalism. In recent years stones have been knocked from walls by vandalism, causing damage to historic fabric. The surrounding 1970s consolidation works, particularly along the east side of the ruins, is also starting to break-up” [emphasis added]

“4.8.5 To the south of the north aisle north wall, the present ground surface is a mixture of grass and concrete slab pavement. The pavement areas are becoming uneven due to the effects of tree roots from the large plain [sic] tree and subsistence.” [emphasis added]

St Mary Le Port, Castle Park, Bristol: Condition Summary, Schedule and Specification of Proposed Works to Ruins (Wild Conservation, 18 November 2016)

In 2016, Wild Conservation was commissioned by BCC to carry out an assessment of the condition of the fabric of St Mary le Port ruins. It is important to note that the brief for this report required the stone mason surveyor to provide a scope of work that sought to address urgent repairs only, however tree damage is noted in several instances within the report. The overall recommendation is to remove some trees and manage others. Although the report does not explicitly identify which trees it is apparent from the impact to the ruins that the three formally planted trees should be either removed or their canopies cut right back so as to prevent any overhanging element to the ruin walls.

“Recommendations

- *Provisional sums should be included for unforeseen areas of repair or intervention.*
- *Vulnerable masonry on the bank is unsafe and public access should be physically discouraged with fencing or otherwise.*
- *Trees and shrubs should be killed off before any works starts, to allow roots to decay.*
- *Budgeting should be put in place for future maintenance including foliage management, graffiti cleaning and stabilisation of loose material.” [emphasis added]*

“2.0 Low Walls... The site is sheltered from adverse weather conditions although due to the prominence of mature trees and an excessive amount of foliage, some areas remain damp longer than others” [emphasis added]

“2.6.2 East Wall... The corner is of a rounded profile and has become detached as one nub of masonry from the wall, possibly caused by tree roots” [emphasis added]

“3.1 South elevation... Elder and buddleia are present on the south wall along with creepers trailing from the overhanging plane tree above. Plant growth has encouraged a damp environment leading to erosion of bricks and mortar. Loose algae growth and dirt cover the wall surface.” [emphasis added]

“3.2 East elevation... There are several instances of aerosol paint graffiti on the brickwork. The site is in semi permanent shade offered by several mature trees. The damp environment has resulted in loose organic coating on the wall surface and small shrubs and weeds colonising the wall, exploiting any open joints.”

2. Have any ecological and arboricultural reports or comments been prepared by council officers in response to this application? If so, please make copies available before the meeting.

Ecological and arboricultural comments have been prepared by council officers and these form part of the record of the application. They have been available on the public website since 5th July (ecology) and 2nd December (arboricultural). The comments received are incorporated into the Committee report.

3. Which Biodiversity Net Gain Metric calculation will the committee accept when considering this matter - version 2.0 or 3.0?

The planning application was prepared (and involved dialogue with BCC Ecology (Dr Nicholas Michael) on EIA Scoping) and submitted in May 2021 and assessed the BNG using version 2.0 which was applicable. Maximising BNG delivery is a significant consideration during the iterative design of the SMLP proposals and the extent of BNG that could be delivered was based on multiple iterations of Metric 2.0.

Version 3.0 was introduced following submission. Natural England guidance on BNG 3.0 states:

“Users of the previous Biodiversity Metric 2.0 should continue to use that metric (unless requested to do otherwise by their client or consenting body) for the duration of the project it is being used for as they may find that the biodiversity unit values metric 2.0 generates will differ from those generated by Biodiversity Metric 3.0”.

There has been no request from Bristol City Council to switch to Metric 3.0.

4. What is the minimum percentage of Biodiversity Net Gain the committee will accept when considering this application?

The Environment Act 2021 references a mandatory 10% BNG, but the PAS advice notes on BNG state:

“Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023”¹

As a result, the 10% BNG stated in the Environment Act is not yet a legal requirement and won't be until the Town & Country Planning Act amendments become law.

The National Planning Policy Framework (July 2021) paragraphs 174(d) and 179(b) sets out that plans should deliver gains for biodiversity but the NPPF does not reference a specific percentage BNG.

There is no mandatory BNG figure stated within BCC's development plan policies. The BCC Ecology response to the Scoping Opinion (see email from Dr Nicholas Michael dated, 30 November 2020) states:

“Planning applications submitted to Bristol City Council should demonstrate a positive biodiversity gain when using this [i.e. metric 2.0] metric.”

The application is compliant with this requirement.

¹ <https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain>

DC A St Mary Le Port

From: Simon Hickman – Historic England

Historic England are objecting to this scheme, but we're objecting with a heavy heart.

There's a lot to admire here: the restoration of the ruined church tower, a beneficial new use for the scheduled medieval vaults, the permeability, the connections to the park and the Old City.

But it's just too big.

This was a densely developed part of the city prior to the devastation of World War II. It had a grain made up of lots of little individual buildings of different size and scale, not dissimilar to the surviving part of the Old City opposite around St Nick's market. The Council's SPD for the area asks for that lost grain to be restored. But this scheme does not do that.

Take two floors off buildings B and C, get some articulation in rooflines, and Historic England would enthusiastically endorse this scheme.

But as it stands, it's not good enough. Bristol deserves better.

We do think there is scope for buildings of some scale on this site – such as where the Dutch House once stood by the High Cross.

But it's the shoulder buildings, next to Bristol Bridge and fronting Wine Street, that are too big. Here the development needs to step down in order to assimilate with the historic context. Building B could be quite interesting, but as proposed it would overwhelm the setting of St Nicholas's church opposite.

We urge you to recommend refusal of these plans, and encourage the developer to work with Historic England and the council to come up with a revised scheme that respects the unique character and appearance of our city.



5 Southey House
Wine Street
BS1 2BQ

08 December 2021

For the attention of Development Control Committee A

Statement Supporting Application: 21/03020/F

As spokesperson for Friends of Castle Park (FOCP) FaceBook group (with 1,300 members) and as a resident living on Wine Street, I have considerable interest in this development and a strong opinion about it.

FOCP have had several face to face and zoom meetings, phone calls and emails with MEPC; it was clear throughout the process that MEPC were intent on understanding our views and accommodating our ideas. They were keen to learn about our concerns regarding the development and responded positively to our suggestions for integrating the buildings within Castle Park, whilst respecting the historical significance of the area. It is evident that the development will enhance the West end of the park and will contribute to making it a more welcoming and safer place. MEPC have clearly demonstrated commitment to working with us to provide an outstanding development for Old City. All aspects of MEPC's engagement with us have exceeded our expectations.

I have published several posts about the St Mary le Port development on FOCP FB group, which has given me an insight into a wide range of opinions from our members about this proposal. An analysis of responses shows that of members who reacted or commented on this proposal, there was a ratio of approximately 10:1 in support of *Application: 21/03020/F*.

As a resident of Wine Street and a frequent user of Castle Park, I have to live with the unfortunate consequences of the current dilapidated buildings on this site, which blight my neighbourhood.

It is well documented that tagging and graffiti, are the first signs of an area becoming run down. This leads to more serious crimes being committed, which eventually spreads throughout the neighbourhood leaving entire areas looking neglected and undesirable.

The derelict nature of the site at present is attracting a growing number of unpleasant characters, who are involved in a range of criminal activities, including needle use, class A drug dealing, knife crime, sexual assault and an assortment of antisocial behaviours.

If this proposal is rejected, my fear is that it could take another 30 years to find a developer, by which time large parts of Old City will be suffering a similar fate.

Additional evidence

Analysis of the answers given to the questions asked, when new members apply to join Friends of Castle Park FaceBook group, are as follows:

Q1. 'What don't you like about Castle Park?'

Shows that from 698 responses, 143, more than 20% have concerns about safety and security.

Q2. 'How could the park be improved?'

109 of 491, over 20% of responders cited security/safety/lighting/CCTV in answer to this question.

It is my belief, based on four years observing the issues in Castle Park, that a large part of these concerns stem from the neglected condition and dangerous environment that surrounds the St Mary le Port ruin and the abandoned Bank of England and Norwich Union buildings.

Yours faithfully

Russ Leith and Fraser Bridgeford to speak to the statement

Capricorn Place
Hotwell Road,
Bristol
BS8 4UA

12th December 2021

Application Number: 21/03020/F
Address: St Mary-le-Port Wine Street Bristol BS1 2AN

I would like to re-iterate some of the points that I made in my letter of support for this application.

Fifteen years ago, I started my active community involvement in Bristol by forming the group that has successfully rebuffed previous outlandish planning applications for the St Mary-le-Port site. Planning applications and design ideas were submitted that proposed building on up to 25% of the current park. Others had major running roads through the park and generally disregarded the immense value that the park has for Bristol.

I am very pleased that the proposal that is before committee not only protects the existing park but enhances it with careful consideration being given to the interface between the development site and the park itself.

Several members of the original 'Castle Park Users Group' have submitted comments and have taken part in the consultation exercise and they are of the same mind. This is a development fit for the park.

We set out with the motto:

Keep Castle Park Green

I'm looking forward to getting our T shirts reprinted with:

Kept Castle Park Green

There needs to be an agreed sum set aside for the landscaping and improvement of Castle Park between St Mary-le-Port church and St Peter's church to ensure that the opportunity to fully address the issues with this area is not missed. This should be of a higher priority than the proposed highways improvements in the area.

I urge you to support this application.

Regards

Fraser Bridgeford

DC A Committee 15th December

St Mary Le Port

John Tarlton

Planning policy DM17 of the local plan, Core Strategy Policy BCS9, and the Planning Obligations SPD state that where tree loss is essential to allow for appropriate development, replacement trees should be provided in accordance with the tree compensation standard (the Bristol Tree Replacement Standard). Where “on site” replacement is not possible, trees should be replaced offsite.

Though payment into S106 may be made to fund offsite replacements, DM17 and the SPD are very clear that trees should be replaced.

If for whatever reason trees cannot be replaced either onsite or offsite, for instance due to a lack of suitable sites, paying into S106 does not represent compliance with DM17.

The developers commit to replacing the trees lost in hard standing (at a cost of £3318.88 per tree) with 63 offsite trees in accordance with the compensation standard. However, within the permitted area (within one mile of the site) there are only 6 replacement sites currently available.

We ask that the Development Committee insists that the applicant provides the exact location of all replacement trees, and that each of these should be approved by the relevant landowner before planning approval is given. If precise locations cannot be provided the application should be rejected as it will have contravened DM17, BCS9 and the Planning Obligations SPD.

Professor John Tarlton, BSc, PhD



*The plane ‘introduced among us from a foreign clime for nothing but its shade’.*¹

There are 28 trees, all growing in hard standing, on the proposed development site. All but three of them plane trees. The Council is their custodian on behalf of the citizens of Bristol - these trees belong to us.

As well as having obvious public amenity value, these trees also provide important ecoservices: they provide nearly 6,000 sq. feet of canopy cover to shade us, mitigate rainfall and absorb pollution. Over the last 60 years or so they have also sequestered the equivalent of over 200 tonnes of carbon. If these trees are saved, they will continue to do so, even as our city grows hotter and suffers more and more extreme weather events. If they are lost, we estimate that some **336 new street trees**² will need to be planted to replace them in order to provide these lost ecoservices once they reach maturity, which will take at least 30 years. Sadly, there is little realistic hope that this will happen.

Onsite Trees	Tree Count	Sequestered CO2e (tonne)	Tree Canopy Cover (sq. m)	BNG Habitat Area (sq. m)
On site	28	206	5,925	2,696
To remove	14	90	2,653	968
% lost	50%	44%	45%	36%
Small (10 cm) trees needed to replace lost CO2e after 30 years				336

The developer says that 10 of these trees need to be removed because they are in the way. four more will be or have already been removed³ because they are alleged to be causing damage to nearby ancient ruins - St-Mary-le-Port Church and a mediaeval cellar. However, no evidence has been produced to support this.

Planning policy DM17, derived from Core Strategy Policy BCS9, states 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 tree compensation standard...*’

In our view there is no need to remove any of these trees. The development can be built around them. There is certainly no excuse to remove the three trees alleged to be damaging ancient structures.

We do not accept the applicant’s Biodiversity Net Gain calculation, yet the Council has been given no reason to show why it prefers the applicant’s calculation over ours. This controversy should not be ignored.

The developer’s proposal to mitigate the loss of these trees by planting new trees offsite is unviable and unrealistic because there are no suitable alternative sites nearby. This application should be refused because it fails to comply with planning policies BCS9 & DM17.

¹ https://en.wikipedia.org/wiki/Platanus_orientalis

² The calculation is based on the DBH’s of each of the 14 trees being removed and replaced by Prunus avium street trees which will replace the CO2e lost at the end of 30 years - <https://bristoltrees.space/trees/tree-benefits/interactive.xq?>

³ One tree was felled by the Council last year, though the applicant has agreed to compensate for this anyway - see page 289 of the Design & Access Statement.

DC A 15th December – St Mary le Port

Vassili Papastavrou

Those promoting or otherwise in favour of this development are voting to make the centre of Bristol unliveable within the next ten to twenty years, maybe sooner.

So many large trees are being removed which are vital for keeping the centre of Bristol cool. We will all be long dead before any replacements become large. And there's nowhere to plant them anyway. It would have been easy to design the building around the existing trees and this would have resulted in a better development. Retaining important trees has been a condition of developments in other places such as Oxford and Islington with very positive results.

It is a material fact that this development is contrary to local planning policy BCS9 which says that developments should be built around existing trees.

Anyone that allows this development to go through is tearing up Bristol's Climate Emergency Declaration. Business as usual is not how you deal with an emergency. It would be a mild inconvenience for the developer to design around the existing trees and a large development would still be possible as the trees are on the very edge of the site.

**BRISTOL CIVIC SOCIETY STATEMENT TO DEVELOPMENT
CONTROL COMMITTEE A 15 DECEMBER 2021 REGARDING
21/03020/F – ST MARY-LE-PORT.**

Bristol Civic Society wishes to draw Members' attention to our response to this application. It is to be found in the External Contributors section on pages 13-15 of the report. In summary, the Society is keen to see this site brought into positive use in the city centre. There is much to commend in the proposal but we cannot support the present proposal for the following main reasons:

- It would cause substantial harm, in the Society's opinion, to the setting and views of the medieval church spires and listed buildings particularly when viewed from the east in Castle Park.
- The overall adverse effect on the City and Queen Square Conservation Area.
- It would harm views from many viewpoints.

The Society would like to see the Council and the developers do further work on the proposal. There are many good points to build on but the harmful impacts of height and massing need to be ironed out in order to produce a scheme of placemaking excellence in this very important and sensitive location. In addition, although there are welcome steps taken towards achieving the Council's aims for mitigating climate change, the Society feels that the opportunity has been lost to provide an exemplary green development in a prominent location.

John Payne

Co-chair of Bristol Civic Society's Major Sites Group

Good afternoon, Chair and Committee members, I am Roz Bird, Commercial Director at MEPC, and I am proud to have lead responsibility for the St Mary le Port scheme. I also report to Federated Hermes who are the investment party that acquired the sites and will finance the scheme.

I am delighted to see the Officer's Recommendation for Approval and the positive feedback we have received, from stakeholders and the community.

It is almost three years since the initial site purchase. We have used the time to carry out an extensive stakeholder and community engagement process. We appointed a local, and very well-respected, design team to look at every issue thoroughly, with your Officers, and I wanted to take this opportunity to highlight a few areas which have had significant focus and attention.

Firstly, the site cannot be redeveloped, in a policy compliant way, without the loss of some trees. We have revised the scheme to minimise the loss, and your Officers, and Friends of Castle Park, agree our approach on this, including significant replacement planting.

Secondly, positive environmental and social outcomes are at the heart of everything we do. The new development will be BREEAM Excellent but aiming for BREEAM Outstanding. We are achieving 85% Biodiversity Net Gain, at practical completion, but plan to go beyond this with our Environmental Net Gain proposal, working with local stakeholders, to look after nature, long term.

In terms of social outcomes, we are working with Creative Youth Network to fund youth work initiatives for people meeting in Castle Park; we are offering 10% 'affordable retail' units at 30% discount to market rent, for the first five years, providing opportunities for independents and start-ups in a prime location; and for the local community, we have worked really hard with Friends of Castle Park on public realm and park investment.

Thirdly, our scheme will provide valuable employment space, in a key location, surrounded by existing retail, leisure, and residential accommodation all within a 10-minute walk, and therefore contributing, and supporting, a strong, mixed-use, heart of Bristol.

Once the S106 is signed, and permission issued, we will move swiftly to the demolition of the existing buildings which will represent a major step in the delivery of this important scheme.

I would like to take this opportunity to thank the City Council Officers, local councillors, Friends of Castle Park, the BID, Bristol Tree Forum, the Civic Society, the Bristol Walking Alliance, and the wider community, for their detailed and positive engagement throughout.

We look forward to delivering the scheme with you all. Thank you for your time.

RE: Planning Application Bristol council planning 21/03020/F Alternative
Reference PP-09655893

Address: St Mary-le-Port Wine Street Bristol BS1 2AN
Statement from the Woodland Trust 15th December 2021
Stance: OBJECT



We highlight our concerns regarding the impact of the proposals for the redevelopment of a large site around the ruins of St Mary le Port and the planned removal of trees. The Woodland Trust supports improvements made to our towns and cities for the benefits of communities. However, the loss of urban trees associated with this scheme is unacceptable. The proposed redevelopment is simply not consistent with the Council's commitments and policies relating to the protection and retention of urban trees. The 13 mature trees planned for removal provide a historical link to the past of the site and vital ecosystem services, which will take many, many decades to replace by planting younger trees.

The plans for the development as they stand are not consistent with the National Planning Policy Framework Chapter 2, paragraph 8c), which seeks to ensure that new development is sustainable or Chapter 12, paragraph 131.

We consider that retention of the trees that are proposed for removal would uphold the NPPF sections highlighted above for the following reasons:

- The establishment of new trees in urban environments is incredibly challenging, not least with worsening weather extremes as the impacts of climate change are felt.
- Retention of the trees also makes effective use of the land by securing and improving biodiversity benefits. At around 70 years old, these trees will be providing significant ecosystem service benefits as they will now be at a peak in their ability to regulate temperature, provide shade and absorb nitrogen pollution.

Furthermore, Chapter 12, paragraph 131 of the current NPPF, introduced the statement that 'existing trees are retained wherever possible'.

Tree Retention and Replacement:

The Woodland Trust recognises the importance of tree management from a risk perspective. However, in the context of the combined climate and ecological emergencies and Bristol City Council's ambitious targets for doubling canopy cover to mitigate this, planning decisions in the borough should be made based on assuming tree retention, rather than removal. Establishment of new trees can be costly, difficult, and it will take newly planted trees many years to establish and grow to maturity where they deliver the same benefits. Removal of mature trees will therefore be a challenge to Bristol meeting its canopy target. Therefore, decisions to remove mature trees should consider all other available options to retain the existing trees first.

Recommendation:

The Woodland Trust recommends that the council revisits the plans with the developers to understand the reasoning behind their desire to remove the existing trees, with a view to amending the plans to retain the trees within a new design. The opportunity of the new development within this moment, at the start of this decisive decade for climate change and nature, should be grasped to make this an exemplar of development sensitive to the environment and to the communities of Bristol.

Dear Sirs,

I see that, despite bearing a publication date of 02 December 2021, the **FINAL TREE OFFICER COMMENTS** have only today appeared on the planning portal. The Bristol Tree Forum (BTF) has already taken exception to documents being backdated on the planning portal and understood it had been agreed that this would be stopped. Sadly, this seems not to be the case here.

Needless to say, had the BTF seen this report, it would have commented on it sooner. In the circumstances, we at the BTF wish to make these additional comments:

"Had we seen these comments before (and these are not the report of the arboricultural officer (AO) quoted in the Public reports pack which we have asked for but not yet seen), we can only endorse what the officer says, save that we do not agree with his financial contribution calculation which would only be used should you decide to allow this application.

The applicant has already conceded that 72 replacement trees will be required - see page 289 of their Design & Access Statement. Of these it is proposed that 20 small to medium-sized species be planted as multi stem specimens onsite. The balance will need to be planted offsite.

We have already observed (and the AO agrees) that there is nowhere either in Castle Park or nearby, where these trees might be planted. This alone is grounds for refusing this application.

If, however, you decide to allow this proposal despite our and the AO's objections, then the [Planning Obligations SPD](#) (at page 20) makes it clear that each tree should be compensated for on the basis that any tree planted offsite is a '*tree in hard standing (tree pit required)*' and will cost £3,318.88.

This is the passage which makes this clear that, because the trees identified for removal are council-owned and are growing in hardstanding, and because, even if 52 new sites can be found nearby, they will all have to be in planted hard standing because no other spaces are available:

The "hard standing" figure will apply in the following circumstances:

- Where development results in the loss of Council owned trees in areas of hard standing.
- Where new tree planting in hard standing is required to mitigate the impact of development (for example street trees required as part of highway improvements).

Amendment Sheet

15 December 2021

Item 1: - St Mary-le-Port Wine Street Bristol BS1 2AN

Page no.	Amendment/additional information																											
	<p>Late Representations Received</p> <p>Woodland Trust</p> <p>The Woodland Trust supports improvements made to our towns and cities for the benefit of communities. However there is concern that the loss of urban trees associated with this proposal is unacceptable.</p> <p>One objection</p> <p>Those promoting or otherwise in favour of this development are voting to make the centre of Bristol unliveable within the next ten to twenty years, maybe sooner.</p> <p>So many large trees are being removed which are vital for keeping the centre of Bristol cool. We will all be long dead before any replacements become large. And there's nowhere to plant them anyway.</p> <p>Anyone that allows this development to go through is tearing up Bristol's Climate Emergency Declaration. Business as usual is not how you deal with an emergency. It would be a mild inconvenience for the developer to design around the existing trees and a large development would still be possible as the trees are on the very edge of the site.</p>																											
	<p>Transport Update</p> <p>Since the preparation of the Officer's Report, it has not been possible for agreement to be reached on the level of contributions for transport mitigation. The following table sets out the current position.</p> <table border="1" data-bbox="201 1518 1417 2018"> <thead> <tr> <th data-bbox="201 1518 772 1597">Proposed Works / Contribution</th> <th data-bbox="772 1518 1050 1597">BCC TDM Request 07/12/21</th> <th data-bbox="1050 1518 1417 1597">Applicants Revised Offer on 10/12/21</th> </tr> </thead> <tbody> <tr> <td data-bbox="201 1597 772 1641">Works to High Street & Wine Street</td> <td data-bbox="772 1597 1050 1641">£750,000</td> <td data-bbox="1050 1597 1417 1641">£515,000</td> </tr> <tr> <td data-bbox="201 1641 772 1686">Works to Castle Park cycle route</td> <td data-bbox="772 1641 1050 1686">£340,000 agreed</td> <td data-bbox="1050 1641 1417 1686">£340,000</td> </tr> <tr> <td data-bbox="201 1686 772 1731">Upgrade to 2 bus stops on Wine Street</td> <td data-bbox="772 1686 1050 1731">£120,000 agreed</td> <td data-bbox="1050 1686 1417 1731">£120,000</td> </tr> <tr> <td data-bbox="201 1731 772 1809">Signal junction upgrade: Bristol Bridge</td> <td data-bbox="772 1731 1050 1809">£300,000</td> <td data-bbox="1050 1731 1417 1809">£200,000</td> </tr> <tr> <td data-bbox="201 1809 772 1888">Contribution to Mass Transit Interchanges</td> <td data-bbox="772 1809 1050 1888">£200,000</td> <td data-bbox="1050 1809 1417 1888">£100,000</td> </tr> <tr> <td data-bbox="201 1888 772 1933">Traffic Regulation Orders</td> <td data-bbox="772 1888 1050 1933">£6,000 agreed</td> <td data-bbox="1050 1888 1417 1933">£6,000</td> </tr> <tr> <td data-bbox="201 1933 772 1977">Travel Plan Fees</td> <td data-bbox="772 1933 1050 1977">£98,000</td> <td data-bbox="1050 1933 1417 1977">£20,000</td> </tr> <tr> <td data-bbox="201 1977 772 2018">Approx Total</td> <td data-bbox="772 1977 1050 2018">£1,800,000</td> <td data-bbox="1050 1977 1417 2018">£1,300,000</td> </tr> </tbody> </table>	Proposed Works / Contribution	BCC TDM Request 07/12/21	Applicants Revised Offer on 10/12/21	Works to High Street & Wine Street	£750,000	£515,000	Works to Castle Park cycle route	£340,000 agreed	£340,000	Upgrade to 2 bus stops on Wine Street	£120,000 agreed	£120,000	Signal junction upgrade: Bristol Bridge	£300,000	£200,000	Contribution to Mass Transit Interchanges	£200,000	£100,000	Traffic Regulation Orders	£6,000 agreed	£6,000	Travel Plan Fees	£98,000	£20,000	Approx Total	£1,800,000	£1,300,000
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	<p>Recommendation</p> <p>GRANT subject to Planning Agreement</p> <p>That the applicant be advised that the Local Planning Authority is disposed to grant planning permission subject to the completion, within a period of six months from the decision of this committee (or any other time as may be reasonably agreed with the Service Manager, Development Management) at the applicants expense, of a Planning Agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to the following matters:</p> <p>Bristol Bridge signal junction upgrade: £300,000</p> <p>High Street / Wine Street upgrade: £750,000</p> <p>Castle Park Cycle Route: £340,000</p> <p>Wine Street Bus Stops – Local Services: £120,000</p> <p>Mass-Transit Bus Stops – Strategic Services: £200,000</p> <p>Traffic Regulation Orders: £6,000</p> <p>Travel Plan Fees: £98,000</p> <p>In addition, the Applicant has indicated that they will make contributions towards the provision of the following:</p> <p>The provision of a children's play area</p> <p>Public toilets</p> <p>Public Art Strategy</p> <p>Tree compensation strategy</p> <p>Fire hydrants</p> <p>That delegated authority is given to officers to finalise the s106 Agreement and to finalise the wording of conditions.</p>