

WARD: Brislington West

SITE ADDRESS: Former Railway Land Bath Road Brislington Bristol BS4 3PH

APPLICATION NO: 21/00894/F Full Planning

DETERMINATION DEADLINE: 30 July 2021

*Temporary 3 year permission for proposed pedestrian & cycle path with associated works on former Railway Land between Tramway Road and land to the south of Talbot Road.*

RECOMMENDATION: Refuse

AGENT: John Grimshaw And Associates  
18 Park Row  
Bristol  
BS1 5LJ

APPLICANT: Greenways and Cyclerooutes  
Limited  
C/o Agent

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

**LOCATION PLAN:**



**DO NOT SCALE**

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

**SUMMARY**

Councillor Tim Rippington has called in the application to be considered by the Committee and has commented as follows:

“I am fully in support of this initiative. The railway path through Brislington has been left unused for many years, partly because of the promise of other schemes which have never transpired. Walking and cycling is becoming far more popular as a result of the pandemic and this path will link up existing cycle ways at Talbot Road and Bloomfield Road (leading to Avonmeads and the cycle network again). It will provide people with a safe link to Tesco on Callington Road and help to unite the two halves of Brislington, currently severed by the A4. I know that this path has the support of a great many local people in the area”.

The proposal relates to a temporary 3 year pedestrian and cycling pathway and associated works along the route of the old railway line extending between Tramway Road and land to the south of Talbot Road in Brislington.

The proposal site is situated on land known as the Callington Road link (CRL) which has been protected in planning policy for a number of decades. The Callington Road Link is clearly marked on the Site Allocations and Development Management Policies Map (pages 26, 27 and 32), being shown as a red dotted route named “Safeguarded Transport Links BCS10 & DM24”.

The Council’s Transport Development Management Officers (TDM) have raised an objection to the proposal as they consider the proposed pedestrian and cycle route to be premature and prejudicial to the above policies and to this end entirely contrary to the NPPF, the Joint Local Transport Plan, the Bristol Transport Strategy and the Bristol Local Plan.

TDM Officers are in agreement with the applicant that this route provides an opportunity for a segregated cycle route. However, given the strategic importance of the A4, any infrastructure proposals that come forward in this area must be truly multi-modal if BCC is to achieve its aims of carbon reduction and the enhancement of public transport as well as walking and cycling. TDM consider that this application does not provide this, and in fact is likely to preclude these objectives.

TDM consider that the proposal could jeopardise the delivery of the A4 Strategic Corridor Project by failing to deliver high quality and multi-modal sustainable travel options for the needs of the wider urban area and sub-region along one of Bristol’s most important strategic transport corridors. TDM also consider that the proposal may result in an inability to obtain government funding for the A4 Strategic Corridor Project where the opportunities for delivery have been prejudiced by irreconcilable factors, including the piecemeal delivery of infrastructure resulting from short-term decisions.

TDM Officers have offered to engage with the applicant, owners and transport scheme promoters to understand areas of common ground and potentially come to an agreed position about how a multimodal solution could work. However, this would require an extensive period of consultation (putting the determination of this application in abeyance until this was agreed) meaning the applicant has decided to proceed with the current submission despite the conflict with policies BCS10 and DM24.

Further to this TDM Officers do not consider the proposed pathway to be of a suitable standard as insufficient details have been provided. Most notably, in relation to the suitability of the current surfacing to provide a pedestrian and cycle route, how cars and motorbikes

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

would be restricted from entering the route and what works will be required at the southern end in order to provide adequate access for all users.

It is to be noted that throughout the course of the application the red line of the proposal site has been significantly altered with the proposal site being reduced in size and length. This was necessary because the previous proposed site plan and red line drawings were not considered to be of an appropriate scale or to be sufficiently accurate or detailed enough for a full planning assessment to be undertaken. Therefore the applicant has provided a revised site plan which forms this current submission and only includes the land between Tramway Road and the Bristol Meads Yard.

The previous red line site plan also included land to the north extending between Sandy Park Road and Tramway Road. This piece of land is included within a separate application (21/03498/F) and also features a cycle route linking to the proposal site

Ecology and Contaminated Land Officers have raised no objection subject to various pre-commencement conditions.

The Avon & Somerset Crime Prevention Design Advisor has objected to the proposal as the application does not contain sufficient information to address the potential vulnerability of users along this proposed route when considering the volume of documented instances of anti-social behaviour, crimes against the person and acquisitive crime. However it is acknowledged that these details could be sought via condition and so are not considered reason to refuse the application.

## **SITE DESCRIPTION**

The application site is on former railway track extending between Tramway Road and the Talbot Road bridge. This whole section is constructed from tarmac albeit with large sections now covered with moss. Either side of the track is a sloped railway embankment featuring trees and undergrowth.

The northern section of the site is accessed via a road leading from the Lodekka pub and comprises land previously used as parking for the nearby Plymouth Brethren Meeting Hall. The proposal site runs south towards the Talbot Road Bridge, beyond which lies the Bristol Metals Yard. Running parallel to the western boundary of this Yard is the Whitchurch Way pedestrian and bike path

## **RELEVANT HISTORY**

21/03498/F Erection of 50 cargo units of circa 607sq.m GIA to be used for business and commercial uses (Class E: d, e and g i, ii, iii). The provision of a cycle and pedestrian route, with landscaping, cycle parking provision, limited car parking provision, refuse and recycling areas and servicing space for a temporary period of 3 years. (Pending Consideration- to be determined by Committee A 16.01.22)

17/05317/F Proposed change of use from car parking (Sui Generis Use) to grid balancing station (Sui Generis Use) and a section of the Callington Road Cycle Link. Date Closed 18 June 2018 REF

The application was refused for the following reasons:

1. The proposed development will unacceptably impact on the land safeguarded for the Callington Road link and associated highway improvements. It is therefore contrary to Policy

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

BCS10 of the Bristol Core Strategy adopted June 2011 and Policy DM24 of the Sites Allocation and Development Management Local Plan adopted July 2014.

2. The proposed shipping containers because of their character, appearance, height and number will have a substantial and significant harmful impact on the appearance and character of the former railway corridor, which is currently a mix of hard standing and grass, to the detriment of the visual amenity of the numerous residents who back onto the site. It is therefore contrary to Policy BCS21 of the Bristol Core Strategy adopted June 2011 and policy DM26 Sites Allocation and Development Management Local Plan adopted July 2014.

## **APPLICATION**

The proposal relates to a temporary 3 year pedestrian and cycling route and associated works along the route of the old railway line extending between Tramway Road and land to the south of Talbot Road in Brislington. No construction works are proposed along the majority of the track but a new link path will be constructed across the Bristol Metals Yard land to the south of Talbot Bridge providing access to the existing Whitchurch Way pathway. It is also noted that no trees are to proposed to be removed.

## **RESPONSE TO PUBLICITY AND CONSULATION**

### **NEIGHBOUR CONSULTATION**

The application was first advertised in April 2021 via Site Notice, Press Advert and Neighbour Notification letters. Following receipt of revised plans the application was re-advertised and consulted on in October 2021. In total 286 letters of support were received along with 9 objections relating to the following issues:

- Impact on Ecology
- Will not alleviate traffic
- Lack of public consultation by applicant and Council
- Potential for fly tipping
- Potential for additional crime and anti-social behaviour due to lack of overlooking by neighbouring properties
- Not needed as already a cycle path to connect Whitchurch Way to the riverside cycle path in St Philips.
- Superfluous to rapid transit route along the A4 corridor
- Noise and light pollution - during construction and when the path is being used
- Impact on value of our property (Case Officer note: This is not a material planning consideration)
- Loss of privacy
- Impact of 50 shipping containers (Case Officer note: This is not included within the proposal but is the subject of a current application on the adjacent site to the immediate north considered under application 21/03498/F)
- Submitted details do not meet Council's validation checklist and planning policy

### **INTERNAL CONSULTEES**

**Transport Development Management (TDM): OBJECTION.** Please note that comments relating to both the previous and current submission plans have been provided in order to provide the full policy and principle of development background.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

**Response dated 25.06.2021 based on originally submitted site location plan running from Sandy Park Road to land south of Talbot Road:**

“Policy and Strategic Background

Any proposal for development within what is a protected alignment for future transport schemes cannot be considered in isolation from the wider growth in the subregion and the delivery of the City’s aspirations for mass transit along the A4.

The outcome of this application could therefore determine the status of this key transport corridor for future years given that it has the potential to prejudice the delivery of infrastructure required to support regional growth whilst limiting its environmental impacts through the implementation of reliable and high quality public transport.

Whilst it is not doubted that this route provides an opportunity for a segregated cycle route, given the strategic importance of the A4, any infrastructure proposals that come forward in this area must be truly multi-modal if BCC is to achieve its aims of carbon reduction and the enhancement of public transport as well as walking and cycling. This application does not provide this, and in fact is likely to preclude these objectives.

Initial review of proposals

The application concerns the opening up of a former railway corridor as a cycle path linking Callington Road in the vicinity of the Tesco superstore with St Philips Causeway in the vicinity of Sainsbury’s at Castle Court. More specifically, at the southern end it would connect with the Whitchurch Railway path which runs between Talbot Road allotments and Bristol Metal Recycling. In the north it would connect to Sand Hill just north of Sandy Park Road through a corner of the BCC Sandy Park depot site.

The route would have one intermediate access at Tramway Road. It passes under three road bridges: Talbot Road, Bath Road and Sandy Park Road.

Very little supporting information has been provided alongside the proposal which consists of a schematic sketch of the proposal. There is no Transport Assessment, no engineering details of widths, cross-sections and materials. Furthermore we have no recent site information about the current state of the site. So, this response is largely based on our interpretation of how such a proposal would actually be built, how it would function, who and how many people would use it in order to understand what impact it would have on wider BCC transport objectives.

Permanent Use

It is understood that the application is for a permanent planning permission for a path to be provided “until such time as the land is required for” a wider scheme. However, if permission were granted then a cycle route would become the permanent lawful use for this land and any future projects would then have to be compared against the lawful use for what would essentially become a permanent linear park similar to the Bristol to Bath Railway Path. It is our view that this approach risks prejudicing any wider strategic scheme as a direct result of this application being drawn up in isolation from and without knowledge of what that scheme might be.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

Principle

Notwithstanding the strategic issues referenced above, we consider that there is insufficient information on which to make a decision as we have very little knowledge of the details of what is being proposed by this application and what its predicted impact would be. Having said this, there are several clear policy issues which would have to be considered if the application were to be determined based on the very limited information available.

The “Callington Road Link” (CRL) has been protected in planning policy for a number of decades. Whilst its description is not clearly defined, the routing of it is clearly set out in policy. The CRL is historically understood to be a traditional protected highway alignment for a new road. More recently this interpretation has become more nuanced and the corridor is now being considered as part of our wider Metrobus, Mass Transit and segregated cycling commitments. This is in recognition of the constraints along the A4 in providing priority and segregation to sustainable travel and the City’s commitment to reducing car reliance and reducing emissions.

In traffic terms the fundamental issue with the A4 is that between Hicks Gate and West Town Lane it serves both an orbital and radial function, hence it is very busy with many conflicting movements. By providing an alternative means to get between Callington Rd A4174 ring road and St Philips Causeway, the A4 Strategic Corridor project which is being prepared for public engagement could free up significant pressure at the West Town Lane junction, possibly allowing it to be simplified and hence reducing congestion and improving environmental conditions for all users on the A4, whilst allowing greater space to dedicate to cycling, or mass transit along both the A4 as well as the CRL.

Detailed work is ongoing to work up options for the best use of the disused rail alignment as part of the A4 Strategic Corridor Project. As such we consider that any decision to allow one particular solution for this corridor would be premature as it could prejudice a range of alternative options which could potentially provide much better all-round solutions to the transport problems of SE Bristol and the wider A4 corridor to Bath, which is likely to see significant future development within both the BCC and Bath and North East Somerset (BaNES) local authority areas.

Significant investment is being made and public engagement being planned to develop a preferred option which would allow a fully worked up business case to be submitted to funding bodies to allow this key piece of infrastructure to be delivered, with support of the residents and to enhance the local area.

Policy Assessment

In terms of policy considerations, the following documents must be regarded:

National Planning Policy Framework (NPPF):

111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

We consider that this proposal would fail this severity test as it could compromise major transport schemes that have been prioritised to accommodate future subregional growth, leading to ongoing and worsening severe residual cumulative impacts on the road network as a consequence of the inability to deliver fast and efficient public transport. This would, in effect be to remove an essential escape valve which would reduce pressure on the often

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

narrow and constrained alignment of the current A4 Bath Road.

Joint Local Transport Plan 4 - 2020-2036 - March 2020;

*“For example, on the A4 Bristol – Bath corridor through Brislington, road space will need to be reallocated to accommodate mass transit services by diverting through traffic onto the Callington Road Link.”*

*Schemes under development*

*A number of other early investment schemes in support of delivering the JLTP4 strategy are at an earlier stage of development. Table 11.3 summarises the type, cost and timescale of each scheme. The total cost of delivering our early investment schemes under development is currently estimated as £2bn-£2.5bn. Further details can be found in Appendix 3.*

*E21 Multimodal Infrastructure Bid - Within WoE South East Bristol and Whitchurch*  
*A4 metrobus + Callington Road Link*

- *Orbital metrobus*
- *A37 Sustainable Transport*
- *Hicks Gate Park & Ride/transport interchange*
- *Hicks Gate Junction*
- *South East Bristol Orbital Low Carbon Corridor*
- *Local highway improvements*

These interventions are promoted to address current congestion and the significant levels of public transport delay on the existing A4 corridor, but also as a response to the additional demands placed on the corridor by identified sites for housing growth within the BCC area at Hicks Gate, Brislington Hill, Broom Hill and Flowers Hill, together with sites within BaNES, including North Keynsham, Whitchurch and new housing already implemented at Somerdale, The Meadows (South Keynsham) and around the Avon Ring Road (within South Gloucestershire).

Such developments, and particularly those outside of BCC are much more likely to need to rely upon public transport rather than walking and cycling for journeys into the urban area to avoid increased car reliance given the distances involved but also the challenging topography between Bristol and Whitchurch, Keynsham and Bath.

Appendix 3: Major scheme details - T2 Bristol City Centre to Bath

*A mass transit route providing high frequency, high capacity and fast public transport services between Bristol and Bath. The route from Hicks Gate to Bristol will be facilitated by diversion of traffic onto the Callington Road Link to enable reallocation of roadspace from car to public transport within Bristol. Careful consideration of routing options and future management of roadspace between Bristol and Bath, will be required. In the short term metrobus would provide mass transit along the corridor from Bristol to Bath, and in the longer term there is an ambition for light rail.*

Bristol Transport Strategy, adopted 2019, (p65-66)

*“Outcome #11 | More efficient transport corridors to move the largest number of people in the space available.*

*The Joint Transport Study has informed the emerging Joint Local Transport Plan, which sets out the detail of how these schemes have been scored for prioritisation along with all other*

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

*major transport schemes across the West of England. The following schemes all scored highly and are of high priority for delivery but given the scale of each project delivery will be in the medium to longer terms of this strategy. We will carry out feasibility studies where necessary to identify the most efficient option for each route. The routes identified in the Joint Transport Study and the proposals that we will investigate are:*

*....City Centre to Keynsham/Bath: The construction of the Callington Road Link will help to divert through traffic away from the city centre and unlock road space on the A4 Bath Road that can be reallocated to create a rapid transit link to serve Bristol, Keynsham, Saltford and Bath.*

*Besides the four corridors identified for improvements in mass transit, other options identified in the Joint Transport Study that have scored highly for prioritisation in the Joint Local Transport Plan for improving movement along corridors to be explored are:*

*Road improvements, mentioned above which include the Callington Road Link and A4- A37 link, which will enable mass transit routes, and also improve the flow of traffic throughout south-east Bristol and remove unsuitable through traffic from the city centre.”*

**Bristol Local Plan**

The Callington Road Link is clearly marked on Local Plan Map (pages 26, 27 and 32) and is shown red as a dotted route called “Safeguarded Transport Links BCS10 & DM24”. The policies which refer to this are as follows:

**Policy BCS10**

*“The council will support the delivery of significant improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. In particular it will support, subject to environmental impact assessment where appropriate:*

*2. The delivery of transport infrastructure improvements, including:*

*- Callington Road Link;*

*Land required for the implementation of transport proposals will be safeguarded to enable their future provision*

**Policy DM24: Transport Schemes**

*Land required for the implementation of the following transport schemes will be safeguarded to enable their future provision:*

*Callington Road Link and associated highway improvements*

*Development in safeguarded areas which would prejudice the future implementation of transport schemes will not be permitted.*

The locations referred to above are shown on the Policies Map.

As a summary of the policy position, TDM view it as extremely prejudicial to the existing area (in terms of congestion and air quality) together with the need to sufficiently plan for future growth and provide the infrastructure which underpins it in the event that these proposals



**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

were allowed to proceed.

The proposals are premature, and prejudicial to the above and to this end entirely contrary to the NPPF, the Joint Local Transport Plan, the Bristol Transport Strategy and the Bristol Local Plan. The next part of these recommendations concerns the detail provided as part of the application.

Application Details

Route History

The route was previously part of the Bristol and North Somerset railway. The last passenger train along the route ran in 1959 with freight traffic ceasing in 1968 following a landslip at Pensford. More recently the trackbed was tarmacked and used as a car park for a nearby church. This use ceased a number of years ago and the route has lain unused since with nature gradually taking over.

Route Proposal and current conditions

Given the lack of information available the following comments are assumptions based on how the route would operate if it were opened up.

Much of the route is believed to be tarmacked although the condition of the surface is unknown and given that it has not been maintained for many years and nature has been allowed to take over it is assumed that there are likely to be parts of the surface that are poor or very poor.

It is likely that there will be a number of self-seeded plants, shrubs and trees along parts of the route. Certainly at the northern end there appears to be dense undergrowth and mature trees. It is assumed that quite substantial clearance would need to occur in order to allow a route through the site.

The northern end also appears to have quite a large amount of soil/ spoil so it is not clear how much soil would have to be removed, what it contains or what surface will be found underneath.

It is not known what the condition of the three overbridges is. Whilst these carry highways it is believed that some of the responsibility for these historic railway structures belonged to the BR Subsidiaries Board which is now overseen by the Historical Railways Estate which is part of Highways England. Information would also be needed from BCC Highway Structures who will also have an interest in the bridges given that they also carry highway (and no doubt lots of services). So, no information is known about the state of these bridges and in particular their undersides and whether any remedial works would need to be carried out in order to ensure they are safe for the public to have access.

There appears to be a low pipeline just south of the Talbot Road bridge as well as other obstructions of the route here. No information is known about the nature of this pipeline and what clearance there is below it or whether it would need rerouting to allow the cycle route to pass under it.

Much of the route is in a wooded cutting. No information is known about the state of this cutting or its stability. For much of the route the cutting is backed on to by residential properties although the route is more open where it backs on to the Tramway Rd large scale retail sites.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

Available width and geometries

No information is provided about width, which will be one of the fundamental issues when considering this development as there is only a very limited amount of clearance available along certain sections of the corridor. Very crude estimates suggest that the corridor is typically in the range of 7-14m with the bridges forming some of the narrowest parts of the routes. Whilst the plans show little information about width of the proposed cycle route it appears to be sketched as 3 metres wide and to roughly take the centre of the alignment. Following the publication of Cycle infrastructure design (LTN 1/20) - Guidance for local authorities on designing high-quality, safe cycle infrastructure, the implementation of shared pedestrian / cyclist routes along well-used routes in urban areas should be avoided as a result of the safety conflicts that will arise.

The application would result in a 3-metre-wide shared surface. Such a proposal in this location would fail to gain DfT funding (as confirmed in LTN 1/20). The overriding requirement of BCC to encourage modal shift and meet climate change objectives (which include a 40% reduction in vehicle miles) is to design for segregated walking (2m) and cycling routes (3m) representing a combined overall width of 5m, excluding any segregation which can include kerbing or other physical features to prevent conflict between pedestrians and cyclists.

This is further complicated when the needs of all modes are taken into account. For example, the required width for two-way bus routes is 6.5m, so it is clear that it will be very challenging to fit the needs of all modes on this corridor, particularly under the bridges where the clearance is measured at 7.5m wide, without serious compromise or substantial engineering and structural works. This further emphasises why proposals for a limited number of modes cannot and should not come forward in the absence of detailed thought or regard to the wider issues to be tackled along the A4 corridor and in south east Bristol.

Linkages to the proposed alignment

No information is provided about onward connections from this path. Whilst the link to the Whitchurch Way path alongside Talbot Rd allotments would seem straightforward, the other two connections are not. Whilst an exit at Tramway Rd would appear to be straightforward, and there are a full set of pedestrian facilities to get across the A4 Bath Rd, footways in the vicinity of the site are extremely narrow, particularly on the bridge. So, large increases in pedestrian traffic in this location could be a concern. However, the bigger concern is the poor onward cycle routes along the Bath Rd in the vicinity of Tramway Rd particularly linking to Kensington Park Rd and Wick Rd. At the northern end, there is potential, with Sand Hill leading to a shared use path and rear access lane behind Churchill Rd leading to Whitby Rd and Bloomfield Rd although it is not clear where cyclists would be routed for onward journeys and what infrastructure might be needed to bring these connections up to a high standard.

Level of usage

A further unquantified element is the number of people who might use this route. No information is provided. This makes it very difficult to assess the likely impact or understand whether the specification is suitable. Notwithstanding the poor and disjointed linkages to the route, one crude assessment might be that such a route could prove very popular, like similar routes such as the Bristol to Bath Railway Path or Concorde Way and have the potential to be well-used. In this instance it would justify a high specification far greater than what is being proposed by this application, and which would fail in design terms taking into

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

account the LTN 1/20 criteria referenced above.

Lighting, Adoption and Maintenance

One of the key points to note about the design is that as currently envisaged it is unlit. This would make the route very unattractive to most people after dark and so for a significant part of the year, and between the hours of 16:30 and 07:30 these proposals, as designed cannot be considered viable to encourage use by commuters and by the numbers we would expect and are obliged to encouraged. This is a significant failing of the proposals. This matter has been raised by a number of groups including the Police. Lighting such a route would be expensive and is not what is currently proposed. There would also be some fairly major issues in terms of ongoing maintenance, liability, payment of bills, as well as significant impacts on wildlife and neighbours.

Cost Benefit Analysis and wider engagement

There is no information provided about what the wider cost and benefit of this cycle route would be (eg how many people would transfer from a car trip to a cycle trip). We would want to understand this wider picture and be able to compare this against options being developed for A4 corridor project in order to ascertain whether this option offers the highest cost benefit ratio taking in to account the full range of policy factors that need to be judged against each other.

Cost benefit analysis is a necessary and fundamental part of the scrutiny and decision-making on transport schemes and will of course be part of the wider strategic project, along with the necessary strategic modelling that will be formulated and presented by BCC for engagement with the wider local community throughout Brislington and south east Bristol. This engagement would need to be a considerably more comprehensive exercise than the current planning application, for which BCC would only have formally consulted properties which are close to the red line boundary and in the absence of the wider context.

Summary of Application submission

To summarise, there is: very little information about what is proposed; a lack of analysis on the cost and benefits of the proposal would be; and possibly more importantly in terms of the planning decision - what the “opportunity costs” (the potential benefits an individual, investor, or business misses out on when choosing one alternative over another) which would be lost by selecting the cycle route – potentially as the permanent solution for this corridor – over a range of other possible interventions, which we are obliged to consider and engage upon.

BCC Local Plan policy is clear that we will support the delivery of CRL and that land for it will be safeguarded. So, the corollary of this is that any scheme that is not “Callington Road Link” would prejudice this policy and so be contrary to it, resulting in a recommendation of refusal.

Alternative option – hold the application in abeyance

One suggestion is for BCC and the applicant to come to an agreed position about how a multimodal solution could work. This approach would require extensive consultation – which is currently planned - and a credible engineering design - before a preferred approach is further consulted on, which could then potentially allow the current design to be modified to be compatible with our future commitment to addressing climate change holistically. This would mean putting the determination of this application in abeyance until this was agreed.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

The above ‘abeyance’ approach would be no different to a number of major residential planning applications at Bedminster Green. In these cases we have insisted on delaying their determination for up to two years until the details of the A38 Malago Road / Dalby Avenue and Whitehouse Lane corridor had been fully designed in a way that ensures the new developments are compatible with both the City Council and the West of England’s strategic aims.

This approach has been accepted and understood by members of the Development Control Committee with positive outcomes for both BCC and the applicants in question and it is suggested that this application could follow a similar process.

Conclusion

If the above is not feasible, and for the numerous reasons and policy criteria set out above, we consider that it would be premature to grant permission of this proposal as it is clearly in breach of the most obvious interpretation of the Local Plan policy on this alignment and so it should be refused on the basis that it is not compliant with NPPF, JLTP4, BTS and Local Plan policies quoted herein.

TDM would be happy to work with the applicant, owners and transport scheme promoters to understand areas of common ground, but we would flag that this would be challenging. This is precisely why this needs to take place as part of a much more comprehensive consultation on the future of the A4 corridor in a way that considers all journeys taking place within and through the area, than only considering one segment of a walking and cycling desire line which could have limited beneficial impacts beyond the immediate locality.

To permit this application would risk the following outcomes, as a direct result of the prevention of our delivery of an A4 Strategic Corridor project:

- a failure to deliver high quality and multi-modal sustainable travel options for the needs of the wider urban area and subregion along one of our most important strategic transport corridors,
- a subsequent failure in our commitment to tackling current congestion and greenhouses gas emissions,
- the local area experiencing worsening material and severe impacts of the additional future housing and employment allocations already signed up to by BCC and neighbouring councils, and
- an inability to obtain government funding the A4 Strategic Corridor Project where the opportunities for delivery have been prejudiced by irreconcilable factors, including the piecemeal delivery of infrastructure resulting from short-term decisions”.

**TDM response dated 03.12.2021 based on current submission and revised site location plan (land between Tramway Road and land to the south of Talbot Road):**

“These comments only relate to the three new drawings provided in October showing revised cross-sections at the southern end of the route, a revised plan showing that there would be no works between Tramway Road and Talbot Road and a new red line boundary reducing the scope of the application to only the section between where it would join the existing cycle path at the south and the Tramway Road access.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

We have the following comments on these proposed changes. All our wider comments are as previously set out.

The fact that no works are proposed between Tramway Road and Talbot Road is noted. No information is provided on the suitability of the current surfacing to provide a pedestrian and cycle route. At the very least we would expect that debris would be cleared. We do not know what is the state of the underlying surfacing. One element of works that would be required would be the removal of the fence that currently runs across the former railway alignment north of Bath Rd. This, along with the presumed opening of the gate on Tramway Road would allow movement along the former railway alignment. It is not clear how cars and motorbikes would be restricted or if indeed they would be. Cars can be fairly easily restricted using blocks with a gap of no more than 1.5m. Motorbikes are more difficult to restrict but there are methods although they can restrict other users too.

The illustrative information provided about cross-sections does not fully clarify what works will be required at the southern end. A general arrangement with existing and proposed levels and gradients would be required to fully assess this proposal. We would note that at the moment the Talbot Road access road provides the sole vehicular access for large vehicles to maintain the central section of the route. We would expect that this would need to be retained and so the spur to the cycle route would need to be compatible with the existing Talbot Road access, unless it is to be modified (in which case we would need to understand exactly how).

The red line plan has been reduced so that it now only covers the area between Tramway Road and the cycle path south of Talbot Road. In essence this would provide the southern section of the link but the northern section of the link between Tramway Road and Sand Hill would no longer be delivered as part of this application. This is problematic as providing half of a cycle route would result in cyclists and pedestrians having to join the route at Tramway Road which currently leads to a fairly hostile section of Bath Road where there are very limited pedestrian and cycle facilities. The footways are also very narrow and so not suitable for cyclists and yet it is not clear how cyclists would get to the logical onward connection via Kensington Park Road and Hampstead Road. For example, there is no pedestrian phase on the southern half of the half-roundabout and footways are narrow and not obviously suitable for shared pedestrian and cycle use”.

**Avon & Somerset Crime Prevention Officer: OBJECTION**

“I am a Crime Prevention Design Advisor (CPDA) with a responsibility for Crime Prevention Through Environmental Design (CPTED) projects within the City of Bristol. As a Constabulary we offer advice and guidance on how the built environment can influence crime and disorder.

During this response I have referred to the department of Transports, Local Transport Note 1/20, ‘Cycle Infrastructure Design’.

If these comments are adequately addressed, they will provide compliance with the security requirements of the relevant UK Building Regulations, reducing crime and Anti-social Behaviour

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

12 month selected crime figures for Brislington West

<b>Crime Type</b>	<b>Incident Count</b>
ASB	617
Violence Against The Person	427
Public Order Offences	188
Theft	139
Arson and Criminal Damage	100
Vehicle Offences	96
Burglary	42
Sexual Offences	34
Theft of a pedal cycle	23
Drug Offences	21
Robbery	20
Miscellaneous Crimes Against Society	10
Possession of Weapons	7

My comments are consistent with current planning legislation as detailed at the bottom of this Document.

Taking into account the above instances of anti-social behaviour, crimes against the person and acquisitive crime, I am concerned that this application does not contain sufficient information to address the potential vulnerability of users along this proposed route.

For an urban route, there is a stretch of approximately 300 metres between Talbot Rd., and Bath Rd., through the old railway cutting that I would estimate is 8 to 10 metres below the level of adjacent rear gardens.

Bearing in mind the safety of users, this area is very remote and whilst with no natural surveillance, is not lit and would leave patrons extremely vulnerable to criminality. Chapter 4.2.12 of the recently published Department of Transport, 'Cycle Infrastructure Design', states;

*'Cycle routes remote from roads may have other risks relating to crime and personal security. The risk of crime can be reduced through the removal of hiding places along a route, by providing frequent access points, by providing lighting, and by passive surveillance from overlooking buildings and other users'.*

Chapter 8 states the following;

#### 8.1.2

*'Off-highway routes should be integrated with the wider network, with clear signing to and from adjacent areas, and properly constructed links between the off-road sections and the adjacent highways. Canal and former rail corridors sometimes bypass central areas and other attractors, so it is important to provide clear way marking for orientation at access points'.*

*'On some routes access points may be far apart, and the alignment may be separated by level from its surroundings. This may lead to anti-social behaviour, crime and/or the fear of crime. Achieving a good level of social safety should be considered in the design process'.*

#### 8.7 Lighting

8.7.1 *'In urban areas, highway standard street lighting may be appropriate for off-carriageway routes and will assist in offering a good degree of personal security. Energy*

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

*consumption and impact on wildlife can be reduced if the lighting is switched off between midnight and 5am when there is unlikely to be much use. Lighting can also be operated by detectors which are triggered by the presence of cyclists and pedestrians’.*

*8.7.2 ‘Low level lighting on bollards or solar LED studs can also be used and will offer some improvement in social safety. Solar lights should not be placed in areas where the tree canopy or adjacent buildings will significantly obscure daylight, although most will work where there is partial shading. The manufacturer’s instructions will provide advice on exact requirements for each product’.*

*8.8.2 ‘Autumn leaf-fall and subsequent leaf mould can be slippery and hazardous if not cleared. Unlike highways, there is no natural sweeping effect from the passage of cyclists and pedestrians. Where a traffic free route forms part of the local cycle network for utility trips it should be prioritised for snow and ice clearance’, (see Chapter 15).*

#### 8.8 Maintenance

*8.8.1 ‘Traffic free routes quickly become unattractive or unusable when littered with broken glass or dumped refuse and should be included in routine cleansing operations’.*

As areas of this cutting have a high density of foliage it would also be reasonable to expect leaf matter to obscure stud illumination. To my knowledge having used the section of cycle path between Whitchurch and Hither Bath Bridge, the solar LED studs, largely, have not worked for some time. Such studs, which provide route marking, are insufficient to provide the required illumination along this route (see my comments above regarding lack of surveillance).

*15.3.3 ‘Where an off-carriageway track requires lighting, the designer needs to consider the proximity of an electricity supply, energy usage, and light pollution’.*

*15.3.4 ‘The Highways Act 1980, section 65(1) contains powers to light cycle tracks. Technical design guidance may be found in TR23, Lighting of Cycle Tracks (ILE, 1998)’.*

Although submitted as a temporary plan this proposal may well be in place for several years and uncertain longevity has no bearing on the on the safety measures required to facilitate the safe use of this route.

A recent visit raised significant concerns, should you require the subsequent report I would be happy to share this with you.

I have also recently worked on a visual audit of the Bristol to Bath cycle route where insufficient illumination, lack of appropriate signage, lack of surveillance and lack of maintenance, together were found to be key crime generators.

Lack of clear signage and identifying markers, such as bridge names, whilst hindering users unfamiliar with the route, can also delay emergency service response.

There is no passive surveillance along this route, As a minimum I would like to see undergrowth cleared back 3 metres from the edge of the proposed path, a lighting assessment carried out with a view to adoption, a maintenance plan and additional CCTV covering strategic points such as entry exits and bridges (this route lies near to the local authority fibre network which supports CCTV along the Bath road corridor).

Due to the comments above I feel that this application does not currently meet the safety and security requirements of the National Planning Policy Framework or the Bristol Core Strategy.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

**Ecology: NO OBJECTION:**

“The Ecological Assessment (Wessex Ecological Consultancy, September 2021) states that the site (or at least parts of it) has high ecological value in a local context. Reptiles, foraging bats, badger and moderate assemblages of birds and insects are present. But it also concludes that impacts can be avoided and that, overall, enhancement of the site is possible.

The mitigation proposals (including specific enhancement which should include bat, bird and insect boxes) need to be firmed up, however, and set out in a more definitive form”.

(Pre-commencement conditions advised relating Precautionary Method of Working (PMW) and Ecological Mitigation & Enhancement Strategy (EMES))

**Contaminated Land: NO OBJECTION:**

The proposal is to make a walking and cycling link on the former Bristol and North Somerset railway between Sandy Park Road and Talbot Road. The route passes through former and current industrial uses of potential concern, this includes the scrap yard present at the south of the route.

The proposals submitted are not overly detailed but there are a lot of references to reusing excavated materials as spoil heaps or to make ramps. Due to the historical use as a railway alongside various industrial routes alongside we have some concerns about the chemical composition of this material.

This is only possible where the material being excavated does not pose a risk to human health or the environment and geotechnically is suitable for this use (i.e. it won't collapse on itself).

Reuse of material can only be undertaken by following the waste regulations, this could include reuse by following the CL:AIRE: DoWCoP process. There is no reference to how materials will be managed as part of the project or how the applicants can demonstrate there would be no risk to human health or the environment by reusing materials in this manner. Ideally the applicants would provide more information ahead of determination. If not possible then we recommend conditions are applied to secure adequate assessment.

(Pre-commencement conditions advised relating to Site Investigation, Condition Verification and Reporting of Unexpected Contamination)

**RELEVANT POLICIES**

National Planning Policy Framework – 2021

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 Neighbourhood Development Plan 2019.



**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

**KEY ISSUES**

**(A) IS THE PRINCIPLE ACCEPTABLE IN LAND USE TERMS?**

Policy BCS10 states that the Council will support the delivery of significant improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. In particular it will support, subject to environmental impact assessment where appropriate the implementation of the Greater Bristol Bus Network and the delivery of transport infrastructure improvements, including the Callington Road link

Policy BCS10 confirms that land required for the implementation of transport proposals will be safeguarded to enable their future provision. Corridors with the potential to serve as future routes for walking, cycling and public transport will also be safeguarded.

The policy also details that without prejudice to the implementation of major transport schemes (including the Callington Road Link) proposals will be determined and schemes will be designed to reflect the transport user priorities as set out in the Joint Local Transport Plan.

The supporting text for Policy BCS10 clarifies that the Callington Road Link is:

“A transport link between A4174 Callington Road and the south end of the A4320 St Philips Causeway to enable better access to South Bristol. Scheme options are currently in development and could include highway or public transport solutions, or a combination of both”. The text goes on to state that the Callington Road link is identified as a priority for funding through the Regional Funding Advice process

Policy DM24 also confirms that land required for the implementation of the Callington Road link will be safeguarded to enable its future provision. The policy also clarifies that development in safeguarded areas (such as the Callington Road link) which would prejudice the future implementation of transport schemes will not be permitted.

As evidenced within the TDM response section above, it is considered that the proposed pedestrian and cycle route would prejudice the future implementation of the Callington Road link. This is because it is considered necessary that any transport infrastructure proposals in this location must be multi-modal so as to also include the enhancement of public transport provision.

Despite the temporary 3 year nature of the proposal, it is considered that any lawful change of use of this piece of land means any future projects would then have to be compared against the lawful use. TDM Officers consider that this risks prejudicing any wider strategic scheme as a direct result of this application being drawn up in isolation from and without knowledge of what any forthcoming scheme might be.

Therefore the proposal is considered contrary to the requirements of Policies BCS10 and DM24 as it would prejudice the implementation of a safeguarded transport corridor.

**(B) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES?**

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable and/or unsafe highway impacts. Proposals should be designed and located to ensure the provision of safe streets and also provide safe and adequate access for all sections of the

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

community within the development

The proposed plan drawings indicate that no construction works are proposed to take place along the majority of the proposal site with the exception of a new link path between the Talbot Road bridge and Whitchurch Way via the Bristol Metal Yard. TDM have commented that no information has been provided demonstrating the suitability of the current hard surfacing which will be used to provide a pedestrian and cycle route, including any survey details of the condition of the existing underlying. As the condition of the surface is unknown and given that it has not been maintained for many years and nature has been allowed to take over, it is assumed that there are likely to be parts of the surface that are poor or very poor.

It is noted that the submitted cross section drawings relating to linkage with Whitchurch Way are unscaled and only for illustrative purposes meaning they cannot be conditioned as plan drawings.

TDM have commented that this illustrative information provided about cross-sections does not fully clarify what works will be required at the southern end of the proposal site and have also confirmed that a general arrangement with existing and proposed levels and gradients would be required to fully assess this proposal.

The lack of any lighting is also a significant concern as it would make the route very unattractive to most people after dark and so for a significant part of the year, and between the hours of 16:30 and 07:30. Therefore the proposal cannot be considered viable to encourage use by commuters and other members of the public. However it is acknowledged that these lighting details could be sought via condition and so are not considered reason to refuse the application.

Due to the lack of supporting information, is not considered that adequate information has been provided in order to demonstrate that the proposal will provide safe usage and means of access for all users. In addition, it has not been demonstrated how cars and motorbikes would be restricted from entering the pathway, potentially increasing anti-social behaviour in the locality.

Therefore the proposal is contrary to the requirements of policies of BCS10 and DM23.

## **EQUALITIES**

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

## **CONCLUSION**

The ambition of the proposed development to provide a segregated pedestrian and cycle route is acknowledged but Policies BCS10 and DM24 specify that any transport infrastructure proposal in this location must safeguard and not prejudice the implementation of the major transport scheme known as the Callington Road link.

**Development Control Committee A– 16<sup>th</sup> March 2022**  
**Application No. 21/00894/F- Former Railway Land, Bath Rd, Brislington**

The proposed pathway does not include provision for public transport meaning it cannot be considered a fully multi-modal solution that would help reduce car resilience, cut emissions and alleviate congestion in the wider area.

Therefore, the application is considered to prejudice a range of alternative options which could potentially provide much better all-round solutions to the transport problems of SE Bristol and the wider A4 corridor to Bath, which is likely to see significant future development within both the BCC and Bath and North East Somerset (BaNES) local authority areas.

The submission documents are considered to be significantly lacking in detail, with no evidence provided to demonstrate that the existing hard surface is in a condition suitable to provide safe usage to all members of the public. Further to this, the illustrative information provided about the proposed pathway link to Whitchurch Way does not fully clarify what works will be required at the southern end of the proposal site meaning it has not been adequately demonstrated that safe means of access is achievable.

Therefore on balance the proposed development is considered contrary to Policy BCS10 of the Bristol Core Strategy 2011 and Policies DM23 and DM24 of the Site Allocations and Development Management Policies 2014

**COMMUNITY INFRASTRUCTURE DEVELOPMENT (CIL)**

The proposed development is not CIL liable meaning no contribution is required

**RECOMMENDATION**

The Officer recommendation is that the proposal is refused for the following reasons:

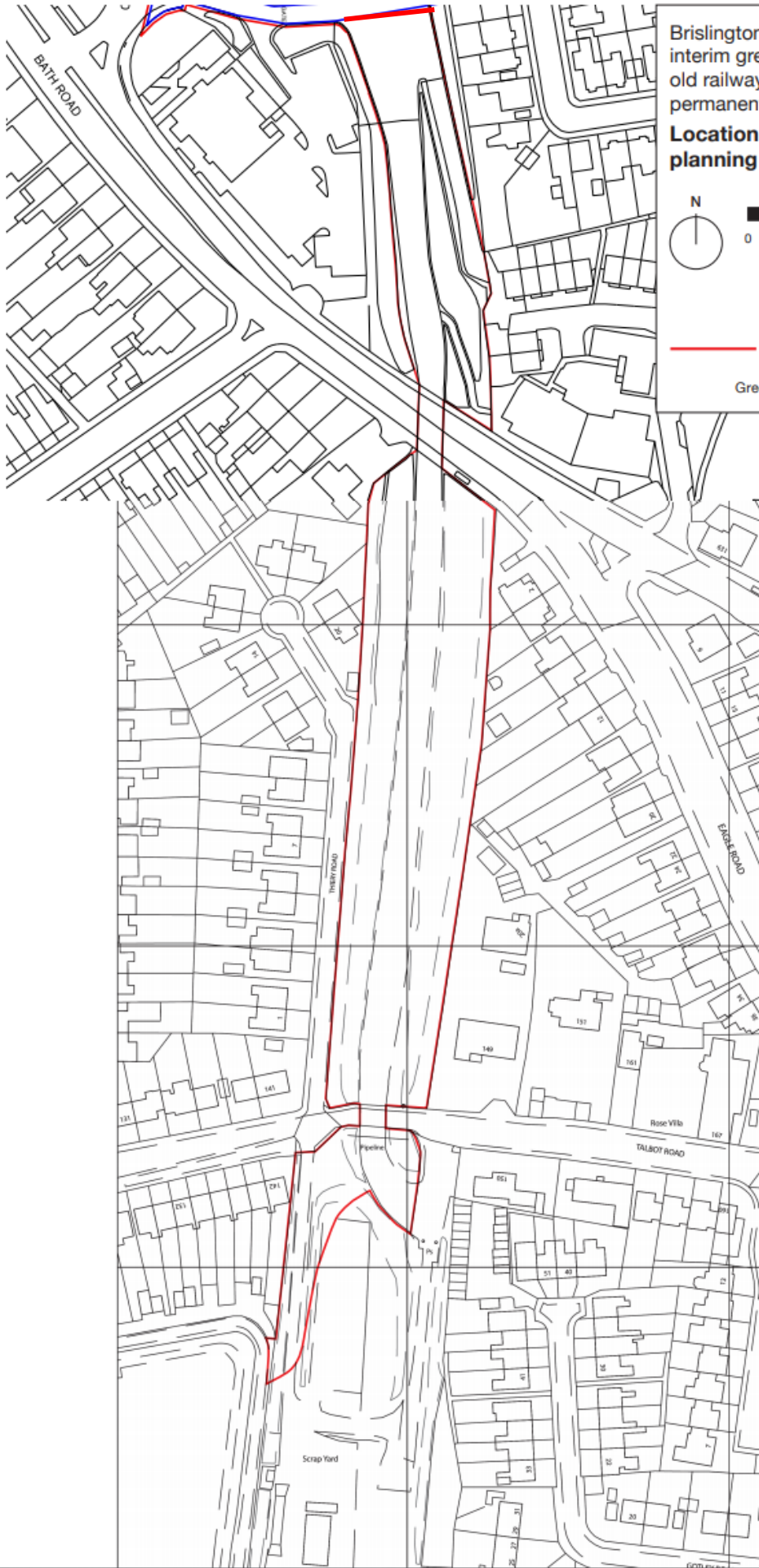
The proposed development is considered to prejudice the future development of land safeguarded for the Callington Road link and associated highway improvements. It is therefore contrary to Policy BCS10 of the Bristol Core Strategy adopted June 2011 and Policy DM24 of the Sites Allocation and Development Management Local Plan adopted July 2014.

The lack of supporting information in relation to the condition of existing hard surface materials and details of the proposed linkage with Whitchurch Way at the southern end of the proposal site means it has not been adequately demonstrated that the proposed development provides safe use and means of access for all members of the public. This is contrary to the requirements of policy BCS10 of the Bristol Local Plan Core Strategy (2011) and DM23 of the Sites Allocation and Development Management Local Plan adopted July 2014.

## **Supporting Documents**

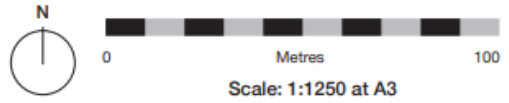
### **2. Former Railway Land, Bath Road.**

1. Location Plan
2. Proposed Works Plan
3. Detailed Cross Sections in Construction Area



Brislington Tramway: Proposals for an interim greenway route along the route of the old railway pending final developments of permanent road schemes or other plans

**Location Plan showing works area of planning application:**



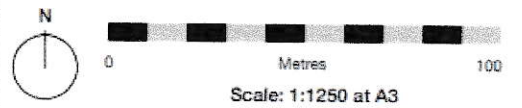
— SITE APPLICATION BOUNDARY

Greenways and Cycleroutes Ltd - Sept 2021





Brislington Tramway: Proposals for an interim greenway route along the route of the old railway pending final developments of permanent road schemes or other plans

**Location Plan showing works area of planning application:**



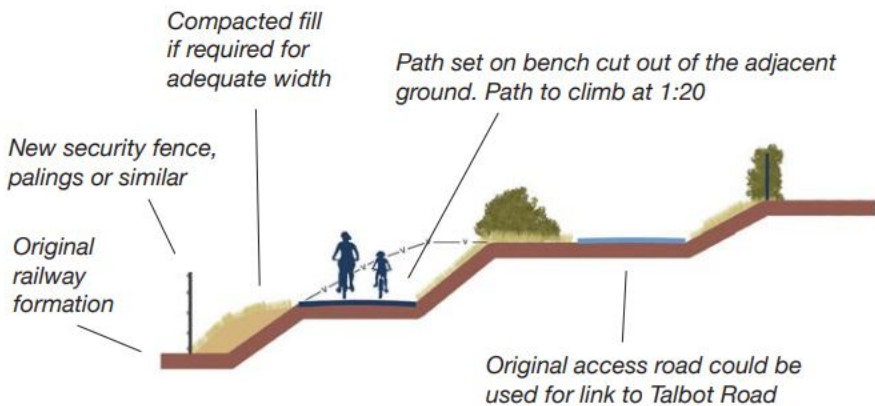
— SITE APPLICATION BOUNDARY

Greenways and Cycleroutes Ltd - Sept 2021

-  NO construction works at all in this area
-  New link path built in this area.

# Tramway South: Cross sections through path at Bristol Metal Recycling

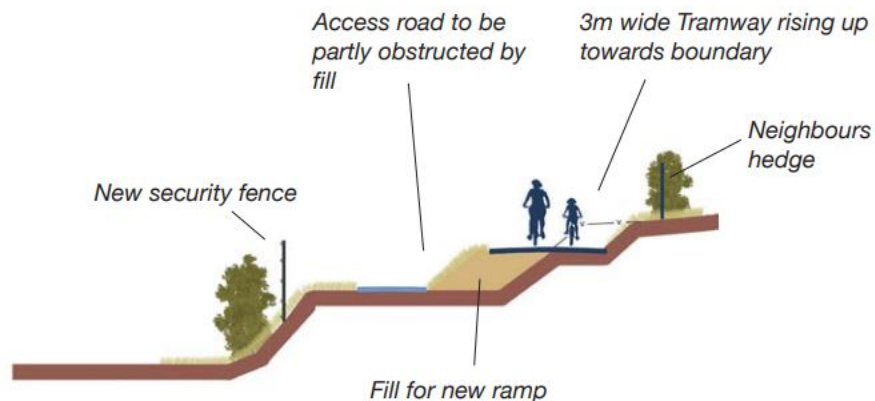
**A** Near start of link just south of Talbot Road Bridge



**B** Using the railway access road



**C** Section showing path rising above the access road which is dropping away below the original ground level



**D** Top of link ramp as it connects with Whitchurch Way

