



21/06762/F | Public Conveniences Circular Road Sneyd Park Bristol BS9 1ZZ Our Public Forum Statement to Development Control Committee B meeting, 29 June 2022

1. We adopt and endorse the public forum statement of Councillors Goulandris and Michallat. The committee voted 5/4 to reject the application on 6 April and asked officers to prepare formal reasons for their decision. There is no other reason for this matter to come back before them today other than to adopt formal reasons for the committee's decision. The officer's report is incorrect and needs correcting.
2. We have seen no evidence that the concerns expressed by Natural England have been adequately addressed.
3. Save for the Location and Block Plan, the plans produced by the applicant in this application still show the position of the current public conveniences in the wrong place to the north of its true position.
4. All BNG submissions should be accompanied by a nature conservation and landscape management plan which addresses features of interest, objectives, management compartments and prescriptions, a work schedule including a thirty year annual work plan, resourcing including a financial budget and ecological monitoring. This should cover a 30 year period.¹ No such plan has been produced.
5. In their undated Comment published on the planning portal on 19 June 2022, the Nature Conservation Officer (NCO) states: 'I would advise the applicant that the ecology report should be updated and resubmitted to reflect this.' This has not been done. When the applicant produced their ecology response (21_06762_F-ECOLOGY_RESPONSE-3215013) dated 25 April 2022, in which they describe their offsite calculations as 'merely indicative'. The planning officer reports that it has 'been highlighted that there is a need for the location of the offsite planting to be confirmed and this has been requested.' This too has not been provided.

The NCO also states that 'It is correct that the SNCI records the grassland habitat as 'un & semi improved calcareous grassland including priority habitat' however I have confidence in the professionalism and expertise of the Betts Ecologist in their habitat classification of the grassland on this site as "modified/neutral grassland". After all it is possible that small areas of the Downs will not fall within the habitat classification specified in the SNCI.' It is disappointing that the NCO has neither visited the site to verify the situation nor sought adequately to explain the direct contradiction with the official BRERC record.

Whether or not the habitat is *modified/neutral grassland* or *Lowland Calcareous Grassland*, this proposal cannot - even if the applicant's onsite calculation is accepted - achieve biodiversity net gain on the basis of the incomplete evidence now before the committee. In the absence of a credible baselined and tested offsite habitat survey, with accompanying BNG 3.1 calculation, neither of which has so far not been produced, the applicant has failed, in addition to the Ancillary Use reasons provided, to demonstrate to the committee that it has satisfied the requirements of:

1. Paragraph 174 of the **National Planning Policy Framework** (the Framework): *Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity* [our emphasis].
2. Paragraph 180 of the Framework: *When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...*
3. **Bristol Core Policy BCS9** requires that individual green assets are to be retained and integrated into new development.
4. **DM19** states that development that will have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted.

The Bristol Tree Forum - 24 June 2022

¹ Dr Nick Michael, BCC Nature Conservation Officer - planning application 22/01878/P - Ecological Technical Appendix A Desk Study - 7507.20.039 published as ECOLOGICAL_DESK_STUDY-3200493. Appendix A.