

Project Scope Change Request Assessment

Fund	T&C's Status	T&C's Accepted
CIF 2017-18	Accepted	02/08/2017 14:18 by [REDACTED]
School	Project Type	
137440 Cotham School	Condition	
Project	Key Feature	
CIF-1718-137440-1 Stoke Lodge Fence and Pavilion	Safeguarding issue	

Scope change category

Works category change

Decreased funding
need

Increased time
requirement

Increased funding
request

Other

Current scope of work (summary)

Delay encountered in the start of this project due to legal issues with access, now resolved, please see below.

Revised scope of work (summary)

The school scoped the project to refurbish the existing pavilion as a new

build cannot go ahead to provide the changing facilities on the playing fields to ensure minimum hygiene and welfare facilities are met as part of the schools duty of care to students and legal delivery of the PE curriculum.

Summary of reasons for scope change

The rebuild of the Pavilion cannot go ahead due to legal reasons as the planning application has been refused initially and refused again upon appeal to the planning inspectorate. It is highly unlikely that a new application would be successful due to local residents objections. This would also cause further delay to the project which is already in a state of slippage. The school need changing facilities at the fields, 3 miles from main school site, refurbishment project sought in its place.

Summary of other options considered

- A new planning application, however this will take more time and is highly unlikely to be passed due to the opposition from residents for a new pavilion to be built. Costs of new builds are also increasing and it is more than two years ago that the funding for the cost of a new pavilion was approved. The school would be unable to build a new pavilion for the costs originally submitted for the rebuild of the pavilion. - Find a new playing field with changing rooms, L.A advised none available

Impact on cost and timetable

Item	Current Costs	Revised Costs
Refurbishment	████████	████████ >
New Build	████████	████████ >
Enabling works, abnormals etc	████████	████████ >
<u>WORK COST</u>	████████	████████ >
Professional Fees	████████	████████
Fixtures & Fittings	████████████████	
ICT Infrastructure	████████████████	
Other Costs	████████	████████
<u>TOTAL</u>	████████	████████ >

Alternative Funding	Current	Revised
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Item	Current Milestones	Revised Milestones
Feasibility Complete		
Design Complete	31/12/2018	31/12/2018
Planning Approval	31/12/2018	31/12/2018
Tender Complete	30/04/2019	30/04/2019
Start On Site	30/06/2019	30/06/2019
Plan 1 Complete		
Plan 2 Complete		
Plan 3 Complete		26/08/2019
Project Complete	26/08/2019	

Funding	Current	Revised
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CIF Loan	██████████		Total Funding	██████████	██████████>
Salix Loan	██████████	█	Grant Funding	<██████████	███████████
School Reserves	████████████████████>				

Supporting Documents

File Link

[View Supporting Document](#)

[View Supporting Document](#)

Scope Change Assessment

Applicant has identified Payment Profile update is required

Payment Profile Update Required

Assessment 1

Reason for decision [3500 characters left]

190769-1301-P01 External Repairs Elevations (1).pdf; 190769-1151-P01-External Repairs Plan (1).pdf; 190769-0504 Prop Changing-Option 5A (2).pdf; Schedule of external works (1).pdf; Contextual Information to accompany the Change of Scope Request including the sequence of events for the use of Stoke Lodge Pavilion.docx

From: [REDACTED]
Sent: 11 September 2019 17:29
To: [REDACTED]
Subject: Additional documents to support the Scope Change Request

Hi [REDACTED]

I have completed the scope change request via the portal. I am limited to two documents which will not be enough to show what the school needs to do in light of the lack of ability to gain the much needed planning permission to build a new pavilion and therefore revert to a refurbishment of the existing building to provide facilities to enable the school to exercise its statutory duty.

[REDACTED]

[REDACTED]

[REDACTED] These preparations include 'preparing to go to tender' through our consultants Kendall Kingscott in order that we can bring the project in on the much needed time frame of completion by 30th April 2019.

This timeframe has been worked through by Kendall Kingscott to meet our overriding need to provide changing facilities as soon as possible but before the summer formal examinations sitting in 2020. The disruption to the exams sitting by students having to use changing facilities adjacent to the sports hall used at this time as an exams hall cannot be repeated. There were significant problems with this arrangement in 2019 as students have to change before travelling to the playing fields by coach, the school has taken in extra students to assist Bristol City Council in its secondary school place deficit, its more than 100 students changing whilst exams are in progress in rooms right next to the sports hall (exams hall). More students means more changing for P E and therefore more disruption and noise as they leave and return. If a changing facility was in place at Stoke Lodge, these students would not be anywhere near the exams hall facility, this disruption would cease immediately. There is nowhere else on site at the main school site to move the changing requirements to.

In addition to the exams situation, we are concerned that our coach provider will cease to transport students from school to Stoke Lodge who are taking part in sports and will be returning to school covered in mud which will be the case when football and rugby are being played in the wet winter months. There are no facilities without the reinstatement of the pavilion as a changing facility for school to manage the 'clean up' required before students can return to school on the coach transport.

Therefore in response to scope change request I am attaching the following documents:

- External works

- Cost Plan
- Detailed rationale for the scope change request including answers to some of the questions you raised
- Programme of works
- Internal plan
- [REDACTED]
- external elevations

Additional Information, in case of query:

There are two active TVG's, a new TVG which is TVG3 application has been received (summer 2019), this has not progressed apart from an acknowledgement of receipt. TVG2 has not progressed or been resolved due to the current high profile TVG case in the Supreme Court, 'on the application of NHS Property Services Ltd) (Appellant) v Surrey County Council and another (Respondents') - <https://www.supremecourt.uk/cases/uksc-2018-0109.html>. The CRA have confirmed to both the school and the applicant Emma Burgess (of Welovestokelodge) that the decision to register the land as a Town and Village Green will not be made on TVG 2 until the ruling is known.

The Pavilion and a small parcel of land around it is not included in the TVG 2 or TVG 3 application, so whilst the TVG applications remain a concern for us they are not a threat to our ability to refurbish the Pavilion and use it for students P E lessons . With TVG3 and its timing, the existence of the fence makes it hard to prove that there was 'uninterrupted use as of right' for the required time of twenty years or more.

I am struggling to change the payment profile, the cost of the project is the total cost given in the breakdown on the Kendall Kingscott table and the funds spent on the fence which with current commitments now total [REDACTED] as a small further piece of fencing is to be installed to complete the perimeter and works have been started and are almost complete to connect fibre to install CCTV on the tower for security purposes and communication from the main site to the P E teachers during the lessons. The small piece of fencing has not been completed up until now as there was an easement claim from two cottages which has been disputed by the school and confirmed by the Land Registry Service as not in place on the deeds of these houses. We are therefore able to proceed now with completing the perimeter as opposed to having access onto the fields form two back garden gates. This will take place shortly.

Therefore the cost of the project is Fence and associated works: [REDACTED] and the cost of refurbishment [REDACTED]. The school has also incurred some historical costs that relate to the project that have had to be written off in our accounts as this has taken so much longer than we all imagined. These could form and be attributed to the school's original contribution of 10% and I can provide these under separate cover. The school would be seeking the original funding amount of [REDACTED] once the historical costs have been provided, if at all possible.

We are hopeful that given the schools need, the lack of any viable alternatives, although we have explored what other possibilities are open to the school extensively with Bristol City Council and other organisations that we work with, that the Department of Education will see fit to enable us to move quickly to now use the funding to provide the same end result to complete the project for this much needed facility in order to meet our statutory requirements.

We appreciate that like ourselves, the ESFA, Bristol City Council and the Regional Schools Commissioner you have been under siege from a small number of residents of BS9 who are professionals, organised, cash and time rich who intend to win at all costs, their motivation purely to remove a much needed and necessary fence and prevent the school from having a suitable changing space as they believe this will move us on from the playing fields. We know that they have been as disruptive to you and your working commitments as they have to us and the other agencies they have targeted. We are appealing on behalf of 1600 students who do not live in areas that have green space that they are able to use to keep fit and healthy who just want

to undertake their P E lessons with a clean, hygienic, warm and safe space to change into their correct equipment and then back into their uniforms.

Thank you for your consideration of all this information including the contextual factual information which provides answers to the points raised.

I have uploaded to the portal the scope change request.

Kind regards

[REDACTED]

[REDACTED]

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

☎ Telephone: [REDACTED]

📱 Mobile: [REDACTED]

✉ Email: [REDACTED]

>

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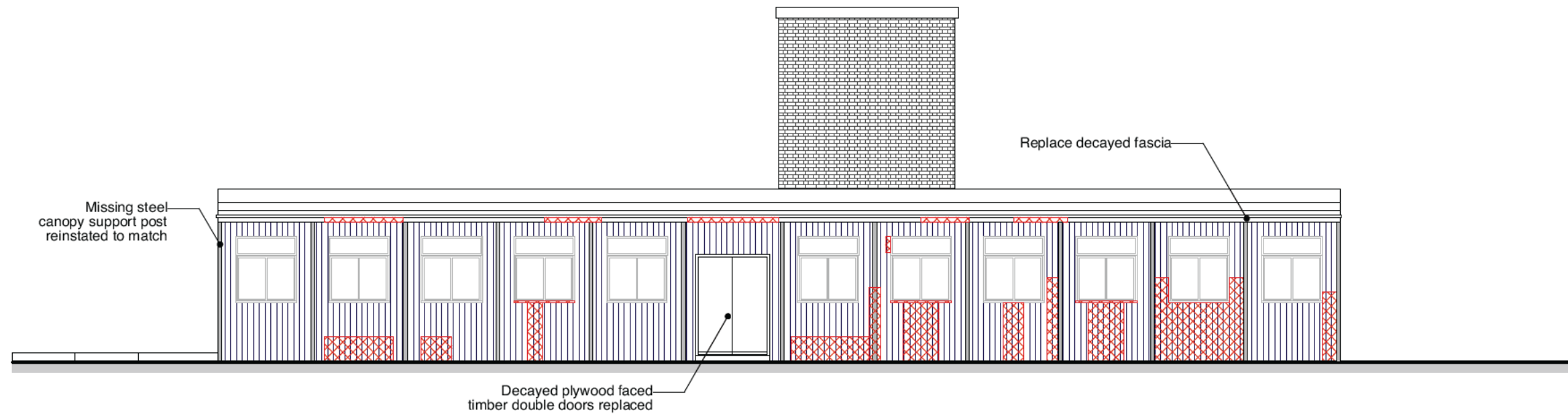
<https://www.bristol.gov.uk/parking/cotham>

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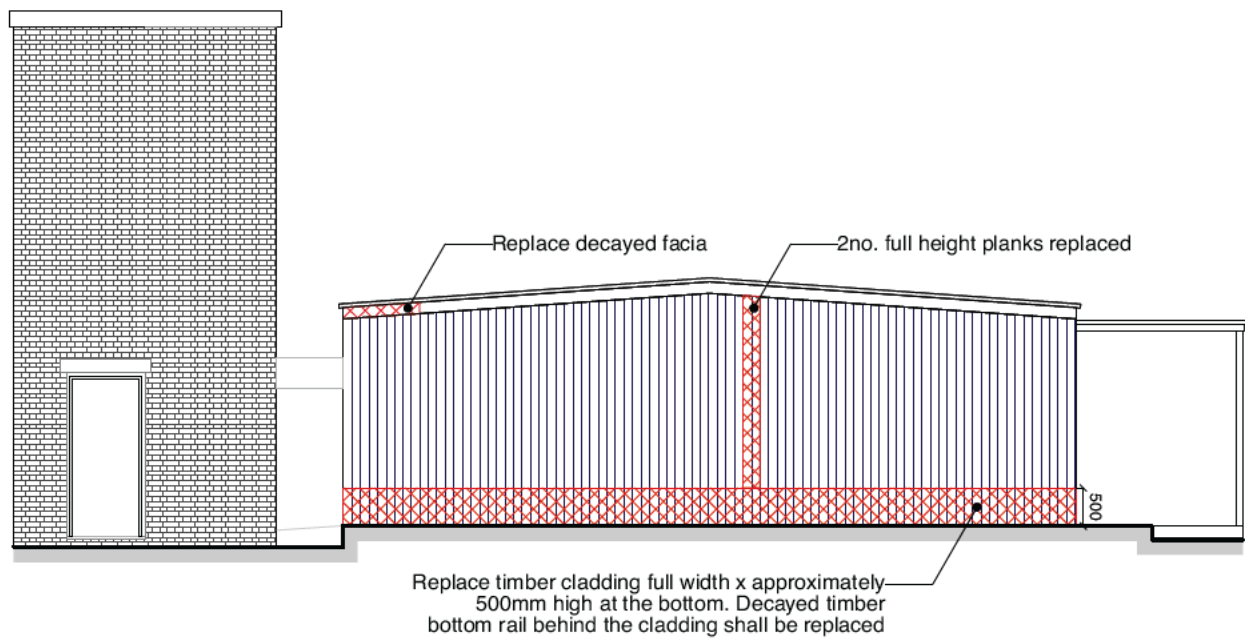
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Registered in England: Company Number: 07732888

Registered Office: Cotham School, Cotham Lawn Road, Cotham, Bristol, BS6 6DT

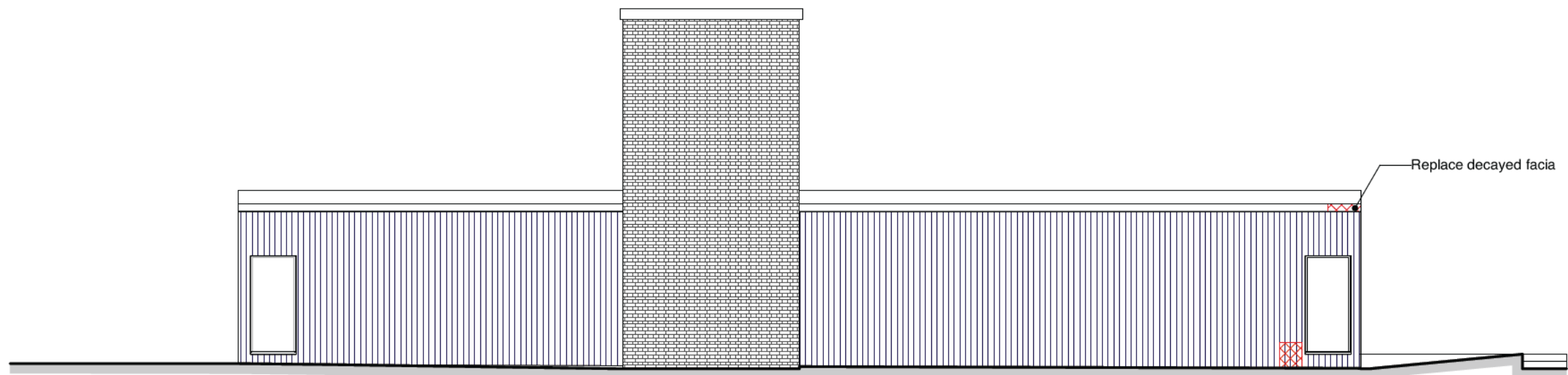
EXTERNAL REPAIRS ELEVATIONS



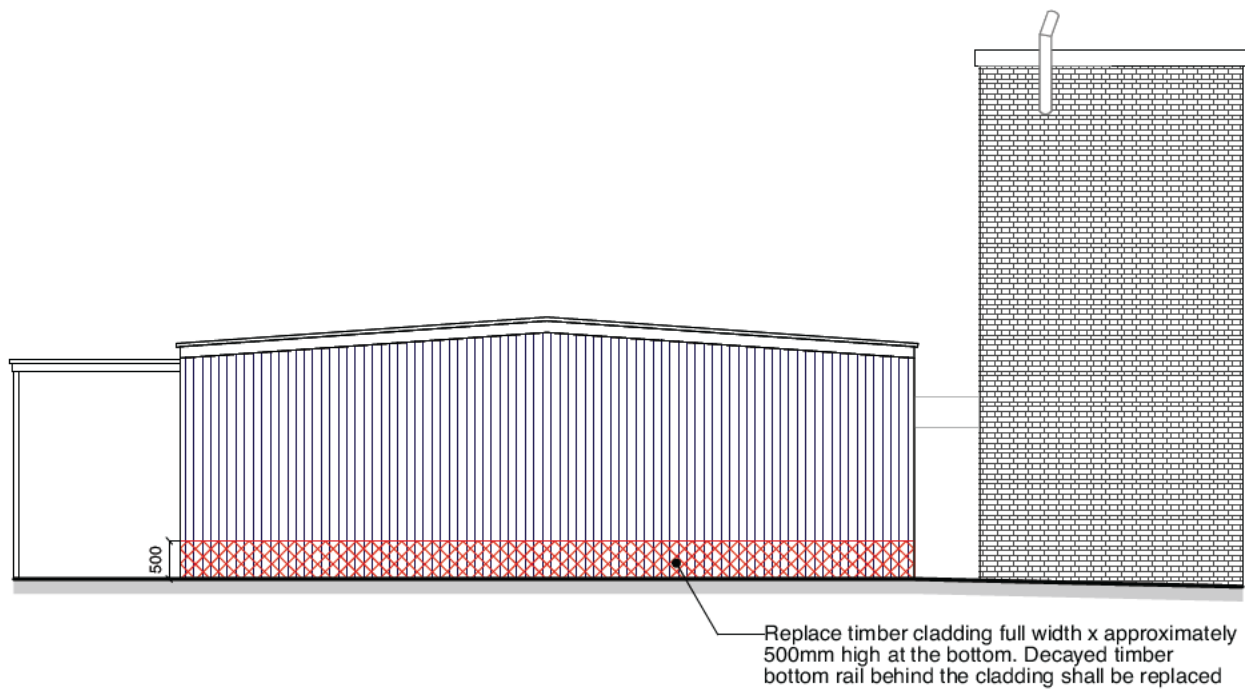
SOUTH WEST ELEVATION



NORTH WEST ELEVATION



NORTH EAST ELEVATION



SOUTH EAST ELEVATION

NOTE
All timber to be redecorated to match existing timber

KEY

 Area of dilapidation



Chartered Architects
Chartered Building Surveyors
Interior Designers
CDM Services

Glentworth Court, Lime Kiln Close
Stoke Gifford, Bristol BS34 8SR
+44 (0)117 931 2062
www.kendallkingscott.co.uk

Project
Cotham Sports Pavilion
Refurbishment
Client
Cotham Grammer School

Scale
1:100
Paper Size
A2
Filename
190769-1301
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Do not scale this drawing

P01	08/07/19		P01 Issue
Rev	Date	By	Ap Note

Drawing Title
External Repairs Elevations

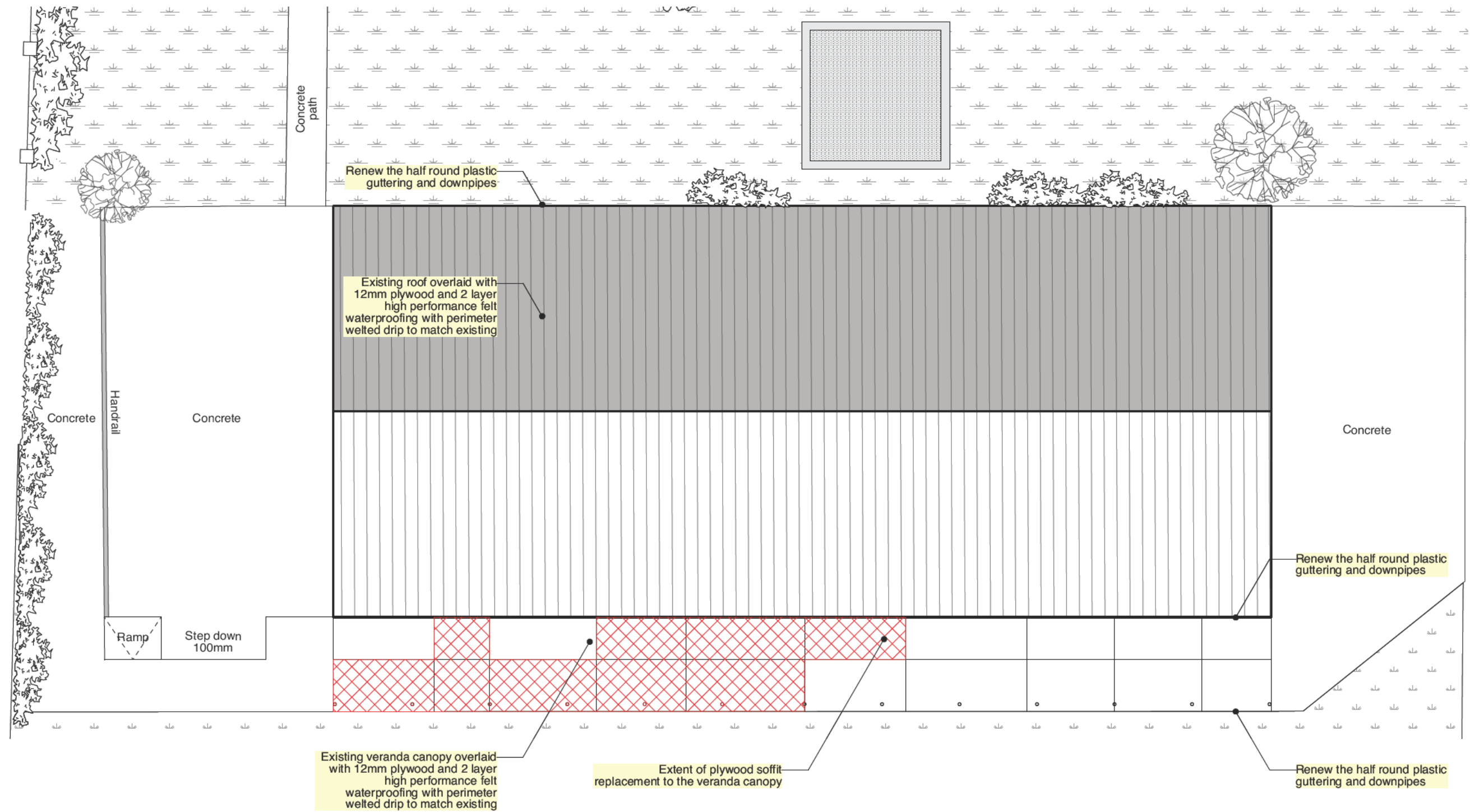
Project Number	Drawing Number	Revision
190769-1301	P01	

Date	Drawn	Checked	Status
08/07/19			PRELIMINARY


Check all dimensions and levels on site


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EXTERNAL REPAIRS PLAN



Key

 Extent of plywood soffit replacement



0 2 4 6 8 M

Scale: 1:100 @ A3



Chartered Architects
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Interior Designers
CDM Services

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Project
**Cotham Sports Pavilion
Refurbishment**

Client
Cotham Grammer Scholl

Scale	Paper Size	Filename
1:100	A3	190769-1151
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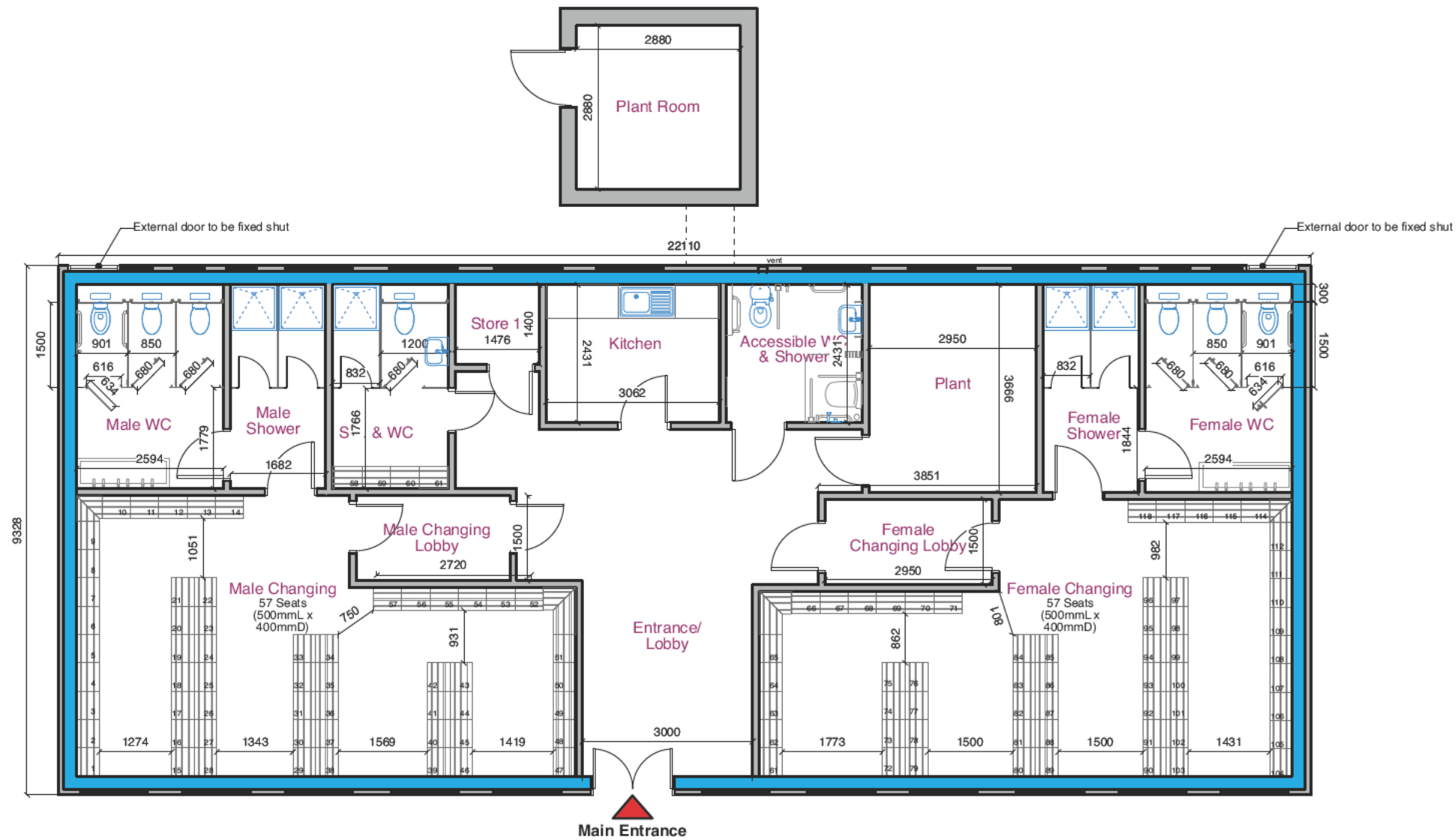
P01 Iss:08/07/19 P01 Issue
Rev Date By Ap Note

Drawing Title
External Repairs Plan

Project Number	Drawing Number	Revision
190769-1151		P01

Date	Drawn	Checked	Status
08/07/19			PRELIMINARY
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Project
Cotham Sports Pavilion
Refurbishment
Client
Cotham Grammar School

Scale 1:100 Paper Size A3 Filename 190769-0504
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P02 16/08/19 Removal of one shower each room, expansion of kitchen. Reshaped according to survey
P01 10/07/19 P01 Issue
Rev Date By Ap Note

Drawing Title
Ground Floor As Proposed - Option 5A

Project Number Drawing Number Revision
190769-0504 P02

Date Drawn Checked Status
10/07/19 FEASIBILITY

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0 2 4 6 8 M
Scale: 1:100 @ A3

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Kendall Kingscott



Bristol
Exeter
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Ringwood
Cardiff

SCHEDULE OF EXTERNAL REPAIRS

**AT
STOKE LODGE PAVILLION
WEST DENE, BRISTOL, BS9 2BH**

**ON BEHALF OF
COTHAM SCHOOL**

**Kendall Kingscott Limited
Glentworth Court
Lime Kiln Close
Stoke Gifford
Bristol
BS34 8SR**

Prepared By: [REDACTED]

Date: **July 2019**

Checked By: [REDACTED]

Job No: **190769**

Revision:

CONTENTS

- 1.00 MAIN ROOF**
- 2.00 VERANDA CANOPY ROOF**
- 3.00 SOUTH WEST ELEVATION (MAIN FRONT)**
- 4.00 NORTH WEST GABLE ELEVATION**
- 5.00 NORTH EAST REAR ELEVATION**
- 6.00 SOUTH EAST GABLE ELEVATION**

Please Refer to Drawings: -

190769 1301 – P01 External Repairs Elevation Plan
190769 1151 – P01 External Repairs Roof Plan



EXTERNAL REPAIRS

1.00 MAIN ROOF

- 1.01 To the entire flat pitched roof, provide and fix 12mm thick marine plywood mechanically screw fixed to the existing timber structure.
- 1.02 Provide and lay high performance two layer bitumen felt waterproofing with mineral finished cap sheet in green to match the existing colour. The perimeter detail shall be a traditional welted drip to match existing.

2.00 VERANDA CANOPY ROOF

- 2.01 Carry out isolated repairs to decayed timber roof joists to approximately 10% of the roof joists.
- 2.02 To the entire flat roof, provide and fix 12mm thick marine plywood mechanically screw fixed to the existing timber structure. The perimeter detail shall be a traditional welted drip to match existing.
- 2.03 To the existing plywood soffit, replace approximately 50% of damage / decayed boards to match existing.
- 2.04 To the existing metal support posts, take down, de-rust and repaint using 'Hammerite' smooth paint in white to match existing. Provide and install new match metal post where missing to the south west corner.
- 2.05 Replace the existing timber decayed / twisted fascia board to the front eaves, approximately 30%.

3.00 SOUTH WEST ELEVATION (MAIN FRONT)

- 3.01 Repair defective areas of timber tongue and grooved planks generally at low level.
- 3.02 Replace the main entrance double doors.
- 3.03 Renew 3no decayed window cills.
- 3.04 Repair defective timber plank cladding adjacent the top left hand window.
- 3.05 Replace the half round PVCu rainwater guttering and downpipes.

4.00 NORTH WEST GABLE ELEVATION

- 4.01 Repair defective areas of timber tongue and grooved planks at generally low level.
- 4.02 Replace decayed areas of bottom timber rail behind the plank cladding.

5.00 NORTH EAST REAR ELEVATION

- 5.01 Repair defective area of timber tongue and grooved planks at the bottom right hand end corner.
- 5.02 Replace the half round PVCu rainwater guttering and downpipes.

6.00 SOUTH EAST GABLE ELEVATION

- 6.01 Repair defective areas of timber tongue and grooved planks at low level.
- 6.02 Replace decayed areas of bottom rail behind the plank cladding.

Contextual Information to accompany the Change of Scope Request including the sequence of events for the use of Stoke Lodge Pavilion

The following events are chronological. No insurance claim was made after lease started as repairs to maintain use of the pavilion were being made until the use ceased by University of Bristol/hirers in July 2016. Following the cessation of use in 2016, this was for safeguarding reasons when it was determined that a perimeter fence was required to safeguard students at the school and hirers using the fields for training, playing fixtures or undertaking outdoor activities. The consideration was that the building needed to be rebuilt due to the school's plan for it to include use by the wider community consisting of local sports and activities groups who could use it outside of the school's needs. The proposed new build was designed to keep as close as possible to the original size of the pavilion but to incorporate sufficient changing facilities for officials for matches and a kitchen space large enough to provide refreshments for those sports clubs and groups.

Timeline of Events

- April 2014 – School ceases use of Stoke Lodge pending outcome of TVG (pavilion remains in use)
- Feb 05th 2016 – Pre inquiry meeting for TVG
- May 7th 2016 – Pavilion broken into, vandalised, fire brigade called (repairs made)
- May 21st 2016 – Pavilion broken into, vandalised, fire brigade called (repairs made)
- June 20th – 28th 2016 – Public inquiry into TVG
- July 02nd 2016 – Pavilion broken into, vandalised, fire brigade called (use by University of Bristol ceased due to concerns over security of the building and as a result of the University not being able to fulfil its contractual obligations to commercial hirers)
- July 12th 2016 – Pavillion broken into, vandalised, fire brigade called
- July 13th 2016 – Post TVG inquiry meeting (final statements)
- October 14th 2016 – Inspectors report into TVG (not 'as of right', not a TVG)
- December 2016 – CIF bid made to ESFA

As the project was granted through CIF funding and it appeared that a new building would be completed within the school year, the school ceased to make repairs to the Pavilion during 2016. The roof now requires replacing; it has survived the vandalism to a good extent but there is water ingress as further vandalism has now occurred where the previous damage is and vandals have accessed the building through the roof. This has left the building vulnerable and it would be nonsensical to refurbish the pavilion to an extent that it is fit for a larger cohort of students to use with new mechanical engineering solutions, fixtures and fittings without replacing some of the roof. This will make the building secure and completely water-tight. The school is currently working on installing fibre to provide more CCTV coverage to protect the building, the fence, the staff and students. This will be in place before the refurbishment of the pavilion is complete.

No insurance claims have been made or insurance monies received to repair the pavilion whilst it has been the responsibility of Cotham Academy. The school leases the playing fields on a 125 year long lease that includes the use of a changing facility (the pavilion). The playing fields are not a long term option for the school to use to exercise its 125 year lease without the ability for students to use onsite changing facilities. Having onsite changing facilities ensures that the school exercises its duty of care to students to provide adequate hygiene and welfare facilities. The school cannot meet its statutory requirement to deliver the P.E curriculum without adequate facilities in place at Stoke Lodge, the only solution to provide this is the pavilion which has been determined as being of sound construction to provide the basis for a refurbishment to take place. The school has put in place very temporary facilities but these are not adequate and neither will they be useable long term.

The school has determined that its core aim and need from the playing fields and the pavilion is to provide suitable changing facilities to meet its duty of care and safeguarding requirements. The refurbishment will be using the property floor plan at the size it currently is, gaining more changing space through a well thought through internal plan, minimising the number of showers to the absolute minimum the school can operate with, ensuring gender neutral changing/toilet and showering facilities are available and that there are accessible facilities too; and a small amount of storage and a welfare room for first aid and medication requirements.

Parking and travel considerations are not an issue with this re-scoped application as the school has not been able to include all of the facilities in the floor plan of the proposed refurbishment. These were originally planned in the new build design in order to include the wider community sports clubs and groups requirement for officials changing, showering and toilet facilities and a kitchen area. The core purpose of the pavilion will be to provide facilities for the students of Cotham School, in order that the school may meet its safeguarding responsibilities. All travel to the playing fields is through coach hire with students embarking from the coach onto a designated bus stop on the main road as agreed with the owner of the bus stop. Students embark back to the school using the same location. This equates to eight logistical moves by two coaches per school day, 38 weeks of the year, five days per week which are complete by 12.45pm. There are a small number of fixtures played at the playing fields as extra-curricular activities with transportation using the same point of embarkation to and from school.

From: [REDACTED]
To: [REDACTED]
Subject: Stoke Lodge Playing Fields - BCC confirmation that planning permission is not required
Date: 30 September 2019 11:39:11

Dear [REDACTED]

Please see the email that I have received from [REDACTED] stating that the refurbishment of the pavilion as per the plans submitted to the council and yourselves do not [REDACTED] require planning permission. I thought that it may help with the current decision making in progress on the change of scope request from the school to yourselves to have details of this confirmation.

I have taken out one line that refers to some trenching works on site in the bold blue type paragraph as it is a separate matter to this and I would not want it to be released currently under FOI.

I hope that this helps expedite a decision on the CIF so that the school may move forward and hopefully be on course to meet its target of Easter 2020 to have a pavilion for the students to use for changing purposes.

Please advise if anything further is required.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 27 September 2019 15:27
To: [REDACTED]
Subject: RE: Stoke Lodge Playing Fields

Dear [REDACTED]

Thank you for your submission with regard to this matter.

As discussed, I have sought an independent technical view on the need or otherwise for planning permission. I have also sought Counsel's view on the matter.

Thank you also for your e-mail dated 23rd September responding to my questions of clarification.

I can advise you that I am of the view that the works fall within s55 (2)(a)(i) and (ii) of the T&CP Act 1990 and do not fall within the definition of development, therefore planning permission is not required.

Should you wish to receive a more formal view from the Council, you will be aware that you are able to apply for a Certificate of Lawful Development.

Whilst the proposed works do not require planning permission, please advise the School that no works at all should take place until the approach (methodology, protection, any proposed works) to existing trees at the site that may be affected by the works has been submitted to and agreed by the Council. This may involve formal applications for tree works.

Finally, this view is based on the submitted details and clarifications. If the specification of works changes at all, the Council should be notified in order to check that this view still applies.

Yours sincerely

[REDACTED]

Growth & Regeneration

Bristol City Council

City Hall, College Green, Bristol BS1 5TR

T [REDACTED]

M [REDACTED]

E [REDACTED]

Web: www.bristol.gov.uk

--

[REDACTED] >

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

☎ Telephone: <[REDACTED]>

📱 Mobile: [REDACTED] >

✉ Email: [REDACTED]

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Registered Office: Cotham School, Cotham Lawn Road, Cotham, Bristol, BS6 6DT

From: [REDACTED]
To: [REDACTED]
Subject: Re: Cotham School - Planning decision reports
Date: 25 September 2019 12:51:56
Attachments: [image001.png](#)
[17_00864_F-DECISION_REFUSED-1686208 \(1\).pdf](#)
[17_06665_F-REFUSED-1861621.pdf](#)

Hi [REDACTED]

Here is the notice of the two planning refusals for the pavilion.

I am just putting the costs together that have been made in respect of this project so far and will get them over to you later on, hopefully today.

Thanks

[REDACTED]

On Wed, 25 Sep 2019 at 11:04, [REDACTED] wrote:

Hi [REDACTED]

Please could you send me copies of the planning decision reports for the new pavilion planning applications? These are the ones which were refused in June 2018 and May 2019 on appeal.

In your email of 11 September you refer to historic costs that relate to the project. Could you confirm what those costs are, what they are for and when those costs were incurred?

Regards

[REDACTED]

[REDACTED]

[REDACTED] | Bid Based Funding | School Estates and Post 16 Capital | Capital Group |
Operations Directorate |

Cheylesmore House | Quinton Road | Coventry | CV1 2WT |

Mobile: [REDACTED]



--

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

☎ Telephone: [REDACTED]



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NOTICE OF DECISION

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Decision :	REFUSED
Application no:	17/00864/F
Type of application:	Full Planning
Site address:	Stoke Lodge Playing Field, Shirehampton Road, Bristol, BS9 1BN.
Description of development:	Replacement changing room building and associated works (Use Class D2).
Applicant:	Cotham School
Agent:	CSJ Planning Consultants Ltd
Committee/Delegation Date:	28.07.17
Date of notice:	28.07.17

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

DECISION: REFUSED

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

Reason(s)

1. The new and enhanced changing room facilities and resultant intensification of the use of the site and associated facilities (by both Cotham School and numerous community sports teams) would lead to a significant increase in coach/vehicle traffic which is unsuited to the local highway network. Therefore, based on the information provided and evidence to the contrary, it is considered that the proposal would give rise to unacceptable traffic conditions in the local area. The proposal is therefore in conflict with Policy BCS10 of the Core Strategy (2011) and Policy DM23 of the Site Allocations and Development Management (2014) Policy DM23 as well as guidance within the NPPF.
2. Without noise assessment evidence and in the absence of management strategies to prove otherwise, the enhanced changing room facilities and potential unrestricted use of the facilities for sporting events and social events (by both Cotham School and numerous community sports teams) would result in an intensification of the use of the site and associated facilities which would have a detrimental impact upon the amenities of nearby residents. This would be due to the potential for detrimental levels of noise and disturbance associated with the premises especially when combined with the specific characteristics of the proposal which includes external areas and social areas located in close proximity to a number of residential properties. The application is therefore contrary to Core Strategy (2011) Policies BCS21 and BCS23 and Site Allocations and Development Management Policies (2014) DM30 and DM35.
3. The proposal has failed to sufficiently consider or mitigate the impact on nearby trees and subsequently the application is contrary to Policies BCS9, BCS11 and BCS21 in the Bristol Core Strategy (2011) and Policies DM15, DM17, DM26, DM27 and DM29 in the Site Allocations and Development Management Policies (2014) as well as guidance within the NPPF and the Planning Obligations SPD 2012.

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

L(0)01 - Location Plan, received 1 March 2017
L(0)02 - Existing Site Plan, received 1 March 2017
L(0)03 - Existing Floor Plan, received 1 March 2017
P(0)06 - Proposed Site Plan, received 1 March 2017
P(0)07 - Proposed Floor Plan, received 1 March 2017
P(0)08 - Proposed Elevations, received 1 March 2017
P(0)09 - Existing Proposed Site Section, received 1 March 2017

Article 35 Statement

The council always wants to work with the applicant in a positive and proactive manner. Unfortunately the proposed development is contrary to the policies of the Development Plan as set out in the officer report. Clear reasons have been given to help the applicant understand why planning permission has not been granted.

The right to appeal

You have the right to appeal against this decision. Any such appeal should be made on a form

obtainable from The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by contacting them on 0303 444 5000. Further information can also be obtained from the Planning Inspectorate's web-site, and it is possible to download copies of appeal forms and questionnaires and booklets giving guidance about the appeal process. The address is www.gov.uk/appeal-planning-inspectorate

You are allowed six months from the date of this notice of decision in which to lodge an appeal.

Negotiations

Before making an appeal, you may wish to contact the case officer who dealt with your application, who may be able to advise you, how the council's objections to your proposal might be overcome if you amend your scheme. Please note that if negotiations are successful, you will need to submit a new planning application, which may, of course, be refused by committee.

Lodging an appeal will not prejudice your negotiations but you may need to agree with the council to postpone the appeal, to allow negotiations to take place.

Complaints

Only planning matters can be considered at an appeal. If you think that the council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website www.bristol.gov.uk/complaints-and-feedback or by calling 0117 9223000.



NOTICE OF DECISION

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Decision :	REFUSED
Application no:	17/06665/F
Type of application:	Full Planning
Site address:	Stoke Lodge Playing Fields, Shirehampton Road, Bristol, BS9 1BN.
Description of development:	Erection of new changing room building and associated works to replace existing building.
Applicant:	Cotham School
Agent:	CSJ Planning Consultants Ltd
Committee/Delegation Date:	21.06.18
Date of notice:	25.06.18

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

DECISION: REFUSED

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

Reason(s)

1. The proposed enlarged and enhanced changing facilities would increase the intensity of usage of the facilities by Cotham School as well as community sports teams and that would in turn be associated with a significant increase in vehicle and coach traffic and parking demand unsuited to the local highway network surrounding the site. Therefore, based on the information provided, it is considered that the proposal would give rise to unacceptable traffic and highway safety conditions. The proposal is therefore in conflict with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Site Allocations and Development Management Policies (2014) as well as guidance within the NPPF.

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

DP-1 - Demolition Plan, received 31 December 2017
TPP-1 - Tree Protection Plan, received 31 December 2017
160896 P(0)01 - Location plan, received 1 December 2017
160896 P(0)02 - Existing site plan, received 1 December 2017
160896 P(0)03 A - Existing floor plan, received 25 April 2018
160896 P(0)04 - Existing elevations, received 1 December 2017
160896 P(0)05 A - Proposed site plan, received 31 December 2017
160896 P(0)06 B - Proposed floor plan, received 31 December 2017
160896 P(0)07 A - Proposed elevations, received 31 December 2017
160896 P(0)08 - Existing and proposed site section, received 1 December 2017
Design and access statement, received 1 December 2017
Transport statement, received 1 December 2017

Article 35 Statement

The council always wants to work with the applicant in a positive and proactive manner. Unfortunately the proposed development is contrary to the policies of the Development Plan as set out in the officer report. Clear reasons have been given to help the applicant understand why planning permission has not been granted.

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From: [REDACTED]
To: [REDACTED]
Subject: Re: Cotham School - Planning decision reports
Date: 25 September 2019 14:01:45
Attachments: [image001.png](#)
[17_06665_F-APPEAL_DISMISSED-2096116.pdf](#)

Here it is.

On Wed, 25 Sep 2019 at 12:56, [REDACTED] wrote:

Hi [REDACTED]

Thanks. Do you also have a copy of the planning appeal outcome from May 2019?

Regards

[REDACTED]

[REDACTED]

[REDACTED] | Bid Based Funding | School Estates and Post 16 Capital |Capital Group |
Operations Directorate |

Mobile: [REDACTED]



From: [REDACTED]
Sent: 25 September 2019 12:51
To: [REDACTED]
Subject: Re: Cotham School - Planning decision reports

Hi [REDACTED]

Here is the notice of the two planning refusals for the pavilion.

I am just putting the costs together that have been made in respect of this project so far and will get them over to you later on, hopefully today.

Thanks

[REDACTED]

On Wed, 25 Sep 2019 at 11:04, [REDACTED]
wrote:

Hi [REDACTED]

Please could you send me copies of the planning decision reports for the new pavilion planning applications? These are the ones which were refused in June 2018 and May 2019 on appeal.

In your email of 11 September you refer to historic costs that relate to the project. Could you confirm what those costs are, what they are for and when those costs were incurred?

Regards

[REDACTED]

[REDACTED]

[REDACTED] | Bid Based Funding | School Estates and Post 16 Capital |Capital Group |
Operations Directorate |

Cheylesmore House | Quinton Road | Coventry | CV1 2WT |

Mobile: [REDACTED]



--

[REDACTED]
Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

☎ Telephone: [REDACTED]

📱 Mobile: [REDACTED]

✉ Email: [REDACTED]

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[REDACTED]
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☎ Telephone: [REDACTED]

📱 Mobile: [REDACTED] >

✉ Email: [REDACTED]

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Appeal Decision

Site visit made on 23 April 2019

by [REDACTED]

an Inspector appointed by the Secretary of State

Decision date: 24 May 2019

Appeal Ref: APP/Z0116/W/18/3218485

Stoke Lodge Playing Fields, Shirehampton Road, Bristol BS9 1BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cotham School against the decision of Bristol City Council.
 - The application Ref 17/06665/F, dated 1 December 2017, was refused by notice dated 25 June 2018.
 - The development proposed is erection of new changing room building and associated works to replace existing dilapidated building (Re-submission).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The parties refer to the National Planning Policy Framework in their submissions. As the policies relevant to the current appeal have not materially changed, I have taken the revised 'Framework' published in February 2019 into account in the determination of the appeal.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The appeal site comprises an existing pavilion building which was built in the mid-1960s. It is clear that due to its age and construction, the existing pavilion building has needed replacing for a considerable period and is likely to have received limited use in recent years. The pavilion sits within more substantial grounds enclosed by a recently erected fence and laid out as sports pitches, surrounded by pedestrian routes and mature trees. The Stoke Lodge Adult Learning Complex and an area of public open space adjoin the grounds to the south.
5. The appeal site has pedestrian access onto Ebenezer Lane. Vehicular routes leading to the site are via South Dene and West Dene, both of which are residential streets with vehicle speeds limited to 20 miles per hour. The appeal site does not benefit from any vehicular access or parking for cars or coaches. From the submitted evidence and from my own observations, owing to the absence of a vehicular access, coach and car parking on the land serving the appeal building, the existing use of the sports pitches appears to result in additional manoeuvring and parking on the surrounding residential roads when in use.

6. The appeal proposal seeks to replace the existing substandard pavilion building which contains two changing rooms and associated facilities utilising broadly the same position on site. The modern, single storey building would contain four changing rooms, showers and WCs, officials changing rooms and social/refreshment space to accord with current Sport England guidance.
7. The submitted Design and Access Statement (DAS) notes that "*the current facility is considerably under capacity*" and that the proposal to replace the building will "*double the effective capacity*", albeit not with an intention to "*intensify the use or expand the use of the facilities*". These points appear contradictory. The appellant indicates that the proposed pavilion will have no bearing on the number of vehicular movements associated with the unrestricted existing lawful use of the playing fields as they are dictated by the number of sports pitches and their respective carrying capacity. The changing rooms and refreshment area are suggested as being clearly ancillary, and not something to which anyone travels in isolation.
8. The DAS also notes that the proposal is capable of improving the quality of experience for participants and enable more playing activity and better use of the site. The recent enclosure of the site with the fence, the future exclusivity of the use of the site for sporting functions and the likely focus on the proposed improved pedestrian access is also likely to draw the vehicular movements towards South Dene and West Dene, whereas they may have previously been more dispersed.
9. Accordingly, whilst the net additional floorspace of the proposed pavilion may be relatively modest compared to the current building or that existed previously, the exclusivity of the use of the site for sporting activity and enhanced user experience would change in nature that which was available in the recent past by the existing facilities.
10. There is little quantifiable evidence of the existing capacity of the playing fields and whether or not it is filled by the sports clubs that already have hire agreements in place. Nor any indication of how traffic movements associated therewith have previously accessed the site. The improvement of the facility, considered holistically, could lead to an increase in vehicular trips and demand for parking concentrated to the area around the pedestrian point of access.
11. As such, I am not satisfied that the potential highway safety implications would not be exacerbated by the appeal proposal. Such safety implications include parking opposite or within 10 metres of a junction and blocking visibility splays, parking on the footway, restricting access for emergency vehicles and increased coaches using roads which are unsuited to such large vehicles.
12. Whilst the appellant claims that the manner in which users access the site is simply not a material planning consideration because the proposal will have no bearing on how they choose to access the site, I do not find this to be the case. The other facet little addressed in the evidence is the potential increase in duration of stay by users. There may be an increased length of use by pupils and users for changing and showering before and/or after sporting activities. Additionally, as suggested in the appellant's evidence, spectators would be able to wait in the social/refreshment area after games and enjoy hot and cold drinks whilst players shower and change. This could result in a greater potential for overlapping arrivals and departures, potentially exacerbating

highway safety issues, which I am not satisfied have been adequately addressed.

13. I acknowledge that Cotham School may benefit from unrestricted use of the sports pitches and that there is no restriction on the number of pupils that use them for physical education and sporting activities. If the proposed pavilion were exclusively for use by the School, there may be a better ability to restrict its use and manage coach arrival and departure times and routing to avoid any prejudicial highway safety implications. However, as noted throughout the appellant's evidence, the playing fields are used by other sports clubs. From the evidence, it appears that there are a greater number of unmanaged vehicles associated with fixtures played outside of school hours and consequently, a greater highway safety risk. These risks would be exacerbated if the overlap times were extended by users and officials from those other sports clubs.
14. I note the appellant's claim that it would not be possible to utilise the Council-owned car park at the nearby Stoke Lodge Adult Learning Centre as it may result in the sports curriculum timetable being dictated by a third party. This is not formally before me as a matter in consideration. However, the current compromised situation which inconveniences and endangers users of the surrounding highway network should not be exacerbated by a proposal that enhances the facility for its users, which in the absence of evidence to the contrary, may attract additional users, concentrate vehicular movements to one particular area and extend overlap times without consideration to possible mitigating factors.
15. The appellant has drawn comparisons with applications for other similar proposals which were considered to be ancillary to the existing sports use and not materially different in highway terms to the current proposal. From the limited details before me, it would appear that those particular sites had parking to which references were made in the officers' respective assessments of those proposals. The existing situation at Stoke Lodge Playing Fields is therefore different to the highlighted examples other than for its absence of parking. The use of the existing pavilion has clearly diminished recently. The facility has been enclosed specifically for sporting use and its point of access has been directed to one specific area.
16. In view of this main issue, and in the absence of definitive evidence to the contrary, I consider that a precautionary approach is appropriate and that the proposed development would present a potential risk to highway safety and would therefore conflict with Policy BSC10 of the Bristol Core Strategy (Core Strategy) (2011), which seeks to ensure that development should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Conflict would also arise with Local Plan¹ Policy DMD23 of the which requires safe and adequate access for all sections of the community within the development and onto the highway network including designs which secure low vehicle speeds and for appropriate transport improvements to overcome unsatisfactory transport conditions created or exacerbated by development.

¹ Site Allocations and Development Management Policies Local Plan (2014)

17. The proposal would also conflict with the revised Framework which seeks to ensure that safe and suitable access to any development site can be achieved for all users.

Other Matters

18. I note from the limited details in the appellant's evidence that there may be a fallback position involving the refurbishment and/or increase in size of the existing facility to implement in full its original grant of planning permission. However, there is insufficient evidence before me to conclude that this is a legitimate fallback and that there would be an intention to resort to it, should the need arise.
19. I note the various letters of support from the numerous users of the facility and the stated benefits to the users, including pupils of the school, from the improved facilities. Whilst I also note that the proposal is supported in principle by the Council, the technical highway considerations relating to the current proposal have not been satisfactorily addressed and it therefore conflicts with the Development Plan. The stated benefits do not outweigh this conflict.
20. I note that the appellant has agreed to the Council's suggested conditions subject to some suggested changes. As I am dismissing the appeal in any event, I have not considered these further.

Conclusions

21. For the above reasons, the appeal is dismissed.



INSPECTOR

From: [REDACTED]
To: [REDACTED]
Subject: Costs incurred to date 2016 to 2019/2020
Date: 25 September 2019 14:36:31

Hi [REDACTED]

Here is the detailed expenditure to date. I have included the costs for the quantity surveyor, architect and mechanical engineering fees [REDACTED], it may be that the cost of these is not permitted to be put against the funding as the project to rebuild the pavilion has not been possible and whilst the mechanical engineering audit is useful, a good deal of these works will have to be carried out again if the change of scope to refurbish is approved. If they cannot be offset against the current project then the cost would be [REDACTED]

Arboricultural and ecological costs [REDACTED] 2017 2018
[REDACTED] 2018 2019

Landscaping Design Services - Fence [REDACTED] 2017 2018
[REDACTED] 2018 2019

Fence costs including installation [REDACTED] 2018 2019
[REDACTED] 2019 2020 committed to be spent
to complete an area of the field previously subject to an easement claim, the easement has been legally disproved and the fence here can be installed

Small hardware costs [REDACTED] >2018 2019

Mechanical Engineering audit fees [REDACTED] >2016 2017

Pavilion and fence quantity surveyor and architect fees [REDACTED] > 2016 2017

Total

[REDACTED]

[REDACTED]

--

[REDACTED]
Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

☎ Telephone: [REDACTED]

📱 Mobile: [REDACTED]

✉ Email: [REDACTED]

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