



24/00685/COND | Application for approval of details reserved by condition 2 (Contaminated Land Verification) of permission 23/03826/F (Replacement of the current South and South West Stands with a new improved facility to increase the number of seats within the Memorial Stadium, and new toilet facilities and concession stalls) (Major). | The Memorial Stadium Filton Avenue Horfield Bristol BS7 0BF

We object to this application for the following reasons:

Condition 2 of the Grant¹ states:

2. Contaminated Land Verification

As determined by the findings of the Hydrock Phase 1 Contaminated Land Desk Study (Ref: 30760-HYD-XX-XX-RP-GE-1000-S2- P3, dated 25 October 2023 and Hydrock Technical Design Note (Ref: 30760-HYD-XX-XX-TN-GE-1001-S2-P01), dated 4 December 2023). Within 4 months of the date of consent, the applicants must submit a verification report detailing the findings of the radon assessment and any subsequently required remedial works to the local planning authority for approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

It is clear from the Technical Design Note² that the authors have failed to address the issue of possible contamination on the area to the South of the Redline area which has been set aside for offsite biodiversity Gain mitigation and forms part of the planning Grant and the Unilateral Undertaking³. Condition 11 of the Grant states:

Within 6 months of the date of consent, the applicant shall submit a 30-year Landscape and Ecological Management Plan (LEMP). This should address retained features of ecological interest, together with mitigation and enhancements to be provided. The LEMP should set out management compartments, objectives, and prescriptions for all new proposed soft landscaping/planting to demonstrate how all habitats will be

¹ 23_03826_F-GRANTED-3585495

² 24_00685_COND-TECHNICAL_DESIGN_NOTE-3627634

³ 23_03826_F-UNILATERAL_UNdertaking-3585473



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managed to their target condition (as specified in the BNGA). It should also show how management of the site will be resourced and monitored.

Reason: Ecological enhancement is needed to meet the requirements of the revised National Planning Policy Framework (NPPF, 2023). The NPPF states in paragraph 174 (d) on page 50 that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity..". And, the Environment Act (2021) requires habitats to be maintained for 30 years after development is completed.

This is the LEMP Land - edged in blue and coloured green - to the south of the redline boundary:



As we pointed out in our recent email dated 25 March 2024, this site is clearly contaminated:

Dear Development Management and xxxx,

You will be aware that, for some time now, we have been unsuccessfully attempting to have sight of the proposed LEMP (Landscape and Ecological Management Plan)



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referred to at paragraph 11 of the attached Grant and in the Unilateral Undertaking (also attached). May we please see a copy of the current draft.

In the meantime, we have been collating photographs of the offsite area which you can view here - <https://photos.app.goo.gl/tmRL4Lj3sqUmRQFm6>.

These comprise a series of stills taken from drone footage made on 23 September 2023 published on Youtube - https://www.youtube.com/watch?v=igy1l_S6_FY&t=36s. The other images were made today, 25 March 2024.

If you compare these, you will see that the site has been substantially degraded between these two dates so that it is unlikely that it would now be described as 'Other woodland; broadleaved' habitat under BNG 4.0. From what we have seen, it appears that the site has been used by the club as a dumping ground during the recent stand construction.

*There is also evidence of historic flytipping. Given this, it is perhaps surprising that the applicant's ecologists, Wardell Armstrong, omitted to mention this when they surveyed the site on 07 September 2023 - see section 3.6 w1g - **Other Broadleaved Woodland** of the attached report.*

We sincerely hope that the final LEMP, when it is presented, will take account of this and make proposals to restore (as far as possible, the site back to its pre-degradation state before work is undertaken to enhance the offsite area condition from Poor to Moderate.

In the meantime, we have submitted this Freedom of Information Request - https://www.whatdotheyknow.com/request/request_for_information_about_pl_2.

In light of this, the applicant has failed to comply with Condition 2 which was imposed 'to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.'