



22/01878/P | Land at Broom Hill/Brislington Meadows, Broomhill Road, Bristol BS4 4UD

Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major)

Further Comment following an Internal Review of our Freedom of Information request

On 14 May 2022, we issued the following Freedom of Information request, [Deregistration of the SNCI at Brislington Meadows](#):

Dear Bristol City Council,

Homes England has published plans to develop land at Broom Hill/Brislington Meadows, Broomhill Road, Bristol BS4 4UD -

<https://pa.bristol.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RA9YU0DN1CN00>

They have published an Outline Biodiversity Net Gain Assessment in support - 22_01878_P-OUTLINE_BIODIVERSITY_NET_GAIN_ASSESSMENT-3200573.

Paragraph 1.6 of the Outline Biodiversity Net Gain Assessment states “Prior to allocation in 2014, the site was part of the SNCI known as Brislington Meadows. The allocation part was deregistered as an SNCI to enable allocation for residential development as part of the Local Plan housing review. This was confirmed with BCC’s Nature Conservation Officer (Dr. Nick Michael) in August 2020.”

Please provide documentary evidence of the deregistration of the Brislington Meadows SNCI together with copies of all communications between Homes England and the Council’s officers, including Dr Nick Michael and the Council’s agents or contractors, about the deregistration of the Brislington Meadows SNCI.

Yours faithfully,

xxxx, Chair

The Bristol Tree Forum

The Council failed to deal with our request to our satisfaction, so on 10 June 2022 we asked for an Internal Review:



Dear Bristol City Council,

Please pass this on to the person who conducts Freedom of Information reviews.

We are writing to request an internal review of Bristol City Council's handling of our FOI request 'Deregistration of the SNCI at Brislington Meadows'.

The one document you have disclosed (which appears to be dated (10/12/10 - we presume 2010) is not related to our request which asked for "documentary evidence of the deregistration of the Brislington Meadows SNCI together with copies of all communications between Homes England and the Council's officers, including Dr Nick Michael and the Council's agents or contractors, about the deregistration of the Brislington Meadows SNCI".

If anything the document appears to support the decision to continue with the site's SNCI status. It also predates the adoption of the Bristol Local Plan in 2014, which, we have been told, removed the SNCI status of that part of the site which was identified for development as a Site Allocation and which is now subject to planning application - 22/01878/P.

We are advised that deregistration "was confirmed with BCC's Nature Conservation Officer (Dr. Nick Michael) in August 2020." The document you have disclosed appears to be dated more than 10 years before this date.

In the circumstances, you have failed to comply with our request and so we request an Internal Review.

A full history of our FOI request and all correspondence is available on the Internet at this address: <https://www.whatdotheyknow.com/request/d...>

Yours faithfully,

The Bristol Tree Forum

Following the Internal Review, it was concluded, inter alia, that (our underlining and see the full text of the Internal Review at Appendix 1):

The area of land which is the subject of your request has been subject of a local plan development allocation from the time the local plan was adopted in July 2014. The statement contained within the Homes England report you reference in your original request states that the site was deregistered as an SNCI in order for the development allocation to be made, however following consultation with the planning department I have concluded that this is not correct. Any status as an SNCI was not rescinded at the time of the development allocation or subsequently - the two statuses can co-exist. As such, Bristol City Council does not hold any information regarding the 'deregistration of Brislington Meadows' as no such deregistration has taken place. Please note, details



about how these two statuses interact or which has primacy in making planning decisions is outside of the scope of this review.

I note and accept that Bristol City Council's original response provided you with information which was irrelevant to your request. This was misleading and Bristol City Council was incorrect to do so.

A mirror [Fol request to Homes England](#) advised: 'We can inform you that we do hold recorded information that falls within the scope of your request.'

This decision establishes that this site has never been deregistered so is still protected by [Development Management policy DM19](#) - Development and Nature Conservation, whether or not it has been allocated for development. Amongst other things, DM19 states that 'Development which would have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted.'

11 August 2022
The Bristol Tree Forum



Appendix 1



Mark Ashdown

Reply to
foi@bristol.gov.uk
Our ref 26674627
Date 28 July 2022

Dear Mark Ashdown

Information requested by: Mark Ashdown

Our ref 26674627 – internal review response

I am writing in response to your concerns about Bristol City Council's handling of your request for information received on 14th May 2022 and which was responded to on 10th June 2022.

I was appointed to carry out an independent review as I was not involved in the original decision.

In your request you asked for the following information:

“Please provide documentary evidence of the deregistration of the Brislington Meadows SNCI together with copies of all communications between Homes England and the Council's officers, including Dr Nick Michael and the Council's agents or contractors, about the deregistration of the Brislington Meadows SNCI.”

Original decision

Bristol City Council responded to your request and provided you with a document which it stated answered your request in full.

Internal review request

On 10th June 2022 you contacted Bristol City Council to request an internal review as you were not satisfied with the original response to the above

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request. Specifically, you stated that the supplied information did not address your request.

I have treated your request for an internal review in line with the terms of the EIR.

Internal review

Thank you for your patience whilst I have carried out this review.

In carrying out this review, I have understood your request to have two components. You requested:

1. Documentary evidence of the deregistration of the Brislington Meadows SNCI
2. Copies of communications between Homes England and the Council's officers, including Dr Nick Michael and the Council's agents or contractors regarding the deregistration of the Brislington Meadows SNCI

I will address both parts in turn.

1. Documentary Evidence

The area of land which is the subject of your request has been subject of a local plan development allocation from the time the local plan was adopted in July 2014. The statement contained within the Homes England report you reference in your original request states that the site was deregistered as an SNCI in order for the development allocation to be made, however following consultation with the planning department I have concluded that this is not correct. Any status as an SNCI was not rescinded at the time of the development allocation or subsequently – the two statuses can co-exist. As such, Bristol City Council does not hold any information regarding the 'deregistration of Brislington Meadows' as no such deregistration has taken place. Please note, details about how these two statuses interact or which has primacy in making planning decisions is outside of the scope of this review.

I note and accept that Bristol City Council's original response provided you with information which was irrelevant to your request. This was misleading and Bristol City Council was incorrect to do so.

2. Communications

I have run a search for any correspondence either to or from any Bristol City Council email account and any Homes England email account which contains the terms:

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- Brislington Meadows; and
- SSSI or "Site of Nature Conservation Interest" or conservation; and
- Deregister or deregistered or deregistration

No results were found. A manual search was also carried out of Dr Michael's email account for any information relevant to your request from August 2020, but this also produced no results. I cannot comment on the basis for the statement within the Homes England report; however, I am satisfied that Bristol City Council has undertaken reasonable searches for the requested information, and no such information is held.

Bristol City Council's original response made no mention of this part of your request, and no searches were carried out in order to establish if any relevant information was held. This was incorrect and I apologise that your request was not addressed in full at the time of the original response.

Decision

The final decision of this review is that it partially upholds your complaint. The original response did not adequately address your request, however upon review I have found no information held by Bristol City Council which is relevant to your request.

If you are not content with the outcome of this Internal Review you have the right to apply directly to the Information Commissioner's Office for a further decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.org.uk

Yours faithfully

B Hodge
Disclosures Manager

Website
www.bristol.gov.uk

