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Date: 16th April 2021
Our Ref: 21/01230/PA02

Philip Edwards
4 Valley View
Clutton
Bristol
Bath And North East Somerset
BS39 5SN

Dear Philip Edwards

RE: Pre-application enquiry at Temple Cloud Play Area Meadway Temple Cloud Bristol

Thank you for your recent enquiry regarding the above proposal. Please find my response attached.

The views expressed in this report represent an officer's informal opinion only based on the information supplied and without consultation with statutory consultees or third parties. This advice is not binding on any future decisions made by elected members of the council or under powers delegated to other officers.

Should you chose to progress your scheme and submit further application(s) you may be able to benefit from setting up a Planning Performance Agreement to give you greater certainty of deadlines and outcomes. You will also get a dedicated Planning Officer and a mutually agreed timetable for your scheme to follow – all for a fixed upfront fee. See the website page [Planning Performance Agreements](#) for further information.

Your proposed works may need building regulation consent and should you choose to proceed you are advised to contact Building Control on tel: 01225 477517 or email: building_control@bathnes.gov.uk. Initial Building Control advice is provided free of charge.

I hope this is clear but should you require anything further, please do not hesitate to contact me on 01225 47 7336 or by email at hayden_foster@bathnes.gov.uk.

Yours sincerely

Hayden Foster
Planning Officer
Development Management

Pre Application Advice Report

1	Council: Bath and North East Somerset	Site Address: Temple Cloud Play Area Meadway Temple Cloud Bristol	Ref No: 21/01230/PA02
2	<p>Summary of your proposal & officer view:</p> <p>Your proposal seeks the Construction of pump track with associated works. The application relates to the Temple Cloud Play Area located off Medway. The site is set within the parish of Temple Cloud but set just outside of a defined housing development boundary.</p> <p>The following comments are based on the proposed plans, which were submitted with the pre-application enquiry. The comments consider all relevant factors and policies based upon the information available. The applicant is, however, advised that additional policies may become relevant depending on any additional material submitted as part of a future application.</p> <p>Summary</p> <p>Should the works exceed the criterion outlined under the General Permitted Development Order (GPDO) Schedule 2, Part 12 Development by local authorities, Class A then an application for planning permission will be required.</p> <p>The principle of the suggested use can be acceptable should a full planning application be made. However, detailed plans, elevations, details with regards to sustainable transport modes, arboriculture information, ecological information concerning lighting, hard and soft landscaping proposals will be required should the proposal be pursued.</p>		
3	<p>Officer assessment:</p> <p>The proposal seeks the construction of pump track with associated works. The application relates to the Temple Cloud Play Area located off Medway. The site is set within the parish of Temple Cloud with Cameley but set just outside of a defined housing development boundary.</p> <p>Principle of Development</p> <p>The proposal seeks the expansion of a play area to include a Pump Track. The submitted information notes that the site is held in trust by Temple Cloud with Cameley Parish Council and contains a play park, basket balls hoops and two informal full-size football pitches.</p> <p>The works are proposed by a parish council as such the General Permitted Development Order (GPDO) Schedule 2, Part 12 Development by local authorities, Class A can be applicable. This criterion outlines the following:</p> <p><i>Permitted development</i></p> <p><i>A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—</i></p> <p><i>(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;</i></p> <p><i>(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.</i></p> <p><i>Interpretation of Class A</i></p>		

A.1 For the purposes of Class A, "urban development corporation" has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (urban development)
A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

Interpretation of Part 12

C. For the purposes of Part 12, "local authority" includes a parish council.

Should the proposed works meet the criterion above they can be considered permitted development (not requiring planning permission). The proposed works have the potential to fall under improvement or other alteration by a local authority as the works are in connection with the existing use of the land. The submitted information has not provided detailed plans or elevations as such it is unable to be determined whether the works exceeding 4 metres in height or 200 cubic metres in capacity. Should the proposed works exceed the scope of the above criterion an application for planning permission will be required.

Should a full planning application be made Policy LCR6: New and Replacement Sports and Recreational Facilities of the Bath and North East Somerset Placemaking Plan will be applicable. This policy sets out the following criterion:

1 New or replacement sport and recreational facilities, or improvements and extensions to existing facilities, will be permitted within or adjoining a town or settlement, provided:
a it complements the existing pattern of recreational facilities
b it is accessible by sustainable transport modes

The proposed use will be sited within an existing play area adjoining Temple Cloud as such the principle of the suggested use can be acceptable. However, as noted above no detailed plans or elevations have been provided, nor have details with regards to sustainable transport modes. This information will be required should the proposal be pursued as a full planning application.

Character and Appearance

As noted above no details consisting of plans or elevations have been provided. Such information will be required to ensure the proposed works do not detract from the character and appearance of the area. Details should also be provided concerning hard and soft landscaping and what level changes to ground levels are required.

It is also noted that any future application will be subject to public consultation, and any representations that are received will be considered before a decision is made.

Residential Amenity

No details with regards to the sitting or scale of the proposal have been provided as such a definitive residential amenity assessment cannot be made. Noted that dwellings are situated within proximity of the play area on Ham Close and Brandon Close. The submitted information details the need for external lighting. Should a future application be made details with regards to expected timing and use of the proposed area should be provided, in addition to external lighting if proposed.

Although the above is noted any future application will be subject to public consultation, and any representations that are received will be considered before a decision is made.

Highways

Given the nature of the proposal the Bath Highways Development Control (HDC) Team have been consulted. Within the response received HDC note that it appears that future users of the track will travel to and from the facility via sustainable modes of transport, rather than being driven by parents. However, HDC officers acknowledge that there will be occasions when parents may drive younger children to and from the track, and the applicant should give some thought to the resulting parking activities that will be generated. Would parking at the Town Hall be available, for example?

Given the proposed use of the track, HDC officers would suggest that a level of secure cycle parking would be appropriate.

The above is an informal officer opinion and should not prejudice any subsequent decision taken by the Local Planning Authority.

Arboriculture and Ecology

Given the nature of the site and proposal The Bath and North East Somerset Ecology Team have been consulted. Within the response received it is noted that there are no designated sites for nature conservation within the area of proposals or in proximity and the proposals are not reasonably likely to impact on protected or notable species. Therefore, there is no objection on ecological grounds to any proposals in this location. The track would be sited on existing recreational land which is unlikely to be of value for wildlife and there are no records of important habitat within the field. Therefore, existing grassland quality is likely to be poor. The treeline to the south will be retained within the scheme. Therefore, an ecological survey would not be required for an application of this nature at this location. Due to the proximity of nearby bat habitats, lighting should be avoided or would need to be carefully designed if required. An ecologist should be consulted if lighting is needed.

All schemes should achieve measurable biodiversity net gain to meet the National Planning Policy Framework (NPPF) (paragraphs 170, 174, and 175), Bath and North East Somerset Core Strategy and Placemaking Plan policies (for example Policies D5e and NE3) and Ecological Emergency declaration by Bath and North East Somerset Council. Within this scheme, planting of a native/species-rich wildflower meadow mix in the landscaped area would be of significant benefit and would appear to be compatible with use of the site. Appropriate management to benefit biodiversity would be to take 2-3 cuts per year with grassland left to flower from April-late July, and a cut taken from late-July to mid-August. Further cuts could be taken in October and late winter (February/March) as required. All arisings should be removed. This should be considered in the scheme. A mix such as Emorsgate EM2, EM3 or EM5 (wildseed.co.uk) would be appropriate.

Sustainable Construction

The council is committed to responding to climate change. You are advised to consider sustainable construction methods and consider using measures aimed at minimising carbon emissions and impacts on climate change.

Conclusion

Within the submitted pre-application form several questions have been asked. These questions have been answered as follows:

1. We would be keen to hear if there are likely to be any issues or objections from the planning team in relation to this build within our community and any issue's we need to consider that should be included in our tender documents.

The proposed use will be sited within an existing play area adjoining Temple Cloud as such the principle of the suggested use can be acceptable. However, as noted above no detailed plans or elevations have been provided, nor have details with regards to sustainable transport modes. This information will be required should the proposal be pursued.

2. We want to know what our options would be in terms of low-level lighting options/ solar or mains if there are any rules we need to follow (not flood lighting) to allow the track to be used until 8pm during the winter months.

Advice has been sought from the Bath and North East Somerset Ecologist with regards to external lighting. Within the response received it is noted that due to the proximity of nearby bat habitats, lighting should be avoided or would need to be carefully designed if required. An ecologist should be consulted if lighting is needed to advise on a required specification.

3. Do we need to consider CCTV?

This would be a matter outside of the control of planning. Should any CCTV be required to high level infrastructure full details should be provided should an application be pursued.

4. Any certificates such as ROSPA etc we need to ensure we obtain?

Such Matters would fall outside of the control of planning.

5. Health and Safety- build certificates in place from suppliers?

Such Matters would fall outside of the control of planning.

6. Specific insurance requirements to be in place Public Liability Insurance- levels we should be asking for.

Such Matters would fall outside of the control of planning.

7. Issues for residents etc? Any concerns we need to be aware of?

Details with regards to hours of use and external lighting requirements will need to be set out. This is to ensure the proposed works do not harm the residential amenity of close lying neighbouring dwellings.

8. Any environmental issues we need to think about with either the build, waste or materials used

Ecological and arboriculture surveys should be provided should a full planning application be made.

9. Any other advice on tendering for such an item

As set out above should the works not exceed 4 metres in height or 200 cubic metres in capacity, they can be considered permitted development not requiring planning permission.

Should the works exceed the criterion outlined under the General Permitted Development Order (GPDO) Schedule 2, Part 12 Development by local authorities, Class A then an application for planning permission will be required.

The principle of the suggested use can be acceptable should a full planning application be made. However, detailed plans, elevations, details with regards to sustainable transport modes, arboriculture information, ecological information concerning lighting, hard and soft landscaping proposals will be required should the proposal be pursued.

4

Planning policies, legislation & other information relevant to your proposal

On 13th July the Council adopted the B&NES Placemaking Plan. It now becomes part of the statutory Development Plan for the district, against which planning applications are determined. The statutory Development Plan for B&NES now comprises:

- o Core Strategy (July 2014)
- o Placemaking Plan (July 2017)
- o B&NES Local Plan (2007) - only saved Policy GDS.1 relating to 4 part implemented sites
- o Joint Waste Core Strategy
- o Made Neighbourhood Plans

Core Strategy:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

CP2: Sustainable Construction
CP5: Flood Risk Management
CP6: Environmental Quality
CP7: Green Infrastructure
DW1: District-wide Spatial Strategy
SD1: Presumption in Favour of Sustainable Development

Placemaking Plan:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

D1: General urban design principles
D2: Local character and distinctiveness
D3: Urban Fabric
D4: Streets and Spaces
D5: Building design
D6: Amenity
D7: Infill and Backland Development
D8: Lighting
LCR5: Safeguarding Existing Sport & Recreational Facilities
LCR6: New and Replacement Sports and Recreational Facilities
NE1: Development and Green Infrastructure
NE2: Conserving and Enhancing the Landscape and Landscape Character
NE3: Sites, Species and Habitats
NE5: Ecological Networks
NE6: Trees and Woodland Conservation
SCR1: On-site Renewable Energy Requirement
ST1: Promoting Sustainable Travel
ST7: Transport access and development management
SU1: Sustainable Drainage

The National Planning Policy Framework (NPPF) was published in February 2019 and is a material consideration. Due consideration has been given to the provisions of the National Planning Practice Guidance (NPPG).

General Permitted Development Order Schedule 2, Part 12 Class A.

5 Information we would like you to submit with a future planning application

If you choose to submit an application for the works it should include:

- Application form and ownership certificate
- Fee
- Site Location Plan (1:1250)
- Existing and proposed block plan (1:100 or 1:200) showing car parking and access arrangements, any site boundaries and neighbouring dwellings, bicycle parking, refuse storage
- Existing and proposed floor plans (1:50 or 1:100)
- Existing and proposed elevations (1:50 or 1:100)
- Section
- Details of materials and finishes
- Details of any hard-soft landscaping - existing and proposed ground levels if applicable
- Details of surface water management
- Arboriculture/ ecological information - including lighting information if pursued

I hope that this advice is of assistance to you. Please note that the views expressed in this letter represent an officer's informal opinion only based on the information supplied and without consultation with statutory consultees or third parties. This advice is not binding on any future decisions made by elected members of the council or under powers delegated to other officers. I trust this is clear but should you require anything further, please do not hesitate to

contact me.

Further guidance on the requirements can be found on the Council's website
<http://www.bathnes.gov.uk/services/planning-and-building-control/apply-planning-permission>

If you require further guidance on submission requirements please contact us on 01225 394041,
option 5.