

Development Control (West) 2<sup>nd</sup> February 2012

Update Sheet

Item 13, PT11/2781/F (Filton Triangle, Stoke Gifford)

#### Further Comments

##### Objection

3 further comments have been received. Issues not previously raised are as follows;

The Sites Inspection Sub-Committee meeting was held on a Friday morning when many people would not be able to attend.

An observation is also made that the site will not be large enough to accommodate further development for a high speed link from Bristol to Birmingham and therefore this site is not appropriate.

There is a direct critique of the officer report (members have received this direct)

#### Support

2 further comments (1 of which has been copied directly to Members) have been received and are summarised as follows;

The development will support new employment on a brown field site

The site is the only sensible site in the area for the development.

The proposed depot is crucial for rail and in supplying local jobs as well as a skilled work force

Attention is also drawn to further recent support made direct to members from a Bristol City Council Member; Network Rail; The National Union of Rail, Maritime and Transport Workers (RMT) Bristol; Friends of Suburban Bristol Railways (FoSBR) and The Bristol Green Party.

#### Paragraph 5.17

The paragraph refers to 'Gypsy Patch Road'. This should read 'Gypsy Patch Lane'

#### Paragraph 5.23

For clarity, the main area of column mounted lighting associated with the main maintenance building is located to the west. There are also wall 27 mounted lights, mounted at 3 metres in height on the east elevation of the building. These illuminate the area of the site immediately to the east of the building.

#### Paragraph 5.44

The second sentence should read 'The land to the **East** of the site (40 Acres).....'

#### Additional Information

There is no planning history relating to this site and this is set out in paragraph 3.1 of the officer report. In relation to the earth bund referred to in paragraph 3.2 of the offer report, South Gloucestershire Council took the view that the bund did fall within permitted development rights relating to railway operations (The Town and Country (General Permitted Development) Order 1995 (as amended) - Part 17 referred to in paragraph 5.6 of the officer report)

#### Conditions

Minor changes to the wording of the suggested conditions are as follows;

Condition 3; delete 'prior to the completion of the development '

Condition 4; remove the first full stop and replace 'Prior' with 'prior'.

Condition 5; At the beginning of the last sentence add 'Prior to the first occupation of the development hereby approved'.

Condition 5 part 4); delete 'linkages' and replace with 'leakages'

Condition 10; insert 'first' before 'occupation'.

Condition 15; add the following

- e) The methods of managing and controlling the levels of airborne dust.

Condition 16; Approved Drawings

Drawing number B164600-SGD-DRG-EL-000002 Preliminary External Lighting Layout Sheet 2 (Planning) P03 should be corrected to B164600-SGD-DRG-EL-000002 Preliminary External Lighting Layout Sheet 2 (Planning) **P02**; and

Drawing number B164600-SGD-DRG-EL-000003 Preliminary External Lighting Isolux Diagrams Sheet 1 (Planning) P02 should be corrected to B164600-SGD-DRG-EL-000003 Preliminary External Lighting Isolux Diagrams Sheet 1 (Planning) **P03**

Condition 17; add the following

Thereafter the development shall be implemented in accordance with the agreed details and retained as such.

Condition 7; omitted and replaced with the following conditions;

- i) In relation to fixed plant and operational noise within the site the Rating Noise Level (LAeq) shall not exceed the pre-existing (LA90) Background by more than:
  - (a) 5 dBA at the site boundary of any noise sensitive residential property unless;
  - (b) the LA90 Background level is at or below 35 dBA in which case the Rating Noise level shall not exceed 40 dBA.
  
- ii) In relation to on-site train movements the Noise Level (LAeq) at the façade of any noise sensitive residential property shall not exceed:
  - (a) 45 dBA LAeq 8 hour (night time) period 2300 – 0700 and
  - (b) 50 dBA LAeq 16 hour (day time) period 0700 – 2300 in accordance with the World Health Organisation (WHO) ‘Guidelines on Community Noise’ 1995 as amended.

Reason (for both conditions)

In the interests of the residential amenity of the occupants of nearby residential dwellings and to accord with Policy E3, EP1 and EP4 of the South Gloucestershire Local Plan

Item 14, PT11/3250/F (20 Hortham Lane, Almondsbury)

In the event that this application is approved, the applicant has agreed to retain the Wild Cherry Tree (T2) located at the rear of the site following the concerns raised by a neighbour in respect of residential amenity. On this basis the applicant has also submitted a revised tree protection plan which includes the Wild Cherry Tree (T2).

Whilst the above would act to provide protection for the tree during construction of the dwelling should permission be granted, it should be noted that this would not prevent its ultimate removal by the occupants of the proposed dwelling. The tree is shown as being for felling in the Preliminary Arboricultural Assessment Report; and it is suggested in that report that the tree is replaced with a better specimen. The Council Arboriculturalist does not object to the removal of the tree. Indeed it is considered to be a poor specimen. Officers do not consider that it would have any benefit in visual terms; and on this basis, it would be unreasonable to insist that the tree is retained and is not likely to meet the criteria for protection under a TPO. It is noted that the objection from the local resident raises concern that the tree provides some protection from over looking between the proposed and existing dwelling. However, officers are satisfied that the distances between the proposed and existing dwellings is sufficient to avoid any direct and unacceptable impact in respect of existing levels of privacy whether or the tree is in place; and screening from existing vegetation should not be relied upon to ensure that any impact upon residential amenity is acceptable.

Item 15, PT11/2996/F (250 Badminton Road)

The tree officer makes the following comment;

There are no trees upon the site that would fulfil the criteria for a Tree Preservation Order. The majority of trees left on the site following intensive felling works are self set trees growing on the boundary of the site. These display poor structural form offering very little long term amenity value to the area. It is suggested that new planting could mitigate against the loss of the trees which has occurred.

It should be noted that the site is a domestic garden and there are no measures for preventing clearance of vegetation. None of the trees on the site were subject of a TPO. Whilst the remaining (located at the rear of the site) trees are limited in value (and not worthy of a TPO), the retention of replacement of them would be of some benefit. This can be dealt with using an appropriately worded condition.

On this basis, officers suggest that condition 4 is amended as follows

Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed tree and/or hedgerow planting (and times of planting); shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details

Item 16, PT11/3582/RVC (Bahian Dreams Equestrian, Ingst)

No Update