

# South Gloucestershire Council

Department for Environment & Community Services

PO Box 1954, Bristol, BS37 0DD

## PLANNING APPLICATION CONSULTATION RESPONSE

<b>Memorandum to: (Case Officer)</b>	David Stockdale – Principal Planning Officer
<b>From:</b>	Georgina Farmiloe – Community Infrastructure Officer
<b>Email:</b>	Georgina.Farmiloe@southglos.gov.uk
<b>cc:</b>	Heather.Cameron@southglos.gov.uk
<b>Date:</b>	15/06/21
<b>Planning Application Number:</b>	P21/03344/F
<b>Site Address:</b>	Land South of Badminton Road, Old Sodbury, South Gloucestershire, BS37 6LU
<b>Description of Development:</b>	Erection of 35 no. dwellings with garages and associated works
<b>SUMMARY OF POS SECTION 106 REQUESTS</b>	
Off-site POS provision/ enhancement contribution	<b>See table below</b>
Off-site POS maintenance contribution	<b>See table below</b>
POS inspection fees as private management proposed	<b>£62.30 per 100sq.m.plus £600 core service fee</b>

A pre-application enquiry for 28 dwellings was submitted for this application site, we were not consulted at the time therefore this response is based only on P21/03344/F.

### Planning Policies

Delivery of sustainable communities requires provision of a full range of open spaces which support residents' health and social well-being. Such facilities are important for the successful delivery of national and local planning policies as well as many of the objectives of the Sustainable Community Strategy and Council Plan. Requirements for open space are exempt from CIL and are dealt with using S106.

Relevant planning policy includes:

South Gloucestershire Local Plan Core Strategy (adopted Dec 2013) Policy CS24:

Green Infrastructure, Sport and Recreation Standards.

NPPF paragraphs 38, 58, 70, 73 and 74.

NPPG Paragraphs 006, 014, 015 and 017.

National Design Guide

### Predicted future population of proposed development

Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 35 dwellings (no child yield has been assumed from the proposed one bed dwellings) would generate a population increase of 82.2 residents.

### Public Open Space (POS)

Set out below are comments and recommended S106 requirements needed to address the impacts of the proposed development on public open space. These are based on the above dwelling mix and expected future population.

This is a new residential development and it is reasonable to expect the future residents to have access to a full range of open spaces. Where existing provision, in terms of quantity, quality and accessibility would be inadequate to meet the needs of future residents, then new provision and/or enhancement must be made in accordance with the appropriate local standards set out in Core Strategy Appendix 5.

An audit of existing provision within reasonable access of the proposed development has demonstrated a shortfall and or quality deficiency in Informal Recreational Open Space, Natural and Semi Natural Open Space, Outdoor Sports, Provision for Children and Young People and Allotments.

The following table shows the **minimum** open space requirements arising from the proposed development and shows the contributions that will be requested if open space is not proposed on site. Overprovision of one category of POS does not mitigate for an under provision of another category.

**Policy CS24 requires provision to be delivered on site unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal:**

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount proposed on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space (IROS)	952.8	?	?	Up to £27,093.44	Up to £47,757.10
Natural and Semi-natural Open Space (NSN)	1,233	?	?	Up to £19,429.24	Up to £32,231.11
Outdoor Sports Facilities (OSF)	1,315.2	0	1,315.2	£74,374.82	£22,510.70
Provision for Children and Young People (PCYP)	198	0	198	Should be on site but if not, £37,518.37	Should be on site but if not, £39,450.85
Allotments	164.4	0	164.4	£1,704.86	£2,173.81

The applicants have made reference to policy CS24 within the Planning Statement. Para 7.99 of the Planning Statement states whilst the site provides onsite informal open space a formal play area is not proposed. as they consider financial improvements to the existing facilities in the local area would be more appropriate. Given the presence of the A432 between the development site and the existing play area on the opposite side of the road, it is disappointing that the applicant does not intend to cater for children on site. The minimum policy requirement for a development of this size is 198sq.m. I note other specialist officers also consider the development to be too cramped with inadequate open space provision. If the layout is to change accordingly then play provision should be incorporated.

The Planning Statement makes no mention of off-site contributions towards enhancement of natural and semi natural provision, outdoor sports provision or allotment provision.

Allotments are located to the north of the site. It is unclear whether or not these are currently in use or whether they are dilapidated. Only if the applicant can demonstrate these would be available to rent by the residents and that they are in a usable condition there would be no policy requirement for allotments associated with the development proposals. I believe the Duke of Beaufort/Somerset Trust is the owner of the allotments. If no access to rent usable allotments is possible then we would seek an off-site contribution towards Old Sodbury Community Woodland and Orchard.

An off-site contribution towards Outdoor Sports Provision will be required.

## Comments on proposed on-site provision

A POS plan identifying the extent of the on-site open spaces needs to be provided in order that an assessment can be made whether any of it can count towards policy CS24 requirements. There appears to be little meaningful open space provision.

Para 3.5 of the Planning Statement notes an area of open space is located in the south western corner of the site, accommodating an attenuation basin that feeds into the River Frome to the west. This area is only accessible via private driveway and only c.300sq.m. of this could be classed as policy provision POS **IF** access rights were reserved over the private driveway. Surface Water Infrastructure does not count towards POS policy provision.

The hedgerows that surround the site are proposed to be reinforced, and new tree planting added. Para 3.5 of the Planning Statement states there will be a strip of maintenance land outside of the house plots. It is unclear whether the strip of maintenance land is expected to be publically accessible; in areas this strip is little over a metre wide and therefore does not provide meaningful open space. The width will also present maintenance difficulties and the hedge is likely to fill most of this strip. Vehicular maintenance access would not be possible and the LEMP, which will form an appendix to the management and maintenance scheme would need to ensure that manual means of maintenance are proposed. The strip also runs to the back of properties around the perimeter of the site with little to no natural surveillance and could suffer from anti-social behaviour and fly tipping. If the Maintenance Strip is not intended to be publically accessible measures should be taken to preclude access.

Although the Landscape Plan is not detailed, c.24 trees are proposed to be planted within c.2m of the northern boundary of the site, immediately to the south of the existing allotments. Whilst I understand the intention is to screen the development, this is likely to detrimentally affect the allotments by way of shading, and water and nutrient demand of the trees due to their proximity.



### Surface Water Infrastructure

The FRA states:

- 6.29 Potentially following the changes with the implementation of Sewers for Adoption 8, Wessex Water may consider adopting the attenuation basin, to

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be determined at detailed design. Whereas components of the surface water drainage strategy that are not adopted would be privately maintained.

7.15 It is anticipated that the drainage infrastructure across and from the site would be adopted by Wessex Water. The surface water drainage strategy includes an attenuation basin and a hydrobrake, which Wessex Water may also consider adopting. A private management company would be used for maintaining any parts of the drainage strategy that were not adopted.

As it is unclear exactly who will be responsible for the Surface Water Infrastructure that sits within the POS, provisions for upkeep of the SWI would need to be covered in the S106 to cover the eventuality of them not being adopted by the statutory undertaker. Illegible extracts of CIRIA C753 are included in the FRA. Site specific detailed maintenance requirements would need to form part of the Management and Maintenance Scheme requirements, to be submitted and approved prior to first occupation. If an Operation and Maintenance Manual is required by condition, it will form an appendix to the M&MS.

Maintenance access to the basin and culvert route looks very constrained given existing tree, and the proposed tree and hedge planting indicated on the Landscape Plan. Albeit the Landscape Plan is not detailed, e.g. there is less than 2m from edge of basin to the southern boundary, with the hedge proposed to be reinforced. Cross-sections would be helpful.

The extent of the route of the outfall to the Frome is only shown on the FRA. The planning layout and Landscape Plan fail to show this area. As it will contain a culvert and associated easement, landscaping is likely to be limited to grass to allow for inspection and maintenance access. Is access to this intended to be limited to maintenance personnel? If so, it should be gated.

### **On-site open space maintenance**

Core Strategy policy CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any open spaces and outdoor recreation facilities (for sport, recreation and play) that are provided in conjunction with new development.

As the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they have concerns or requests; it is important that the community receives a seamless service. Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (SWI within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106. The Council charges a fee (£62.30 per 100sq.m.plus £600 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity.

### **How the Environment & Community Services requirements for Open Spaces meet the Community Infrastructure Levy (CIL) tests**

#### **Necessary to make the development acceptable in planning terms**

Adopted planning policy requires sustainable development and provision of a range of good quality well connected open spaces where existing open spaces are not easily accessible or do not have the capacity to fully meet the needs arising from the proposed development. Without provision or enhancement of open spaces people living here won't have adequate access which will prevent them from developing as a healthy, socially sustainable community. Without sufficient open space to meet local need this development will lead to increased pressure on existing facilities elsewhere.

#### **Directly related to the development**

Contributions towards off-site enhancements are only sought when there is evidence of a local shortfall in either quantity and/or quality/capacity to meet the additional demand arising from the new development and the policy requirements for open space are not being provided for on site.

Provision/enhancements will be made as close to the development as is feasible to serve the future residents of the proposed development and are likely to be at the following areas of open space or such other open spaces as may be appropriate:

- Informal Recreational Open Space – Old Sodbury Green
- Natural & Semi-natural Open Space- Old Sodbury Community Woodland and Orchard, Frome Valley river enhancements
- Provision for Children & Young People – Old Sodbury Playing Field LEAP
- Outdoor Sports Provision – Old Sodbury Playing Field
- Allotment Provision –Old Sodbury Community Woodland and Orchard

#### **Fairly and reasonably related in scale and kind to the development**

Where provision in line with minimum policy standards is not provided on site, the amounts requested towards the provision and/or enhancement of off-site open space and future maintenance are directly in scale with the quantity of open space required to offset the effect of the proposed development on existing provision; this is demonstrated in our calculations.

All calculations are based on the expected future population of the proposed development calculated using Census 2011 data on household size and the net gain and mix of dwellings proposed.

The calculator used to give costs for provision/enhancement and maintenance is regularly updated and reflects the type of spaces and facilities that the Council would expect to see delivered based on examples that have been adopted from other new developments, which have taken place within South Gloucestershire.

The capital contributions are based on a range of industry costs for the provision of open space facilities, and the maintenance costs are routinely tested through APSE (Association of Public Sector Excellence). They are therefore considered reasonable and fully justified in order to ensure standards of open space meet standards of appropriate national bodies e.g. Sport England, national sporting governing bodies, Fields in Trust, National Society of Allotment & Leisure Gardeners and material relating to the Green Flag quality award scheme.

#### **Details of 2020/2021 provision/enhancement and maintenance costs for each category of open space per sq.m.**

	Informal recreational open space	Natural & semi-natural green space	Outdoor sports facilities	Provision for children & young people	Allotments
Average provision/enhancement cost per sq.m.	£28.4356	£15.7577	£56.5502	£189.4867	£10.3702
Average 15yrs maintenance cost per sq.m.	£50.1229	£26.1404	£17.1158	£199.2467	£13.2227

**NB These do not cover specialist features e.g. retaining structures, drainage structures such as underground tanks, penstock valves, hydrobrakes, etc. Should any of these be likely, a table of additional costs would need to be appended to the Section 106 to enable their cost to be factored into the maintenance contribution formulae.**

**These figures are subject to indexation using the Updating Percentages published by the Building Cost Information Service (BCIS) for the Schedule of Rates for Grounds Maintenance 1987.**

Dave,

I release it will be an appeal site but below is the HoTs that will need to be used. I added a column into Matthew's table and amended the incorrect maintenance rate and contribution he inserted for NSN.

On-site Open Space:

Provision and ongoing maintenance of 987sq.m. of IROS, 595sq.m. of NSN. Although not counted towards POS policy compliance, inaccessible areas/ancillary open space and SWI will need to be included in the POS schedule, to ensure their provision and ongoing upkeep.

Inspection fee for open spaces = £62.30 per 100sq.m.plus £600 core service fee. Indexed from decision/committee using GM 1987.

Off-site contributions:

Natural and Semi-natural Open Space:

£10,053.41 provision and/or enhancement

£16,677.58

Outdoor Sports Facilities:

£74,374.82 provision and/or enhancement

£22,510.70 maintenance

Provision for Children and Young People (assuming a road crossing is to be secured via S106)

£37,518.37 provision and/or enhancement

£39,450.85 maintenance

Allotments:

£1,704.86 provision and/or enhancement

£2,173.81 maintenance

All sums to be indexed from decision date/committee using GM1987

Category of POS	Minimum Spatial Requirement to Comply with Policy CS24 (SQM)	Amount Proposed On Site	Shortfall in Provision (SQM)	Pro-Rata Contribution (per sqm)	Contributions toward off-site provision or enhancement	Pro-rata Maintenance (per sqm)	Maintenance Contribution
Informal Recreational Open Space (IROS)	952.8	987	-34.2	£28.44	£0.00	£0.00	0
Natural and Semi-natural Open Space (NSN)	1233	595	638	£15.76	£10,053.41	<del>£33.83</del> £26.1404	<del>£21,582.12</del> £16,677.58
Outdoor Sports Facilities (OSF)	1315.2	0	1315.2	£56.55	£74,374.82	£17.12	£22,510.70

Provision for Children and Young People (PCYP)	198	0	198	£189.49	<b>£37,518.37</b>	£199.25	<b>£39,450.85</b>
Allotments	164.4	0	164.4	£10.37	<b>£1,704.86</b>	£13.22	<b>£2,173.81</b>

Hope this helps.  
 Regards,  
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