



FILTON TOWN COUNCIL

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Planning Committee Members:- Cllrs K. Briffett
E. Seymour
M. Chaundry
D. Collins
J. Tucker

14th June 2018

Dear Member

A meeting of the **PLANNING COMMITTEE** will be held on **Tuesday 17th June 2018 at 6.00pm** in the **Small Meeting Room, Town Council Offices, Filton.**

Yours sincerely,

A handwritten signature in black ink, appearing to be 'L.A. Reuben', written over a circular stamp or mark.

AP L.A. Reuben
Town Clerk

AGENDA

1. Election of Chair and Declaration of Acceptance of Office
2. Election of Vice Chair and Declaration of Acceptance of Office
3. Apologies for Absence
4. Declarations of Interest under the Local Government Act 1972
5. Planning in principle briefing note (pages 1-5)
6. Feedback to date (page 6)
7. Planning Applications to date (page 7)
8. To agree time for future planning meetings

Briefing note

Planning In Principle

Introduction

The purpose of this briefing note is to set out the new route to obtaining planning permission which is being introduced by the Government; to suggest how this information might be conveyed further to relevant Members and Town and Parish Council's; and to suggest some practical approaches.

Background

The Permission in Principle (PIP) consent route is an alternative way of obtaining planning permission. The main purpose is to allow a developer to establish the principle of residential development without needing to provide substantial amounts of information up-front, and thereby providing early certainty where the development is acceptable. Each PIP has two stages – the matter of principle for the proposed development; and thereafter the “technical details” stage. The first stage (PIP) solely establishes whether a site is suitable in-principle for residential development (or residential led). All the detailed development proposals would be assessed in the second technical details stage. This alternative route to obtaining consent is in addition to the existing outline/reserved matters planning applications, and does not replace them. As will be seen below there are a variety of ways to establish PIP – some of which will not require a conventional application.

There are 3 ways to obtaining PIP.

- a) The LPA can enter a suitable site onto Part 2 of their Brownfield Register. This will trigger a grant of PIP. This lasts for 5 years from the date of entry. (The Regulations allowing for this came into force April 2017).
- b) By making a PIP application for minor residential development (fewer than 10 houses) to the Local Planning Authority. This lasts for 3 years from the date of

the decision. There is a right of appeal against the refusal of this route of PIP. (The Regulations allowing for this will come into force as of June 2018).

- c) Through the Local Plan site allocation process it will be possible to trigger a grant of PIP. (The Regulations for this have not yet been published, but the Government has indicated it is their intention to do so).

Following the grant of PIP by virtue of any of the above routes a technical details application would need to follow before development could take place.

The following bullet points highlight some of the key differences to be aware of.

- The scope of PIP is limited to location, land use and the amount of development. All other matters should be considered at the technical details (TD) consent stage.
- The PIP should state the minimum and maximum number of houses, and identify the site.
- The PIP should be made in accordance with the development plan policies unless there are material considerations (such as NPPF) which indicate otherwise.
- There can be no conditions on a PIP – these would all need to be picked up at TD stage
- There can be no section 106 agreement for PIP – this would need to be picked up at TD stage.
- Where there is an application – the consultation and target periods are shorter than for conventional planning applications. For example in relation to minor residential development PIP route the LPA has **5 weeks** to make a decision before there is a right of appeal (it is otherwise 8 weeks). The consultation period for all comments is **14 days** (rather than 21 days) unless there is a site notice in which case it is 21 days.
- Technical details applications should be dealt with in **5 weeks** for minor development; and **10 weeks** for major development. There is a right of appeal against the refusal of consent for technical details. The consultation period for all comments is **14 days** (rather than 21 days) unless there is a site notice in which case it is 21 days.
- A technical details application must deal with all the matters necessary to enable full planning permission to be granted for the whole site. It cannot be split up.

Brownfield Register PIP

The Regulations (2017 no.403) set out the criteria against which entries into Part 2 of the Brownfield Register should be considered.

The council's first Brownfield Register, which was published in December 2017, can be viewed online: <http://www.southglos.gov.uk/environment-and-planning/planning/planning-policy/planning-policy-monitoring-reports/brownfield-register/>

Part 1 of the Register contains all brownfield sites that have been granted planning permission, or had a resolution to grant permission at the time of publication. Part 2 of the Register currently contains no sites. This is because the council is in the early stages of preparing a new Local Plan, and as such, has not reached the stage where the suitability of sites for development has been assessed. The intention is to undertake the assessment of sites over the coming months as part of preparing the council's Strategic Housing Land Availability Assessment (SHLAA). There is therefore potential for sites to be added to Part 2 of the Register when a revised and updated version is published in December 2018. Should the council choose to do so, any applicant would still need to seek TD consent before permission can be granted.

Given that PIP represents a new way of seeking planning permission, consideration will need to be given to the democratic process for agreeing which sites, if any, are included within Part 2 of the Brownfield Register in future.

Application for PIP minor residential development/ and Technical Details – some practical approaches

It is difficult to predict whether the PIP route will attract many applications, as in many ways an outline planning application will probably remain more attractive to a developer. Although there will be some procedural differences with the more established routes to planning permission, this route to PIP and the TD are still applications made to the LPA by an applicant. The specific regulations cover the requirements for such applications to be made valid; the publicity required and what should be considered. Proposals will still need to be considered against local and national development plan policy; and the tests and regulations that apply to conditions and section 106 planning obligations will apply to the TD decisions.

The main challenge will be in relation to the reduced overall target for dealing with such applications before the right of appeal can be invoked; however it would seem that the general ability to agree an extension of time with an applicant would apply to these types of applications. This is very likely to be required in any case where there is a section 106 agreement involved.

The Council's scheme of delegation, and Statement of Community Involvement refer to "planning applications" and obviously make no specific reference to PIP. For the time being it is proposed that where there is a minor residential PIP application; or TD application they are treated as if they were a conventional planning application for the purposes of the scheme of delegation. That is to say, the same triggers for placing an application on the Circulated Schedule/Committee should apply. For example, a representation contrary to officer recommendation; or a section 106 agreement would trigger this. It will mean that in many cases the LPA is unable to determine such application within the 5 week statutory target; but that we should seek an agreed extension of time in those cases. However, if an applicant is minded

not to agree to an extension, it means that the decision would be taken “out of time” and will affect performance figures. It is suggested that this should apply until/unless the scheme of delegation is reviewed and updated to take account of PIP/TD applications.

In the same vein, the adopted Statement of Community Involvement indicates that generally there will be a 21 day minimum period for consultation responses in relation to planning applications. The Regulations (2017 no.1309) indicate that for PIP and TD applications this is 14 days unless there is a site notice (when it would be 21 days). A site notice might be triggered for example if the proposal affected the setting of a listed building; or if it were adjacent to land without a postal address to write to. Administratively, this difference in minimum consultation periods could get confusing for interested parties; Parish Councils trying to organise meetings and in terms of the internal administration of such applications. It is therefore suggested that the LPA uses its discretion to set a minimum of 21 days consultation for these types of application. It will mean that in many cases the LPA is unable to determine such applications within the overall 5 week statutory target; but that we should seek an agreed extension of time in those cases. It is further suggested that this should apply until/unless the SCI is reviewed and updated. It follows that the approach to performance reporting measures on this type of application would need to be realistic.

Local Plan allocation PIP and refreshing the SCI

As noted above, the secondary legislation that would allow the grant of PIP for sites allocated in a Local Plan has not yet been introduced. However, it is highly likely that this will take place during the preparation of the South Gloucestershire Local Plan. Following publication of the relevant regulations, the council will therefore need to consider whether it would be appropriate to grant PIP for sites that are intended for allocation within the Local Plan. A further update will be provided once the regulations covering the grant of PIP for sites allocated in a Local Plan have been published.

It should also be noted that the council intends to update its SCI this year. This will incorporate changes to consultation procedures required as a result of the introduction of PIPs consent provisions, as well as other required changes. A further update on the timetable and approach to updating the SCI will be provided in due course.

Recommendations

- It is recommended that a version of this briefing note is circulated to the Development Control East and West committees for information purposes.
- It is recommended that a version of this briefing note is circulated to Parish and Town Councils for information.

- In relation to the PIP application for minor residential development route; and Technical Details applications they are treated as “planning applications” for the purposes of the scheme of delegation in the constitution until such time as the Council chooses to make specific reference to them.
- In relation to the PIP application for minor residential development route; and Technical Details to consider whether the LPA should use its discretion to allow a longer period consultation for publicity/notifications than the 14 days in the Regulations such that the period should be aligned to 21 days in line with more conventional planning applications.

Contact information

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FEEDBACK: 08th June 2018 – 14th June 2018

F.3639 (PT18/1853/PNH) - 54 Gloucester Road North Filton Bristol South Gloucestershire BS7 0SJ, Erection of single storey rear extension, which would extend beyond the rear wall of the original house by 8 metres, for which the maximum height would be 4 metres and for which the height of the eaves would be 4 metres. - *No objection*

F. 3638 (PT18/1745/F) - 26 Gloucester Road North Filton Bristol South Gloucestershire BS7 0SJ - Change of use from mixed retail and residential (sui generis) to separate retail unit (Class A1) and residential unit (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (As Amended). - *Approve with conditions*

F. 3641 (PT18/1847/F) - Whittle House Rolls Royce Site Gloucester Road North Filton South Gloucestershire - Installation of Emergency Generator - *Approve with conditions*

F.3637 (PT18/1581/F) 58 Conygre Road Filton Bristol South Gloucestershire BS34 7DB - Erection of single storey rear and side extension to form annex ancillary to main dwelling - *Approve with Conditions.*

F.3617 (PT18/0497/RVC) Airbus Uk Golf Course Lane Filton South Gloucestershire BS34 7QQ - Variation of condition 2 attached to planning permission PT16/0328/F to now read The development hereby permitted shall be removed and the land restored to its former condition and function (including a car park of 100no.spaces) within 4 years from its implementation date of 8th August 2016. For the avoidance of doubt, this also includes the removal of the 23no. temporary parking spaces created to the south of Building 07M - *Approve with Conditions*

SCHEDULE OF PLANNING APPLICATIONS JUNE 2018

FILTON REF	SOUTH GLOS. REF	APPLICATION	EXPIRY DATE	COMMENTS
F.3653	PT18/2343/F 628	628 Southmead Road Filton Bristol South Gloucestershire BS34 7RF - Erection of single storey side extension to form residential annexe.	19 th Jun 18	
F. 3654	PT18/2362/CLP	105 Mortimer Road Filton Bristol South Gloucestershire BS34 7LH - Erection of single storey rear extension and installation of rear dormer to facilitate loft conversion.	21 st Jun 18	
F.3655	PT18/2546/PNH	46 Branksome Drive Filton Bristol South Gloucestershire BS34 7EF - The erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 2.3 metres, and for which the height of the eaves would be 2.2 metres.	21 st Jun 18	
F.3656	PT18/0986/F	Land At Gypsy Patch Lane Little Stoke Bristol South Gloucestershire BS34 8LU - Demolition and construction of new railway bridge to provide widened carriageway, footways and cycle lanes at Gypsy Patch Lane and works to lower the highway beneath.	25 th Jun 18	
F.3657	PT18/2612/F	46 Tenth Avenue Filton Bristol South Gloucestershire BS7 0QL - Erection of a first floor side extension to form additional living accommodation.	28-06-2018	
F.3658	PT18/2664/CLP	8 Kenmore Crescent Filton Bristol South Gloucestershire BS7 0TN - Installation of rear dormer to facilitate loft conversion. (Certificate of lawfulness)	29-06-2018	
F.3659	PT18/2681/CLE	54 Cropthorne Road Filton Bristol South Gloucestershire BS7 0PT - Continued use as self-contained bungalow (Class C3). (Certificate of lawfulness)	02-07-2018	