

CSJ Planning Consultants Ltd  
1 Host Street  
Bristol  
BS1 5BU

**APP REF:** P21/03069/F  
**DATE VALID:** 14th May 2021  
**DECISION DATE:** 19th November 2021  
**PARISH:** Thornbury Town Council

## NOTICE OF DECISION TOWN AND COUNTRY PLANNING ACT 1990

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby PERMIT:

**APPLICATION NO:** P21/03069/F

**DESCRIPTION OF DEVELOPMENT:** Demolition of existing structures and erection of Special Educational Needs and Disability (SEND) school with associated car parking and landscaping.

**APPLICANT:** Enable Trust

**LOCATION:** Land At Marlwood School Vattingstone Lane Alveston South Gloucestershire BS35 3LA

In accordance with the application and accompanying plans, subject to the conditions specified below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason**

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. Prior to the commencement of the development hereby approved, a detailed phasing plan for Enabling work, Demolition works, and Construction works, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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PO Box 1954, Bristol, BS37 0DD

Telephone: 01454 868004 Email: [planningapplications@southglos.gov.uk](mailto:planningapplications@southglos.gov.uk)

Reason: In the interest of highway safety and the amenity of the neighbouring occupiers and to accord with Policy PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017). This is a pre-commencement condition to ensure that the measures need to be in place prior to the demolition or construction works

3. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include the prohibition of deliveries to the site during morning and afternoon drop-off/pick up times and the times shall be specified within the document so that contractors/delivery companies know when they are not allowed to deliver to the site. Development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017). This is a pre-commencement condition to ensure that the measures need to be in place prior to the demolition or construction works.

4. Prior to the first occupation of the development hereby approved, a detailed Travel Plan achieving a minimum of Bronze Level Stars shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. Within 6 (six) months following the commencement of construction work, details of Electric Vehicle Charging Points with a minimum of 7kW, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to the first occupation of the development hereby approved.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change. Also to comply with the requirements of Policy PSP6 of the Policies Sites and Places Plan (Adopted).

6. Prior to the first occupation of the development hereby approved, details of the how taxis manoeuvring within the entrance/exit area will be managed, OR submission of details of additional signage for drivers directing them around the circulation space, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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Reason: In the interest of highway safety and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

7. The development hereby approved shall be carried out in accordance with the submitted Arboricultural Report (Impact Assessment and method statement) by Wotton Tree Consultancy, dated 24th February 2021; and BS:5837:2012.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

8. Within 6 (six) months following the commencement of the construction work, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; supported by an implementation specification including tree pit details and use of root barriers where new trees lie near drainage routes/soakaways, and a detailed management plan for a period of 10 years, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in the first season following the completion of construction works.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximum the quality of green spaces within the development, and to enhance its setting within the immediate locality, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

9. Within 6 (six) months following the commencement of the construction work, detailed hard landscape plans showing of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer site furniture products, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximum the quality of

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green spaces within the development, and to enhance its setting within the immediate locality, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

10. Within 6 (six) months following the commencement of the construction work, detailed design for soakaway / dry basin within the habitat area to demonstrate how this will be sympathetically integrated into character of the green space shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximum the quality of green spaces within the development, and to enhance its setting within the immediate locality, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

11. Within three months following the first occupation of the development hereby approved, the proposed public art plans, received by the Council on 12 August 2021, shall be fully delivered.

Reason

To promote additional, extended or enhanced community infrastructure and encourage participation in cultural activities, to accord with Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

12. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Report (Wessex Consultancy, July 2021).

Reason: To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

13. All proposed lighting shall be installed in accordance with the specifications and locations set out in the Lighting Strategy by Wessex Ecological Consultancy, received by the Council on 9th September 2021, and these shall be maintained thereafter in

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accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

14. The development shall be carried out in accordance with the submitted Ecological Enhancement Plan by Wessex Ecological Consultant, received by the Council on 9th September 2021.

Reason: To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

15. Prior to the commencement of development hereby approved, infiltration test results in the location of Cellular Soakaway - CS01 and revised drainage calculations (if required) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then proceed in accordance with the agreed details.

Reason: To ensure adequate drainage and prevent flooding and pollution, to comply with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that the appropriate drainage strategy will be in place prior to the ground works commence and to avoid any unnecessary remedial action.

16. Prior to the commencement of development hereby approved, further investigation into the extent of the deep "Made Ground" shall be undertaken and a detailed report of the said investigation shall be submitted to and approved in writing by the Local Planning Authority. Development shall then proceed in accordance with the agreed details.

Reason: To ensure adequate drainage and prevent flooding and pollution, to comply with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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Framework. This is a pre-commencement condition to ensure that the appropriate drainage strategy will be in place prior to the ground works commence and to avoid any unnecessary remedial action.

17. Prior to both the commencement of the development hereby approved and the decommissioning of the existing drainage system for Marlwood School, detailed design of the proposed soakaway within Marlwood car park shall be submitted to and approved in writing the Local Planning Authority.

For the avoidance of doubt, the following details shall be submitted when discharging this condition:

- A clearly labelled drainage layout plan showing the drainage network and the size of the proposed soakaway and impermeable area being served.
- Drainage calculations showing a half drain down time <24hrs with no flooding on site in 1 in 30 year storm events and no flooding of buildings or off site in 1 in 100 year plus 40% climate change storm event.
- The drainage layout plan should show exceedance / overland flood flow routes if flooding occurs in an exceedance event.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and proposed soakaway.

Please note that as the proposed soakaway is to be located beneath a car parking area, it will need to have adequate clearance and the design will need to be suitable for the additional loading. It is considered acceptable to use the infiltration test results for SA204 for designing the soakaway.

The approved works shall be implemented in accordance with the approved details prior to the decommissioning of the existing drainage system for Marlwood School.

Reason: To ensure adequate drainage and prevent flooding and pollution, to comply with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that the appropriate drainage strategy will be in place prior to the ground works commence and to avoid any unnecessary remedial action.

18. Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning

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authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

19. The development hereby approved shall be carried out in accordance with the submitted external materials palette, Drawing nO. FS0835-HLM-XX-ZZ-DR-A-0071 Revision P01, received by the Council on 18 August 2021.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

20. The development hereby approved shall be carried out in accordance with the following plans:
- o A-0061 P03 GA Plan Ground Floor, received 17th May 2021
  - o A-0062 P03 GA Plan First Floor, received 17th May 2021
  - o A-0063 P03 GA Roof Plan, received 17th May 2021
  - o A-0065 P04 GA Elevations - Sheet 1, received 2nd August 2021
  - o A-0066 P04 GA Elevations - Sheet 2, received 2nd August 2021
  - o A-0067 P03 Visual - Aerial - Sheet 1, received 2nd August 2021
  - o A-0068 P03 Visual - Front Entrance - Sheet 2, received 2nd August 2021
  - o A-0069 P03 Site Location Plan, received 17th May 2021
  - o A-0070 P01 Existing Building Elevation Photographs, received 19th May 2021
  - o A-0071 P01 External Materials Palette, received 18th August 2021
  - o L-0080 P06 Landscape Masterplan, received 9th September 2021
  - o L-0081 P05 Site Sections, received 28th September 2021
  - o L-0082 P04 Existing Site Plan, received 9th August 2021
  - o L-0083 P04 BB104 Areas, received 9th September 2021
  - o L-0084 P04 Site Access and Circulation, received 9th September 2021
  - o L-0085 P04 Security Zoning Plan, received 9th September 2021
  - o L-0086 P03 Demolition Plan, received 9th August 2021
  - o L-0087 P04 Fencing Plan, received 9th September 2021

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- o L-0088 P05 Hard Landscape Strategy, received 9th September 2021
- o L-0089 P04 External Signage Details, received 9th September 2021
- o L-0090 P06 Soft Landscape Strategy, received 9th September 2021
- o E-8500 P07 Proposed Lighting Strategy, received 9th September 2021
- o E-8501 Rev P05 External Lighting Lux Plan, received 9th September 2021
- o C-7000 P03 Drainage Strategy, received 9th September 2021
- o C-7020 P01 Marlwood School Soakaway, received 13th August 2021
- o FS0835-HYD-XX-XX-RP-Z-6001 Travel Plan, received 19th May 2021
- o Lighting Strategy Report, received 9th September 2021
- o D-1602 Rev P01 Retaining Wall Details, received 10th September 2021
- o C-7600 Rev P01 External Works Marlwood School, received 23rd August 2021
- o C-7601 Rev P01 External Details Marlwood School, received 23rd August 2021
- o LEMP Outline of Contents Rev A, received 9th September 2021
- o Public Art Strategy, received 12th August 2021
- o Construction Environmental Management Plan, received 12th August 2021
- o Community Access Strategy, received 22nd June 2021

Reason

To define the terms and extent of the permission.

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING  
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.**  
**POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The applicant has been given opportunities to address planning issues during the course of the application, and the proposal has been determined in a positive manner.



## ADDITIONAL INFORMATION

1. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.
2. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
3. This Decision Notice grants planning permission. You are advised that it does not imply compliance with Building Regulations and it is essential that you contact the Council's Building Control Manager with regard to your proposals before proceeding.
4. The applicant is advised that an independent risk assessment should be undertaken to gauge the likely impact of the development within close proximity to the golf course. Consideration will also need to be given to where any mitigation e.g. ball stop fencing should be located to ensure control for the golf course, but at the same time who will be responsible for the ongoing maintenance costs? These costs should not be borne by the golf club but rather by the applicant to ensure the safety of the pupils in perpetuity.

PLEASE NOTE: The development hereby permitted must be implemented in accordance with plans hereby approved and any conditions specified above. The conditions may specify that works are to be carried out or details are required to be submitted for further approval, before all or part of the development is otherwise commenced. For further information regarding the discharge of Planning Conditions and the relevant forms please view "compliance with conditions" on our website, [www.southglos.gov.uk](http://www.southglos.gov.uk) If the permission is commenced without these requirements being fully met, or in any other manner, the development may be unauthorised and the permission invalidated. The council holds a definitive copy of this planning decision notice. You should be aware of the risk that subsequent copies of the decision notice may be subject to unauthorised alteration and if necessary you are advised to refer to the council for verification. The definitive copy can be viewed via the council's planning website.



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**DEVELOPMENT MANAGER**

**DATE:** 19th November 2021

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## **PLANNING PERMISSION THE NEXT STEPS**

**Your Decision could be subject to conditions. It is essential that you comply with these conditions in order to protect your planning permission. If you have conditions requiring details to be submitted prior to the commencement of development then failure to discharge these conditions could invalidate your planning permission and result in enforcement action being taken against the development.**

### **HOW TO APPLY TO DISCHARGE CONDITIONS ON YOUR PLANNING PERMISSION**

If the condition requires you to agree something in writing with the Authority before development commences then you will need to consider submitting these details at least 8 weeks prior to starting work. In order to submit your application, you can do so by one of the following options:

- Submit an online application using the Planning Portal online application service [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/)
- Complete an application form online via the Planning Portal online Application service, [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/) printing it off and enclosing it with the correct plans, fee and details before sending it to Development Services.
- Download a copy of the application form from the South Gloucestershire website on [www.southglos.gov.uk/planning](http://www.southglos.gov.uk/planning).
- Request a paper copy from our PT&SE Customer Contact Centre by calling 01454 868004.
- Visit one of the Council One Stop Shop receptions to collect a paper copy of the application form.

The fee amount is £34 per request relating to 'householder' applications and £116 for any other full planning applications.

The fee is payable for each submission (a single submission may be for more than one condition to be discharged).

### **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

If this application has been identified as being liable to CIL you should not commence development until the requirements and obligations under CIL have been established. If we require further information we will write to you requesting this. Where we already have clear information about the proposal and assumed liability we will issue a liability notice shortly. Further information can be found on our website at [www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy](http://www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy)

### **BUILDING REGULATIONS**

You might require separate Building Control approval and you can also secure this through the Council. For advice on development requiring Building Regulations approval please visit the Planning Portal or contact our Team on 01454 863451

### **ACTING AS AN AGENT?**

Please forward the full copy of this decision to your client and advise them of any conditions. The Council continues to be involved with enforcement action taken against applicants who claim not to have been passed the decision by their Agent.

## APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY (LPA)

If the applicant is aggrieved by the decision to refuse this proposal – or to grant subject to conditions – they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 or section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If they are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 0303 444 5000.

Appeals must be made to the Planning Inspectorate in accordance with the provisions below:

- (a) for a **householder application**, an appeal must be made within 12 weeks of the date of this notice;
- (b) for a **minor commercial application**, an appeal must be made within 12 weeks of the date of this notice;
- (c) for the **display of an advertisement**, an appeal must be made within 8 weeks of the date of receipt of this notice;
- (d) for **works to trees** subject to a Tree Preservation Order or part of a woodland, an appeal must be made within 28 days of the date of this notice;
- (e) if this planning application relates to the same, or substantially the same, land and development as is **already the subject of an enforcement notice**, an appeal must be made within 28 days of the date of this notice;
- (f) if an **enforcement notice is served** relating to the same or substantially the same land and development as in this application an appeal must be made within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier;
- (g) in **all other cases**, an appeal must be made within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission/listed building consent for the proposed development/works or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) and local planning authority ([registrationteam@southglos.gov.uk](mailto:registrationteam@southglos.gov.uk)) at least 10 days before submitting the appeal. Further details are available on [GOV.UK](https://www.gov.uk) website.

When submitting an appeal, it is a requirement that an identical set of documents be submitted to the local planning authority. A copy of all appeal documents (and any subsequent documents required to validate the appeal) should be sent to [registrationteam@southglos.gov.uk](mailto:registrationteam@southglos.gov.uk) when the appeal is made. Please ensure this instruction is complied with in order to avoid any unnecessary delay.

