

TOWN AND COUNTRY PLANNING ACT 1990 OUTLINE PERMISSION FOR DEVELOPMENT

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APP REF: PT12/3809/O
DATE VALID: 19th November 2012
DECISION DATE: 17th June 2013
PARISH: Stoke Gifford Parish
Council

NOTICE OF DECISION

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

APPLICATION NO: PT12/3809/O

DESCRIPTION OF DEVELOPMENT: Erection of new buildings on 55.1 hectares of land for; academic, recreation, administration and support purposes (44,055m², Use Class D1); student residential and associated welfare facilities (30,790m², sui generis use); 15,200m² of mixed commercial uses, consisting of a Hotel (200 bedrooms [6,000m², Use Class D1), Restaurant/Public House/Hot Food Take-away (1,200m² Use Classes A3/A4/A5); Office/Research and Development (8,000m², Use Class B1a/B1b); associated infrastructure including provision of a new public transport hub, 2 no. decked and at grade car parks, landscaping, internal highway realignment, amendments to 2 no. adopted vehicular access points; and the demolition of 7,330m² existing buildings. Outline application with all matters reserved except access.

APPLICANT: University of the West of England

LOCATION: University Of West Of England Coldharbour Lane Stoke Gifford
Bristol South Gloucestershire

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

1. Approval of the details of the layout, scale and appearance of the buildings and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To allow the Local Planning Authority to monitor the conditions attached to the planning consent.

5. No development shall take place until the notification of commencement letter has been submitted and acknowledged by the Local Planning Authority.

Reason

To allow the Local Planning Authority to monitor the conditions attached to the planning consent.

6. Prior to the new access link being formed onto Long Down Avenue, details relating to the proposed improvement to the Long Down Avenue/ Coldharbour Lane junction are to be submitted to the Local Planning Authority for written

approval and shall be implemented and operational prior to first use of the new access link proposed onto Long Down Avenue.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the construction of any access road to link the stadium car park extension (as proposed indicatively within this application and in detail under planning ref. PT13/0733/F) to the UWE campus, details of a barrier control management plan to control access between the main stadium car park and the car park extension shall be submitted to and approved in writing by South Gloucestershire Council in conjunction with consultation with the local ward Members. Before first use of the link road from the stadium car park to the UWE campus, the barrier control shall be implemented in full accordance with the approved details.

Reason

To ensure, in the interest of residential amenity, that the access road link does not provide an uncontrolled access opportunity for all the patrons of the car park which would result in congestion and highway implications on Long Down Avenue, contrary to Policy T12 of South Gloucestershire Council's Local plan (Adopted Jan 2006).

8. Where potential contaminants have been identified in the Preliminary Contamination Assessment, each subsequent Reserved Matters application shall be accompanied with a report that addresses the following components that deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:
 - 1) A preliminary risk assessment which has identified:
 - all previous uses potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in

(3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the LPA. The scheme shall be implemented as approved.

Reason

To prevent pollution of controlled waters and to accord with Policies L17,L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Reason

To prevent pollution of controlled waters and to accord with Policies L17,L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction of each individual phase has been submitted to and approved in writing by the Local Planning Authority. The scheme should include details of the following:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.
 3. How both minor and major spillage will be dealt with.
 4. Containment of silt/soil contaminated run-off.
 5. Disposal of contaminated drainage, including water pumped from excavations.
 6. Site induction for workforce highlighting pollution prevention and awareness. Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.
 7. Details of a dust management plan during the construction phases to minimise the impact on the amenities of the neighbouring residential properties.
 8. Any temporary oil storage tanks.

Reason

To prevent pollution of controlled waters and to accord with Policies L17,L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

11. Prior to any installation, full details of any proposed extraction and odour abatement systems associated with all A3, A4 and A5 uses (restaurants, public

house and take-away uses respectively), should be provided to the Local Planning Authority for prior written approval. This should include details on the specification and location of all fans, filters, plant and flues, including a detailed schematic diagram of the ventilation system and its location inside and outside the building. The plan should also show scaled details of where the flue will terminate in relation to adjoining premises (residential and commercial).

Reason

To protect the amenities of neighbouring residential properties and to accord with Policies EP1 _ EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Where the construction site is adjacent to residential or business premises, demolition and construction works and deliveries should not take place outside the hours of;
- Monday - Friday.....7.30 – 18.00
Saturday.....8.00 – 13.00.

There shall be no construction related activities on Sundays or Bank Holidays.

Reason

To minimise disturbance to occupiers of neighbouring residential properties and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

13. Each reserved matters application shall be accompanied by a noise plan confirming the following:
- Details of plant to be used including predicted noise levels
 - Proposed noise monitoring points and maximum noise levels to be agreed with the Local Authority
 - Compliance with British Standard 5228-1:2009 Code of Practice for Noise and Vibration Control on Construction and Opens Sites is expected.
 - Informing local residents of work to be undertaken and include a contact number in case of complaints
 - Details of complaints received to be recorded and made available to the Local Authority upon request
 - Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

- Radio noise should not be audible at the boundary of the nearest neighbouring property..
- Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Services Department on (01454) 868001 prior to commencement.
- For sites with more than 5 houses, and for large industrial/commercial developments, it is strongly recommended that the applicant register the site under the "Considerate Contractors Scheme". Further information and an application form can be obtained by telephoning... Tel: (01920) 872837.

Reason

To minimise disturbance to occupiers of neighbouring residential properties and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

14. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the brief attached to the decision notice.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

15. Prior to the first use of the proposed vehicle access link onto Long Down Avenue, hereby approved, the vehicular access from this link through the residential area known as Cheswick Village, via Long Mead, shall be closed to vehicular traffic. Details of the means of closure are to be submitted to the Local Planning Authority for written approval and the agreed works shall be completed in all respects in accordance with details to be submitted to and approved in writing by South Gloucestershire Council.

Reason

To ensure that traffic associated with the proposals do not impact negatively upon the residential use of the adjacent development, thereby conflicting Policy T12 of the Local Plan (Adopted Jan 2006) and with the safe, attractive and convenient use of the adjacent developments infrastructure by all modes of transport associated with the residential use of the site.

16. Prior to the construction of the road and associated roundabout between the Long Mead Bus Link and the Stadium car park, a proposal for the provision of a replacement area of species-rich grassland, to replace that required by approval application ref. PT12/0888/F and application ref. PT13/0733/F shall be submitted to and approved by the Local Planning Authority and implemented within a time scale also to be agreed. The proposal for replacement species-rich grassland should also be accompanied by an ecological management/maintenance plan to also be agreed in writing by the Local Planning Authority. The area of replacement grassland shall be of an identical (or larger) size to that required as part of the above noted consents and be located contiguously with the adjacent tree belt.

Reason

To accord with Policies L1 and L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

17. No development shall take place until a site specific Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of the following as necessary:
- i. The volume and nature of the waste which will be generated through the excavation process;
 - ii. The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc;
 - iii. Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (ii), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant;
 - iv. The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction; and
 - v. The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it in order to reduce the amount of waste sent to landfill.

Development shall be carried out in accordance with the agreed details

Reason

To accord with the Local Planning Authority's adopted Waste Management Strategy, and to accord with Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (May 2002) and Policy EP1 of the South Gloucestershire Local Plan (January 2006).

18. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of

work. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Procedures for maintaining good public relations including complaint management and public consultation
- (ii) Mitigation measures as defined in the British Standard – BS 5228: Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance. Piling will not be undertaken and Best Practice alongside the application of BS 5228 shall be agreed with the LPA.
- (iv) The use of a ‘Considerate Contractors’ or similar regime for the site induction of the workforce highlighting pollution prevention and awareness.
- (v) Measures to control the tracking of mud off-site from vehicles.
- (vi) Measures to control dust from the demolition and construction works approved.
- (vi) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.

Reason

In the interests of residential amenity and to accord with Policy EP1 of the adopted South Gloucestershire Local Plan.

19. Prior to the commencement of the first phase of the masterplan proposals, details for the facilitation of a Residents Monitoring Group that is to be affiliated to the Residents Monitoring Group formed for the Stadium development (once established), are to be submitted to the Local Planning Authority for written approval. The members of the group shall include representatives from the local residential community, as well as from local businesses.

Reason

In the interests of the safety and security of users of the site and local residents and in accordance with Policy D1 of the South Gloucestershire Local Plan.

20. Prior to the first operational use of the first phase of the masterplan proposals to be implemented, a scheme of signage for walking and cycling routes through the site and onto key strategic locations beyond shall have been submitted and approved in writing by the Local Planning Authority along with a scheme of implementation that should set key trigger dates/points.

Reason

In order to encourage means of travel other than the private car and in accordance with Policy T12 of the adopted South Gloucestershire Local Plan.

21. Prior to first occupation of the proposed development, the Travel Plan as submitted shall be updated to incorporate commitments to carry out annual travel surveys of all staff and students, with the latest survey data used to inform modal shares and the success of the plan to achieve its modal targets; as laid out in the submitted plan and to be agreed in writing by South Gloucestershire Council for subsequent plans. The Proposed Measures of the submitted plan, incorporating the TravelSmart Programme in its entirety, shall be implemented in accordance with the agreed timetable unless otherwise agreed in writing by South Gloucestershire Council. The Travel Plan in each of its annual iterations, incorporating revised survey data, targets and measures, shall thereafter be submitted to and approved in writing by South Gloucestershire Council.

Reason

To ensure that the impact of the development does not negatively impact upon surrounding highway infrastructure thereby conflicting Policy T12 of the Local Plan (Adopted Jan 2006)

22. Prior to any reserved matters approval, details of a surface water drainage masterplan shall be submitted to, and agreed in writing by, the Local Planning Authority (LPA). The masterplan shall be in accordance with the Flood Risk Assessment (prepared by Clive Onions and dated 6 March 2013) and subsequent masterplan table and clarification notes dated 21st April 2013. It shall include details of the phasing of surface water drainage infrastructure and ensure a reduction in run-off rates as shown in the table dated 21st April 2013. The development shall be implemented in accordance with the approved scheme.

Reason

To prevent the increased risk of flooding as a result of the development, in accordance with the National Planning Policy Framework (NPPF).

23. The implementation of any reserved matters approval shall not commence until the detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the plot or parcel is completed.

Reason

To prevent the increased risk of flooding as a result of the development in accordance with NPPF.

24. Any application for the approval of the reserved matters shall be in accordance with the scale parameters described in the design and access statement hereby approved.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers, all in accordance with Policy D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION IN ACCORDANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010.

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

The indicative design principles for the new buildings as set out within the Design and Access Statement are considered sound and if implemented would help create a distinctive and high quality environment. The amount of development is also considered acceptable in that it would not prejudice the existing or proposed character of the site and so the proposed scheme can be considered compliant with Policy D1 of the SGLP. The access into the site is considered to be acceptable subject to one instance of the need to secure a degree of enhancement and so the proposed scheme can be considered compliant with Policy T12 of the SGLP. There remain a number of concerns regarding some elements of the layout, but these can be overcome within the subsequent detailed application and so the proposed scheme can be considered compliant with Policy L1 of the SGLP. With appropriate conditions in place to secure ecological enhancements, the proposed scheme can be considered to comply with Policy L1, L8 and L9 of the SGLP. Although the scale of development is acceptable, with regard to the impact on the setting of the heritage assets on the site (the grade II listed Wallscourt Farmhouse), the layout of the student accommodation will be addressed within a detailed reserved matters application and so the proposed scheme can be considered compliant with Policy L13 the South Gloucestershire Local Plan (Adopted) January 2006. The ecological interests of the site will also be safeguarded and so the proposed scheme is considered compliant with Policy L9 of the SGLP.

This represents a summary of the reason for granting planning permission, further details are set out in the application report under the reference number cited at the top of this decision notice.

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:

ADDITIONAL INFORMATION

1. This decision relates only to the plans identified below:

Site location plan
Existing site plan (drg no.1693.P_001)
Plot 4 Long Mead Bus Link (drg no. VN50075.6-ECC-DG-1007)
Visitor Car Park Access (drg no.VN50075.6-ECC-DG-1008)
Access from South Gate (drg no. VN50075.6-ECC-DG-1009)
Coldharbour Lane and Long Down Avenue (drg no, VN50075.6-ECC-DG-1010)
Bus Station Layout (drg no.VN50075.6-ECC-DG-1011)
Update Report on Community Involvement
Travel Plan
Transport Assessment
Archaeological Desk Based Assessment
Ecology Statement
Tree Survey
Environmental Noise Assessment
Energy Statement
Flood Risk Assessment
Outdoor Lighting
Land Contamination Assessment
Design and Access Statement

As all received by South Gloucestershire Council on 19th November 2012.

Air quality Assessment
Addendum to Ecology Statement
Indicative Masterplan Proposal (drg no. 14963 P 003 Rev.A)
Heart zone Architectural Design Guidance
Heritage Statement
Heritage Statement Visualisation
Planning Addendum Masterplan diagrams
Hotel Sequential Assessment
Flood Risk Assessment (Amended)
Landscape and Visual Assessment (Amended)
Masterplan Parameters Document (Amended)
As all received by South Gloucestershire Council on 20th March 2013.

2. National Planning Policy Framework requires the Sequential Test to be demonstrated for proposals within flood risk areas. The Local Planning Authority (LPA) must be satisfied that the Sequential Test has been adequately demonstrated.

The ecological impact of this scheme is appropriately mitigated provided the recommendations in the ecology statement are carried out. As such we would encourage the applicant to comply with the suggested measures.

As the protected species surveys were carried out in 2009, we would recommend that these surveys be carried out again to avoid potential impact.

If facilities exceed 100 car parking spaces or HGV vehicle movements on site are frequent then the following comment applies:

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

The foul drainage should be kept separate from the clean surface and roof water, and connected to the public sewerage system after conferring with the sewerage undertaker.

Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

3. Potentially contaminated land

A) Where potential contaminants have been identified in the Preliminary Contamination Assessment, prior to the commencement of development,

an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

- B) Prior to occupation, where works have been required to mitigate contaminants (under section A) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- C) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

4. Noise

The report published by Acoustic Consultants Ltd (5196/DO/SRP/pw) in November 2012 is noted. It is acknowledged that the predicted noise levels in Option 1A scenario leads to no noise impact on residential properties. Option 2 scenario requires mitigation measures to ensure an imperceptible increase in noise. However, even with a 1.8m high timber fence there is a +3.7dB change in

noise level at location R6. Therefore it would be preferential to use Option 1A where there is no noise impact.

If Option 2 is used we would ask for further detail and consideration to ensure the noise impact change at R6 is below a perceptible +3dB change.

Full information on plant noise limits should be submitted to ensure there is a 0dB above existing background change. Existing baseline background levels should be taken at times when the plant will be operating.

The final design of the buildings should take into consideration the effect of noise on the final occupation. Habitable rooms should, where possible, be orientated so they are further away from any noise source and protect the occupants with mitigation measures where applicable and as detailed in the acoustic report.

The student union building should also be designed to minimise noise breakout and to ensure that location of noise sources such as speakers etc are faced away from residential buildings. Where possible the orientation of surrounding buildings should be used to reflect and contain any noise breakout so it minimises the effect on neighbouring residents.

5. No change to the surface of the right of way can be approved without consultation with the Council. The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence. In particular, the developer must ensure that:
 - a) there is no diminution in the width of the right of way available for use by members of the public
 - b) no building materials are stored on the right of way
 - c) no damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way
 - d) vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way
 - e) no additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature
 - f) no wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way
 - g) the safety of members of the public using the right of way is ensured at all times"

Any variation to the above will require the prior consent of the Public Rights of Way department. If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 1990

as part of the planning application. No development should take place over the route of the path prior to the confirmation of a TCPA path diversion order.

If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route). South Gloucestershire Council will take such action as may be necessary, including direct enforcement action and prosecution, to ensure that members of the public are not inconvenienced in their use of the way both during and after development work has taken place.

Please note however that the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights of way exist which have not been recorded, and of which we are not aware. There is also a possibility that higher rights than those recorded may exist over routes shown as public footpaths and bridleways.

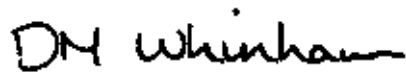
6. The above conditions have been recommended to ensure that the principles of the agreed FRA are delivered as the development comes forward. It is important that sufficient attenuation storage is provided for each phase of development and this should be clearly demonstrated in an updated FRA / masterplan which show discharge rates and SuDs control measures for each plot.
7. Each reserved matters application will need to demonstrate a suitable drainage scheme in accordance with the approved masterplan to allow us to recommend approval for any detailed layout proposals. This should include details of how the drainage infrastructure will be maintained.

The Environment Agency would expect to see the following details when discharging the above condition:

- A clearly labelled drainage layout plan showing the pipe networks, location and size of any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations, areas of impermeable and permeable surfaces and the invert and cover levels of manholes.
 - Confirmation of the agreed discharge rate, with any flow control devices and outfalls indicated on the plan with the rate of discharge stated.
 - Calculations showing the pre-development and post-development run-off rates and the volume of attenuation provided and simulations of the drainage system during a 1 in 100 plus climate change storm. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding.
8. Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

Whilst construction phase is happening they should follow the Environment Agency pollution prevention guidelines these are accessible from our website www.environment-agency.gov.uk

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. 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.



MAJOR SITES MANAGER

DATE: 17th June 2013

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

If the applicant is aggrieved by the decision to refuse permission/consent for this proposal or to grant permission/consent subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government (SOS) in accordance with the provisions below. All appeals should be submitted on a form obtainable from The Planning Inspectorate, at the address below.

- (a) Refusal of planning permission for **Householder applications – within 12 weeks** (Article 33 of the Town & Country Planning (Development Management Procedure) Order 2010)
- (b) Refusal of planning permission or permission granted subject to conditions - **within 6 months** (Section 78 Town & Country Planning Act 1990 (T & CPA) and (Article 33 of the Town & Country Planning (Development Management Procedure) Order 2010)
- (c) Refusal of Listed Building consent or consent granted subject to conditions. Refusal of Conservation Area consent or the decision of the LPA on an application to vary or discharge conditions attached to a Listed Building consent **within 6 months** (Regulation 8 of the Town & Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (d) Refusal of consent for display of advertisement or consent granted subject to conditions - **within 8 weeks** of the date you receive the Council's decision - please refer to separate notice attached where necessary.
- (e) Refusal of Tree Preservation Order consent or consent granted subject to conditions. Issuing of an Article 5 certificate on refusing consent or an Article 6 direction on granting consent to fell any part of a woodland – within 28 days Town & Country Planning (Trees) Regulations 2012.

The SOS has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. He is not however required to entertain an appeal if it appears to him that permission for the proposals could not have been granted by the LPA, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders and to any directions given under the orders.

In the case of refusal of permission to develop land or refusal of Listed Building consent or the granting of permission or Listed Building consent subject to conditions whether by the LPA or SOS and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development works which has been or would be permission, he may serve on the Council in which the land is situated a Purchase Notice (or Listed Building Purchase Notice) requiring the Council to purchase his/her interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town & CP Act 1990 and Part 1, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances (not applicable to Advertisement proposals) a claim may be made against the LPA for compensation where permission is refused or granted subject to conditions by the SOS on appeal or on reference of the application to him.

NOTES IN RESPECT OF SUBMISSION OF APPEALS

Data Protection: Please note all appeal documentation will appear on the Planning Casework Service website.

When submitting an appeal, please note that an identical set of documents should be sent to both the local authority and The Planning Inspectorate at the following addresses:

Director of Environment and Community Services.
South Gloucestershire Council
PO Box 2081
Bristol BS35 9BP

The Planning Inspectorate
Room 3/04 Kite Wing
2 The Square
Temple Quay
Bristol BS1 6PN

Please ensure this instruction is complied with in order to avoid any unnecessary delay.

NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1. Under the provisions of Schedule 2 of the Town & Country Planning (Control of Advertisements) Regulations 2007 before any advertisement is displayed, the permission of the owner of the land, or building on which the advertisement is to be displayed must be obtained.
2. If a conditions imposing a time limit has been expressly included as part of a consent, then that condition must be observed. If no such condition is imposed Regulation 14 (7) of the 2007 Regulations provides that any consent is granted for a period of FIVE YEARS from the date hereof.
3. Where the Authority grant consent for a period shorter than five years they shall (unless the application required such a consent) state in writing their reasons for doing so, and the limitation in respect of time shall for the purposes of these Regulations be deemed to be a condition imposed upon the granting of consent.
4. At any time within a period of 6 months before the expiry of a consent granted under these Regulations, application may be made for the renewal thereof and the provisions of these Regulations relating to applications for consent and to the determination thereof shall apply where application is made for such renewal.
5. Penalty for Contravention. The amount of the fine to which a person who displays an advertisement in contravention of these Regulations is liable on summary conviction as set out in Section 224 of the Town and Country Planning Act 1990 and Regulation 30 of the 2007 Advertisement Regulations.

NOTES IN RESPECT OF ALL APPLICATIONS

1. Attention is drawn to the need for strict compliance with the approved plan(s), failing which appropriate action will be taken.
2. If planning permission has been granted for the development, please note that should this involve any work within the highway, such as the construction of a vehicular access, the consent of the Highway Authority should be obtained.
3. WHERE PLANNING PERMISSION OR LISTED BUILDING CONSENT HAS BEEN GRANTED, APPROVAL MAY ALSO BE REQUIRED UNDER THE BUILDING REGULATIONS BEFORE ANY WORK IS COMMENCED.
4. Although planning permission may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building or the demolition of an existing building in a Conservation Area, Listed Building or Conservation Area Consent will also be required before the work commences.
5. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of the decision. Failure to do so may result in delay in the provision of these services.
6. If planning permission has been granted this may be subject to condition(s) as listed on the decision notice. Some of these conditions require details to be submitted or other work to be carried out before development commences (conditions precedent). If you start development without complying with any such conditions you may invalidate the permission itself. Requests to discharge or confirm conditions made under Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010 should be submitted on the appropriate forms and with any required fee.

Any further information concerning this decision may be obtained from the Director of Environment and Community Services Please quote the Reference Number of this permission in any correspondence