

NOTICE OF DECISION

Town And Country Planning Act 1990



Mr Nigel Salmon
Salmon Planning Company
2 Priory Road
Wells
BA5 1SY
United Kingdom

Application Number: 18/P/5070/FUL

Category: Full application

Application No: 18/P/5070/FUL
Applicant: Mr & Mrs C Powell
Site: Land Adjacent To Rivermead, Purn Way, Bleadon,
Description: Erection of detached dwelling and garage outbuilding.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS PERMISSION** for the above development in accordance with the plans and particulars received and subject to the following condition(s):-

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Dwg PL4011/1E Site Location Plan 1:1250@A4 (Jul 2019);
Dwg PL4011/7A Existing Block Plan 1:500@A3 (Dec 2018);
Dwg PL4011/2G Proposed Block Plan 1:500 & 1:250/A3 (Jul 2019);
Dwg PL4011/3A Proposed Plans As Indicated@A1(Jul 2019);
Dwg PL4011/4A Proposed Elevations 1:50@A1 (Jul 2019);
Dwg PL4011/5 Proposed Garage Plan 1:50@A3 (Dec 2018);
Dwg PL4011/6C Proposed Garage Elevations 1:50@A3 (Feb 2019);
Ecological Appraisal v4 (Jul 2019).

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The finished floor, ground and ridge height levels shall not exceed those shown on the plans to be submitted to and approved by the LPA.

Reason: In order to ensure that the height of the development is appropriate in the

interests of the character and appearance of the area and the living conditions of neighbouring residents and in accordance with policy CS12 of the North Somerset Core Strategy, policy DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

- 4 No development shall commence until a Detailed Arboricultural Method Statement Report with Tree Survey and Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement report shall include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. The report shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The Tree Protection Plan must be superimposed on a layout plan, based on a topographical survey, and exhibit root protection areas which reflect the most likely current root distribution, and reflect the guidance in the method statement report. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: To ensure that trees to be retained are not adversely affected by the development, in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD. The details are required prior to commencement of development because the development/construction works have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

For advice about discharging tree protection conditions, please refer to www.n-somerset.gov.uk/treeprotectionconditions

- 5 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (a) the parking of vehicles of site operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials used in constructing the development
 - (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (e) wheel washing facilities
 - (f) measures to control the emission of dust and dirt during construction
 - (g) measures to control noise from works on the site
 - (h) a scheme for recycling/disposing of waste resulting from demolition and

construction works

(i) measures to keep access roads clear of vehicles

(j) routing restrictions

(k) construction phasing restrictions

(l) location and specification of fencing and other measures for the protection of retained trees

Reason: In order to preserve highway safety, local amenity and the living conditions of nearby residents and in accordance with policy CS3 of the North Somerset Core Strategy and policy DM24 of the North Somerset Sites and Policies Plan (Part 1). The details are required prior to the commencement of development in order to ensure that construction works do not pose a threat to amenity, health or safety.

- 6 The dwelling hereby permitted shall not be occupied until the vehicular access and a properly consolidated and surfaced parking area, for 2 vehicles in addition to the double garage has been constructed in accordance with the approved plans and specifications. The approved parking area shall thereafter be permanently retained and kept available for parking at all times.

Reason: In order to ensure that adequate parking provision is made in the interests of preserving highway safety and in accordance with policies CS10 and CS11 of the North Somerset Core Strategy, policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

- 7 The dwelling shall not be occupied until space and facilities for the separate storage and collection of waste and recycling materials have been provided in accordance with the approved plans and specifications. The said space and facilities shall thereafter shall be made permanently available for the storage and collection of waste and recycling materials only for the occupiers of the dwelling;.

Reason: The Local Planning Authority wishes to encourage sustainable recycling initiatives in the interests of local amenity and sustainable waste management and in accordance with policies CS1, CS3 and CS7 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

- 8 The dwelling hereby permitted shall not be occupied until measures to generate 10% (less if agreed with the local planning authority) of the energy required by the use of the development (measured in kilowatt hours - KWh) through the use of micro renewable or low carbon technologies have been installed on site and are fully operational in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to secure a high level of energy saving by reducing carbon emissions generated by the use of the building(s) in accordance with policies CS1 and CS2 of the North Somerset Core Strategy.

For further advice on how to discharge this condition please refer to www.n-somerset.gov.uk/energyconditions.

- 9 The development shall not take place except in strict accordance with the measures outlined in Section 4 of the Ecological Appraisal submitted in July 2019. If amendments to the methodology are required, details of the changes must be submitted in writing and agreed by the Local Planning Authority before relevant works proceed. The development shall then be implemented in accordance with the agreed changes.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017 /the Wildlife and Countryside Act 1981 (as amended) and policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

Advice about discharging conditions relating to ecological mitigation can be found at:
www.n-somerset.gov.uk/batroostconditions
www.n-somerset.gov.uk/birdboxconditions
www.n-somerset.gov.uk/ecologyconditions

- 10 No external lighting shall be installed until details, including:

- (i) details of the type and location of the proposed lighting;
- (ii) existing lux levels affecting the site;
- (iii) the proposed lux levels; and
- (iv) lighting contour plans,

have been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be installed and operated in accordance with the approved details.

Reason: To reduce the potential for light pollution in accordance with Policy CS3 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

- 11 Before the development hereby approved is brought into operation, a 5 year ecological enhancement and management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include prescriptions and a table of works, including monitoring. Ongoing management shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to the protection and enhancement of the site's ecology in accordance with policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1).

Advice about discharging ecology conditions can be found at:
www.n-somerset.gov.uk/ecologyconditions

- 12 The dwelling shall not be occupied until details of the specification and location for new bat roosting and bird nesting opportunities on the existing hedgerow to the west of the site together with a timetable for their implementation as recommended in the

Ecological Appraisal Rev 4 approved have been submitted to and approved in writing by the Local Planning Authority. the development shall be carried out in full accordance with the approved details.

Reason: To ensure the development contributes to the protection and enhancement of the site's ecology and to protect bat habitat in accordance with policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan (Part 1) and Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended)

Advice about discharging ecology conditions can be found at: www.n-somerset.gov.uk/ecologyconditions

- 13 No above ground work shall take place until surface water drainage details, together with a programme of implementation, have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details and programme.

Reason: To reduce the risk of flooding, and in accordance with policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies).

For advice about discharging this condition please refer to www.n-somerset.gov.uk/drainageconditions.

Advice Notes(s):

- 1 Positive and proactive statement: In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in section 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, by publishing local planning guidance on the council's website, offering pre-application written advice and publishing statutory consultee and neighbour comments on the council's website.
- 2 Works in the highway: Under section 184 of the Highways Act 1980, any new works within the highway boundary must be to the council's specification and prior to any works, the developer must arrange with the council's Streets & Open Spaces Highway Maintenance Team (01275 888802) for the approval of the works within the highway. Such approval is required regardless of any other permissions or consents (e.g. planning permission) that may be granted by the council.
- 3 Traffic Management Act 2004: Any works which affect the traffic capacity of the highway are subject to the Traffic Management Act 2004. This Act places an obligation upon local authorities to coordinate and manage the road network to ease congestion and delay. As the works in this approval are likely to require a part of the highway to be closed, approval for the closure will be subject to the provisions of the Act. The developer is urged to make early contact with the council's Streets & Open Spaces Highway Maintenance Team (01275 888802) to 'book' any required road closure.

- 4 North Somerset Council Waste Management Team have confirmed that they do not serve private shared accesses. The other dwellings on the private road carry their refuse to where the road meets adoptable highway which is further than the recommended distance of 30m but highways would not have an objection to this. The future occupants are informed that the approved dwelling should be serviced in the same way.
- 5 Protected species - bats: Please note that bats are protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This includes bats and places used as bats roosts, whether bats are present at the time or not. If live bats or evidence of bats is unexpectedly found during the course of works, all works must cease and Natural England must be contacted immediately (0300 060 3900).

Date: 2 August 2019
Signed: Richard Kent
Head of Development Management

For advice about how to comply with the conditions above visit www.n-somerset.gov.uk/planningconditions

Please use our [online contact form](http://www.n-somerset.gov.uk/contactplanning) on our website at www.n-somerset.gov.uk/contactplanning if you require further information on this decision.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

NOTES RELATING TO A DECISION TO GRANT PLANNING PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY. Make sure everyone has a copy that needs it, including your builder or contractor.

Scope of this decision notice

This decision notice grants planning permission only. It should not be taken to imply that the scheme meets the requirements of any other agency that may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

Building Regulations

Before you start construction work you need to obtain separate approval under Building Regulations. You can contact the team on 01275 884550 or submit your application on our [website](#).

Conditions

This approval is subject to conditions. They are an integral part of the decision and are important because they describe how the council requires you to carry out the approved work or operate the premises. It is your responsibility to comply fully with them.

Please pay particular attention to those conditions that have to be met before work commences. There is a fee for requests for written confirmation that conditions have been complied with. Details of these fees can be found on our website at www.n-somerset.gov.uk/planningconditions. When sending us information please include the decision reference number and relevant condition number. Depending on the complexity of the issues involved it can take up to 12 weeks for conditions to be discharged. It is therefore important that you submit any required details to us early.

Appeals

If you are aggrieved by our decision to impose any of the conditions, then you can appeal to the Secretary of State for the Environment in accordance with the provisions of Town and Country Planning Act 1990. If you want to appeal against our decision then you must do so within 6 months [12 weeks if this is a decision to refuse planning permission for a shopfront proposal or a minor commercial application] of the date of this notice .

Appeals must be made using a form, which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Alternatively, your appeal can be submitted electronically using the Planning Portal at www.gov.uk/appeal-planning-inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of a Development Order or to directions given under it. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Prepare for floods

If the scheme to which this approval relates is at risk of flooding you should prepare a flood plan to help keep people safe and protect your property. You can find out if your property is at risk of flooding and how to prepare a flood plan on the [Government's website](#). You should also sign up for [flood warnings](#).

Works which affect a Public Highway

Any works/events carried out by or for a developer which affects the public highway in any way must be co-coordinated in accordance with the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 to minimize disruption to users. Developers are required to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment.

Developers are also required to liaise/seek permission of North Somerset Council's Street Works Section (01934 888802 or streetworks@n-somerset.gov.uk) at least one month in advance of the works and this must be in line with the requirements of the NRSWA 1991 and TMA 2004. The developer must endeavor to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. It should be noted that where road closures or formal restrictions are required to undertake works, a minimum of three months' notice will be required.

Public Rights of Way

The grant of planning permission does not entitle developers to interfere or obstruct any public right of way (PROW). The obstruction of a PROW is an offence. If required an application can be made to North Somerset Council to divert the PROW and should be made well ahead of any development.

It is also an offence to drive a mechanically propelled vehicle without lawful authority on any PROW. The grant of planning permission should not be treated as a grant of lawful authority. Please contact the PROW Team for further advice on 01934 888802.

Changes to Plans

Should you wish to change your plans for any reason, including the need to meet the requirements of other legislation (for example Building Regulations) it is important that you notify us (i.e. 'the planners') before carrying on with work. Amendments to your approved plans may require a fresh application and could even prove to be unacceptable. Details of how to seek formal approval of amendments to a planning approval can be found on our [website](#) or by visiting the planning portal.

Enforcement

The council has powers to enforce compliance with planning permission and there are penalties for failure to comply. In cases where terms and conditions of planning permission are not adhered to and the Council finds it necessary to take enforcement action, it almost invariably results in delay and additional expense to the applicant. In extreme cases, it can mean that newly erected buildings have to be demolished.

If the applicant was the Local Authority and the application was made under regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) then this permission enures only for the benefit of the Local Authority and such other person as was specified in the application.

Street Naming

When you receive consent for the building of new a development(s)/property or creating additional flats/units within an existing dwelling, for reasons of public safety and for the allocation of an official postal address, please contact the Street Naming and Property Numbering Section, Town Hall, Weston-super-Mare, BS23 1UJ; Tel: 01275 888761; email: strnames@n-somerset.gov.uk. Learn more on our [website](#).

Access to further information

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at www.planningportal.co.uk.