NOTICE OF DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Decision :	GRANTED subject to condition(s)
Application no:	19/05857/X
Type of application:	Variation/Deletion of a Condition
Site address:	The Former Childrens Centre, West Parade, Bristol, BS9 2LA.
Description of development:	Application for variation of Condition Nos. 19 (List of approved plans and drawings) following grant of planning permission 19/03470/F - revised plans.
Applicant:	Housing Delivery Team - Bristol City Council
Agent:	KKEArchitects Ltd
Committee/Delegation date:	19.02.20
Date of Notice:	19.02.20

Important: Compliance with conditions

- Please read the conditions and understand their requirements and restrictions
- Some conditions may relate to a specific element of work, and require details to be submitted and approved before any work on that element commences.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.

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Time limit for commencement of development

1. Full Planning Permission

   The development hereby permitted shall begin before the expiration of three years from the date of the original grant of planning permission of application 19/03470/F(dated 20th September 2019).

   Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

2. No work of any kind shall take place on the site until the protective barriers have been erected around the retained trees, in the position and to the specification shown on Tree protection plan. Once installed photos should be electronically sent to the Local Authority Case Officer, to be verified by the Tree Officer. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

   Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

   Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

   Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

3. The development must be carried out in accrodance with the approved Outline Construction & Environmental Management Plan (5th November 2019).

   Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

4. Prior to the commencement of any works on site (not including internal strip out), the following shall be submitted to and approved in writing by the Local Planning Authority the reports must be undertaken in accordance with DEFRA and the Environment Agencys Model Procedures for the Management of Land Contamination, CLR 11 and BS 10175:2011+A2:2017 Investigation of potentially contaminated sites. Code of practice.

a) A ground investigation study to identify any contamination at the site and if deemed required by any ground investigation a written Method Statement detailing how contamination will be remediated.

b) Following remediation but prior to occupation a validation report should be submitted to the Local Planning Authority for approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Vegetation clearance shall be carried out in accordance with the approved Vegetation removal method statement dated November 2019.

   Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

6. Further details of green roof

   Prior to the implementation of the green roof, a detailed specification and plans for the green roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval.

   Reason: To ensure that the proposed green roof has ecological and sustainability benefits.

7. Sample Panels before specified elements started

   Sample panels of the brickwork demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

   Reason: In order that the external appearance of the building is satisfactory.

8. Submission of samples before specified elements started

   Samples of all materials shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

   Reason: In order that the external appearance of the building is satisfactory.

Pre occupation condition(s)

9. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

   No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

10. Prior to the occupation of the first floor, the windows at first floor level shall be infilled and raised as indicated on the plans 0697/021 (E) and 0697/040(B).

Reason: To protect the amenity of neighbouring properties.

11. Prior to occupation of the dwellings hereby approved there should be submitted and approved in writing by the Local Planning Authority a detailed layout of the PV panels to the roofs. This should be approved by an MCS,(Microgeneration Certification Scheme), accredited installer to ensure analysis of and shading is taken into account.

The analysis shall include calculation of energy generation and associated C02 emissions to achieve 20% reduction on residual emissions from renewable energy in line with the approved energy statement. The PV panels shall be installed in prior to occupation of the dwellings and thereafter retained.

Reason: To address the need to reduce C02 emissions through the use of renewable energy.

12. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

13. The features identify by the Energy and Sustainability Statement shall be installed prior to the occupation of the development and retained thereafter in perpetuity.

Reason: To ensure the development incorporates sustainability measures as required by the Bristol Local Plan.

14. Submission and Approval of Landscaping Scheme

No building or use herby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others

of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

Post occupation management

15. Non opening and obscured glazed window

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor windows to the first floor landing windows and bathroom window shall be non-opening and glazed with obscure glass to a specification to be agreed with the Local Planning Authority and shall be permanently maintained thereafter as non opening and obscure glazed.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

16. Restriction of use of roof

The flat roof/green roof area included on the plans shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises.

17. The carer's room shall not be used as a self contained dwelling.

Reason: The size of the room is not suitable for permanent residential accommodation.

List of approved plans

18. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

0697/005(A) Site location plan, received 26 July 2019
0697/004(A) Site block plan, received 26 July 2019
0697/006(A) Existing site layout, received 26 July 2019
0697/007(A) Existing roof layout, received 26 July 2019
0697/010(C) Existing ground floor layout, received 26 July 2019
0697/016(B) Proposed site layout, received 26 July 2019
0697/041 Proposed garden building elevations and layout, received 26 July 2019
0697/030(A) Existing elevations, received 26 July 2019
Arboricultural impact assessment report, received 26 July 2019
Energy and sustainability statement Rev P03, received 26 July 2019
Sustainability statement, received 26 July 2019
Tree protection plan, received 20 September 2019
Outline Construction & Environmental Management Plan, received 21 November 2019
Vegetation removal method statement, received 21 November 2019

0697/203A Rooflight details, received 21 November 2019
0697/204A, DPM details, received 21 November 2019
0697/205 Vertical details, received 21 November 2019
0697/040(B) Proposed elevations, received 17 December 2019
0697/021(E) Proposed first floor layout, received 17 December 2019
0697/020(E) Proposed ground floor layout, received 17 December 2019
0697/017(B) Proposed roof layout, received 17 December 2019
0697/050(B) Proposed visuals, received 17 December 2019

Reason: For the avoidance of doubt.

Article 35 Statement

In dealing with the application we have worked with the applicant in a positive and pro-active manner and have implemented the requirement in the National Planning Policy Framework (2019) paragraph 38.

It is important that you read the following "Additional information"

Additional information for application no 19/05857/X

Planning permission – important provisos

1. If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts or Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note.

2. It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over land, or to access land that is not within your control or ownership.

Compliance with the approved plans and conditions

3. The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or a part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

4. If work on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments

5. Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Conditions compliance

6. Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

7. A fee is payable for each request. A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

8. The web page www.bristol.gov.uk/planning-and-building-regulations/planning-conditions provides further guidance on this process.

Right of Appeal

9. Applicants have a right of appeal against the requirements of any conditions attached to this approval. Appeals can be made online at: https://www.gov.uk/planning-inspectorate

   If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
   If you intend to submit an appeal that you would like examined by inquiry then you must notify us (development.management@bristol.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

   You are allowed six months from the date of this notice of decision in which to lodge an appeal.

Complaints

10. Only planning matters can be considered at an Appeal. If you think that the Council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website www.bristol.gov.uk/complaints-and-feedback or by calling 0117 9223000.