

Town and Country Planning Act 1990

NOTIFICATION OF DECISION

Application Type: **Full Application** Application No: **21/05626/FUL**

Address to which the proposal relates: **Sewage Purification Works Mead Lane Salford Bristol**

Description of Proposal: **Five glass reinforced plastic kiosks containing control equipment for wastewater treatment plant on Salford Water Recycling Centre. Creation of a landscaping bund on an existing agricultural field adjacent to Salford Water Recycling Centre to mitigate the visual impact of proposed new wastewater treatment plant.**

Application submitted by: **Mr Paul Lewis**

The above development is **PERMITTED** in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

1 Standard Time Limit (Compliance)

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Arboricultural Method Statement with Tree Protection Plan (Pre-commencement)

No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a final list of tree components to be removed to enable the development and include a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and compliance statements to the local planning authority. The statement should also include the control of potentially harmful operations such as 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.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

3 Wildlife Mitigation and Compensation Measures (Compliance)

The development hereby approved shall be carried out only in accordance with the measures described in the approved Ecological Impact Assessment dated November 2021 and Biodiversity Net Gain Assessment Report dated December 2021. All such measures shall be adhered to retained and maintained thereafter for the purpose of wildlife conservation.

Reason: to avoid harm to ecology including protected species and to avoid net loss of biodiversity

4 Construction environmental management plan (CEMP): Biodiversity (pre-commencement)

No development shall take place (including demolition, ground works, vegetation clearance) until a

Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall be in accordance with (but not limited to) the measures described in the approved Ecological Impact Assessment report dated November 2021 and shall include the following:

- a) Risk assessment of potentially damaging construction activities
- b) boundaries of mapped exclusion zones for the protection of ecologically sensitive species or retained habitats and features, with boundaries shown to scale on a plan, and details and specifications for proposed fencing, barriers and warning signs, as applicable
- c) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- d) The times and frequency of visits during construction when a professional ecologist needs to be present on site to oversee works
- e) Responsible persons and lines of communication
- f) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), to include the location, timing and methodologies of specified works to avoid harm to wildlife and sensitive features, including method statements for avoidance of harm to badgers, nesting birds, hedgehog and other wildlife as applicable

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: to avoid harm to existing and retained habitats and species during site preparation and construction works

NB The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

5 Ecological Compliance Statement (Pre-occupation)

No operation of the development hereby approved shall commence until a report produced by a suitably experienced professional ecologist (based on post-construction on-site inspection by the ecologist) confirming and demonstrating, using photographs, adherence to and completion of all requirements of the approved CEMP:Biodiversity and with the measures of the Ecological Impact Assessment in accordance with approved details, including installation of all wildlife features, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the approved ecological mitigation and compensation measures, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan.

6 Landscape and Ecological Management Plan (LEMP) (pre-occupation)

No operation of the development hereby approved shall take place until full details of a Landscape and Ecological Management Plan have been submitted to and approved in writing by the local planning authority. These details shall be in accordance with the approved Biodiversity Net Gain Assessment Report dated December 2021 and shall include:

- (i) A list of long-term wildlife conservation and landscape aims and objectives, to include: habitat-specific; species-specific; and issue-specific objectives (as applicable) eg the provision of habitats suitable for reptiles and barn owl;
- (ii) Proposed management prescriptions and operations; locations, timing, frequency, duration; methods equipment and personnel as required to meet the stated aims and objectives
- (iii) A plan showing all details and locations, and boundaries of habitats and management units / areas
- (iv) A list of activities and operations that shall not take place and shall not be permitted within the LEMP Plan area (for example use of herbicides, waste disposal, inappropriate maintenance methods, storage of materials, lighting)

- (v) Proposed monitoring and reporting scheme, to include ongoing review and remediation strategy
- (vi) Proposed costs, legal responsibility, and funding sources

All required measures shall be incorporated into and compatible with the wider scheme, and shown to scale on all relevant plans and drawings including landscape design and planting plans. All works within the scheme shall be carried out and the land managed and maintained and utilised thereafter only in accordance with the approved details, unless otherwise approved in writing by the local planning authority.

Reason: in the interests of avoiding net loss and proving net gain of biodiversity, and to secure long term visual amenity

7 External Lighting (Bespoke Trigger)

No new external lighting shall be installed on the site or fixed to buildings until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (i) proposed lamp models and manufacturer's specifications, and proposed lamp positions, numbers and heights, with details to be shown on a plan. Proposed lamp models shall comprise downward directional shielded lighting designed to maximise light containment and minimise light spill upwards and beyond the area requiring to be lit.
- (ii) Full details of lighting controls, proposed hours, frequency and duration of use. and measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife.

The lighting shall be installed maintained and operated thereafter only in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Local Plan.

8 Landscape Design Proposals (Bespoke Trigger)

No development shall take place until full details of both hard and soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design, in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

9 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the following plans:

23 Dec 2021	D9863-Swe-12-20-D-C-7110 P01	Inlet Works Mcc Kiosk Plan & Elevations
23 Dec 2021	D9863-Swe-12-40-D-C-7112 P01	Asp Mcc Kiosk Plan & Elevations
23 Dec 2021	D9863-Swe-12-40-D-C-7114 P01	Fst Mcc Kiosk Plan & Elevations
23 Dec 2021	D9863-Swe-14-20-D-C-7111 P01	Wash water Kiosk Plan & Elevations
23 Dec 2021	D9863-Swe-42-40-D-C-7113 P02	Blowers Kiosk Plan & Elevations
23 Dec 2021	D9863-Swe-Xx-Xx-D-C-7116 P04	Proposed Landscaping Bund Plan & Sec
23 Dec 2021	D9863-Swe-Zz-Zz-D-C-7103 P04	Proposed Block Plan Sheet 1
23 Dec 2021	D9863-Swe-Zz-Zz-D-C-7104 P03	Proposed Block Plan Sheet 2
13 Jan 2022	D9863-Swe-Zz-Zz-D-C-7100 P04	Site Location Plan

13 Jan 2022 D9863-Swe-Zz-Zz-D-C-7101 P02 Existing Site Plan
13 Jan 2022 D9863-Swe-Zz-Zz-D-C-7102 P04 Proposed Site Plan
13 Jan 2022 D9863-Swe-Zz-Zz-D-L-7200 P03 Proposed Landscape Plan

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

Do not commence development until you have been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim

any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil. If you have any queries about CIL please email cil@BATHNES.GOV.UK

Responding to Climate Change (Informative):

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

Date of Decision: 3rd March 2022

Simon de Beer

Head of Planning

IMPORTANT NOTE - The above decision refers to Planning Permission only and does not grant or imply Listed Building Consent, Advertisement Consent, Building Regulation or other consents under any other legislation.

APPEALS TO THE FIRST SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (8 weeks for Advertisement appeals).
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- 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 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 for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the First Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.