

NOTICE OF DECISION

Town And Country Planning Act 1990



Mr Alex Gillett
AWW
Rivergate House
70 Redcliffe Street
Bristol
BS16LS

Application Number: 19/P/1293/RM

Category: Reserved matters application

Application No: 19/P/1293/RM
Applicant: North Somerset Council
Site: Land At Arnolds Way ,Off Wheatear Road ,Yatton,
Description: Reserved matters application for access, appearance, landscaping, layout and scale for the erection of a 210 place and 30 nursery place primary school (future proofed for expansion to a 420 place and 60 nursery place primary school) pursuant to Outline approval 15/P/1488/O (Outline planning application for up to 200 dwellings including specialist housing units (eg extra care), land for a primary school, open space and all associated infrastructure; with access for approval and appearance, landscaping, layout and scale reserved for subsequent approval)

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS PERMISSION** for the reserved matters shown above in accordance with the conditions attached to the original outline decision (our reference 15/P/1488/O) and the following additional conditions:

1 Approved Plans:

The development hereby permitted shall, unless otherwise subsequently agreed by the Local Planning Authority in writing, be carried out in general accordance with the following supporting documentation and approved plans:

Documentation:

- Design & Access Statement dated May 2019
- Flood Risk Assessment YNE-CDY-ZZ-RP-C-0009 Dated May 2019
(Note: Drainage subject to the submission and approval of further detail)

Plans:

- Drg. No. 0001 Rev. P01.01 Site Location Plan;
- Drg. No. 0101 Rev. P01.02 Existing Site Plan;

- Drg. No. 0110 Rev. P01.02 Proposed Site Plan (Subject to further update/revision to be agreed);
- Drg. No. 0200 Rev. P01.05 Ground Floor GA Plan 1FE;
- Drg. No. 0201 Rev. P01.03 Roof Plan 1FE;
- Drg. No. 1420 Rev. P01.02 External Works Sections;
- Drg. No. 0300 Rev. P01.03 Elevations 1FE;
- Drg. No. 0400 Rev. P01.03 Cross Section 1FE;
- Drg. No. 0901 Rev. P01.01 Visualisation 2
- YNE-CDY-V2-XX-DR-C-0020 Rev. P02 Existing Surface Levels (SO) Sheet 1;
- YNE-CDY-V2-XX-DR-C-0021 Rev. P02 Existing Surface Levels (SO) Sheet 2;
- YNE-CDY-V2-XX-DR-C-0026 Rev. P03 Landscape Levels (S3) Sheet 1;
- YNE-CDY-V2-XX-DR-C-0027 Rev. P03 Landscape Levels (S3) Sheet 2.
- YNE-CDY-V2-XX-DR-C-0028 Rev. P02 Finished Surface Levels (S4) Sheet 1;

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

Drainage

- 2 Notwithstanding condition 6 of outline planning permission number 15/P/1488/O, no development other than site set up and fencing works shall take place until surface water drainage works have been implemented or alternative measures taken to ensure that no surface water is allowed to cause any detrimental affect to neighbouring properties, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To reduce the risk of flooding to the development from surface water/watercourses, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), 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). The information is required before works start on site because it is necessary to understand whether the discharge rates and volumes are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

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

- 3 Notwithstanding condition 7 of outline planning permission number 15/P/1488/O, no development, other than site set up and fencing, shall take place until details of the implementation, maintenance and management of the approved sustainable drainage scheme have been submitted to and approved, in writing, by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

The details to be submitted shall include:

- a) a timetable for its implementation and maintenance during construction and handover; and

b) a management and maintenance plan for the lifetime of the development which shall include details of land ownership; maintenance responsibilities/arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements and details of routine and periodic maintenance activities.

Reason: To reduce the risk of flooding and to ensure that maintenance of the SUDs system is secured for the lifetime of the development, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), 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). The information is required before works start on site because it is necessary to understand how the system will be maintained during construction works and before the hand over to a management company to prevent flooding downstream of the system.

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

Disabled Access

- 4 The school premises shall not be occupied until the public accesses have been made suitable for use by disabled people in accordance with details that have first been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In order to ensure that there is safe, convenient and attractive access to the property for people with physical and sensory disabilities and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM33 of the North Somerset Sites and Policies Plan (Part 1).

Energy

- 5 The school hereby approved shall not be occupied until measures to generate 15% (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.

- 6 The development hereby approved shall be constructed to a minimum BREEAM (or equivalent) standard rating of Very Good and, prior to the first occupation of the development, a copy of a EPC provided to demonstrate that the building achieves the appropriate level of efficiency and in accordance with condition 5, unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of promoting good design and sustainable construction in accordance with policies CS1 and CS2 of the North Somerset Core Strategy.

Plant

- 7 Details of all proposed fixed plant, ventilation, extraction and flue systems, including odour control systems and boiler vents, associated with the development, including details of any/all means of enclosure of such plant, shall be submitted to and approved by the Local Planning Authority in writing prior to installation. The details to be submitted shall include noise predictions covering all plant together with background noise levels as measured at the site boundary.

Reason: To protect the living conditions of nearby residents and in accordance with policy CS3 of the North Somerset Core Strategy.

Lighting

- 8 Notwithstanding condition 9 of outline planning permission number 15/P/1488/O, no artificial lighting or external floodlighting shall be fixed or installed on any building or land, including the approved playing areas, without the prior written approval of the Local Planning Authority. The details of such lighting shall include periods of illumination.

Reason: In the interests of protecting the character and appearance of the area and to protect the bat population in accordance with policy CS3 of the North Somerset Core Strategy.

Construction Management Plan

- 9 Details of a construction management plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The details to be submitted shall include, but not be limited to, the routing of construction traffic on local roads, construction vehicle movement times, HGV routing, provision for staff car parking, times of site operation, volume of HGV movements throughout the day, highway safety measures such as wheel washing facilities and mitigation measures for any remedial works required. The construction management plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of traffic congestion within the locality of the site during the construction phase in the interests of road safety and in accordance with policy CS10 of the North Somerset Core Strategy and policy DM24 of the Sites and Policies

Plan Part 1.

Vehicle and Pedestrian Gates

- 10 Details of the proposed vehicle and pedestrian gates, including means of operation and management of the gates, shall be submitted to and approved by the Local Planning Authority prior to installation. The approved gates and any associated control mechanism to each gate shall thereafter be installed and in the future operated in the agreed managed form to the satisfaction of the Local Planning Authority, unless otherwise agreed in writing.

Reason: To provide a safe and secure site and in the interests of pedestrian and public safety in accordance with policy CS10 of the North Somerset Core Strategy and policy DM25 of the Sites and Policies Plan Part 1.

Boundary Fencing

- 11 Details of the proposed boundary fencing shall be submitted to and approved by the Local Planning Authority prior to its installation. The approved boundary fencing shall be provided in full prior to the first use of the building hereby approved.

Reason; To ensure that the fence detail provides a secure boundary visually acceptable within the context of the adjoining residential setting and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

Materials

- 12 No development above damp-proof course level shall take place until a sample of the pallet of materials to be used in the external appearance of the school building hereby approved has been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that the external materials used are visually acceptable and suitable for purpose in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

School Travel Plan

- 13 The development hereby approved shall not be brought into use until a School Travel Plan, along with baseline survey data and targets for model shift to North Somerset Council during the first term of occupation, has been submitted to and approved by the Local Planning Authority in writing. The submitted Travel Plan shall include initiatives to promote active and sustainable travel from first occupation and within the time frame specified within the travel plan.

Reason: To ensure the travel plan is fully implemented in accordance with policy DM26 of the North Somerset Sites and Policies Plan Part 1, policy CS10 of the North Somerset Core Strategy and the North Somerset Travel Plans SPD November 2010

Vehicle Charging

- 14 The development hereby approved shall not be brought into use until passive provision that allows for electric vehicle charging has been designed and incorporated into the approved car park. Such provision shall establish all the associated ducting, chambers and junctions for the carrying of power cables. The provision should be designed to accommodate a minimum of 7kW / 32 amps power capacity.

Reason: To allow for charging points to be installed without the need for undertaking works that require breaking ground to install cabling retrospectively and in accordance with policy CS1 of the North Somerset Core Strategy.

Cycle Parking

- 15 The development hereby approved shall not be brought into use until covered cycle parking provision, that accommodates the required number of spaces in accordance with the North Somerset Parking Standards SPD, together with covered scooter storage areas, has been provided on site in accordance with details of the proposed structure(s) that are first to be submitted to and agreed by the Local Planning Authority in writing. The approved structures shall always thereafter be maintained in good accessible condition, in the future.

Reason: To ensure that adequate provision for cycle parking and scooter storage is provided at the start of the school's first academic year and maintained as such in the future in accordance with policy CS11 of the North Somerset Core Strategy and policy DM28 of the North Somerset Sites and Policies Plan, Part 1 and the North Somerset Parking Standards SPD.

Pedestrian Crossing Point

- 16 No development above damp-proof course level shall take place until details providing for a pedestrian crossing point, with associated dropped curbs, at the exit of the proposed one-way roadway that passes through the site from Wheatear Road, have been submitted to, and agreed by the Local Planning Authority in writing. The approved detail shall thereafter be fully implemented and brought into use on or before the approved school is brought into use.

Reason: To assist with defining the pedestrian access routes into and out of the school grounds and in accordance with policy CS10 of the North Somerset Core Strategy and policy DM25 of the North Somerset Sites and Policies Plan, Part 1.

IT IS ESSENTIAL THAT THIS APPROVAL IS READ IN CONJUNCTION WITH THE ORIGINAL OUTLINE PLANNING PERMISSION. THE CONDITIONS UPON WHICH THE OUTLINE PERMISSION WAS GRANTED MUST BE STRICTLY OBSERVED.

Advice Notes:

1 Cooperation with applicant:

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in the National Planning Policy Framework (paragraph 187) by publishing local planning guidance on the council's website, offering pre-application advice and publishing statutory consultee and neighbour comments on the council's website.

In accordance / further details required:

- 2 The applicant/developer is advised that the conditions imposed on Outline planning permission number 15/P/1488/O must be strictly adhered to and that a fully detailed landscape planting scheme for the site must be submitted and agreed prior to work commencing. The applicant/developer's attention is particularly drawn to the requirements for a good planting margin along the north boundary, comprising trees, bushes and hedgerows, whilst also accommodating the necessary surface water drainage mitigation.

Drainage:

- 3 The applicant/developer is advised that Sewers for Adoption 8 (pre-implementation version) is now available, and will be published in 2019, it includes alterations for SuDS standards and maintenance, therefore we would recommend that a discussion with Wessex Water about maintenance and standards takes place.

Date: 1 November 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](#) 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.