

**Town and Country Planning Act 1990
Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

NOTIFICATION OF DECISION

Application Type: **Outline Application with an EIA attached**

Address to which the proposal relates: **Former Cadbury Factory Cross Street Keynsham BS31 2AU**
Application No: **13/01780/EOUT**

Description of Proposal:

Hybrid planning application for the mixed use development of the former Cadburys Factory site, Somerdale, Keynsham (including part demolition of existing buildings) comprising:
a) Outline application for up to 433 dwellings, 60 bed care home (C2 use) primary school (D1 use) local centre to include creche and medical facility (D1 use) and retail (A1, A3, A4, A5 uses) cafe/restaurant (A3 use) and associated roads, infrastructure (including flood protection measures), landscaping, new wildlife areas, open space and cycle/footways. All matters except Access reserved.
b) Detailed application for the erection of 154 dwellings, change of use of Block A for up to 113 apartments, highway works at Somerdale Road/Station Road, social and sports pavilion (new Fry Club), new sports pitches, relocation of groundsmans hut, alterations to factory buildings B and C for employment use (B1) leisure (D2 uses) and retail (A3, A4 and A5 uses) including use of existing basements for car parking and associated surface level parking, access roads, landscaping and associated infrastructure, engineering works to Chandos Road and associated landscaping, extension to station overspill car park, surface water attenuation pond and outfall to the River Avon.

Application submitted by: **Taylor Wimpey UK Limited**

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

1 Time Limit (Detailed Application)

The Detailed Application 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 permissions.

2 Time Limit (Outline Application)

(a) No part of the Outline Application hereby permitted shall be commenced unless and until an application or applications for written approval of the matters reserved by this planning permission in respect of that part of the Development have been submitted to and approved in writing by the Local Planning Authority and the reserved matters applications shall include detailed plans, sections and elevations showing:

- Layout
- Scale
- Appearance
- Landscaping

(b) Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of SEVEN YEARS from the date of this decision notice

(c) The Outline Application hereby approved shall be begun either before the expiration of three 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 latest.

Reason: This is in part an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 Reserved Matters Applications

Prior to the submission of any reserved matters application the applicant shall submit to the Local Planning Authority for its approval a Design Guide for the Outline Application site. The Design Guide shall be based on the Illustrative Layout and the design principles and parameters described and illustrated in chapter 8 of the Somerdale Design and Access Statement March 2013 and the illustrative layout for the Care Home described in the Addendum to Design and Access Statement. Each reserved matters application shall include a statement setting out how the proposals comply with the Design Guide.

Reason: In the interests of the appearance of the development and the character and appearance of the area.

4 Each reserved matters application shall be accompanied by a reconciliation document comprising a development table and illustrative plan.

The reconciliation document shall specify: i) what has been built at the date of the reserved matters application; ii) what has reserved matters approval but is not built iii) what is proposed in the reserved matters application; and iv) what is permitted in the Outline Application but not the subject of reserved matters application or approval. In doing so it shall demonstrate how the development the subject of the reserved matters application is consistent with the overall proposals for the site as established by the Indicative Residential Mix, Land Use Mix and approved Parameter Plans.

The development table shall include details of the following:

- (a) The type and number of dwellings by reference to the Indicative Residential Mix,
- (b) The type and quantum of non-residential use(s) (sqm GEA) by reference to the Land Use Mix,
- (c) The number of car parking, motor cycle parking and cycle parking spaces for residential dwellings, non-residential uses and visitors.

The illustrative plan shall include a plan at 1:1000 scale showing details of the Detailed Application and any approved reserved matters together with Parameter Plans for those parts of the site for which reserved matters applications have yet to be submitted.

Reason: To enable the Local Planning Authority to be satisfied that detailed proposals for part of the site are consistent with the outline proposals for the Site as a whole, the approved Land Use Mix and Parameter Plans and to ensure that the development on each Phase or reserved matters application makes a positive contribution towards the delivery of the comprehensive and integrated masterplan for the Site as a whole.

5 Phasing

The Development shall be implemented in accordance with the Phasing Plan Drawing 9910 Rev A (dated 17 April 2013) unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the Development keeps within the impacts assessed in the Environmental Statement submitted with the application.

6 No Phase of the Outline Application shall commence until a programme for the provision of (a) site roads (b) the amenity/play areas (c) footpaths (d) open spaces for that Phase has been first submitted to and approved in writing by the Local Planning Authority and the development of that Phase shall not be carried out other than in accordance with this programme.

Reason: The Local Planning Authority wish to control the matters referred to in the interests of the comprehensive development of the site as set out in the approved Parameter Plans.

7 Materials Details

No part of the Detailed Application shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces including roofs of buildings of that part of the Detailed Application (other than Buildings A B or C) have been submitted to and approved in writing by the Local Planning Authority. The development of that part shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of the appearance of the development and the character and appearance of the area.

8 No work, including demolition, shall commence on Building A until full details (including scaled drawings at 1:100) have been provided of any external alterations or extensions to that building and a schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces including roofs of that building have been submitted to and approved in writing by the Local Planning Authority. The development of Building A shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of the appearance of the development and the character and appearance of the area.

9 Prior to the demolition of any part of Buildings B or C details of the replacement northern elevation of these buildings (including scaled drawings at 1:100 and a schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces of these buildings) shall be submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out only in accordance with the details so approved. For Buildings B and C, no other development (excluding demolition) shall commence on each building until full details for that building (including scaled drawings at 1:100) have been provided of any external alterations or extensions and a schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces including roofs have been submitted to and approved in writing by the Local Planning Authority. The development of that building shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of the appearance of the development and the character and appearance of the area.

10 No Phase within the Outline Application shall commence until a sample of all external walling and roofing materials for that Phase has been submitted to and approved in writing by the Local Planning Authority. The development of that Phase shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of the appearance of the development and the character and appearance of the area.

11 Construction Management

Excluding Block D, no work, including demolition and site preparation work, shall commence until a Construction Environmental Management Plan including but not limited to details of working methods and hours, control measures and monitoring requirements, deliveries (including storage arrangements and timings), contractor parking and traffic management during each stage of the Development, and ecological protection and mitigation has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Construction and Environmental Management Plan.

Reason: To safeguard the amenities of adjoining residential properties and ensure the safe operation of the highway.

12 Site Levels

Notwithstanding the information shown on Drawing 41-01 Rev B (dated Feb 2013) details of the finished site levels and floor levels within the Detailed Application shall be submitted to and approved by the Local Planning Authority before development of the Detailed Application commences. Development of the Detailed Application shall thereafter be carried out only in accordance with the details so approved.

Reason: To safeguard the amenities of adjoining residential properties adjoining the site and in order to clarify the terms of the permission.

13 Flood Risk and Drainage

The Development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by WSP dated 15/03/2013 and the following mitigation measures detailed within the FRA:

- All buildings will be constructed with floor levels no lower than the 1 in 100 plus climate change flood level (approximately 12.4mAOD).
- The development platform will be raised above the existing ground levels.
- Flood warning signs will be located on the footpaths onto the Hams and adjacent to the wetland area.
- There will be no ground raising in the floodplain without appropriate floodplain compensation, details of which will first be submitted to and approved in writing by the Local Planning Authority.
- No highly vulnerable or more vulnerable uses (as defined in Table 2 of the Technical Guidance to the NPPF) shall be located within Flood Zone 3.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

14 There must be no new buildings, structures (including gates, walls, fences or other means of enclosure) or raised ground levels within 5.0m of the top of any bank of the River Avon fronting the site.

Reason: To maintain an appropriate access to the watercourse/flood defence for maintenance and/or improvements.

15 The development of Phase 2 and any subsequent Phase shall not be commenced until such time as the detailed design of the proposed wetland area has been submitted to, and approved in writing by the Local Planning Authority, and there shall be no raising of ground levels in Flood Zone 3 until the construction of the wetland area has been completed.

Reason: To ensure appropriate mitigation to reduce the risk of flooding.

16 The proposed wetland shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements approved under Condition 15 or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate mitigation to reduce the risk of flooding.

17 Prior to any reserved matters approval, details of a surface water drainage masterplan for the area to which that reserved matters application relates shall be submitted to, and agreed in writing by, the Local Planning Authority. The masterplan shall be in accordance with the FRA (prepared by WSP and dated 15/03/2013) and technical notes dated 22nd July and 21st August 2013, and include details of the phasing of surface water drainage infrastructure including source control measures. 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).

18 No development shall take place on land to which reserved matters relate 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 Local Planning Authority. 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 the NPPF.

19 Prior to commencement of development within each Phase, a detailed strategy for the drainage of surface water during demolition and construction works for that Phase shall be submitted to and approved in writing by the Local Planning Authority. This will include the details of the proposed temporary surface water drainage and bund system described in the Flood Risk Assessment and details of how this system will be maintained in future phases of the Development.

Reason: To ensure the adequate provision of surface water drainage infrastructure during each development phase.

20 Before the commencement of any Phase of development, details of a scheme for surface water and foul water drainage for that Phase shall be first submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Wessex Water. The details shall include the following information for each Phase of development:

- i) A plan of the proposed surface water drainage strategy and how it fits into the overall surface water drainage strategy for the site.
- ii) Details of the proposed adoption and maintenance arrangements for the proposed surface water drainage system.
- iii) Electronic simulation calculations for return periods up to the 1 in 100 year +30% for climate change event showing that flooding will not occur on site.
- iv) Where any infiltration devices are proposed, infiltration rates and sizing calculations will need to be carried out in accordance with BRE Digest 365.
- v) A timetable detailing when each phase of surface water drainage infrastructure will be constructed.

The proposed drainage infrastructure will then be constructed in accordance with the approved details and to an approved timetable.

Reason: In the interests of flood risk management and sustainable drainage.

21 Contamination

A Remediation Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any remediation works associated with the decontamination of any part of the site. The Remediation Phasing Plan so approved shall thereafter be used as the basis for the phased remediation of the site unless otherwise agreed in writing by the Local Planning Authority.

No part of the development shall take place in any phase or sub-phase as detailed on the approved Remediation Phasing Plan until an outline scheme of remediation for the whole site and a detailed scheme of remediation for that phase or sub-phase has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme of remediation shall provide for:

(i) An investigation and risk assessment for each phase or sub phase, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

22 A detailed remediation scheme for each phase or sub-phase to bring that part of the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

23 The approved remediation scheme for each phase or sub-phase must be carried out in accordance with its terms prior to the commencement of development in that phase or sub-phase other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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.

24 In the event that contamination is found at any time when carrying out the Development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 21, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 23.

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.

25 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

26 Landscaping, Ecology and Trees

No part of the Detailed Application or Phase of the Outline Application shall commence until details of a hard and soft landscape scheme for the Detailed Application or Phase of the Outline Application has been first submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

27 All hard and/or soft landscape works shall be carried out in accordance with the approved details. The landscape works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the scheme being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

28 Hard and soft landscaping details submitted in respect of the Outline Application shall be in general accordance with the Illustrative Landscape Masterplan Drawing 19835 RGLA 09.

Reason: To ensure the provision of an appropriate landscape setting to the development.

29 Prior to any application for approval of reserved matters within Phase 3 of the development (as shown on the Phasing Plan Drawing no. 9910 Rev A) a Public Access, Landscape and Ecology Strategy shall be submitted to and approved by the Local Planning Authority. The Strategy shall include proposals to ensure a safe and accessible riverside path that safeguards the ecological importance of this part of the site.

Reason: To ensure the provision of an appropriate landscape setting to the development.

30 The Development shall be carried out only in accordance with the approved Landscape and Ecology Management Plan Rev. A (dated March 2013) or any amendment to that Plan, either in the light of further habitat or species surveys undertaken within the area of the Outline Application or otherwise, as approved in writing by the Local Planning Authority.

Reason: To secure adequate ecological protection during the course of development.

31 No part of the Detailed Application or Phase of the Outline Application shall commence until the protective measures for the Detailed Application or Phase of the Outline Application as shown on the Tree Protection Plans (D6 41 P11 Rev B 1 of 2 and 2 of 2 undated) are implemented. The Local Planning Authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

32 Residential Amenity

The approved residential development including the Care Home shall be constructed to provide sound attenuation against external noise in accordance with BS8233:1999. The following levels shall be achieved: Maximum internal noise levels of 30dB LAeq,T for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not exceed 45dB LAmax.

Reason: To protect the amenity of residents and the locality.

33 New plant and equipment to include kitchen ventilation and extraction systems and any new refrigeration/air conditioning plant should not exceed the recommended noise emission criterion of 5dB below the 'good' internal noise level.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

34 The A3, A4, A5 space and the Fry Club hereby approved shall not commence operations until the extract/ventilation system as indicated on the approved plans has been implemented in accordance with the details so approved. The system shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure that the extract/ventilation system is appropriate for the character of the building and/or to safeguard the amenities of local occupiers.

35 No floorspace/unit approved for uses falling within Use Classes A1-A5 within any part of the Development (including the Fry Club) shall be open to customers other than in accordance with an opening hours statement (detailing the hours of opening for that floorspace/unit) which has first been submitted to and approved in writing by the Local Planning Authority. The floorspace/unit shall thereafter comply with the approved details.

Reason: To protect the amenity of the locality, especially for people living nearby.

36 Before each building comprising Use Classes A1-A5 within any part of the development and the Fry Club commences a scheme which specifies the provision to be made for the control of noise emanating from that buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the use hereby permitted commences and be retained thereafter.

Reason: To protect the amenity of the locality, especially for people living nearby.

37 No deliveries shall be taken at or dispatched from any building comprising Use Classes A1-A5 within any part of the development and the Fry Club outside of the hours of 07.00- 21.00 nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living nearby.

38 Football pitch (F1) floodlighting hours of operation

Prior to the use of the floodlights on the F1 pitch details of the height, layout and specification of the floodlights to achieve minimum light spill to adjacent residential properties shall be submitted to and approved by the Local Planning Authority. Thereafter the use of the floodlights on the F1 pitch shall be limited to between the hours of 16:00 - 22:00 on any day.

Reason: In the interest of the living conditions of occupiers of nearby properties.

39 Archaeology

No demolition, site clearance or remediation works shall take place within the site until the applicant, or their agents or successors in title have produced detailed drawings and/or method statements detailing the extent and depths of these works and that these have been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is within an area of major archaeological interest and the Council will wish to protect the archaeological remains.

40 No development shall take place within any part of the site (including any, ground works, drainage, habitat creation fencing or planting) until the applicant, or their agents or successors in title, has produced detailed drawings of all underground works, including foundations, drainage and those of statutory undertakers for that part of the site, which have been first submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, extent and depth of all excavations and these works shall be carried out and completed in accordance with details as approved.

Reason: The site is within an area of major archaeological interest and the Council will wish to protect the archaeological remains.

41 No development shall take place within each Phase (including the demolition and site clearance phase) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for that Phase which has been first submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered.

42 No development or demolition of Buildings A, B or C or the Power House shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building, which are to be demolished, disturbed or concealed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The buildings are of significant historic interest and the Council will wish to examine and record features of architectural interest.

43 Where evaluation has established the potential for archaeological remains no development shall take place within that area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for that area which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide (a) the controlled strip of modern overburden or topsoil under archaeological supervision to identify the full extent of any significant archaeological deposits and features within the footprint of the development, and (b) the controlled archaeological excavation of all significant deposits and features which are to be disturbed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of significant archaeological interest and the Council will wish record and protect the archaeological remains.

44 The development of each Phase or part of a phase shall not be brought into use or occupied until the applicant, or their agents or successors in title, has produced a publication plan and programme of post-excavation analysis for that phase or part of a phase which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

45 The development of each Phase shall not be brought into use or occupied until the draft Historic Environment Management Plan for that phase has been reviewed and updated and submitted to and approved in writing by the Local Planning Authority. Measures in the approved Plan shall be implemented in accordance with the plan within 12 months of first occupation or use of the development, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council wish to secure their long term protection and on site interpretation.

46 Highways and Access

No Phase of the Development shall commence until details of the proposed estate roads, footways, footpaths, verges, street lighting and street furniture for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To ensure that the roads and public highway are designed, laid out and constructed to an adoptable standard.

47 No Phase of the Development shall be occupied until junctions on the internal access roads serving that Phase have been constructed with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: In the interests of highway safety.

48 The garaging hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To retain adequate off-street parking provision.

49 The proposed parking and turning areas for each dwelling shall be constructed in such a manner as to ensure that before it is occupied each dwelling shall be served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure that the development is served by an adequate means of access.

50 No part of the development identified on the submitted plan for shared parking and turning shall be brought into use unless details of their construction have been submitted to and approved in writing by the Local Planning Authority. Thereafter they shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

51 No part of the development other than the residential units in Phase 1 shall be occupied until details of secure and covered parking for cycles for uses other than residential has been submitted to and approved by the Local Planning Authority and shall not be used other than for cycle parking. The cycle parking shall be implemented in full within one month of first occupation of any non-residential space.

Reason: In the interests of sustainable development.

52 Prior to the occupation of the Fry Club or any Class A1-A5, B1, D1, D2 buildings hereby permitted a Parking Management Plan for these buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To retain adequate off-street parking provision.

53 No part of the development hereby permitted shall be occupied until details of the pedestrian/cycle links identified on the submitted plans and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The links shall thereafter be maintained free of obstruction at all times.

Reason: In the interests of amenity and sustainable development.

54 Before any dwelling is first occupied new residents Welcome Packs, the content of which shall have been approved in writing by the Local Planning Authority, shall be issued to occupiers of the property. The Packs should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Better, Live Better publication, car share, car club information, to encourage residents to use public transport.

Reason: In the interests of sustainable development.

55 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:

Site Wide

- Site Location Plan 9000 Rev A
- Demolition Plan 9905 Rev A
- Proposed Access Layout Junction 0530-GA-02 Rev B
- Proposed Access Junction Autotrack 0530-ATR-01 Rev A
- Parameter Plan Land Use 19835 9650 Rev F; Access and Movement 19835 9600 Rev F; Density 19835 9602 Rev F; Scale 19835 9603 Rev F; Green Infrastructure 19835 9607 Rev F
- Phasing Plan 9910 Rev A
- Section 38 38-01 Rev E, 38-02 Rev E, 38-03 Rev E, 38-04 Rev E, 38-05 Rev B
- Illustrative Layout Framework Plan PL05

Station overspill car park

- Overspill car parking plan 19835 PL-06

Phase 1

- Highway Details 17-01 Rev B
- Road Geometry 20-01 Rev C
- Planning Layout 21320 PL-03 Rev AB

- Refuse Strategy Plan Layout 21320 PL-04 Rev A
- Material Plan 21320 PL-06 Rev J
- External Works 23-01 Rev C and 23-02 Rev C
- Tree Protection Plan D6 41 P11 Rev E

Housetype drawings

- HT-A-PA34S-01 Housetype Planning Drawing A (PA34S) Rev K
- HT-A-PA34S-02 Housetype Planning Drawing A (PA34S) Rev C
- HT-B-PA34S1-02 Housetype Planning Drawing B (PA34S1) Rev E
- HT-C-PT36S-01 Housetype Planning Drawing C (PT36S) Rev E
- HT-C-PT36S-02 Housetype Planning Drawing C (PT36S) Rev G
- HT-D-PB33S-01 Housetype Planning Drawing D (PB33) Rev F
- HT-E-PT41S-01 Housetype Planning Drawing E (PT41) Rev G
- HT-F-PT42S1-01 Housetype Planning Drawing F (PT42) Rev F
- HT-G-PE41S-01 Housetype Planning Drawing G (PE41S) Rev H
- HT-H-PE41S1-01 Housetype Planning Drawing H (PE41S1) Rev J
- HT-J-PA47S-01 Housetype Planning Drawing J (PA47S) Rev J
- HT-J-PA47S-02 Housetype Planning Drawing J (PA47S) Rev E
- HT-K-PA49S-01 Housetype Planning Drawing K (PA49S) Rev G
- HT-K-PA49S-02 Housetype Planning Drawing K (PA49) Rev G
- HT-K-PA49S-03 Housetype Planning Drawing K (PA49) Rev C
- HT-L-414S-01 Housetype Planning Drawing L (414S) Rev G
- HT-L-414S-02 Housetype Planning Drawing L (414S) Rev G
- HT-M-2120S-01 Housetype Planning Drawing M (2120S) Rev G
- HT-M-2120S-02 Housetype Planning Drawing M (2120S) Rev G
- HT-N-SA25S-01 Housetype Planning Drawing N (SA25S) Rev C
- HT-P-AA31S-01 Housetype Planning Drawing P (SA31S) Rev C
- HT-Q-SA41S-01 Housetype Planning Drawing Q (SA41) Rev C
- HT-R-APP1-01 Affordable Flats R (APP1) Rev A
- HT-R-APP2-01 Affordable Flats R (APP2) Rev A
- HT-R-APP2-02 Affordable Flats R (APP2)
- HT-R-APP2-03 Affordable Flats R (APP2)
- HT-R-APP3-01 Affordable Flats R (APP3) Accessible Rev A
- HT-R-APP3-02 Affordable Flats R (APP3)
- HT-S-GAR-01-AB Garage Type Single Proposed Plans & Elevations
- HT-S-GAR-01-CD Garage Type Single Proposed Plans & Elevations
- HT-S-GAR-02-AB Garage Type Double Proposed Plans & Elevations
- HT-S-GAR-03-A Garage Type Triple Proposed Plans & Elevations
- HT-S-GAR-03-B Garage Type Triple Proposed Plans & Elevations
- HT-S-GAR-03-C Garage Type Triple Proposed Plans & Elevations
- HT-T-BINCY-01 Combined Bin and Cycle Storage Proposed Plans and Elevations Rev A
- HT-T-BINCY-02 Combined Bin and Cycle Storage Proposed Plans and Elevations

Fry Club

- Fry Club Site Layout Plan (20728 PL-02)
- Fry Club General Arrangement Ground Floor Plan (20728 PL-03)
- Fry Club General Arrangement First Floor Plan (20728 PL-04)
- Fry Club General Arrangement Roof Plan (20728 PL-05)
- Fry Club General Arrangement Elevations (20728 PL-06)
- Fry Club General Arrangement Section AA-DD (20728 PL-07)

Blocks A B C

- Demolition Plan Block A (19835 LO-04)
- Demolition Plan Blocks B and C (19835 LO-05)

The Hams

- Fencing Plan (RGLA 11 Rev G)
- Detailed Landscape Layout Attenuation pond (RGLA 14-11 Rev A)
- Attenuation Pond Arrangement (530-D-510 Rev A)
- Working Drawing - outfall to the River Avon (40-01 Rev E)

DEFINITIONS

Development - the development permitted by this permission

Detailed Application(1) - detailed application for the erection of 154 dwellings; change of use of Building A for up to 113 apartments; highway works at Somerdale Road / Station Road; Social and Sports pavilion (new Fry Club), new sports pitches; relocation of groundsman's hut; alterations to factory buildings B and C for employment use (B1) leisure (D2 uses) and retail (A3, A4 and A5 uses) with associated parking; access roads, landscaping and associated infrastructure; engineering works to Chandos Road and associated landscaping; extension to station overspill car park; surface water attenuation pond and outfall to the River Avon.

Outline Application(1) - outline application for up to 433 dwellings, up to 70 bed care home (C2 use); primary school (D1 use); local centre to include creche and medical facility (D1 use) and retail (A1, A3, A4, A5 uses); cafe/restaurant (A3 use) and associated roads, infrastructure (including flood protection measures), landscaping, new wildlife areas, open space, and cycle/footways

Building A - the building shown on Drawing no.LO-04

Building B and C - the buildings shown on Drawing no. LO-05

Indicative Residential Mix - the Schedule of Accommodation dated 14 February 2014

Illustrative Layout - Drawing no. 19835 PL-05

Parameter Plans - Drawing nos. Land Use 19835 9650 Rev E; Access and Movement 19835 9600 Rev E; Density 19835 9602 Rev E; Scale 19835 9603 Rev E; Green Infrastructure 19835 9607 Rev F

Phase - a phase of the Development as shown on the Phasing Plan Drawing no. 9910 Rev A or as varied in accordance with condition 5

Fry Club - the building shown on Drawing no. 20728 PL-02

Land Use Mix (all areas Gross Internal measurement)

B1 - up to 11,150m²

A1 A3, A4, A5 - up to 500m² (total)

D2 (Fry Club) - 2,933m²

D2 (other) - up to 1,000m²

C2 (Care Home) - up 4,500m²

D1 (School) - up to 1,720m²

(1) Where the Detailed Application or Outline Application are not specified in a Condition then the requirements of that Condition relate to the Development as a whole.

INDICATIVE SCHEDULE OF RESIDENTIAL ACCOMMODATION

Ref drawing 19835 Planning Layout

Date: 14.02.14 - Rev A

PHASE 1 FUTURE PHASES

OPEN MARKET

1 Bed Aparts	-	11
2 Bed Aparts	-	47
2 Bed House	-	10
3 Bed House	49	115
4 Bed House	56	97
5 Bed House	6	15
TOTAL	111	295
Open Market Total	406	

AFFORDABLE	28%	29%
1 Bed Aparts	19	46
2 Bed Aparts	-	7
2 Bed House	14	35
3 Bed House	6	22
4 Bed House	4	10
TOTAL	43	120
Affordable Total	163	
SUB TOTAL	154	415
SUB TOTAL	569	

BLOCK A	Open Market	Affordable (29%)
1 Bed Aparts	5	27
2 Bed Aparts	5	6
Duplex	10	
Penthouse	7	
SUB TOTAL	80	33
SUB TOTAL	113	
TOTAL	682	

ADVICE NOTES: Any lighting scheme should comply with the Institution of Lighting Engineers Guidance Note on Light Pollution dated 2005. It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

The developer shall comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.

No materials arising from the demolition of any existing structures, the construction of new buildings nor any material from incidental and landscaping works shall be burnt on the site.

Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase. 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.

Each reserved matters application will need to demonstrate a suitable drainage scheme in accordance with the approved masterplan.

The surface water drainage scheme for the proposed development must meet the following criteria:

1. The outflow from the site must be limited to 10% lower than the pre-development run-off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm.
2. The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
3. If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site.
4. The adoption and maintenance of the drainage system must be addressed and clearly stated.

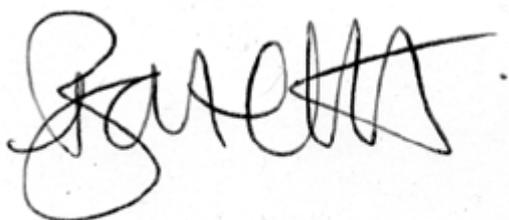
Details submitted to discharge Conditions 17, 18, 19, 20 should include:

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.
- A manhole schedule.
- Model runs to demonstrate that the critical storm duration is being used.
- Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.
- Calculations showing the volume of attenuation provided and simulations demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with the NPPF.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Avon, designated a 'main river'. The need for Flood Defence Consent is over and above the need for planning permission.

Prior to any works on or over the River Avon the applicant/developer is advised to contact the Canal & River Trust in order to ensure that any necessary consents are obtained and that the works have no impact on the navigation of the River Avon.

Date of Decision: 19th February 2014



Lisa Bartlett
Development Manager, Planning & Transport Development

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

Bath & North East Somerset Council
(APEOUZ)

Please read the notes that accompany this decision notice.