

**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**29th January 2014**

**DECISIONS**

<b>Item No:</b>	01
<b>Application No:</b>	13/02436/EOUT
<b>Site Location:</b>	Former Gwr Railway Line, Frome Road, Radstock,
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock <b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application with an EIA attached
<b>Proposal:</b>	Demolition and redevelopment of former railway lands to provide mixed use development including up to 210 residential units of varying sizes, up to 695 sq m of retail business floor space (use classes A1-A5 and B1); up to 325 sq m of use class B1 floor space or for community uses (use class D1), conversion of the Brunel rail shed for use class B1 or D1; car parking and new bus stops; works to various existing roads within the town and establishment of new roads to service the development including new bridge structures; new public realm works, ground remediation, alterations to ground levels, works to trees and existing habitat areas; upgrading of below ground utilities; establishment of a new Sustrans route and diversion of existing public right of way
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Coal - Standing Advice Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Housing Development Boundary, Prime Shop Front, Public Right of Way, Land of recreational value, Sites of Nature Conservation Imp (SN), Sustainable Transport,
<b>Applicant:</b>	Norton Radstock Regeneration Company Ltd
<b>Expiry Date:</b>	11th October 2013
<b>Case Officer:</b>	Sarah James

**DECISION**

Delegate to PERMIT subject to

A Authorise the Planning and Environmental Law Manager to either enter into a Section 106 Agreement to secure cover the following :-

- 1) Affordable Housing
- 2) Footbridge to St Nicholas's Primary School

- 3) Ecology: as set out through enhanced and maintained through Ecological Mitigation, Compensation and Management Plan (EMCMP) and associated lighting strategy.
- 4) Restoration of Brunel Shed
- 5) Transport:
- 6) New Town Centre Car Park
- 7) The scheme will be restricted to an overall provision of 190 dwellings
- 8) any remaining financial sum following provision of the footbridge (including its associated maintenance and other works) will be redirected toward education provision to meet the needs of the children generated by the development.

B. Upon completion of the Agreement authorise the Development Manager to PERMIT the application subject to the following conditions:-

1 The development 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: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 The reserved matters applications shall be in broad accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

Landscape Plan dwg no. 3484LO\_0004\_DSP\_1.3

Parameter Plan Landscape and Open Space dwg no. 3484\_1001\_ES\_1.7

Parameter Plan Building Heights dwg no. 3484\_1002\_ES\_1.7

Parameter Plan Land Use dwg no. 3484\_1003\_ES\_1.7

Parameter Plan Access and Movement dwg no. 3484\_1004\_ES\_1.7

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as the application is in outline.

3 Prior to the commencement of works (excluding highway works set out in dwg: TC8308/H139B) on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) in connection with the development hereby permitted details of the layout, scale, appearance and landscaping (hereinafter called 'the reserved matters') for that development phase or part thereof shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as the application is in outline.

4 The applications for the approval of the reserved matters for any development phase or part thereof (as agreed in writing with the Local Planning Authority and excluding highway works set out in dwg: TC8308/H139B )shall be submitted to the Local Planning Authority within 3 years from the date of this permission.

The development to which those reserved matters relate shall be begun not later than:

- (i) the expiration of five years from the date of the grant of outline planning permission; or
- (ii) if later, the expiration of two years from the final approval of the reserved matters.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 and to avoid the accumulation of unimplemented planning permissions.

5 No development (excluding highway works set out in dwg: TC8308/H139B) for any development phase or part thereof (as agreed in writing with the Local Planning Authority) 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, 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 the satisfactory appearance of the development in the interests of the character and appearance of the Radstock Conservation Area.

6 Within each application for reserved matters approval, details of the planting scheme for that part of the development, which shall generally be in accordance with Parameter Plan Landscape and Open Space dwg no. 3484\_1001\_ES\_1.7, shall be submitted to and approved in writing by the Local Planning Authority. Each submission shall include the following:

- (i) A written statement relating the proposals to the principles set out in the Parameter Plan Landscape and Open Space dwg no. 3484\_1001\_ES\_1.7
- (ii) Plans and specifications showing new planting giving location, number, density and size of plants, mulching, protection/ guards and irrigation methods where appropriate and the location of grass turfing or seeding.
- (iii) Plans showing the relationship of the new planting to existing and proposed buildings, roads, footpaths and drains and other underground services.
- (iv) A programme for implementation of the landscaping works.
- (v) The arrangements for management, including maintenance schedules and arrangements for the replacement of trees that are removed, uprooted, destroyed, die or become seriously damaged or diseased within five years of planting.

Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of an appropriate landscape setting for the development in the interests of the character and appearance of the Radstock Conservation Area.

7 Within each application for approval of reserved matters, details of paving, hard surfacing and street furniture, shall be submitted to and approved by the Local Planning Authority. Details of street furniture shall include inter alia street lighting, seating, bollards, bins, signage, railings and cycle stands.

Reason: To ensure a satisfactory form of development in the interests of the character and appearance of the Radstock Conservation Area.

8 Applications for approval of reserved matters pursuant to condition 2 shall include inter alia details of all boundary treatments, screen walls and fences for that Area of the development. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interests of the character and appearance of the Radstock Conservation Area.

9 As part of any reserved matters application details of the proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. Each submission shall show the proposed buildings in comparison to the existing and proposed ground levels as shown on drawing no G301 rev A.

The finished floor level of any residential, commercial, or other building on the site shall be set at least 300mm higher than the corresponding 1 in 100 year flood level (with the 20% climate change flows) quoted in the May 2013 Jubb Consulting Engineers Ltd and Flood Risk Assessment (FRA) Report No: P9567/G200/A. The scheme shall be completed in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is subject to minimum risk of flooding.

10 No development hereby permitted (excluding highway works set out in dwg: TC8308/H139B) shall be brought into use until a foul drainage system has been provided in accordance with a detailed design scheme that shall be first submitted to and approved in writing by the Local Planning Authority. The submission shall including a programme for the phased implementation of the drainage system to accommodate phased development proposals if applicable. The system shall incorporate a connection to and all necessary improvements to the public main sewers as outlined in the Utility and Services Report May 2013 and the associated drainage Plans SK005 Rev E and SK006 Rev C.

Reason: To ensure the satisfactory provision of adequate foul drainage and avoid pollution.

11 No development (excluding highway works in the area as set out in dwg: TC8308/H139B) approved by this permission shall be commenced until a detailed surface water drainage scheme including sustainable drainage systems has been submitted and approved in writing by the Local Planning Authority. The submission shall include a programme for the phased implementation of the drainage system to accommodate phased development proposals if applicable. This system shall incorporate sustainable surface water drainage proposals as outlined in the Flood Risk Assessment Jubb Report May 2013, the Utility and Services Jubb Report May 2013.

Reason: To ensure satisfactory disposal of surface water from the development and to prevent the increased risk of flooding.

12 There shall be no new buildings or raised ground levels within:

- a) 5.0 metres of the bank top of any watercourse; and/or
  - b) 5.0 metres of any side of an existing culverted watercourse, inside or along the boundary of the site,
- unless agreed otherwise in writing, or agreed as part of a Reserved Matters application, by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for any overland flood flows.

13 No construction activity shall take place over, under, or within 5.0 metres either side of the culvert conveying the Snails/Kilmersdon Brooks under the site, excluding limited temporary access over the culvert for the restricted use by construction vehicles to the development compound for vehicles to a maximum weight limit of 40 tonnes, shall be carried out until such time as any remedial work identified by the study has been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The remedial works as identified within the study shall be carried out within 12 months of development commencing and the future ownership and maintenance liability for the culvert shall be agreed in writing with the Local planning Authority within 12 months of the commencement of development.

Reason: To ensure the safety of occupiers and users of the site against failure of the structure.

14 Prior to the commencement of works,(excluding highway works set out in the area shown within dwg: TC8308/H139B) on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) in connection with development hereby permitted will take place until details of any new or modified bridge/culvert crossing of any watercourse through or adjoining the site has been submitted to and approved in writing by the Local Planning Authority. The bridge schemes shall be completed in accordance with the approved plans and within a period to have been approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: To ensure that flood risk is not increased by inappropriate new structures placed across the watercourses and to ensure the provision of the bridges in accordance with the development proposals.

15 Within each Reserved Matters application for each development phase (or part phase (as agreed in writing with the Local Planning Authority) , details of an area to be set aside for the collection of materials suitable for recycling shall be identified and implemented in accordance with the approved plan.

Reason: In the interests of sustainable development.

16 Details of the provision of bus stops and passenger shelters, as shown on dwg ref. TC8308/H139B shall be implemented in accordance with the approved plan TC8308/H139B prior to occupation of that phase of the development

Reason: To ensure the provision of satisfactory facilities for public transport within the development.

17 Each reserved matters application shall include details of all necessary infrastructure. The approved details shall be completed in accordance with a programme submitted to and approved in writing by the Local Planning Authority prior to occupation of any part of the approved development.

Reason: To ensure that the roads are laid out in a proper manner and that the development is served by an adequate means of access.

18 No dwellings or other uses approved by any Reserved Matters approval shall be occupied until road, cycle and pedestrian access and car parking to serve each dwelling or use, including details of the location and surfacing of driveways/pathways, parking areas and associated turning spaces, have been constructed and are fully available for use in accordance with plans to be submitted and approved in writing by the Local Planning Authority

Reason: in the interests of road safety and residential amenity.

19 No dwellings fronting or adjacent to the A362 Frome Road as retained or realigned shall be constructed until a scheme for protecting the occupants of those dwellings from traffic noise has been submitted to and approved in writing by the Local Planning Authority. Noise levels will need to be consistent with the information included in the Noise Chapter of the Environmental Impact Assessment submitted with the application and the agreed noise protection measures shall be completed in relation to each building before that building is occupied.

Reason: In the interests of residential amenity.

20 The employment/commercial development hereby permitted shall not be occupied until full provision has been made for associated loading and unloading goods and parking and turning facilities in accordance with the approved plans.

Reason: In the interests of highway safety.

21 No commercial premises shall be occupied until the public car parking has been constructed and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate provision for off-street car parking in the interests of highway safety.

22 No work shall commence in each development phase, or part thereof until details of the number, type and location of cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and to ensure the satisfactory location of cycle parking.

23 All private driveways shall be constructed of a properly consolidated and surfaced bound material (not loose stone or gravel) and provision shall be made within private hard-surfaced areas for the disposal of surface water so as to prevent its discharge onto the highway in accordance with details to be submitted to and approved in writing by the Local Planning Authority, or submitted and approved with a reserved matters application.

Reason: In the interests of highway safety.

24 On occupation of each dwelling Residential Travel Packs shall be provided for all residents in accordance with the framework Travel Plan (Jubb May 2013), details of the content of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable development.

25 Any highways works(excluding highway works set out in the area shown within dwg: TC8308/H139B shall be the subject of an independent Safety Audit, to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

26 The development hereby permitted on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) shall not be occupied until the visibility splays shown on Highways Works General Arrangement Plan dwg. no TC8308/H139B have been provided with no obstruction to visibility at or above a height of 1.05 metres 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.

27 As part of any reserved matters application on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) details of the number and location of bin stores shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be provided in accordance with the approved details prior to occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory provision of bin stores in appropriate locations on the site.

28 There shall be no means of access to or from the proposed development from or to Meadow View other than for pedestrians, cyclists and emergency vehicles.

Reason: In the interests of highway safety and residential amenity.

29 A Construction Environmental Management Plan (CEMP) will be submitted to the Local Planning Authority prior to commencement of The CEMP will include but will not be restricted to:

A description of the sensitive features or receptors associated with the Application Site and surrounding area, and the rationale for protection of these features (known as the Environmental Impacts / Aspects register);

An overall programme for demolition and construction activities, together with method statements and risk assessments relating to certain activities;

The control measures and monitoring requirements to be implemented during each stage of the demolition and construction works to minimise resource use, protect the environment or minimise disturbance of sensitive receptors;

Names of the nominated person(s) responsible for implementing these measures and undertaking the required monitoring, and the person(s) responsible for checking that these measures have been implemented and monitoring completed;

Reporting procedures and documentation requirements in relation to implementation of the control measures and monitoring; and

Actions to be taken in the event of an emergency or unexpected event.

Measures to control dust from demolition and construction

The CEMP should include the requirements as identified within the Council's Code of Practice to Control noise from construction sites.

Reason: To protect the amenities of the occupants of adjacent residential properties.

30 Prior to the commencement of works (excluding works set out in dwg: TC8308/H139B on site in each development plot, phase or part thereof (as agreed in writing with the Local Planning Authority a detailed investigation and risk assessment of contamination, in addition to any assessment provided with the outline planning application, must be completed to assess the nature and extent of any contamination development plot, phase or part thereof e, 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.



31 Prior to the commencement of works (excluding works set out in dwg: TC8308/H139B on site in each development phase or part thereof (as agreed in writing with the Local Planning Authority) a detailed remediation scheme to bring 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.

32 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (excluding works set out in dwg: TC8308/H139B) on site in each development phase or part thereof (as agreed in writing with the Local Planning Authority) 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.

33 In the event that contamination is found at any time when carrying out the approved 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 36 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 37, 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 37.

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.

34 No topsoil shall be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and approved by the Local Planning Authority prior to the soils being imported onto the site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with risks to controlled waters and ecological systems, and to ensure that site workers are not exposed to unacceptable risks from contamination during construction.

35 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

36 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment.

37 No development(excluding works set out in dwg: TC8308/H139B) shall take place within archaeological zones C, D and E as defined in the Environmental Statement until the implementation of a programme of archaeological work has been secured 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 shall provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

Reason: The site is within an area of significant archaeological interest and the Local Planning Authority wishes to examine and record items of interest discovered.

38 No development or demolition shall take place within the site (excluding works set out in the area defined in dwg: TC8308/H139 B 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 historic buildings, structures and related features, which are to be demolished, disturbed or concealed by the proposed development.

Reason The historic buildings, structures and related features are of historical/archaeological interest and the Council will wish to examine and record features of architectural interest.

39 Prior to the occupation or use of the existing Brunel engine Shed provision shall be made for car parking and servicing in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory parking and servicing provision for the engine shed in the interests of highway safety and the character and appearance of the Conservation Area.

40 No development shall commence until provision has been made in accordance with details to be submitted to and approved by the Local Planning Authority for a temporary car park within the site to accommodate operatives and construction vehicles during the development of the site. The temporary car park shall be removed and the land reinstated within three months of the cessation of construction works in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid obstruction of the adjoining highway and in the interests of road safety.

41 The development hereby approved shall take place fully in accordance with the approved Ecological Mitigation, Compensation and Management Plan (October 2013) and lighting strategy 29th October 2013 or any amendment to the Plans or reports as approved in writing by the Local Planning Authority.

Reason: In the interests of the protection of wildlife

42 No development on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate

(I) existing trees, shrubs and hedges, giving their location, size and condition and indicating those to be retained and those to be removed.

(ii) Measures proposed for the protection of existing trees and hedgerows during construction including protective fencing in accordance with British Standard 5837:2005

(iii) an Arboricultural Method Statement in accordance with (in accordance with the current BSI 5837) (and any revisions thereto) in relation to development within the root protection areas as identified within the arboricultural report submitted pursuant to (ii) to include no dig construction for access roads and car parking spaces.

(iv)a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion.

(v) 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 and movement of people and machinery.

Reason: To ensure that trees to be retained on and adjacent to the site are not adversely affected by the development proposals

43 No site works or clearance shall commence until the protective fences required by condition (42) have been erected in the positions indicated on the approved plans. Until the development of the relevant Area has been completed, these fences shall not be removed and the protected areas shall be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboricultural, landscape or ecological works.

Reason: To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site.

Reason: To ensure that adequate protection is afforded to the retained trees on the site.

44 No development or other operations on site in each development phase, or part thereof (as agreed in writing by the Local Planning Authority) shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided by the appointed Arboriculturalist to the local planning authority on completion.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

45 Notwithstanding the application made the development hereby approved shall include up to 190 dwellings maximum.

Reason: To bring the application in line with the viability assessment submitted in the interests of the development and surrounding area.

46 Within three months of the completion of construction in each development area, full details of a Bat Activity and Roost Monitoring Scheme shall be submitted and approved in writing by the Local Planning Authority. These details shall include:

- (i) proposals for long term monitoring of bat activity across the site and of the off-site culvert roost, to begin one year after implementation of operational light level monitoring in each area of the site, and be implemented thereafter every three years for the duration of the Ecological Mitigation, Compensation and Management Plan (EMCMP);
- (ii) A timetable for the provision of all post-construction monitoring reports, conclusions and data to the Local Planning Authority once carried out in accordance with the timing set out within the EMCMP;
- (iii) details of any remedial measures required as identified during the above monitoring activities as applicable

The Bat Activity and Roost Monitoring Scheme shall be implemented in accordance with approved details, unless otherwise approved in writing by the local planning authority.

Reason: to monitor the use of the site by bats once occupied and where possible use this to assess effectiveness of mitigation measures for bats and review measures as necessary to maximise effectiveness

47 No development affecting the Brunel Shed shall commence until all details of a Bat Roost Mitigation Scheme addressing details of retention of the bat roosts in the Brunel Shed or provision of replacement bat roosts within the building, for the range of bats affected by the proposal, and the maintenance of the bats' existing accesses or the provision of alternative new accesses, and the proposed timing of all works affecting the bat roosts, and details of a monitoring scheme, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved Scheme or any amendment to the Scheme as approved in writing by the Local Planning Authority.

Reason: to protect bats and their roosts

48 No development shall take place until all details of a Wildlife Protection and Mitigation Scheme relating to that development area have been submitted to and approved in writing by the Local Planning Authority. These details shall include

- (i) a timetable to carry out and provide reports and findings of surveys to monitor the activity/presence of badgers as well as other protected or notable species on site throughout the development as set out within the EMCMP together with detailed proposals of any necessary further mitigation if required,
- (ii) reports on the outcomes of species translocations;
- (iii) details of protective fencing and exclusion zones demonstrating appropriate fencing or other necessary measures are in place including photographic evidence where appropriate as required under the EMCMP;
- (iv) details of all other mitigation measures for which details are outstanding as required within the EMCMP, including bat and bird boxes, overshadowing studies, landscaping and supplementary planting within new and retained habitats and details of security lighting.

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

49 Prior to the commencement of development within each Area or phase of development (excluding works set out in the area defined in dwg: TC8308/H139) a scheme for permanent bird nesting opportunities shall be submitted to and approved in writing by the Local planning Authority. Development shall take place in accordance with the approved scheme.

Reason: In the interest of wildlife.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The application has undergone extensive consultation and consideration has been given to all the submissions from consultees, local residents and other representations. Furthermore due consideration has been given to all material considerations and as a result the development has been found to be, on the whole acceptable, and where concerns do

remain it has been found that these do not outweigh the overall benefits of the scheme and are not so significant as to justify the refusal of planning permission.

<b>Item No:</b>	02	
<b>Application No:</b>	13/02534/CA	
<b>Site Location:</b>	Former Gwr Railway Line, Frome Road, Radstock,	
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Conservation Area Consent	
<b>Proposal:</b>	Demolition of bridges/underpass, former forge/wagon works, railway platforms and wall in connection with the development of the former Gwr railway land.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Coal - Standing Advice Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Housing Development Boundary, Prime Shop Front, Public Right of Way, Land of recreational value, Sites of Nature Conservation Imp (SN), Sustainable Transport,	
<b>Applicant:</b>	Norton Radstock Regeneration Company Ltd	
<b>Expiry Date:</b>	20th August 2013	
<b>Case Officer:</b>	Sarah James	

## DECISION

Delegate to consent subject to the following conditions.

1 The development and works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 No demolition shall take place until a contract has been let for the redevelopment of the site in accordance with a valid planning permission.

Reason: To safeguard the character and appearance of the Conservation Area.

3 No development shall take place within archaeological zones C, D and E (as defined in the submitted EIA) 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 controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

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

4 No development or demolition shall take place within the site 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 historic buildings, structures and related features, which are to be demolished, disturbed or concealed by the proposed development.

Reason: The historic buildings, structures and related features are of historical/archaeological interest and the Council will wish to examine and record features of architectural interest.

5 This consent refers only to the structures to be removed on the drawing 001.

Reason : To clarify the extent of the consent granted For the avoidance of doubt .

#### Footnote

You are advised that this consent does not override any interest that third parties may have regarding civil matters such as ownership, covenants or private rights of way. If works are to be carried out which effects land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest on the land.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The application has undergone extensive consultation and consideration has been given to all the submissions from consultees, local residents and other representations. Furthermore due consideration has been given to all material considerations and as a result the development has been found to be, on the whole acceptable, and where concerns do remain it has been found that these do not outweigh the overall benefits of the scheme and are not so significant as to justify the refusal of planning permission.

<b>Item No:</b>	03
<b>Application No:</b>	13/03786/EFUL
<b>Site Location:</b>	Former Gwr Railway Line, Frome Road, Radstock,
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application with an EIA attached
<b>Proposal:</b>	Demolition of existing structures and redevelopment of former railway land to provide mixed use development including up to 70 residential units, up to 282 sqm of retail floor space (use classes A1-A5); up to 84 sqm of community uses (use class D1), public car park, associated highways works, ground remediation, alterations to ground levels, works to trees and existing habitat areas; upgrading of below ground utilities.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Coal - Standing Advice Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Housing Development Boundary, Sites of Nature Conservation Imp (SN),
<b>Applicant:</b>	Linden Homes Western
<b>Expiry Date:</b>	7th January 2014
<b>Case Officer:</b>	Sarah James

## DECISION

Delegate to PERMIT subject to A Section 106 Agreement with conditions to follow.

Decision Making Statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The application has undergone extensive consultation and consideration has been given to all the submissions from consultees, local residents and other representations. Furthermore due consideration has been given to all material considerations and as a result the development has been found to be, on the whole acceptable, and where concerns do remain it has been found that these do not outweigh the overall benefits of the scheme and are not so significant as to justify the refusal of planning permission.

<b>Item No:</b>	04
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<b>Application No:</b>	13/03787/CA	
<b>Site Location:</b>	Former Gwr Railway Line, Frome Road, Radstock,	
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Conservation Area Consent	
<b>Proposal:</b>	Demolition of existing structures	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Coal - Standing Advice Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Housing Development Boundary, Sites of Nature Conservation Imp (SN),	
<b>Applicant:</b>	Linden Homes Western	
<b>Expiry Date:</b>	12th November 2013	
<b>Case Officer:</b>	Sarah James	

## DECISION

Delegate to consent subject to the following conditions.

1 The development and works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990

2 No demolition shall take place until a contract has been let for the redevelopment of the site in accordance with a valid planning permission.

Reason: To safeguard the character and appearance of the Conservation Area.

3 No development shall take place within archaeological zones C, D and E (as defined in the submitted EIA) 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 controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

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

4 No development or demolition shall take place within the site 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 historic buildings, structures and related features, which are to be demolished, disturbed or concealed by the proposed development.

Reason: The historic buildings, structures and related features are of historical/archaeological interest and the Council will wish to examine and record features of architectural interest.

5 This consent refers only to the structures to be removed on the drawing 001. Conservation Area Consent is not required for the removal of railway sleeper/rails.

Reason : To clarify the extent of the consent granted For the avoidance of doubt .

This decision relates to drawing numbers G2845 (05) 004 REV A, 001

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The application has undergone extensive consultation and consideration has been given to all the submissions from consultees, local residents and other representations. Furthermore due consideration has been given to all material considerations and as a result the development has been found to be, on the whole acceptable, and where concerns do remain it has been found that these do not outweigh the overall benefits of the scheme and are not so significant as to justify the refusal of planning permission.