

Town and Country Planning Act 1990

NOTIFICATION OF DECISION

Application Type: **Full Application** Application No: **18/02543/FUL**

Address to which the proposal relates: **Chew Valley Lake Walking And Cycle Trail Walley Lane
Chew Magna Bristol**

Description of Proposal: **Creation of a leisure trail for walkers and cyclists around Chew Valley Lake (North-Western section only), including associated engineering works.**

Application submitted by: **Sustrans Ltd**

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

1 Standard Time Limit (Compliance)

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

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

2 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

3 Detailed Highway Drawings (Pre-commencement)

Prior to the commencement of development comprehensive details of the hereby approved pedestrian/cycle path shall be submitted to and approved in writing by the local planning authority. The details to be submitted and approved shall include (but are not limited to):

- o Detailed drawings of all sections of the route;
- o The means by which Woodford Lane will be stopped up;
- o All works within the highway;
- o All crossing points;
- o The reduction in speed limit on Walley Lane;
- o The phasing/timing for the implementation/completion for all of the above;
- o A signage scheme

The development shall proceed in accordance with the details so approved.

Reason: For the avoidance of doubt as to the extent of the permission granted and in the interests of highway safety.

4 Ecological Management and Monitoring Plan (Pre-use commencing)

Prior to the hereby approved development being first brought into use an Ecological Management and Monitoring Plan (EMMP) shall be submitted to and approved in writing by the local planning authority. The development shall subsequently be operated in accordance with the Ecological Management and Monitoring Plan so approved.

Reason: To ensure that ecological interests are managed, monitored and ultimately protected.

5 Visitor Management and Communications Plan (Pre-use commencing)

Prior to the hereby approved development being first brought into use a Visitor Management and Communications Plan shall be submitted to and approved in writing by the local planning authority. The development shall subsequently be operated in accordance with the Visitor Management and Communications Plan so approved.

Reason: To ensure that ecological interests are managed, monitored and ultimately protected.

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

No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; tree works schedule; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, surface water management and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

7 Arboricultural Method Statement with Tree Protection Plan (compliance)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement. 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.

8 Soft Landscaping (Bespoke Trigger)

The use hereby permitted shall not commence until such time that details of all planting has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a planting specification to include numbers, density, size, species and positions of all new trees and shrubs, and a programme of implementation. The approved planting shall be undertaken in full no later than the end of the first planting season following the use first commencing. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development 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 submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

9 Plans List (Compliance)

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

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

PLANS LIST:

Approved Plans List

- o Chew Valley Lake Recreational Trail North West Section, Sustrans/Bristol Water (March 6 2019);
- o Wally Lane Traffic Speed Reduction Measures 1 of 2; Drawing No. 11164-ES-DR-25 Rev A
- o Wally Lane Traffic Speed Reduction Measures 2 of 2; Drawing No. 11164-ES-DR-26 Rev A
- o Standard DBM Path Cross Section: Drawing No. SD/01 Rev B
- o Standard DBM Path with Surface Dressing (chips) Cross Section: Drawing No. SD/08 Rev A
- o Post and Pig Net Fence: Drawing No. SD/31 Rev A
- o Basic Sleeper Bench: Drawing No. SD/60 Rev B
- o Sitting Area Layout: Drawing No. SD/61 Rev B
- o Woodford Lane Crossing Proposed: Drawing No. 11164-ES-DR-01

Condition Categories

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

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

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

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

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

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

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

Condition Categories

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

Date of Decision: 12th June 2019

Simon de Beer

Head of Planning

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

APPEALS TO THE FIRST SECRETARY OF STATE

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

PURCHASE NOTICES

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

COMPENSATION

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