

NOTICE OF DECISION

Town And Country Planning Act 1990



Bristol Airport Ltd
Mrs E Higgins
Bristol Airport
Bristol
BS48 3DY

Application Number: 18/P/4007/FUL

Category: Full application

Application No: 18/P/4007/FUL
Applicant: Bristol Airport Ltd
Site: Land At Bristol Airport, North Side Road, Felton,
Description: Application to vary condition no.3 attached to planning permission 16/P/1486/F (development of car parking with associated temporary lighting, fencing and landscaping on agricultural land, providing approximately 3,650 long stay car parking spaces for use in peak months May-October and forming an extension to the existing Silver Zone Car Park) to allow year-round use of car park for a temporary period of one year.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS PERMISSION** for the above development in accordance with the plans and particulars received and subject to the following condition(s):-

- 1 The application is approved and shall be carried out in accordance with the following documents:
 - o Planning Statement - August 2018
 - o Ecological Statement
 - o Lighting Technical Note
 - o Site Location Plan - Drawing Number 1100 - P01
 - o Proposed Layout Plan - Drawing Number 1101 - P00
 - o Email dated 18th October including a table showing the number of car parking spaces temporary lost from each construction site and a plan showing the location of these spaces.

Reason: In the interests of clarity and to ensure the development accords with the approved documents

Restriction on use of Car Park

- 2 The car park hereby approved is permitted to be used from 1st November 2018 to 30th April 2019. Thereafter it shall only be used between May to October in any year and at no other times.

Reason: Very Special Circumstances have been provided to justify the temporary use of the car park in the Green Belt from November 2018 to April 2019 and during seasonal peak demands thereafter. The proposal therefore complies with Policy DM12 ('Development within the Green Belt') of the Sites and Policies Plan and paragraph 144 of the NPPF.

Lighting

- 3 The lighting used within the car park shall be maintained in accordance with those details included within the 'Landscape and Ecological Management Plan' which was approved by the Council on 15th December 2016 (under condition 14 of planning permission 16/P/1486/F) and it shall be monitored in accordance with the 'Monitoring of Temporary Lighting' statement accompanying this application. The lighting shall only be used while the car park is in use - between May and October each year and it shall not be used outside these months, save from November 2019 to April 2019.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), Wildlife and Countryside Act 1981 (as amended).

Landscaping

- 4 Trees, hedges and plants shown in the landscaping scheme approved under planning permission 16/P/1486/F shall be retained. If any trees, hedges or plants are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, they shall be replaced in the first available planting season with others of such species and size as the Local Planning Authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy CS5 of the North Somerset Core Strategy.

Biodiversity

- 5 Bat monitoring surveys of the site shall be undertaken in accordance with details to be agreed with the Local Planning Authority on the first, second and fifth anniversary of the any part of the car park hereby approved being brought in to use. The results of these surveys shall be submitted within 6 months of the surveys being undertaken. The objective of the surveys will be to determine if horseshoe bat species are continuing to forage and commute on site. If numbers of greater horseshoe and other bat species using the site have declined, additional/amended mitigation measures shall be implemented in accordance with details and a timetable to be agreed by the Local Planning Authority.

Reason: To ensure that Favourable Conservation Status is maintained in compliance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Policy CS4 of the North Somerset Core Strategy.

Date: 25 October 2018
Signed: Richard Kent
Head of Development Management

For advice about how to comply with the conditions above visit www.n-somerset.gov.uk/planningconditions

Please use our [online contact form](http://www.n-somerset.gov.uk/contactplanning) on our website at www.n-somerset.gov.uk/contactplanning if you require further information on this decision.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

NOTES RELATING TO A DECISION TO GRANT PLANNING PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY. Make sure everyone has a copy that needs it, including your builder or contractor.

Scope of this decision notice

This decision notice grants planning permission only. It should not be taken to imply that the scheme meets the requirements of any other agency that may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

Building Regulations

Before you start construction work you need to obtain separate approval under Building Regulations. You can contact the team on 01275 884550 or submit your application on our [website](#).

Conditions

This approval is subject to conditions. They are an integral part of the decision and are important because they describe how the council requires you to carry out the approved work or operate the premises. It is your responsibility to comply fully with them.

Please pay particular attention to those conditions that have to be met before work commences. There is a fee for requests for written confirmation that conditions have been complied with. Details of these fees can be found on our website at www.n-somerset.gov.uk/planningconditions. When sending us information please include the decision reference number and relevant condition number. Depending on the complexity of the issues involved it can take up to 12 weeks for conditions to be discharged. It is therefore important that you submit any required details to us early.

Appeals

If you are aggrieved by our decision to impose any of the conditions, then you can appeal to the Secretary of State for the Environment in accordance with the provisions of Town and Country Planning Act 1990. If you want to appeal against our decision then you must do so within 6 months [12 weeks if this is a decision to refuse planning permission for a shopfront proposal or a minor commercial application] of the date of this notice .

Appeals must be made using a form, which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Alternatively, your appeal can be submitted electronically using the Planning Portal at www.gov.uk/appeal-planning-inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of a Development Order or to directions given under it. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Prepare for floods

If the scheme to which this approval relates is at risk of flooding you should prepare a flood plan to help keep people safe and protect your property. You can find out if your property is at risk of flooding and how to prepare a flood plan on the [Government's website](#). You should also sign up for [flood warnings](#).

Works which affect a Public Highway

Any works/events carried out by or for a developer which affects the public highway in any way must be co-coordinated in accordance with the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 to minimize disruption to users. Developers are required to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment.

Developers are also required to liaise/seek permission of North Somerset Council's Street Works Section (01934 888802 or streetworks@n-somerset.gov.uk) at least one month in advance of the works and this must be in line with the requirements of the NRSWA 1991 and TMA 2004. The developer must endeavor to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. It should be noted that where road closures or formal restrictions are required to undertake works, a minimum of three months' notice will be required.

Public Rights of Way

The grant of planning permission does not entitle developers to interfere or obstruct any public right of way (PROW). The obstruction of a PROW is an offence. If required an application can be made to North Somerset Council to divert the PROW and should be made well ahead of any development.

It is also an offence to drive a mechanically propelled vehicle without lawful authority on any PROW. The grant of planning permission should not be treated as a grant of lawful authority. Please contact the PROW Team for further advice on 01934 888802.

Changes to Plans

Should you wish to change your plans for any reason, including the need to meet the requirements of other legislation (for example Building Regulations) it is important that you notify us (i.e. 'the planners') before carrying on with work. Amendments to your approved plans may require a fresh application and could even prove to be unacceptable. Details of how to seek formal approval of amendments to a planning approval can be found on our [website](#) or by visiting the planning portal.

Enforcement

The council has powers to enforce compliance with planning permission and there are penalties for failure to comply. In cases where terms and conditions of planning permission are not adhered to and the Council finds it necessary to take enforcement action, it almost invariably results in delay and additional expense to the applicant. In extreme cases, it can mean that newly erected buildings have to be demolished.

If the applicant was the Local Authority and the application was made under regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) then this permission enures only for the benefit of the Local Authority and such other person as was specified in the application.

Street Naming

When you receive consent for the building of new a development(s)/property or creating additional flats/units within an existing dwelling, for reasons of public safety and for the allocation of an official postal address, please contact the Street Naming and Property Numbering Section, Town Hall, Weston-super-Mare, BS23 1UJ; Tel: 01275 88761; email: strnames@n-somerset.gov.uk. Learn more on our [website](#).

Access to further information

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at www.planningportal.co.uk.