



# NOTICE OF DECISION

**Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) (England)  
Order 2015**

**Decision :** GRANTED subject to condition(s)

**Application no:** 22/00639/F

**Type of application:** Full Planning

**Site address:** Land Off Zinc Road, Avonmouth, Bristol, BS11 8AZ.

**Description of development:** Change of use of existing waste management building to a waste treatment and transfer facility, and ancillary related external development.

**Applicant:** Grundon Waste Management Ltd

**Agent:** GP Planning Ltd

**Committee/delegation date:** 07.12.22

**Date of Notice:** 07.12.22

## **Important: Compliance with conditions**

- Please read the conditions and understand their requirements and restrictions
- Some conditions may relate to a specific element of work, and require details to be submitted and approved before any work on that element commences.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.

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**DECISION: GRANTED subject to condition(s)**

**Condition(s)**

**Time limit for commencement of development**

1. Full Planning Permission

The development hereby permitted shall begin 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Pre commencement condition(s)**

2. Construction Environmental Management Plan (CEMP)

Prior to commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local planning Authority. This shall include measures to comply in full with the recommendations made in the Bradley Murphy Design Ltd Ecological Assessment (dated January 2022), i.e. to avoid offences against legally protected and priority species and habitats during construction, including site clearance and demolition. Provision shall be made within the CEMP for the appointment of an Ecological Clerk of Works (ECoW) to undertake site visits and to supervise ecologically sensitive operations.

Where considered to be required by the project ecologist, the CEMP shall be supplemented by a Method Statement for a Preliminary Method of Working (MS-PMW) to avoid accidental harm being caused to any protected, priority or notable habitats or species.

The development shall be carried out in full accordance with the approved details unless otherwise agreed in writing by Bristol City Council.

Reason: To demonstrate compliance with: the 1981 Wildlife & Countryside Act (as amended); the 1996 Wild Mammals Protection Act; the 2017 Habitats Regulations; the 2006 NERC Act; the 2006 Animal Welfare Act; and the 1992 Protection of Badgers Act.

3. Ecological Mitigation & Enhancement Strategy (EMES)

Prior to first occupation of the development hereby approved, an Ecological Mitigation & Enhancement Strategy (EMES), shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the provision of 1No bird and 1No bat box on site. Guidance on the location, specification, height and orientation of these features should be sought from the project ecologist if necessary. The location, specification, height and orientation of these features shall be shown on a site plan submitted to Bristol City Council for approval.

The development shall be carried out in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the biodiversity of the site in the interest of nature conservation.

4. Surface water drainage

Prior to the commencement of the use hereby permitted, the provision of surface water drainage shall be implemented in accordance with the details set out in the Flood Risk Assessment (approved under 12/01532/F) and plans, unless any changes are required, which should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water is satisfactorily controlled.

**Pre occupation condition(s)**

5. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures 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.

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.

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. This is in line with paragraph 170 of the National Planning Policy Framework.

6. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced, until the cycle parking provision shown on the plans and permitted under planning consent 22/00561/F has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

7. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) shown on the approved plans, and permitted under planning consent 22/00561/F has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

8. Travel Plan - Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

**Post occupation management**

9. Sorting of waste

The process of sorting of all waste shall not be conducted outside of the building hereby approved by this application.

Reason: To safeguard the amenity of the area

10. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby premises and the area generally.

11. Flood Emergency Plan (FEP)

The Flood Emergency Management Plan prepared by Clarkbond dated 14th June 2022 shall be implemented following occupation of the facility.

The Plan shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

Reason: To reduce the impact of flooding on the future occupiers of the proposed development

12. Annual level of waste

No more than 30,000 tonnes of waste shall be treated at the facility per annum in accordance with the details of the planning application and Planning Statement.

Reason: The application has been assessed on the tonnage and processes outlined within the supporting documentation, and in order to safeguard the facility's impact on the safe operation of the highway, and to limit the scheme's impact on air quality.

### List of approved plans

13. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

- GPP-GWM-AA18-21-10 V3 Site Location Plan, received 13 July 2022
- GPP-GWM-AA18-21-01 V2 Site Context Plan, received 8 February 2022
- GPP-GWM-AA18-21-04 V2 Existing Elevations - Northern & Eastern, received 8 February 2022
- GPP-GWM-AA18-21-05 V2 Existing Elevations - Southern & Western, received 8 May 2022
- GPP-GWM-AA18-21-06 V12 Proposed Elevations - Northern & Eastern, received 16 September 2022
- GPP-GWM-AA18-21-07 V11 Proposed Elevations - Southern & Western, received 16 September 2022
- GPP-GWM-AA18-21-08 V2 Roof Plan, received 8 February 2022
- GPP-GWM-AA18-21-09 V7 Indicative Internal Layout Plan, received 8 February 2022
- GWM-CLK-01-ZZ-SK-C-0010-P02 Proposed Extension Layout Plan, received 8 February 2022
- Flood Emergency Management Plan, received 28 June 2022

Reason: For the avoidance of doubt.

### Advice(s)

1. Maintenance of existing remediation protection measures. The applicants will have to maintain any existing remediation protection measures to the existing site. If remedial measures are encountered, either in the form of gas membranes, service trenches or clean cover adopted site wide the integrity of these must be maintained.

### Article 35 Statement

In dealing with the application we have worked with the applicant in a positive and pro-active manner and have implemented the requirement in the National Planning Policy Framework (2019) paragraph 38.

**It is important that you read the following “Additional information”**

## **Additional information for application no 22/00639/F**

### **Planning permission – important provisos**

1. If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts or Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note.
2. It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over land, or to access land that is not within your control or ownership.

### **Compliance with the approved plans and conditions**

3. The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or a part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.
4. If work on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

### **Register a new address**

5. Bristol City Council is responsible for all property numbering and street naming in Bristol. You will need to apply for a property number and address if your planning permission involves the creation of a new dwelling or flat. Find more information on how to [register for a new address or make an amendment to an address](#)

### **Amendments**

6. Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

### **Conditions compliance**

7. Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.
8. A fee is payable for each request. A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

## DETAILS OF DECISION ON AN APPLICATION (PART 2)

Application No: 22/00639/F

9. The web page [www.bristol.gov.uk/planning-and-building-regulations/planning-conditions](http://www.bristol.gov.uk/planning-and-building-regulations/planning-conditions) provides further guidance on this process.

### **Right of Appeal**

10. Applicants have a right of appeal against the requirements of any conditions attached to this approval. Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify us ([development.management@bristol.gov.uk](mailto:development.management@bristol.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

You are allowed six months from the date of this notice of decision in which to lodge an appeal.

### **Complaints**

11. Only planning matters can be considered at an Appeal. If you think that the Council did not properly consider your application, you can make a complaint under the council's complaints procedures, details can be found on the website [www.bristol.gov.uk/complaints-and-feedback](http://www.bristol.gov.uk/complaints-and-feedback) or by calling 0117 9223000.