

Application No: 06/03850/F
The Memorial Stadium, Filton Avenue, Bristol

Conditions:

Expiry Limit

1. SC1 Full Planning Permission

The development hereby permitted shall begin before the expiration of 3 years from the date of the permission.

Reason: SR1 - 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.

Contaminated Land

2. Prior to the commencement of any works on site, the following shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority:

- A ground investigation study to identify any contamination at the site
- A Conceptual Model identifying all Pollutant Linkages at the site (ie all sources of contamination, pathways and receptors)
- A Risk Assessment to quantify the risk from contamination, and
- A written Method Statement detailing how contamination will be remediated.

Reason: - To safeguard the safety and health of future occupiers of the site.

3. The decontamination/remediation works will be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the safety and health of future occupiers of the site.

4. Following the completion of the remedial works, a Certificate of Remediation for the site shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To demonstrate that the contamination has been successfully remediated, in the interests of the health and safety of future occupiers of the site.

Construction Noise, Vibration and Air Quality

5. No part of the development as hereby permitted shall commence until details of an Environmental Management Scheme and Code of Practice has been submitted to, and approved in writing by the Local Planning Authority. The Management Scheme and Code of Practice shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including noise, vibration, dust and smoke emanating from the site.

Any emergency or other deviation from the above conditions shall be submitted to and approved in writing by the Local Planning Authority.

The Management Scheme shall include:-

- (i) Details of engineering measures, acoustic screening and the provision of sound insulation required to mitigate or eliminate specific environmental impacts;
- (ii) A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures. The specification shall include details of the method of piling;
- (iii) Measures to make local residents aware of any significant activities that are likely to cause significant disruption;

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme unless otherwise agreed in writing by the Local Planning Authority.

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and
08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays (unless otherwise approved in writing by the Local Planning Authority).

Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Mitigation measures as defined in BS 5528: Part 1:1997 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

During demolition and construction on site:

- (a) The best practical means available in accordance with British Standard Codes of Practice BS5228:1997 shall be employed at all times to minimise the emission of noise from the site;
- (b) Vehicular accesses to adjoining and opposite premises shall not be impeded at any time;
- (c) No waste or other burning material shall be burnt on the application site
- (d) A suitable and sufficient means of suppressing dust must be provided and maintained, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance.

No part of the development hereby permitted shall commence until a demolition and construction method statement for the demolition and construction process has been submitted and approved in writing by the Local Planning Authority. The statement shall include the following:

- (a) An assessment of the presence or absence of asbestos and suitable mitigation measures is appropriate;
- (b) The inclusion of suitable measures for the containment of dust, such as the use of debris screens and sheets, suitable and sufficient water sprays; enclosed chutes for dropping demolition materials to ground level;
- (c) The use of enclosures or shields when mixing large quantities of concrete;

- (d) Details of the provision for the temporary storage of materials on site with preference to the storage of fine dry materials inside buildings or enclosures, or the use of sheeting as far as practicable with water sprays as appropriate.
- (e) Consideration to the use of pre-mixed plasters and masonry compounds.

The method statement scheme shall be implemented in strict accordance with details to be approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining residents during the construction period.

Design details

- 6. Sample panels of all the external materials and finishes to the building, boundary treatments and hard paved surfaces are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced, unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: SR57 - To ensure that the external appearance of the building is satisfactory.

- 7. Drawings to a minimum 1:10 scale (also indicating materials, treatments and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun unless otherwise agreed in writing by the Local Planning Authority:
 - a) Doors and windows (showing sectional profiles, cills, surrounds and depth of external reveals);
 - b) Curtain walling;
 - c) Roof eaves and parapet copings;
 - d) Details of stair towers;

The detail thereby approved shall be carried out in accordance with that approval, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the external appearance of the building is satisfactory.

Submission of Landscaping Scheme / Landscaping/Tree Protection

- 8. The development hereby permitted shall not take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner unless otherwise agreed in writing by the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

Enabling development

9. The Football Stadium, including both the playing and spectator facilities, hereby permitted shall be made available and ready for use prior to the commencement of the use of the 'enabling development' (the hotel, student accommodation or conference facilities) hereby permitted (unless otherwise approved in writing by the Local Planning Authority).

Reason: In order to assist in achieving the planning benefits of the 'enabling development' that would not have otherwise have been approved on this safeguarded stadium site.

Noise

10. The relevant part of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation included within the development. The measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of the residential accommodation by the operation of the offices beneath the premises, and traffic to the front of the premises.

The scheme of noise insulation measures shall prepared by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason: In the interests of the amenity of the occupants of the student accommodation.

Noise from fixed plant and equipment

11. The rating level of any noise generated by any fixed plant or equipment as part of this development shall not exceed the pre-existing background level by more than 0 dB(A). The noise levels shall be determined at the nearest noise sensitive premises. Measurements and assessments shall be made in accordance with BS4142: 1997- "Method of rating industrial noise affecting mixed residential and industrial areas". The assessment must be carried out by a competent person prior to the commencement of the development. These noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development.

Reason: In the interests of the amenity of the occupants of the student accommodation.

Details of Extract/Ventilation

12. Details of the means of mechanical ventilation including that for the extraction and dispersal of cooking smells within both the commercial and residential accommodation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the development commencing. The details shall include method of construction, odour and noise control. The approved details shall be provided before the use hereby permitted commences and thereafter shall be permanently retained (unless otherwise approved in writing by the Local Planning Authority).

Reason:- In the interests of the amenity of the occupants of the student accommodation.

Refuse disposal, collection & deliveries

13. Activities relating to the placing of refuse, bottles and recyclable material into external receptacles shall only take place between 0800 hours and 2000 hours.

The collection of refuse, bottles and recyclable materials shall only take place between 0900 hours and 2000 hours Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason:- In the interests of the amenities of residents within the scheme and adjoining residents.

Public Address system

14. Prior to the use of the stand hereby approved commencing, full details relating to the Public Address System (specification and type) and its positioning shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed in writing by the Local Planning Authority).

The details thereby approved shall include measures for mitigating noise emissions to neighbouring properties and shall be implemented in accordance with that approval (unless otherwise approved in writing by the Local Planning Authority).

Reason: In the interests of clarity, and neighbouring residential amenity.

15. The Public Address System (the details of which are to be agreed) shall only be used during events that take place on the external area within the stadium; two hours prior to the event commencing (apart from for testing purposes) and within 30 minutes of the completion of the event (unless otherwise agreed in writing by the Local Planning Authority).

Reason: In the interest of neighbouring residential amenity and in the interests of public safety.

Illumination

16. No part of the development as hereby permitted shall commence until a comprehensive lighting scheme that shows full details of the location, design, and fields of illumination of all lights, including those for the illumination of the playing surface, the exterior of the stadium, the car parking and bicycle storage areas, signs and advertisements and of all external circulation space, including footways, within

the application site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the timing of the use of the lights. The approval shall be implemented in accordance with those details prior to the building first being brought into use and no other external lighting installed without the prior written consent of the Local Planning Authority (unless otherwise approved in writing by the Local Planning Authority).

Reason: In the interests of the safety and convenience of stadium users, the amenities of nearby residents and to avoid light pollution.

Traffic Management

17. On match days the existing western entrance off Filton Avenue (the Memorial Gates) shall be used only for pedestrians and not for any form of motorised transport unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian safety and to prevent a conflict between motorists and pedestrians.

18. Unless in the case of emergency the proposed one way system around the external area of the stadium shall not be used by Heavy Goods Vehicles except between the hours of 0700 hrs and 2200hrs (unless otherwise approved in writing by the Local Planning Authority).

Reason: In the interests of protecting the amenity of adjoining residents.

Parking and cycle parking

19. The car and coach parking area shall be provided and laid out in accordance with the detail shown on the approved plans (unless otherwise approved in writing by the Local Planning Authority) prior to the commencement of the uses hereby permitted commencing (unless otherwise approved in writing by the Local Planning Authority).

Reason: To ensure that the optimum level of car and bus/minibus parking is achieved on the site in the interests of highway safety and amenities of local residents.

20. Prior to the use of the stadium hereby approved, full details of cycle parking and motorcycle facilities (including the specification of security arrangements) to serve the stadium and ancillary uses shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented in accordance with that approval, prior to the use of the building hereby approved, (unless otherwise agreed in writing by the Local Planning Authority).

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

Accommodation to be for full time students only

21. The accommodation hereby approved shall only be available to full-time students (unless otherwise approved in writing by the Local Planning Authority).

Reason: This part of the development is proposed as being 'car-free'. In order that the development does not adversely affect the supply of on-street short stay parking places in the area of the development other forms of residential development are prohibited.

Use of conference facilities

22. The conference facilities hereby approved shall not be used for independent conferences or exhibitions during a period commencing two hours before a match kick-off until two hours after kick-off (unless otherwise approved in writing by the Local Planning Authority).

Reason: The site has limited car parking provision and such safeguards are necessary for highway safety reasons.

Refuse and recycling

23. The refuse stores, and areas/facilities allocated for storing of recyclable materials, as shown on the approved plans, shall be provided before the use hereby permitted commences. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site, unless otherwise agreed in writing by the Local Planning Authority. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the occupiers of adjoining premises, to protect the general environment and to ensure that there are adequate facilities for the storage and recycling of recoverable materials to encourage energy conservation through recycling.

24. Prior to the commencement of the use hereby permitted commencing, a scheme for the provision of litter receptacles in and around the stadium site shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved in writing by the Local Planning Authority).

Reason: In the interests of the appearance of the area and to protect the amenities of residents.

Erection of boundary fences

25. Prior to the commencement of the use of the new stadium commencing, new boundary walls to adjoining properties shall be erected in accordance with the approved plans (unless otherwise agreed in writing by the Local Planning Authority).

Reason: To improve security for the adjoining occupiers.

Hours of use of stadium

26. No events involving the use of the stadium pitch shall occur before 830hours or after 2300 hours on any day (unless otherwise approved in writing by the Local Planning Authority).

Reason:- In the interests of the amenity of adjoining residents.

Opening hours for ancillary facilities

27. The independent use of the associated facilities hereby approved (excluding the bar and restaurant associated with the hotel) shall be restricted to the following hours of use unless otherwise agreed in writing by the Local Planning Authority:-

Restaurant and bar areas:- Monday to Saturday, from 0700 hours until 2300 hours, and Sunday from 0900 hours to 2000 hours.

Conferencing Suite:- Monday to Saturday 0800 hours until 2100 hours, and Sunday from 0900 hours to 2000 hours.

Creche:- Monday to Saturday from 1200 hours to 2300 hours, Sunday from 1200 hours to 2230 hours.

The time restrictions shall not include drinking up or clearing up time but the relevant premises shall be vacated by all staff and all activities ceased within one hour of the above time restriction.

Reason: In the interests of the amenity of neighbouring residents.

Concert Restriction

28. No open-air concerts shall be held at the Stadium hereby approved without the prior written consent of the Local Planning Authority.

Reason:- In the interests of safeguarding the amenities of adjoining residents.

Use class restriction (Offices)

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the Office Use (B1a) hereby permitted shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class B1 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason:- In the interests of protecting the amenities of adjoining residents from activities associated with other uses.

Hours of Servicing

30. No deliveries to the Stadium or the Hotel, restaurant, conference or retail facilities hereby approved shall be carried out outside of the hours 0800 to 2100 hours Monday to Friday, 0900 to 1600 hours on Saturdays and Sundays and Bank Holidays, (unless otherwise agreed in writing by the Local Planning Authority).

Reason: To safeguard the amenities of neighbouring residential occupiers.

TV reception

31. No part of the development as hereby permitted shall commence until the applicants satisfy the Local Planning Authority either:

- (a) that the stadium particularly will not have any adverse effect on radio and television reception at properties in the surrounding area or;
- (b) that remedial measures will be implemented to prevent any such adverse effects.

The details of these remedial measures shall be agreed in writing with the Local Planning Authority before use commences and shall be implemented before the development causes any disruption to reception.

Reason: To protect the interests of occupiers of nearby residential and commercial occupiers.

Privacy solutions

- 32. The student rooms shall be laid out in accordance with the specification detailed in the privacy solution in the approved Design Statement. The window and desk relationship shall remain permanently laid out in this manner (unless otherwise approved in writing by the Local Planning Authority).

Reason:- The desk and window relationship are designed to mitigate against direct overlooking of adjoining residential properties.

- 33. Prior to the commencement of the relevant part of the student accommodation hereby approved commencing revised plans showing the reorientation of the windows facing the rear garden area of properties located off Alton Road shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:- In the interests of ensuring that the windows face away from garden areas in the interests of the privacy of adjoining residents.

Student Bar restriction

- 34. No separate licensed bar shall be provided in connection with the student accommodation.

Reason:- In the interests of the amenity of nearby residents.

Sustainability

- 35. The hotel and student residential accommodation hereby approved shall achieve a 10% increase on the insulation standards as required by the Part E of the Building Regulations. Prior to the commencement of the relevant part of the works details of the method of achieving this level of insulation shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved in writing by the Local Planning Authority). The scheme shall be implemented in accordance with the details thereby approved.

Reason:- In the interests of the achieving the sustainability targets set out in the approved Sustainability Statement.

- 36. Details of the materials to be used in the fenestration to the Student and Hotel accommodation shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved in writing by the Local Planning Authority).

Reason:- In the interests of the achieving the sustainability targets set out in the approved Sustainability Statement which states that the use of PVC windows will be minimised in the development.

Sustainable Urban Drainage System (SUDS)

37. Prior to the commencement of development (unless otherwise approved in writing by the Local Planning Authority), a strategy of surface water drainage for the site using sustainable drainage methods shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy prior to the use of the building commencing.

Reason:- To ensure that the principles of sustainable drainage are incorporated into this proposal.

38. No development shall take place until there has been submitted to and approved in writing, by the Local Planning Authority, a detailed assessment on the potential for noise from the development from affecting neighbouring residential properties. The assessment should include noise from the following:

Noise from the crowd due to the increased capacity at the stadium
Noise from the PA system
Noise from fixed plant and equipment at the stadium
Noise from the hotel, student flats and shops (including transport noise)
Noise from conference facilities
Noise from vehicular traffic on the site

If the assessment indicates that noise from the development is likely to affect neighbouring noise sensitive premises then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason:- To ensure that noise mitigation measures are built into the scheme to prevent nuisance to adjoining residents.

39. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason:- To prevent the increased risk of flooding.

40. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water storage capacity during 1 in 100 year (20%) storm conditions has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason:- To alleviate the increased risk of flooding.

41. No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the local planning Authority. The scheme should include details of the following:

1. Site security
 2. Fuel oil storage, bunding, delivery and use
 3. How both minor and major spillage will be dealt with
 4. Containment of silt/soil contaminated run-off.
 5. Disposal of contaminated drainage, including water pumped from excavations
 6. Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason: To ensure that the proposed site development will not cause pollution of Controlled Waters.