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| Application Number | 2024/0511/FUL |
| Case Officer | Jennifer Alvis |
| Site | 22 Frome Road Beckington Frome Somerset BA11 6TD |
| Date Validated | 5 April 2024 |
| Applicant/ | D Kelly |
| Organisation | DJ Kelly Homes Ltd |
| Application Type | Full Application |
| Proposal | Erection of a single dwelling & associated works. |
| Division | Frome North Division |
| Parish | Beckington Parish Council |
| Recommendation | Approval |
| Divisional Cllrs. | Cllr Adam Boyden Cllr Dawn Denton |

Scheme of Delegation:

In accordance with the scheme of delegation, this application has been referred to the Chair and Vice Chair due to the Parish Council recommending refusal contrary to the officer recommendation for approval.

Description of Site, Proposal, and Constraints:

The application relates to 22 Frome Road, Beckington, accessed off a classified un-numbered highway subject to a 20mph speed limit. The site falls inside the defined development limits of Beckington.

The site is within the Beckington Conservation Area, Area of High Archaeological Potential, Air Limit MOD, Bat Consultation Zone Mells Valley (Band C) and SSSI Impact Risk Zone. There are also a number of listed buildings within close proximity of the site including the Baptist Chapel (Grade II) and No's. 24 26A and 26 Frome Road (Grade II) which neighbour the site to the south and south east.

The application seeks full planning permission for the erection of a 4no. bed dwellings with a detached double garage to the east. The accommodation will be set over two floors with a larger ground floor and first floor consisting of only two bedrooms

Revised plans were received during the life of the application which reduced the size of the first floor level following comments from the Conservation Officer. Revisions to the access were also submitted following comments from Highways. These revisions provided greater width at the access point with Frome Road to allow vehicles to pass.

An associated application for 2no. dwellings (Ref: 2024/0560/FUL) has been submitted alongside this application and relates to a separate section of the site to the east.

Relevant History:

- 2015/0430/FUL - Demolition of existing house & garage and erection of three detached dwellings - Withdrawn
- 2019/2736/FUL - Proposed erection of 4 new dwellinghouses and demolition of existing dwelling - Withdrawn
- 2024/0560/FUL - Erection of 2no. dwellings and associated works. - Pending consideration

Summary of Division Member comments, Parish Council comments, representations, and consultee comments:

Division Member: No response

Beckington Parish Council: Refusal raising the following concerns:

- Prevailing character is of single row properties, this dwelling would make the built form 2 dwellings deep
- Contemporary design is out of character with the conservation area and nearby listed buildings

- Impact on wildlife, in particular bats. Would welcome further surveys
- Overlooking of the garden to the rear (No.18)
- Additional pressure on existing poor sewerage system
- Could result in 10 vehicles (cumulatively with the proposal for two dwellings) using the access onto Frome Road

Request that the application be referred to Planning Committee should the officer recommendation be for approval.

Highways Development Officer: Given that the access will be used to serve this property and the two dwellings proposed under 2024/0560/FUL, these must be considered together.

Raised the following concerns with the original scheme:

- Existing stone wall within the visibility splay is above 300mm
- An access serving multiple dwellings must be at least 5m in width for the first 6m to allow vehicles to pass each other, this is not currently the case
- Insufficient details in regards bin storage and collection point
- Electric vehicle charging point provision and cycle storage details are required or can be conditioned

Revised plans were submitted which widen the access for the first 6m of it's length to at least 5m and the front stone boundary wall was moved back and out of the visibility splay.

Following receipt of these revisions, the Highways officer raised no further objection subject to conditions regarding; surfacing of the access, construction as per the submitted plans, no obstruction to visibility above 300mm and provision of EV charging.

Heritage Conservation: Initial verbal feedback on this application raised concerns regarding the impact of the proposed property on the setting of the Baptist Church to the south. Namely the visual impact on the setting of the church when viewed from the single lane off shoot of Frome Road to the front, south, of the Baptist Church. The conservation officer had concerns regarding the potential visual impact which would be caused by the two storey dwelling which would be visible between the buildings, and to the rear of the church, when viewed from this vantage point.

Following these comments, revised plans were submitted which reduced the first floor element of the proposed dwelling so it would not be visible when viewed from this angle and therefore maintaining the setting of the listed building. Given the revisions to the proposal and the difference in ground levels between the Baptist Church and other listed buildings along Frome Road, it was not considered that there would be an impact on the setting of the conservation area or the other nearby heritage assets.

Environmental Protection: No objection subject to a condition which restricts noise generating construction hours.

Archaeology: As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Ecology: Verbal response from Ecology received 15th May 2024 and considered 2024/0511/FUL and 2024/0560/FUL together. No objection subject to conditions requiring a Biodiversity Enhancement and Management Plan (BEMP), full translocation strategy for reptiles, tool box talk from a licenced ecologist in regards the potential for bats, lighting design for bats, tree protection plan and Biodiversity Net Gain delivered as per the Reptile and Bat Surveys prepared by Nash Ecology.

Local Representations: Six letters of objection have been received raising the following points:

- Overlooking of neighbouring properties
- Mitigation measures to reduce overlooking should be provided
- Significant change in the existing landscape
- Loss of undeveloped land
- Impact on open character of the area
- Possible structural damage to nearby listed buildings
- Impact on the setting of the listed buildings
- Impact on wildlife
- Not in keeping with the built character of the area
- Increase in traffic impacting on road safety
- Additional noise and light pollution from three houses
- Materials should be more in keeping with the conservation area

- Loss of trees
- Impact on bats in this protected area
- Further impact on existing drainage issues

One letter neither supporting nor objecting to the application has been received raising the following points:

- Can due consideration be given to maintaining the current level of privacy afforded to No.24 to the south west and the degree of overbearing
- Consideration should be given to the materials to ensure they are in keeping with the conservation area.

Full details of all consultation responses can be found on the Council's website: [View and comment on a planning application \(somerset.gov.uk\)](https://www.somerset.gov.uk/view-and-comment-on-a-planning-application)

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities (LPAs) to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)
- Somerset Waste Core Strategy

The following policies of the Local Plan Part I are relevant to the determination of this application:

- CP1: Mendip Spatial Strategy
- CP2: Supporting the Provision of New Housing

- DP1: Local Identity and Distinctiveness
- DP3 - Heritage Conservation
- DP4: Mendip's Landscapes
- DP5: Biodiversity and Ecological Networks
- DP6: Bat Protection
- DP7: Design and Amenity of New Development
- DP8: Environmental Protection
- DP9: Transport Impact of New Development
- DP10: Parking Standards
- DP23: Managing Flood Risk

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Somerset County Council Highways Development Control Standing Advice (June 2017)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Electric Vehicle Charging Strategy (EVCS) (adopted June 2021)
- Somerset Technical Advice Notes 01/21 Visibility Requirements on the Local Highway Network (updated June 2021)
- Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022)
- National Design Guide
- Technical housing standards – nationally described space standard
- Historic Environment Good Practice Advice in Planning Notes issued by Historic England

Assessment of relevant issues:

Principle of the Development:

The application site is situated within the development limits of Beckington, designated a Primary Village in the Local Plan Part 1, where there is a presumption in favour of development.

As such, the redevelopment of the site complies with the council's Core Policies CP1 and CP2 of the Local Plan and would be considered acceptable in principle.

Consideration of the other material planning matters including; impact on amenity, design, highways, ecology and heritage amongst others, are discussed in more detail below.

Design of the Development and Impact on the Street Scene and Surrounding Area:

Development Policy 1 (DP1) of the Local Plan states that proposals should contribute positively and respond to the local context and maintain the character and appearance of the surrounding area. The street scene, landscape/townscape, views, scenery, boundary walls or hedges, trees, rights of way and other features collectively generate the distinct sense of place and local identity. Decisions should consider the efforts made to avoid, minimise, and mitigate negative effects, and the need for the proposal to take place in that location.

Development Policy 7 (DP7) of the Local Plan relates to the design of the proposal. DP7 states proposals for new development should demonstrate, amongst other things, that they are of a scale, mass, form, and layout appropriate to the local context, and optimise the potential of the site in a manner consistent with other requirements of this policy. DP7 is supported by a Supplementary Planning Document (SPD) which provides more detail about what the policy requires. DP7 is consistent with Part 12 of the NPPF, which states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Local residents and the Parish Council had concerns regarding the size of the development and the positioning of the dwelling behind other properties which is in conflict with the single row of dwellings typical in this area. Although the footprint of the dwelling is fairly large, the size of the plot can facilitate such a development without appearing cramped or overdeveloped. It's accepted that the proposed dwelling would be positioned to the rear of the existing dwellings, there is not a strong linear pattern of development in this immediate area with some dwellings already set back to the rear of others. As such a

new dwelling to the rear would not be out of character. In addition, given the difference in ground levels between the properties to the front and the proposed, it would not be visible from the highway to the front.

Concerns were also raised regarding the contemporary design of the proposed dwelling in an area predominately made up of historic properties however, the dwelling would be largely screened within the street scene by existing development and the difference in ground levels. In addition, the difference in design between the historic local character and the contemporary dwelling demonstrates a clear definition between the old and new and progress in development.

The proposal by reason of its design, siting, scale, massing, layout, and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal accords with Development Policies 1, 3 and 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022) and Part 12 of the National Planning Policy Framework.

Impact on the Conservation Area and setting of the Listed Buildings:

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at paragraph 195 sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 194 -204 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The site lies within the Beckington Conservation Area and is adjacent to the former Baptist Church a Grade II listed building with No's 24 and 26 Frome Road, also Grade II listed, slightly further south.

Following comments from the conservation officer, the scale of the first floor has been reduced so it's not visible when viewed from the highway to the south between the listed buildings. Following this reduction, the Conservation Officer is content that any harm to the setting of the conservation area or the nearby historic buildings would be neutral.

Given the above, it's not considered that the redevelopment of this site would result in harm to the setting Conservation Area or the nearby listed buildings. As such, the proposal is considered acceptable under DP3 and Chapter 16 of the NPPF.

Impact on Neighbouring Amenity:

Concerns have been raised by neighbouring occupiers and the Parish Council regarding the possible overlooking from the development on the neighbouring property's garden, namely No.18 Frome Road. No.18 has a large garden, part of which wraps around the rear of this site however the primary outdoor amenity space for this property, that to the immediate rear of the dwelling, would not be impacted. While there may be some overlooking from the proposed development on the wider part of this residential curtilage, this area would already have a degree of overlooking from the rear windows of the properties along Frome Road. In addition, established planting along this rear boundary, which is to be retained as part of the wildlife buffer zone, would provide further screening.

Concerns were also raised from the neighbouring occupier to the south at No.24, however given the significant difference in ground levels between No.24 and the proposal site, it's not considered that there would be an impact in regards overbearing or loss of light. No windows are proposed on the south rear elevation which would create an overlooking impact.

While it's acknowledged that an additional property (or three properties when taken into account with ref: 2024/0560/FUL, although only a net gain of two), would result in additional vehicle movements, this would not be considered excessive enough to cause significant disturbance. In addition, the location of the site and existing neighbouring properties is adjacent to a primary route through the village which would already create some degree of impact through traffic noise.

Given the design, scale, massing, and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, odour, traffic, or other disturbance. In these respects, the proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Impact on Ecology:

A Preliminary Ecological Assessment, Bat Survey Report and Reptile Survey Report, all prepared by Nash Ecology, have been provided with this application. Somerset Ecology Services provided verbal feedback on this application at a meeting on 15th May 2024 and considered this application along with 2024/0560/FUL cumulatively.

The Reptile Surveys found a population of slow worms present on the site and as such mitigation and translocation have been recommended. Somerset Ecology Services have requested that a condition be imposed which requires a full translocation strategy be submitted to the LPA prior to any clearance works on the site. This condition will be included on any approval decision.

The Bat Survey found that the existing building on site is not suitable for supporting bat roosts however Greater Horseshoe Bats were identified as using the area for foraging and as a flightpath. The development of this site was found to have a moderate adverse impact at a local level. As such, the report recommended that a 5m wildlife buffer zone is to be implemented along the eastern and western boundaries of the site. No access to the buffer zone will be permitted to the contractors or occupants of the new houses and no light sources will be erected close to the buffer zone. A condition will be imposed which requires details of this buffer zone to be submitted to the LPA prior to works commencing as part of a Biodiversity Enhancement and Management Plan (BEMP). A lighting design for bats will also be conditioned.

The Bat Survey also made recommendations for biodiversity net gain, which will also be conditioned.

Subject to the above conditions and additional conditions regarding operatives being briefed on the ecological importance of the site prior to commencing works and a tree protection plan being provided, Somerset Ecology Services raised no objection.

Subject to the above, the proposed development will not have an adverse impact on bats or other ecology. The proposal accords with Development Policies 5 and 6 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Assessment of Highway Issues:

While there is an existing access onto the site, this currently only serves one dwelling. The intensification of the use of the site for three dwellings (one under the current application and two under ref: 2024/0560/FUL) would require greater consideration of the access. Somerset Highways raised an objection to the original plans submitted as they failed to demonstrate an adequate width of 5m for the first 6m of the access, to allow two vehicles to pass when entering and exiting the at the same time, and a stone wall within the visibility splay would have exceeded 300mm in height causing an obstruction to visibility. In addition, insufficient information was provided in regards bin storage and collection points.

Revised plans received show a widened access for the first 6m allowing vehicles to pass, and the stone wall being set back towards the dwellings therefore removing it from the visibility splay. Bin storage points have also now been identified with collection being from the roadside. Following receipt of these revised plans, Somerset Highways removed their objection subject to conditions in regards the construction of the access, surfacing materials, visibility splays being kept clear of obstruction and EV charging being provided.

The proposal includes the provision of 4 parking spaces which adheres with the Council's Parking Standards which states that optimum provision would be 3.5 parking spaces for a 4+ bedroom dwelling in this location. In addition, the proposal includes turning space, in accordance with Standing Advice, to allow vehicles to enter and leave the site in forward gear.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Development Policies 9 and 10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Trees & Hedges:

A Tree Protection Plan will be required to ensure that the significant trees on site are retained and protected during works. This will ensure the foraging and flight path for

Greater Horseshoe Bats is protected and the visual amenity provided by these will trees will be retained.

Subject to a condition requiring a Tree Protection Plan, the proposal accords with Development Policies 1, 6 and 7 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Land Drainage:

The NPPF, paragraph 173, states that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere.

Development Policy 8 (DP8) states that “*all development proposals should minimise, and where possible reduce all emissions and other forms of pollution*”. Point 1 of DP8 states “*Development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on [amongst other things]*

- *the quality of water resources, whether surface river or groundwater [and]*
- *public health and safety*”.

Development Policy 23 (DP23) states that “*all developments will [also] be expected to incorporate appropriate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable urban drainage systems (SUDS)*”.

The foul drainage is proposed to be dealt with via a mains sewer. Concerns have been raised regarding the impact of additional dwellings on the existing sewerage system in Beckington. Given that there is already one property present on the site, it's not considered that the cumulative impact of both these applications, resulting in a net gain of two dwellings, would have a significant impact on the existing sewer system.

The site falls within a Flood Zone 1, which is at the lowest risk of flooding. The site slopes down to the north and north east towards an existing watercourse in the valley at the bottom of the site. Any additional surface water run-off will primarily be dealt with via soakaways, as required under Building Regulations.

As such, the proposed development will not have an adverse impact on flood risk or represent a danger to water quality. The proposal accords with Development Policies 8 and 23 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Sustainability and Renewable Energy:

The proposal includes a photovoltaic array on the garage roof and the property will be fitted with a green sedum roof, air source heat pumps and the highest standard insulation, which would benefit the sustainability of the development. EV charging points and cycle storage are also to be provided.

The proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022), and Part 12 of the National Planning Policy Framework.

Refuse Collection:

The site is considered capable of providing adequate refuse and recycling storage for the proposed dwelling, in accordance with the Somerset Waste Core Strategy.

Environmental Impact Assessment:

This development is not considered to require an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation

Approval

Conditions

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 permissions.

2. **Plans List (Compliance)**

This decision relates to the following drawings: Location Plan, 1205/1, 1205/2B, 1205/3A, 1205/4A, 1205/6 Existing and Proposed Site Cross Sections, 1205/6 Garage Plans and Elevations Plot 3,

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

3. **Sample Panel - Walling (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **Joinery Details - Submission of Details (Bespoke Trigger)**

No piece of external joinery shall be installed or undertaken unless full details of that piece have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

5. **Ducts, Pipes, Rainwater Goods - Submission of Details (Bespoke Trigger)**

No ducts, pipes, rainwater goods, vents or other external attachments shall be fitted or installed unless in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. All such attachments shall thereafter be retained in that form.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Parking Area (Pre-occupation)**

The dwelling hereby approved shall not be occupied until the parking spaces shown on drawing 1166/2C have been laid out in accordance with the approved plans and made available for the parking of vehicles. The parking spaces shall thereafter be retained for the parking of vehicles associated with the dwelling and for no other purpose.

Reason: To ensure that sufficient parking is provided to serve the approved development in the interests of highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Vehicular Access (Compliance)**

The vehicular access hereby approved shall not be brought into use until it has been constructed in accordance with details shown on 1166/2C. The vehicular access shall thereafter be permanently retained in accordance with the approved plans.

Reason: To ensure that suitable access is provided in the interests of highway safety in accordance with Policies DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

8. Access Surfacing and Drainage Details (Bespoke Trigger)

No construction above slab level shall commence until details of the surface materials and surface water drainage at the proposed access have been submitted to and approved in writing by the Local Planning Authority. No occupation shall commence until the access has been constructed in accordance with the approved details and shall be retained in perpetuity.

Reason: To prevent loose material and surface water run off spilling onto the highway in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

9. Visibility Splay (Pre-occupation)

No occupation of the development shall commence until the visibility splay shown on drawing number 1166/2C has been provided. There shall be no on-site obstruction exceeding 300mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

10. Electric Vehicle Charging (Pre Occupation)

The dwelling shall not be occupied until it is served by at least 1no. active electric vehicle charging point in line with the requirements set out in Somerset Council Electric Vehicle Charging Strategy 2020. Each active charging point must be at least 7kW, an untethered connection i.e., only a socket without a built-in cable, and capable of Mode 3 charging. Charging provision shall be retained permanently thereafter.

Reason: To encourage use of electric vehicles and reduce carbon dioxide emissions in accordance with the Somerset County Council Electric Vehicle Charging Strategy (2020), Development Policy 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (2014) and the Mendip District Council Supplementary Planning

Document Design and Amenity of New Development: Guidance for interpretation of Local Plan Development Policy 7 (adopted March 2022).

11. Hours of Construction (Compliance)

Noise emissions from the site during the development, i.e. the demolition, clearance and redevelopment of the site, shall not occur outside of the following hours:

Mon - Fri 08.00 - 18.00

Sat 08.00 - 13.00

At all other times, including Sundays, Bank and Public Holidays, there shall be no such noise generating activities

Reason: To safeguard the amenities of adjoining occupiers having regards to Development Policies 7 and 8 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

12. Supervision of Works - Protected Species (Compliance)

All works potentially affecting bats shall proceed under the supervision of the licensed bat ecologist.

Reason: In the interests of the strict protection of European protected species and in accordance with Policy DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

13. Provision of Bat Box (Bespoke)

If any bat(s) are discovered during construction works, works shall cease until an Beaumaris Woodstone Bat Box has been installed to accommodate any discovered bat(s) during construction works. The bat box shall be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. The bat box shall be retained thereafter in perpetuity.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

14. Reptile Mitigation Strategy (Pre-commencement)

No development shall commence until a detailed reptile mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The detailed reptile mitigation strategy shall include details of:

- (a) the proposed site clearance and construction working practices to avoid harming reptiles,
- (b) details of proposed location, to accommodate any reptiles discovered during works,
- (c) the timings of works to minimise the impact on reptiles.

The development shall thereafter be carried out in accordance with the approved mitigation strategy and shall be permanently retained in accordance with the approved details.

Reason: In the interests of the strict protection of UK protected and priority species and in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that adequate biodiversity protection is in place prior to the commencement stage of development.

15. **Biodiversity Enhancement and Management Plan (Pre-commencement)**

A Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development. The BEMP will expand on the proposed mitigation and enhancements as outlined in Nash Ecology's Bat Survey Report, section 4.1 and 4.2, and Reptile Survey Report, section 4.3. A particular focus should be provided to measures that will be incorporated in the retained reptile habitat provisions as indicated in section 4.3 of the Reptile Survey Report.

Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation of the development and retained in perpetuity.

Reason: To provide biodiversity net gain in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part I: Strategy & Policies 2006-2029 (Adopted 2014) and Government policy for the enhancement of biodiversity within development as set out in paragraph 186(d) of the National Planning Policy Framework.

16. **Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012½ identifying measures (fencing

and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should include the design of fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with Policy DP1 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). 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.

17. **External Lighting (Bespoke Trigger)**

No external lighting shall be erected or provided on the site until a "lighting design for bats" has been submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall thereafter be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

18. **Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling or other buildings, including the roofs, hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of

the surrounding area and residents in accordance with Policies DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Informatives

1. Condition Categories

Your attention is drawn to the condition/s in the above permission. 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.

Failure to comply with these conditions may render the development unauthorised and liable to enforcement action.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, which is 145GBP per request (or 43GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the Planning Portal, see council's website). For clarification, the fee relates to each request for the discharge of condition/s and not to each condition itself. There is a no fee for the discharge of conditions on a Listed Building Consent, Conservation Area Consent or Advertisement Consent although

if the request concerns condition/s relating to both a planning permission and Listed Building Consent then a fee will be required.

2. The responsibility for ensuring compliance with the terms of this approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details will render the development unauthorised and vulnerable to enforcement action.

3. In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Framework by working in a positive, creative and pro-active way.

4. Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website <https://buildingcontrol.somerset.gov.uk/>

5. The applicant is advised of the need to consult the Highways Department, Somerset Council (Tel:- 0300 123 2224) prior to commencing works adjacent to the public highway.

6. No removal of buildings, structures, trees or shrubs shall take place between 1st March and 31st August unless an experienced ecologist has checked the Site for breeding/nesting birds. If there is evidence of breeding birds the work must be delayed until the chicks have fledged or suitable working distances observed so as not to disturb the birds.

7. Any gates, fences, walls, or other means of enclosure should include the provision of space for hedgehogs to pass under them to allow hedgehogs to forage between sites.