

Application Number	2023/2102/VRC
Case Officer	Kelly Pritchard
Site	Land At 348250 150158 Brangay Lane Rodney Stoke Cheddar Somerset
Date Validated	3 November 2023
Applicant/ Organisation	Mr J Counsell
Application Type	Variation or Removal of Conditions
Proposal	Application to vary condition 3 (Holiday Accommodation Occupancy) of planning approval 2020/0556/FUL (Erection of two holiday dwellings and associated parking and landscaping and creation of new vehicular access and widening of vehicular passing place.) to remove 28 day occupancy.
Division	Mendip West Division
Parish	Rodney Stoke Parish Council
Recommendation	Approval
Divisional Cllrs.	Cllr Heather Shearer Cllr Ros Wyke

**What Three Words: masses.stocked.agent**

### **Referral to Planning Committee:**

In accordance with the scheme of delegation, this application is referred to the Chair and Vice-Chair of the Planning Committee as the case officer recommendation is to approve with conditions, and the Parish Council recommended refusal and the Divisional Member did not submit comment. Following consultation the Chairman has requested that this application is considered by the Planning Committee.

### **Description of Site, Proposal and Constraints:**

The site is on the opposite side of Butts Lane to the touring caravan site at the Rodney Stoke Inn and approximately 170m south of the A371 Wells Road. Brangay Farm is located to the northwest and a property known as Little Nook is to the north east.

Brangay Lane is a narrow unclassified no through road with a 30mph speed limit which leads to Brangay Farm, Butts Lane is a single width rural road. Butts Lane is an unclassified road also subject to a 30mph speed limit and it has a junction with the A371 Wells Road to the northeast and another with Stoke Street to the south. The site has three road frontages and there is an existing field gate access onto Butts Lane close to the

junction where Brangay Lane meets Butts Lane. Ground levels fall to the west and south. The highest point of the site is at the entrance.

The site is located outside the settlement limits as defined by Mendip District Local Plan Part I: Strategy and Policies (December 2014) (MDLP) and a bat consultation zone. There is a public footpath which runs along Butts Lane and goes around the application site on its northeast and northwest boundary. The site is not within the area of outstanding natural beauty (AONB), but this designated area is on the northern side of the A371.

Planning permission, 2020/0556/FUL, was granted for the erection of two, two-bedroom holiday lets located to the north edge of the field, the creation of a new vehicular access and widening of vehicular passing place in Butts Lane. This application had pre-commencement conditions and was subject to a unilateral undertaking concerning ecological mitigation and enhancements.

Condition 3 on the 2020/0556/FUL application reads;

*The development hereby approved is for holiday let use only and shall not be occupied other than for purposes of holiday accommodation and shall not be occupied as a person's sole or main place of residence or main place of residence or occupied by the same person for more than 28 days in any calendar year. An up-to-date register of all occupiers on the site (including their main home address), shall be maintained and this information shall be made available at all reasonable times to the Local Planning Authority.*

*Reason: Permission has only been granted in a location where isolated new dwellings would not otherwise normally be permitted because the development would result in economic benefits from the provision of holiday accommodation in accordance with Policies CP1, CP3 and CP4 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).*

The current application only seeks the amendment of the condition to remove the 28 day limitation of occupancy, whilst achieving its original purpose to restrict occupation to holiday use only.

### **Relevant History:**

- 2020/0556/FUL - Erection of two holiday dwellings and associated parking and landscaping and creation of new vehicular access and widening of vehicular passing place. Approval. 26.07.23
- 2023/2146/APP - Application for approval of details reserved by conditions 6 (Construction Traffic Management Plan) and 16 (Construction Ecological

Environmental Management Plan) on planning consent 2020/0556/FUL. Approval.  
18.12.23

**Summary of Divisional Councillor comments, Parish Council comments, representations and consultee comments:**

Divisional Member: No comments received.

Rodney Stoke Parish Council: Refusal.

- These buildings need to say as holiday accommodation.
- If the condition is changed it will be unenforceable.
- Highway safety.

Highways Development Officer: Standing advice and see previous comments.

Note: It is assumed that the Highway comments 'see previous comments' is in reference to the originally consented scheme, 2020/0556/FUL, where they had no objection subject to conditions.

Environmental Protection: No objection.

County Ecologist: No comments received relevant to this application.

Natural England: No response received.

Local Representations:

We received nine objections to the amendment and their comments are summarised below;

- Removing the reference to 28 days in the condition would result in permanent residency which would result in greater impact on the sewage system.
- Highway safety issues.
- Drainage and flooding issues.

Full details of all consultation responses can be found on the Council's website [www.somerset.gov.uk](http://www.somerset.gov.uk)

**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 to determine proposals in accordance with the development plan unless material considerations strongly 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, 16 December 2022)
- Somerset Waste Core Strategy
- Somerset Mineral Plan (2015)

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

- CP1 (Spatial Strategy)
- CP3 (Supporting Business Development and Growth)
- CP4 (Sustaining Rural Communities)
- DP1 (Local Identity and Distinctiveness)
- DP3 (Heritage)
- DP4 (Mendip's Landscapes)
- DP5 (Biodiversity and Ecological Networks)
- DP6 (Bat Protection)
- DP7 (Design and Amenity)
- 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
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)
- Mendip Hills AONB Management Plan 2019-2024

### **Assessment of relevant issues:**

## **Principle of the Use:**

The principle of the development has already been established by the planning history, 2020/0556/FUL where there is an extant permission for two holiday lodges whose occupation is restricted by a planning condition see above.

This application does not seek to remove this condition it merely seeks to amend its wording, to remove the 28 day limitation of occupancy, whilst achieving its original purpose to restrict occupation to holiday use only. It does not seek any other changes to the consented development.

The applicants reasoning for change to wording is that it is inconsistent with other similar approvals in the area and that it therefore currently places the applicant at an economic disadvantage.

Since the decision on the original permission, there have been a number of appeal decisions with holiday let conditions which do not specify 28 days. In light of updates, reflection of best practice and in the interests of consistency across the authority, it is considered the appropriate rewording the condition will still achieve the original purpose and complies with the conditions tests.

The condition to be imposed on this revised application will read as follows;

### *Holiday Accommodation Occupancy (Compliance)*

*a) The holiday accommodation hereby approved shall be occupied for holiday purposes only and*

*shall not be occupied as a person's sole or main residence.*

*b) The site operators and/or owners shall maintain an up to date register of the names of all*

*owners/occupiers, including their guests, and evidence of their main home addresses, and shall make this*

*information available at all reasonable times to the local planning authority.*

*Reason: Permission has only been granted in a location where isolated new dwellings would not*

*otherwise normally be permitted because the development would result in economic benefits from the*

*provision of holiday accommodation in accordance with Policies CP1, CP3 and CP4 of the Mendip*

*District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).*

The consented application 2020/1556/FUL was subject to a Unilateral Undertaking (UU) to secure a landscape and ecological management plan and if this variation to the wording of the planning condition is approved the UU will be carried forward to this approval and will be equally as relevant.

This application does not seek any other changes to the consented development. We have received comments of concern about the proposal, as set out in the summary of the consultation responses above. However, the previous application found issues of highway safety and drainage acceptable and the variation to the condition is not considered to exacerbate these issues. As such, these issues, and issues of design etc. will not be discussed further in this report.

The local planning authority has to determine the application on its merits and future uses are not a material planning consideration.

As such this application is recommended for approval.

### **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.

### **Conclusion:**

Having regard for the above, the proposed amended wording of the holiday accommodation condition as set out in this report is considered acceptable and meets the planning condition tests whilst achieving its original purpose of restricting the occupation of the buildings in compliance with Policies CP1, CP3 and CP4 of the development plan.

### **Recommendation**

Approval

### **Conditions**

1. **Standard Time Limit Section 73 - Variation of Condition (Compliance)**

The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 2020/0556/FUL dated 26.07.23.

**Reason:** As required by Section 51 of the Planning and Compulsory Purchase Act 2004 and to avoid the accumulation of unimplemented planning permissions and having regard to the Planning Practice Guidance advice that an application under Section 73 of the Town and Country Planning Act 1990 cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

2. **Plans List (Compliance)**

This decision relates to the following drawings: PL4081/1, PL4081/3 received 10.03.20, PL4081/9C, PL4081/8C, PL4081/7C, PL4081/6C, PL4081/5C, PL4081/4C received 02.11.21, PL4081/10D received 25.05.22, PL4081/2E received 09.06.22, and Rural Land Register Map received 06.07.22.

In addition, the approved Construction Traffic Management Plan and Construction Ecological Environmental Management Plan details approved 18.12.23 as part of application 2023/2146/APP.

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

3. **Holiday Accommodation Occupancy (Compliance)**

a) The holiday accommodation hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main residence.

b) The site operators and/or owners shall maintain an up to date register of the names of all owners/occupiers, including their guests, and evidence of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: Permission has only been granted in a location where isolated new dwellings would not otherwise normally be permitted because the development would result in economic benefits from the provision of holiday accommodation in accordance with Policies CP1, CP3 and CP4 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **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 holiday lets including alterations to the roof or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: In the interests of the appearance of the development and the surrounding area and in the interests of safeguarding biodiversity and ecology in accordance with Development Policies 1, 4, 5, 6 and 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

5. **Removal of Permitted Development Rights - No outbuildings (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 garages or other free standing buildings shall be erected within the curtilage of the holiday lets hereby approved, other than those granted by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of further curtilage buildings requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the surrounding area and in the interests of safeguarding biodiversity and ecology in accordance with Development Policies 1, 4, 5, 6 and 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Construction Traffic Management Plan (Compliance)**

The development hereby approved shall be constructed in accordance with the approved Construction Traffic Management Plan which was approved on 18.12.23 as part of application 2023/2146/APP.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Vehicular Access (Pre- Occupation)**

Prior to occupation the holiday lets the new vehicular access hereby approved shall be constructed in accordance with the details shown on drawing number PL4081/2E. 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. **Passing bay (Pre-occupation)**

No occupation of the development shall commence until the passing bay shown on drawing numbers PL4081/10D and PL4081/2E has been completed in accordance with the approved details. The passing bay shall be kept clear of obstruction and available for use as a passing bay at all times.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

9. **Bound/Compacted Vehicle Access (Pre-occupation)**

Notwithstanding the details submitted, no occupation shall commence until the approved vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel) for the first 6 metres of its length as measured from the edge of the adjoining carriageway. The access shall be retained as such thereafter.

Reason: To prevent loose material 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).

10. **Parking and Turning Space (Pre-occupation)**

No occupation of the development shall commence until the parking and turning space shown on drawing number PL4081/2E has been completed in accordance with the approved details. The parking and turning space shall be kept clear of obstruction and available for use as parking and turning space at all times in connection with the development permitted.

Reason: To ensure that adequate on site parking provision and so that vehicles can enter and leave the site in a forward gear in the interests of highways safety in accordance with Policy DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

11. **Electric Charging Points (Pre-occupation)**

Prior to occupation of the development hereby approved, a scheme showing full details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development, along with a timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. These details should be in accordance with the Somerset Parking Strategy and the Somerset County Council

Electric Vehicle Charging Strategy. Thereafter the development shall be carried out in accordance with the approved details and timetable.

Reason: To support sustainable transport objectives in accordance with the Somerset County Council Parking Strategy and Electric Vehicle Charging Strategy and Policy DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

12. **Visibility Splay (Pre-occupation)**

No occupation of the development shall commence until the visibility splay shown on drawing number PL4081/2E has been provided. There shall be no obstruction exceeding 600mm 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).

13. **Closure of Existing Vehicular Access (Bespoke Trigger)**

Within two months of first occupation of the development hereby approved the existing vehicular access onto Butts Lane as shown on drawing PL4081/3 shall be stopped up, its use permanently abandoned and the vegetation reinstated in accordance with the details shown on drawing number PL4081/2E.

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

14. **Flooding - Surface water drainage incl. Infiltration Testing (Pre-occupation)**

No occupation shall commence until a scheme of surface water drainage has been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the results of infiltration testing, along with details of groundwater levels and soakaway design, in accordance with Building regulations Part H, to verify whether or not soakaways will be suitable for the development. If so, the submitted scheme of surface water drainage shall provide details of the soakaways to be installed. If the infiltration test results or ground water levels demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be detailed and justified instead. Once installed, the approved scheme shall be retained for the life of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed

and in the interests of flood risk management in accordance with Policy DP7, DP8 and DP23 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

15. **Materials (Compliance)**

The development hereby approved shall be carried out using external facing materials as specified on the application plans.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Development Policies 1, and 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

16. **Construction Ecological Environmental Management Plan (CEEMP) (Biodiversity) (Compliance)**

The development hereby approved shall be carried out in accordance with the CEEMP details submitted and approved on 18.12.23 as part of application 2023/2146/APP unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species and nesting birds. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy DP5 and DP6 of the Mendip Local Plan Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) and Chapter 15 of the National Planning Policy Framework.

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

Notwithstanding the details submitted, 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, and will not cause harmful light pollution in the countryside. 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 protecting the character and appearance of the countryside in accordance with Development Policies 1, 4, 5, 6, 7, and 8 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

18. **Details of Glazing (Bespoke Trigger)**

Prior to construction above damp-proof course level, a specification of the glazing on all elevations of both units, which include measures to limit light spillage so that light levels do not adversely disturb bats and other species, shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall thereafter be installed and maintained in perpetuity in accordance with the agreed specifications.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species; a Local Wildlife Site and in accordance with Policy DP5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

19. **Bird Strike (Bespoke Trigger)**

Prior to construction above damp proof course level, a specification of the glazing on all elevations of both units, which include measures to reduce the risk of bird strike shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall thereafter be installed and maintained in perpetuity in accordance with the agreed specifications.

Reason: In the interests of priority bird species listed on s41 of the Natural Environment and Rural Communities Act 2006, and in accordance with policy DP5 of the Mendip Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

20. **Soft Landscaping (Pre-occupation)**

No occupation shall commence until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure the provision of an appropriate landscape setting to the development and in the interests of the integrity of UK protected species and habitats in accordance with Development Policies 1, 4, 5, 6 and 7 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. 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.
3. 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.

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. Having regards to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that to secure the construction of highway works necessary as part of this development you will require an appropriate licence or a suitable legal agreement with the Highway Authority to secure the construction of highway works necessary. For details of the process and to submit applications online please visit [www.somerset.gov.uk](http://www.somerset.gov.uk). Application for such a permit/permission should be made at least four weeks before access works are intended to commence.
6. Under Section 163 of the Highways Act 1980 it is illegal to discharge water onto the highway. The developer should, therefore, intercept such water and convey it to a suitably sized soakaway on land within their ownership.

Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

7. There is a public right of way which is adjacent to the site and this should not be stopped up or diverted or temporarily closed without the necessary permission from Somerset Rights of Way.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- o A PROW being made less convenient for continued public use.
- o New furniture being needed along a PROW.
- o Installing any apparatus within or across the PROW.
- o Changes to the surface of a PROW being needed.

- o Changes to the existing drainage arrangements associated with the PROW. If the work involved in carrying out this proposed development would:
  - o make a PROW less convenient for continued public use; or
  - o create a hazard to users of a PROW,
- then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:  
<http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

8. In order to satisfy a "lighting design for bats" as described by condition 18 (external lighting) of this permission, the following information will need to be provided.
  - a. Identify those areas/features on site that are particularly sensitive for greater horseshoe bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging.
  - b. Show how and where external lighting will be installed (through the provision of lighting contour plans illustrating Lux levels accords with Step 5 of Guidance Note 08/18 Bats and artificial lighting in the UK) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent greater horseshoe bats using their territory or having access to their breeding sites and resting places. The design will also include any amenity and or security lighting where needed.
  - c. Show the use of shields and other methods of reducing light spill (such as the installation of physical barriers) to prevent light spill.
  
9. The agreement under Section 106 of the Town and Country Planning Act 1990 which accompanied planning consent 2020/0556/FUL equally applies to this Section 73 approval and it should be read in conjunction with this approval.