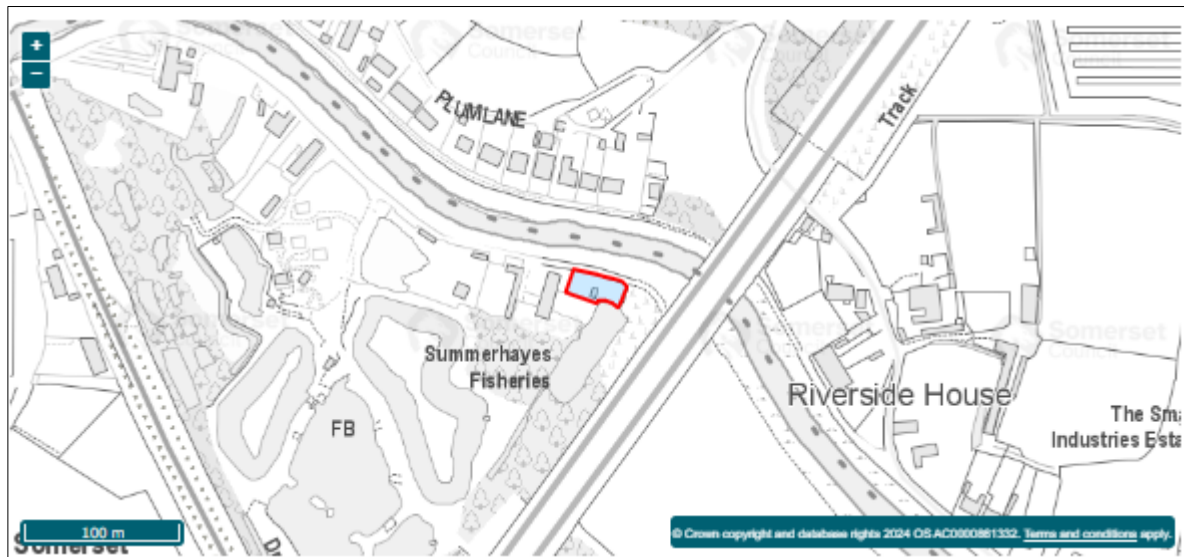


<b>Application Details</b>	
Application Reference Number:	37/24/00029
Application Types:	Full application
Extension of Time:	13 <sup>th</sup> December 2024
Description:	Erection of 1no. dwelling, including access arrangements, landscaping and associated works
Site Address:	East of Bisgood Cottages, Somerset Bridge, Bridgwater
Parish:	North Petherton
Conservation Area:	N/A
Somerset Levels and Moors RAMSAR Catchment area:	N/A
National Landscape:	N/A
Case Officer:	Liam Evans
Agent:	Polden Planning
Applicant:	Mr R Cowd
Reason for reporting application to Members:	The views of the Ward Member are contrary to the officer's recommendation and the application was referred to Committee from Chair / Vice Chair due to concern regarding highways and access matters.



## 1. Recommendation

### 1.1 Grant Permission

## 2. Executive Summary of key reasons for recommendation

- 2.1 The proposed dwelling would be located within the development boundaries of Bridgwater and would not have a detrimental impact on the visual amenity of the area, the amenity of nearby properties or highway safety. The proposal provides ecological enhancement measures as well as addressing flood risk.

### **3. Planning Obligations, conditions and informatives**

#### **3.1 Obligations**

- 3.1 N/A.

#### **3.2 Conditions**

- 1) Development to commence within 3 years.
- 2) Development carried out in accordance with the approved plans.
- 3) Development carried out in accordance with flood risk assessment.
- 4) Submission of surface water drainage scheme.
- 5) Work to be carried out in accordance with aboricultural impact assessment.
- 6) Measures for pollution prevention to be carried out in accordance with approved details.
- 7) Lighting design details to be submitted.
- 8) Invasive species protocol to be submitted and approved.
- 9) Biodiversity enhancement, mitigation and monitoring plan to be submitted and approved.
- 10) Noise mitigation measures to be implemented in accordance with details submitted.
- 11) Parking kept clear of obstruction.

#### **3.3 Informatives**

- 1) Statement of positive working.
- 2) Land drainage consent.
- 3) Trees to be removed shall be identified by ecologist.
- 4) Vegetation removal.
- 5) Public right of way.

### **4. Proposed development, Site and Surroundings**

- 4.1 The application site is located within the development boundaries of Bridgwater and accessed from Squibbers Way via Somerset Bridge, a narrow access road which traverses under the railway bridge and serves 14 residential dwellings and Summerhayes Fisheries. The site is the existing curtilage of no.1 Bisgood Cottages, an end terrace property and the garden is currently occupied by outbuildings/structures, trees and boundary fencing.
- 4.2 It is proposed to erect a dwelling to the east of No.1 which would be two stories in height with a two storey gabled projection to the west elevation. The dwelling would have a pitched roof of double roman roof tiles over rendered walls.

- 4.3 Access to the site would be to the north side of No.1 where two parking spaces would be provided adjacent to the existing dwelling off the existing shared access. A boundary fence would be erected to provide a garden space for the proposed dwelling while the existing dwelling would retain parking and garden to the front and rear respectively

## 5. Relevant Planning History

- 5.1 None

## 6. Habitat Regulations Assessment

- 6.1 N/A

## 7. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

### 7.1 Consultees

Consultee Name	Summary of Response
<b>Councillor for North Petherton - Alan Bradford</b>	<b>Support.</b>
<b>North Petherton 2 - Bill Revans</b>	<p><b>Objection.</b></p> <p>"It is an ongoing situation that the road to Somerset Bridge is an unadopted highway with no knowledge as to who is responsible for its upkeep. Access to this property would be via a narrow underpass under the Network rail bridge and this is only accessible by vehicles below a certain size.</p> <p>Until responsibility for the upkeep of this road is established, I am unable to support residential development in Somerset Bridge.</p> <p>I would recommend that should this reach committee stage, members should visit the location or have an accurate understanding of the condition of the track used to access these properties."</p>

<b>North Petherton Town Council</b>	<b>Support.</b>  "RESOLVED to support the applications subject to appropriate measures being taken to prevent deterioration and damage of the highway surface and to offer suitable surface improvements."
<b>Parrett Drainage Board</b>	<b>Surface water drainage details to be submitted/conditioned.</b>
<b>Somerset Council - Ecologist</b>	<b>Recommend conditions.</b>
<b>Rights of Way</b>	<b>Comments.</b>  "We have concerns about an increase in vehicle movements in terms of the health and safety of the public using path BW 23/37, as well as an increased rate in surface deterioration. Therefore, we have no objection subject to the applicant being able to demonstrate that there will be no net increase in vehicular movements over the footpath arising from the development. Please also see our response for 37/24/00029.  The local planning authority needs to be confident that the applicant can demonstrate that they have an all-purpose vehicular right to the property along the path BW 23/37. If they are unable to and permission is granted, then the local planning authority could potentially be encouraging criminal activity through permitting driving on a public path without lawful authority."
<b>Somerset Highways</b>	<b>Standing advice.</b>
<b>Environmental Health</b>	<b>Recommend conditioning of submitted noise survey and mitigation measures.</b>
<b>National Highways</b>	<b>No objection.</b>
<b>Environment Agency (drainage/water)</b>	<b>No objection, recommend condition.</b>
<b>Historic Environment Service</b>	<b>No objection.</b>

## 7.2 Local consultation and representation

In accordance with the Council's Adopted Statement of Community Involvement application 37/24/00029 was publicised by letters of notification to neighbouring properties 3 April 2024. Site notices were displayed and a press advert placed as part of the initial consultation.

7.3 1 representations was received and this is summarised in the table below:

<b>Material Planning Considerations</b>	
<b>Objections</b>	<b>Officer Comment</b>
Should be read in conjunction with application 37/24/00020	Two applications, each for a single dwelling, would be assessed on their own merits.
Increased deterioration of existing access track during construction by heavy vehicles and must not be obstructed	Temporary construction traffic can be mitigated through condition survey/remediation work.
Application submitted with inadequate ecological appraisal	Further information submitted and agreed with Somerset Ecology Service.
Possible diversion/extinguishing of right of way	Application site adjacent to right of way but would remain available.
Lack of details arrangements for sewerage/drainage	Can be submitted under condition.
May affect provision of Bridgwater Eastern Circulatory Route which was approved in Bridgwater Area Local Plan	Bridgwater Area Local Plan and policies superseded by numerous local plans.

## 8. **Relevant planning policies and Guidance**

8.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 Relevant policies of the development plan in the assessment of this application are listed below.

### Policies of the Sedgemoor Local Plan 2011-2032

S2 Spatial Strategy for Sedgemoor  
D1 Flood Risk and Surface Water Management  
D2 Promoting High Quality and Inclusive Design

D14 Managing the Transport Impacts of Development  
D20 Biodiversity and Geodiversity  
D24 Pollution Impacts of Development  
D25 Protecting Residential Amenity  
D31 Countryside around Settlements

### The National Planning Policy Framework 2023

The revised National Planning Policy Framework (NPPF), last updated December 2023 sets the Government's planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

- 5 Delivering a sufficient supply of homes
- 11 Making effective use of land
- 12 Achieving well-design and beautiful places
- 14 Meeting the challenge of climate change, flooding and coastal change

The planning practice guidance to support the NPPF is published online.

## **9. Commentary on Development Plan**

- 9.1 On 1<sup>st</sup> April 2023 Sedgemoor District Council became part of the new Somerset Council Unitary Authority. As set out in Local Government (Structural Changes) (General) (Amendment) Regulations 2018, if a Local Authority is going through Local Government Reorganisation, existing development plans will remain in place for the areas set out in the plan.
- 9.2 Accordingly, the pre-existing development plans of the former LPA areas remain the adopted local plans for their respective geographical areas within Somerset Council. In the Planning North area of Somerset Council the adopted local plan is therefore the Sedgemoor Local Plan 2011-2023, as adopted by Sedgemoor DC on 20<sup>th</sup> February 2019.

## **10. Local Finance Considerations**

### Community Infrastructure Levy

- 10.1 The application is for residential development in North Petherton where the Community Infrastructure Levy (CIL) is Non-urban Residential £120/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £13,968.00. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

## **11. Material Planning Considerations**

11.1 The main planning issues relevant in the assessment of this application are as follows:

- Principle of Development
- Design and Visual Impact
- Residential Amenity
- Flood Risk
- Ecology
- Access and Right of Way

### Principle of Development

11.2 The proposed dwelling would be within a mixed use area that is made up of residential properties to the north and south of the River Parrett with a fisheries further to the south and west of the site. As the site is located within the development boundaries of Bridgwater it is considered to be appropriate for a suitably scaled infill development that is compliant with Policy S2 of the Local Plan.

### Design and Visual Impact

11.3 The proposed detached dwelling would be located to the east of the existing terrace and while it would be visible from the adjacent road and right of way it's visual impact on the surrounding area would not be detrimental to its character. The proposed dwelling would be of a similar orientation to the existing dwellings nearby and would face west onto the proposed parking area. While it would be positioned beyond the rear elevation of the terrace this would not impact significantly on the surroundings as the existing boundary treatment and much of the tree planting would be retained. Due to amendments to the access arrangements there would be the creation of an access off the existing shared driveway (not from the north) and as a result there would be minimal changes to the existing boundaries and layout of the site, with the existing outbuilding removed to make way for the dwelling. Therefore, views of the site from the wider area would be screened by existing hard and soft landscaping, the latter of which would be retained and protected during the course of the work.

11.4 The design would be of a simple form and would match the character and appearance of the existing properties nearby through the use of render and double roman roof tiles. The locality has little in the way of an overarching vernacular although the majority are finished in similar materials. It is considered that the plans submitted would ensure the dwelling reflects the

character of the area and would not result in an incompatible form of development.

11.5 The proposal complies with Policy D2 of the Local Plan.

### Residential Amenity

11.6 The proposed dwelling would be positioned to the east of the existing terrace and the amenity of the adjacent properties would need to be considered. Based on the location of the proposed windows there would be no impact through overlooking as these would be at least 20m away from the rear elevation of no.1 and would mainly face onto the property's own curtilage and parking area. Overshadowing and visual domination would also be minimal taking into account the position and scale of the dwelling, which would be a sufficient distance so as not to cause any issues in this respect.

11.7 The site is within proximity of the motorway and therefore the impact on future occupants from existing sources of noise and disturbance would need to be considered. In this case a noise survey has been undertaken to ascertain any potential impact and advise on measures to mitigate this. Based on the plans submitted the internal layouts proposed have the bathrooms and ancillary areas on the east side, facing the M5. All bedroom and living area windows are on the west side as advised within the acoustic report while the projection to the front would provide acoustic screening to the front elevation windows of the proposed dwelling.

11.8 Environmental Health have raised no concerns with regards to noise impacts on the development proposed and recommend the inclusion of conditions relating to the implementation of the noise mitigation measures set out within the submitted survey.

11.9 Taking into account the above the proposal complies with Policy D24 and D25 of the Local Plan.

### Flood Risk

11.10 Policy D1 of the Local Plan requires development to pass both a Sequential Test and Exception Test. To create the most sustainable pattern of development the Spatial Strategy seeks to maximise development within sustainable settlements (Policy S2). Therefore the Sequential Test will be considered to be passed for proposals located within identified settlement boundaries, as defined on the Policies Map.



- 11.11 Where the Sequential Test is considered to be passed the vulnerability of the development must still be compatible with the Flood Zone, including application of the Exception Test (as required). In this case the proposal would provide a minor contribution to housing delivery in the area and therefore addresses the first part of the Exception Test.
- 11.12 Flood resilience would be provided by setting finished floor levels over 400mm above adjoining ground levels and design flood levels. Within the design of the dwelling a first floor refuge would be provided and this would be 300mm above the 0.5% AEP tidal event for the year 2125. The acceptability of upper floor safe refuge in addressing climate change and residual risk is consistent with both the EA's Local Standing Advice (specific to the Bridgwater area) and also the approach that has been taken to strategic allocations. Therefore, accounting for the raised ground floor level and the safe refuge on the first floor, the development is considered to have satisfied the second part of the Exception Test in that the development would remain safe for its occupants.
- 11.13 Following the submission for further information the Environment Agency have no objection to the proposal and based on the above it complies with policy D1 of the Local Plan.

### Ecology

- 11.14 Due to the application being received prior to 2 April 2024 the development is exempt from the statutory 10% biodiversity net gain requirements.
- 11.15 The Arboricultural Impact Assessment provided states that 1no. mature walnut tree will be lost as a result of 37/24/00029 and 1no. willow tree with severe dieback will be lost as a result of 37/24/00020. However, the site plans indicate that a significant amount of replacement tree and hedgerow planting is proposed, providing mitigation for these and other losses (as highlighted in the Ecological Appraisal). The submitted information also confirms that there is a likely absence of great crested newts within the pond adjacent to the site alongside the investigations into the presence of other protected species such as bats, birds and other mammals also showing low probability of impacts being caused.
- 11.16 On review the ecologist's comments confirms that the ecological impact of the development would be satisfactorily addressed and it is recommended a number of conditions be included to ensure this occurs and that the development is compliant with Policy D20 of the Local Plan.

### Access and Right of Way

- 11.17 The application site is situated on the south side of and accessed via Somerset Bridge, which is designated as a Public Right of Way (public

footpath number: BW23/37) and while it is used as a vehicular access for a number of properties (including those adjacent to the application site) it is not adopted or finished to an adoptable standard. As such, the PROW Team has been consulted on the proposals and has raised concerns regarding an increase in vehicle movements along the road and subject to the local planning authority being confident that the applicant can demonstrate that they have an all-purpose vehicular right to the property along path BW 23/37.

- 11.18 Having raised these concerns with the applicant, they have provided a Declaration of Access Arrangements along the road which demonstrates that they have an all-purpose vehicular right to access the site along Somerset Bridge. These factors alongside the minor nature of the proposals which are to be carried out within the application site curtilage means that the proposals are unlikely to have any adverse impacts on the nearby designated PROW.
- 11.19 Taking into account the comments of the local ward member the provision of a dwelling in its own right would not result in an increase in vehicle movements along the road that this would be to such an extent that would prejudice the safety of users (pedestrians, drivers, etc) and warrant refusal. The overall width and alignment leading to the site would result in vehicles travelling slowly along its length with multiple passing places available. Forward visibility is good and it is considered that the road can accommodate the small increase in activity. The overall responsibility of the road is unknown and it is the understanding of the existing residents of both the site and nearby all have a right of access over the road and have not been challenged of this during their time residing there. Taking into account the number of existing properties already using the road for access purposes it is not considered that the development would result in a disproportionately increased impact on both the condition of the road and its users safety.
- 11.20 Access to the site itself would be the existing access point off Somerset Bridge that serves the existing cottages with the existing curtilage adapted to provide a driveway and parking space for the future occupants to the front of the dwelling.
- 11.21 The Highways Team have raised no objection to the application, referring to standing advice and it is considered when taking this into account that the development is acceptable in respect of access, parking and overall highway safety.
- 11.22 The proposal complies with Policy D14 of the Sedgemoor Local Plan.

## **12. Planning Balance and Conclusion**

- 12.1. The proposed dwelling would be located within the development boundaries of Bridgwater and would not have a detrimental impact on the visual amenity of the area, the amenity of nearby properties or highway safety. The proposal provides ecological enhancement measures as well as addressing flood risk.

## RECOMMENDATIONS

### Recommendation:

#### **Approve application 37/24/00029 subject to the stated planning conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 ( as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.  
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall only be carried out in accordance with the approved Flood Risk Assessment (Ref: RMA-RC2619, Issue Number 2, dated 31st May 2024) and the following mitigation measures it details:

- First Floor Levels to reside above the 0.5% (1-200-year plus the additional cumulative sea level rise to 2125) level and set no lower than 9.6mAOD
- Ground Floor Levels to reside no lower than 7.0mAOD
- The Floodplain Compensation Storage in section 3.33 - 3.37 should be adhered to
- Ground Floor Electrical Sockets to be raised a minimum of 600mm above Finished Floor Levels

The mitigation measures shall be fully implemented prior to occupation and subsequently maintained for the lifetime of development, unless otherwise agreed in writing, by the local planning authority in consultation with the Environment Agency.

Reason: To reduce the risk of flooding to the proposed development and future occupants

- 4 No development shall take place above DPC level until details of the surface water drainage scheme, based on sustainable drainage principles have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage in accordance with Policy D1 of the Sedgemoor Local Plan.

- 5 All works shall be carried out in accordance with the Arboricultural Impact Assessment (Clark Landscape Design, July 2024) as already submitted with the planning application and agreed in principle with the Local Planning Authority. Hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows, and other sensitive habitats. A letter confirming these operations, and any findings will be submitted to the Local Planning Authority by the Arboriculturist responsible for overseeing the works. The measures shall be maintained throughout the construction period.

Reason: To protect the existing trees to be retained and in the interests of maintaining biodiversity in accordance with Policy D20 of the Sedgemoor Local Plan.

- 6 Measures for pollution prevention and precautionary avoidance measures for mammals, reptiles, and amphibians will be undertaken as described in Section 4.0 of the Ecological Appraisal (Quantock Ecology, 26/07/2024) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: Condition in the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 7 Prior to the installation of any external lighting is to be installed, a lighting design for bats and other light sensitive species, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key & supporting features or habitats. All external lighting shall 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. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 8 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority. This shall detail the containment, control and removal of *Crococsmia × crocosmiiflora*, and the safe disposal of soil and plant matter. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9, Part 2 of the Act. Controlled/special waste needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

- 9 A Biodiversity Enhancement, Mitigation and Monitoring Plan (BEMMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to first occupation of the development. This shall comprise a landscape planting scheme which includes a detailed scaled drawing that identifies the proposed green infrastructure and includes a plant schedule and planting specification (proposed species, quantities, stock sizes, planting densities and spacings).

The following will be provided:

a Tree and hedgerow planting as indicated (or similar) on the Site Plans as submitted with the application. Any hedgerows and trees to be planted shall be native and should include nectar, nut and fruit producing species. Hedgerows should be managed to promote a range of age classes and native species through appropriate planting and management of hedgerow species and understorey.

b 3x bird nest boxes positioned directly under the eaves and away from windows on the north elevations (or similarly specified by manufacturer's instructions such as within a mature tree on site). Under no circumstances should south or west elevations be used, and boxes aimed at different species should be spaced at least 2m apart. Woodcrete or WoodStone boxes should be used where possible due to increased durability and thermal stability. Different nest box sizes should be installed to appeal to species with varying nesting habits.

c A provision suitable for crevice roosting bats will be built into the structure at least four metres above ground level and away from windows of the west or south facing elevation (or similarly specified by manufacturer's instructions such as within a mature tree on site). Boxes aimed at different species should be spaced at least 2m apart. Woodcrete or WoodStone boxes should be used where possible due to increased durability and thermal stability.

All landscape areas shall be protected and maintained, and any trees or plants which, within a period of five years from the completion of the planting, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. All other biodiversity enhancement features will be retained following installation and appropriately maintained.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 180(d) of the National Planning Policy Framework

- 10 The noise mitigation scheme shall be incorporated into the construction of the dwelling hereby permitted and include building orientation and layout, structural requirements, glazing and ventilation and provision for external amenity areas in accordance with sections 7,8 and 9 of the Blue Acoustics Report NS478 dated 13 June 2023. No occupation of the dwelling shall commence until a Verification Report to demonstrate that the noise mitigation scheme has been implemented in full accordance with the report has been submitted to and approved in writing by the Planning Authority. The measures shall be thereafter be retained.

Reason: To prevent excessive noise and protect the residential amenity of occupiers in accordance with Policies D24 and D25 of the Sedgemoor Local Plan.

- 11 The area allocated for parking on the submitted plan no.794.24.001 Rev B shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy D14 of the Sedgemoor Local Plan.

#### Note(s) to Applicants:

##### Statement of Proactive Working

This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35 (2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, the Local Planning Authority has endeavoured to work proactively in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.

The applicant is advised that, prior to works commencing on site, Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991 from the Internal Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District (or from the Environment Agency for an EA Main River).

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected. Any trees to be removed which have been identified as having potential for roosting bats will be inspected by a suitably qualified ecologist immediately prior to being felled. If it is further considered that a roost is not present (i.e. absence of a bat or bat field signs), then the tree may be immediately soft felled. If a bat roost is confirmed, then felling will need to be delayed and an EPS licence sought from Natural England.

No vegetation removal shall take place between 1st March and 30th September inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared or works to or demolition of buildings commences and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. In no circumstances should netting be used to exclude nesting birds

Any proposed works must not encroach on to the current available width of the footpath.

Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset Council (SC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for the public use. SC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a footpath unless the driver has lawful authority (private rights) to do so.

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:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from the Somerset County Council Rights of Way Group.

## Schedule A

Location & Block Plan Drg No. 764.21.006 Rev G

Site Layout Plan Drg No. 764.21.004 Rev H

Proposed Floorplans & Elevations Drg No. 764.21.005 Rev B