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Application Number: 2019/3036/REM
Date of Application: 23rd December 2019
Application Type: Reserved Matters Application

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER
2015 (AS AMENDED)

THE MENDIP DISTRICT COUNCIL, being the LOCAL PLANNING AUTHORITY for the said District, hereby **APPROVE THE RESERVED MATTERS** in the development described in the application validated on 23rd December 2019 subject to the conditions hereunder stated.

Proposal: Application for approval of reserved matters relating to 1 dwelling (Phase 1), following outline approval 2018/2573/OTS for the erection of 2 dwellings. Matters of access, appearance, landscaping, layout and scale (Phase 1 only) to be determined (Amended description of development and additional plans rec 31st Jan 2020)

Location: Land At Coalpit Lane Stoke St Michael Shepton Mallet Somerset

Parish: Stoke St Michael Parish Council

DECISION: Approval with Conditions

REASON FOR APPROVAL

1. The proposal accords with the Council's settlement strategy for the location of new development and the principle of the development has been approved under outline permission 2018/2573/OTS, which remains extant.

The proposal, by reason of its appearance, layout and landscaping would be in keeping with its surroundings and will not cause adverse harm to the landscape character area.

The proposal, by reason of its design, scale and layout, would safeguard the amenities of neighbouring residents and adjoining land users.

The parking and turning arrangements within the site meet the required safety standards and will ensure the free flow of traffic on the highway. Access details have been approved under outline permission.

All practical measures for the conservation of energy have been included in the design, layout and siting of the proposal.

The proposal makes acceptable arrangements for the protection of biodiversity.

The proposal makes acceptable drainage arrangements.

The proposal makes acceptable arrangements for the protection of trees.

The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:-

CP1, 2 and 4 and DP1, 4, 5, 6, 7, 8, 9, 10 and 23 of the Mendip District Local Plan 2006-2029 (Part 1 Strategies and Policies - adopted 15th December 2014)

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

Somerset County Council Standing Advice, 2015

Somerset County Council Parking Strategy, 2013

CONDITIONS

1. **Plans List (Compliance)**

The development hereby approved shall be carried out in full accordance with the following approved drawings:

- CLSM/1

- CLSM/2 Rev F
- CLSM/6 Rev B
- CLSM/7 Rev C
- CLSM/10
- CLSM/11
- RESOURCE EFFICIENCY STATEMENT

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

2. Materials (Compliance)

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

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

3. Hard and Soft Landscaping (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- (a) size, species and positions for new trees and plants,
- (b) boundary treatments,
- (c) surfacing materials (including roadways, drives, patios and paths) and
- (d) any retained planting.
- (e) a detailed programme of implementation

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season either with the same tree/plant as has previously been approved, or with other trees or plants of a species and size that have first been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policy DP1, DP3, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. Parking Area (Pre-occupation)

The dwelling hereby approved shall not be occupied until the parking spaces have been provided (including garage spaces) 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).

5. External Lighting (Bespoke Trigger)

No new external lighting, other than that shown on the approved plans, shall be installed within the boundary of the application site unless in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, number, luminance, angle of illumination and type of each luminaire or light source and a lux diagram showing the light spill from the scheme. The lighting shall thereafter be installed, operated and maintained in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. Removal of hedgerows (Bespoke Trigger)

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared 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. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist

Reason: To avoid harm to nesting birds, in accordance with Policy DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. Energy Efficiency Measures (Compliance)

The development hereby approved shall be carried out and constructed in full accordance with the energy efficiency and reduction measures proposed within the 'RESOURCE EFFICIENCY STATEMENT'. The works shall be maintained and retained in accordance with these approved details thereafter.

Reason: In the interests of energy efficiency, reduction and wider sustainability, having regards to the provisions of Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) and Planning Practice Guidance (PPG).

NOTES

1. 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.

2. **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 £116 per request (or £34 where it relates to a householder application) and made payable to Mendip District Council. The request must be made in writing or using the Standard Application form (available on the council's website www.mendip.gov.uk). 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.

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 <http://www.sedgemoor.gov.uk/SomersetBCP/>

5. The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co operation in this matter is greatly appreciated.



Julie Reader-Sullivan
Planning and Growth Group Manager

If you have any queries regarding this notice please contact our Customer Services Team on 0300 303 8588

Dated 25th February 2020