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BA6 9TT

Application Number: 2018/2479/FUL
Date of Application: 19th October 2018
Application Type: Full 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 **GRANT PLANNING PERMISSION** to carry out the development described in the application validated on 19th October 2018 subject to conditions hereunder stated.

Proposal: Demolition of existing WC's and education centre. Erection of new education building, new WC's, canopy and associated landscaping works. (amended plans received 11.12.18)
Location: Avalon Marshes Centre Shapwick Road Westhay Glastonbury BA6 9TT
Parish: Meare 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.
The proposal, by reason of its design, scale and layout would be in keeping with its surroundings.
The proposal, by reason of its design, scale and layout, would safeguard the amenities of neighbouring residents and adjoining land users.
The means of access and parking arrangements meet the required safety standards and will ensure the free flow of traffic on the highway.
All practical measures for the conservation of energy have been included in the design, layout and siting of the proposal.
The proposal makes adequate arrangements for the protection of biodiversity.
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, CP3 and CP4 (Principle of Development), DP1 (Local Identity), DP3 (Heritage), DP4 (Mendip's Landscapes), DP5 (Biodiversity), DP6 (Bats), DP7 (Design and amenity), DP8 (Environmental Protection), DP9 (transport), DP10 (parking), DP23 (Managing Flood Risk) of the Mendip District Local Plan 2006-2029 (Part 1 Strategies and Policies - adopted 15th December 2014)
National Planning Policy Framework
Planning Practice Guidance
The Countywide Parking Strategy (2013)

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 permission
2. **Plans List (Compliance)**

This decision relates to the following drawings: 1118/012, 1118/011, 1118/010, 1118/002 Rev B, 1118/031, 1118/001 and Arboricultural Survey carried out by Ecological Surveys Ltd (Sept. 2018) and Ecology report valid 19.10.18, 180724_LSA_001 Rev P01, 1118/170 Rev A, 180724_LSA_406 Rev P01, 2018-279GA001T Rev 1, 1118/213 Rev B, 1118/122 Rev B, 1118/050 Rev A, and 1118/030 Rev B received 11.12.18, 1118/003A1 Rev M received 14.12.18 and Specification for the Archaeological Monitoring received 09.01.19.

Reason: To define the terms and extent of the permission.
3. **Removal of Permitted Development Rights - Use Class (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), the development hereby approved shall be used only for ancillary use associated with the Avalon Marshes visitor centre and for no other purpose in Class D of the schedule to that Order.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.
4. **Materials (Compliance)**

The development hereby approved shall be carried out using external facing materials as specified on the application plans/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).
5. **Hard and Soft Landscaping (Compliance)**

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. 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. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policy DP4 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
6. **Arboriculture - Compliance with Arb Method Statement (Compliance)**

The development hereby approved shall be carried out in full accordance with the approved Arboricultural Report and Tree Protection Plan.

Reason: To ensure that trees which contribute to the character and appearance of the area, and are to be retained, are not adversely affected by the development proposals in accordance with Policy DP1 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Implementation of Wildlife Scheme (Compliance)**

The development hereby approved shall be carried out in full accordance with the recommendations of the approved Ecology Report.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

8. **Nesting Bird Protection (Bespoke Trigger)**

No removal of trees hedges or shrubs shall take place between 1st March and 31st August unless a Survey to assess the nesting bird activity on the site during this period and a Scheme to protect the nesting birds has been submitted to and approved in writing by the Local Planning Authority. No tree hedge or shrub shall be removed between 1st March and 31st August other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and prevent ecological harm in accordance with DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

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

Notwithstanding the details submitted no new external lighting, 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 operated 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).

10. **Bird Boxes (Bespoke Trigger)**

Notwithstanding the details submitted prior to completion of construction of the development hereby approved a scheme for the installation of bird boxes, which includes their locations and specifications, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

11. **Flooding - Flood Risk Assessment (Compliance)**

The Finished Floor Levels of the development hereby approved shall be no lower than 3.11m above Ordnance Datum (AOD) and the development shall be carried out in accordance with the approved elevations shown on drawing numbers 1118/213 Rev B and 1118/030 Rev B.

Reason: To limit the risk from flooding and minimise the risk to its occupants in accordance with Policy DP23 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) and section 14 of the National Planning Policy Framework.

12. **Parking (Pre-occupation)**

No occupation shall commence (or in accordance with a programme of phasing to be agreed in writing with the Local Planning Authority) until the area allocated for parking on the submitted plan, Proposed Site Masterplan Dwg No: 1118/003A1 Rev M have been constructed in accordance with details shown on the approved plans. The vehicular parking shall thereafter be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that suitable parking areas are provided and thereafter retained in the interests of amenity and highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

13. **Archaeology - Written Scheme of Investigation (Compliance)**

The development hereby approved shall be implemented in accordance with the programme of archaeological works described in the Written Scheme of Investigation (WSI) which has been submitted and approved.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy DP3 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

NOTES

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 #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.

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 <http://www.sedgemoor.gov.uk/SomersetBCP/>
5. The applicant is strongly advised to consider preparing a Flood Warning and Evacuation Plan for future occupants of the development and contacts the Environment Agency to sign-up to the free Floodline Warning Direct Service.



Tracy Aarons
Deputy Chief Executive

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

Dated 18th January 2019