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Mr & Mrs Robert & Anne Hurford  
C/o Agent

## NOTIFICATION OF DECISION

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

**Application Type:** Full Application **Application No:** 2021/0124/FUL

**Location of Development:** Goosemoor Farm Burnetts Lane Baltonsborough Glastonbury  
Somerset

**Description of Proposal:** Redevelopment of farmyard with 2No. dwellings to replace 3No.  
dwellings granted under 2019/2469/FUL

**Application submitted by:** Mr & Mrs Robert & Anne Hurford

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Mendip District Council, hereby **GRANT** the application described above subject to the following:

#### Condition(s)

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: 1433/001, 1433/002 Rev A, 1433/003 Rev B, 1433/030 Rev C, 1433/031 Rev B, 1433/033 Rev A, 1433/034 Rev A, 1433/036 Rev A, 1433/040 Rev C, 1433/041 Rev C, 1433/042 Rev B, 1433/043 Rev B, 1433/050 received 18.01.21 and 1433/004 received 23.04.21.

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

3. **Materials - Submission of Schedule (Bespoke Trigger)**

A schedule of materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **Materials - Stonework to Match (Compliance)**  
The external stonework to be used shall be natural stone to match that of the existing adjacent dwelling known as Goosemoor Farm in respect of type, size, colour, pointing, coursing, jointing, profile and texture.  
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).
5. **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, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
6. **Erection of Gates (Compliance)**  
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), any new gates erected or installed at the vehicular access hereby approved shall be permanently hung to open away from the public highway and set back a minimum of 6m from the adjoining carriageway edge.  
Reason: To ensure that vehicles do not cause an obstruction 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).
7. **Turning Space (Pre-occupation)**  
No occupation of the development shall commence until the parking and turning spaces shown on drawing number 1433/003 Rev B 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 a parking and turning space at all times.  
Reason: To ensure that vehicles can enter and leave the site in a forward gear and to secure onsite parking in the interests of highways safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
8. **Demolition and site clearance (pre-commencement)**  
Prior to commencement of the development hereby approved all the other buildings and slurry pit as shown on drawing 1433/002 Rev A shall be demolished and removed from the site.  
Reason: This condition must be a pre-commencement condition in the interests of amenity, the appearance of the development and the surrounding area and to prevent the prior approval application, reference 2022/1861/PAA also being implemented in compliance with Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
9. **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(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions and alterations require detailed consideration by the Local Planning Authority to safeguard the character and appearance of the area having regard to Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**10. Removal of Permitted Development Rights - No extensions or alterations to roof (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 external alteration, extension or enlargement to the roofs of the dwelling/s hereby approved 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 accordance with Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**11. 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 dwelling(s) 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 amenities of the surrounding area and residents in accordance with Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**12. Wildlife Protection and Enhancement (Pre-commencement)**

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

(a) a statement in writing from the licensed bat ecologist to the effect that he/she does not consider that the specified development will require a licence; or

(b) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead.

(c) An Beaumaris Woodstone Bat Box to provide a suitable alternative roosting location, to accommodate any discovered bat(s), will 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. Any such box will be maintained in-situ thereafter. Photographs showing their installation will be submitted to the Local Planning Authority.

(d) Construction operatives shall be inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction shall be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk.

(e) Works potentially affecting bats shall then proceed under the supervision of the licensed bat ecologist.

(f) A loft space suitable lesser horseshoe & long-eared bats; roosting features suitable for pipistrelle & myotis species; and roosting features suitable for serotine bats will be provided in the design of the buildings. The Location of roosts entrances and internal details will be set out in the design. Any areas that are accessible to bats must be lined with traditional black bitumen felt (type 1F) to avoid the risk of entanglement of bats. A scheme must be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The roosts will be implemented in strict accordance with the agreed scheme and maintained for the exclusive use of bats thereafter.

All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and 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).

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

No removal of trees, hedges, shrubs or demolition of buildings or structures shall take place between 1st March and 30th September inclusive, 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 removal of trees, hedges, shrubs or demolition of buildings or structures shall take place between 1st March and 30th September inclusive other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and prevent ecological harm in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

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

Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), 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 (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. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. Lux levels should be below 0.5 Lux on the identified horseshoe bat commuting routes. 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 policy DP5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**15. Provision for Swallows (Bespoke Trigger)**

Within 3 months of the commencement of development a scheme for provision for nesting swallows shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide full details of the provision, for example within a structure providing shelter, such as an open fronted log store with the provision of 4 artificial nest cups within or bespoke box attached to a north facing wall. The approved scheme will be implemented in full and retained thereafter.

Reason: To protect nesting birds and prevent ecological harm in accordance with DP5 of the Mendip District Local Plan Part I: Strategy & Policies 2006-2029 (Adopted 2014) and in accordance with Government policy for the maintenance of biodiversity as set out in the National Planning Policy Framework (174d).

**16. Badger Survey (Pre-commencement)**

Within six weeks of vegetative clearance or groundworks commencing, a survey for badger setts will be carried out by an experienced ecologist. The results of these surveys will be reported to Local Planning Authority and subsequent actions or mitigation agreed in writing prior to the commencement of vegetative clearance or groundworks. Where a Natural England licence is required a copy will be submitted to the Local Planning Authority prior to works affecting the badger resting place commencing.

Reason: This condition must be a pre-commencement condition to safeguard badgers from the outset of the development, to comply with the Protection of Badgers Act 1992 and in

accordance with policy DP5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**17. Biodiversity Enhancement (Net Gain) (Pre-occupation)**

No occupation shall commence until the following have been installed within the application site:

A. Four Schwegler 1SP Sparrow terraces or similar at least one metre apart directly under the eaves and away from windows on the north elevations (2x on each dwelling)

B. Two nest boxes suitable for stock doves erected on the north elevation of tree's

C. Two bee bricks built into the wall about 1 metre above ground level on the south or southeast elevation of the dwellings Please note bee bricks attract solitary bees which do not sting. (1x on each dwelling)

D. Tree and native shrub planting; All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native. All new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

E. Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework, and the Draft Environment (Principles and Governance) Bill 2018 and in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

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

Prior to occupation of the dwellings, 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).

**19. Bicycle Storage (Pre-occupation)**

No occupation of the dwellings shall take place until details of access to a covered bicycle storage area is provided showing numbers and spaces to be provided has been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of cycling in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

**Informative(s):**

**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.

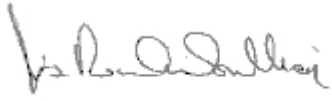
Please note all conditions should be read fully as these headings are intended as a guide only.

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 116GBP per request (or 34GBP 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](http://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. Due to the present use of the site as a farm, a watching brief should be kept for potential hotspots of contamination and assess for visual/olfactory evidence of contamination during any groundworks.  
If any unforeseen contamination is found during excavations Environmental Health must be notified immediately. This may include obvious visual or olfactory residues, asbestos including asbestos containing materials such as roofing, buried drums, drains, interceptors, additional fuel storage tanks or any other unexpected hazards that may be discovered during site works.
6. Please note in regards to submitting details in order to discharge condition 12 that modern roofing membranes will not be permitted in areas which are accessible to bats. [Any timbers that are to be retained and requiring remedial timber treatment should only be treated with 'bat friendly' chemicals (see <https://www.gov.uk/guidance/bat-roostsuse-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>)]

Date of Decision: 13 December 2022



Julie Reader-Sullivan  
Head of Service Planning and Growth

## NOTES

### APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or to approve it subject to conditions, you may appeal to the Secretary of State under Section 78 and 79 of The Town and Country Planning Act 1990, Section 20 of The Planning (Listed Building and Conservation Area) Act 1990 or Regulation 15 of The Town and Country Planning (Control of Advertisements) Regulations 1992.

- You must appeal within 6 months of the date on the decision notice (12 weeks for Householder applications, 8 weeks for Advertisement consent)
- Appeals must be made using a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at: <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

### PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990 and/or Section 32 of The Planning (Listed Building and Conservation Area) Act 1990.

### COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990, Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in respect of Tree Preservation Orders, Section 203 of The Town and Country Planning Act 1990.

### NOTES IN RESPECT OF ALL APPLICATIONS

- Although Planning Permission or Advertisement Consent may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building, Listed Building Consent may also be required before work commences.
- If Planning Permission has been granted for the development, should this involve any work within the highway such as the construction of a vehicular access, the consent of the County Council, as Highway Authority should also be obtained - <https://www.somerset.gov.uk/roads-and-transport/>
- This permission does not authorise you to stop up or divert a public right of way to enable the development permitted to be carried out. Separate legal steps are necessary for this and further information can be obtained from: <https://www.somerset.gov.uk/waste-planning-and-land/public-rights-of-way/>
- If planning permission has been granted for development involving the creation of one or more properties needing new addresses you will need to contact the Street Naming and Numbering department, Mendip District Council, for assignment of the official address/es. Details are available at [www.mendip.gov.uk/snn](http://www.mendip.gov.uk/snn)



