



Customer Services
Cannards Grave Road, Shepton Mallet, Somerset BA4 5BT
Telephone: 0300 303 8588 Fax: 01749 344050
Email: customerservices@mendip.gov.uk
www.mendip.gov.uk

Mr O Hill
7 Nightingale Way
Mendip Green
Radstock
BA3 4NL

Mr and Mrs S Hathway
1-2 Broadway Cottages
Broadway
Chilcompton
Radstock
BA3 4RY

Application Number: 2020/2433/FUL
Date of Application: 17th December 2020
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 17th December 2020 subject to conditions hereunder stated.

Proposal: Erection of a single storey side and rear extension, and new holiday let/annexe.
Location: 1-2 Broadway Cottages Broadway Chilcompton Radstock BA3 4RY
Parish: Chilcompton 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), DP7 (Design and amenity), DP9 (transport), DP10 (parking) 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 permissions.

2. **Plans List (Compliance)**
This decision relates to the following drawings: 078/001 and 100D. ,
Reason: To define the terms and extent of the permission.

3. **Materials (Compliance)**
The development hereby approved shall be carried out using external facing and roofing materials as specified on the application form.
Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **Ancillary Use - Residential (Compliance)**
The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 - 2 Broadway Cottages, Broadway, Chilcompton as annexe or holiday let accommodation and shall not be occupied as an independent dwelling unit.
Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers contrary to Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

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. Before commencing any works to trees, please note that, under the provisions of the Wildlife & Countryside Act of 1981, between the 1st MARCH to 31st AUGUST, no works should be undertaken to trees which would result in disturbance or loss of habitat of nesting birds. Contravention of the Act is a criminal offence. It should also be noted that bats and their habitats are protected by law and if bats are found to be present in the trees works should immediately cease until specialist advice has been obtained from Natural England.
5. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted

alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority



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 19th January 2021