

21<sup>st</sup> December 2023  
Delivered by email

Planning and Development  
Mid-Devo Council  
Phoenix House  
Phoenix Lane  
Tiverton EX16 6PP

Ref: ZEDA3001

Dear Sir / Madam

LPA REF. 23/00118/MFUL – LAND AT SCHOOL CLOSE, BAMPTON – RESPONSE TO VALIDATION QUERIES

We are writing on behalf of the Applicant, Zed Pods Limited (“ZedPods”), in respect of the full planning application at Land at School Close, Bampton (Planning Ref.23/0118/MFUL). The application was deemed invalid by the Council (as set out in letter dated 20<sup>th</sup> January 2023) for the following reasons:

- Due to the absence of the additional emergence surveys and reptile surveys – these have been conducted and the survey results are now enclosed within the submission. Whilst evidence of bats and slow worms have been found on parts of the site, the enclosed report confirms that appropriate bat and reptile mitigation can be secured via suitably worded planning conditions (including that a Licence from Natural England will be obtained prior to works commencing on site in relation to bats).
- Requested minor amendments to the submitted site location plan to ensure that it shows a continuous red line - this is shown on the updated plan now enclosed;
- Requested amends to the Site Waste Audit statement to be more specific to the development – please find an updated version enclosed;
- Requested that the landscaping plans are issued in PDF format – please find these enclosed;
- Required Blocks 2 and 3 to be shown in their entirety, showing the whole roof – this is now corrected and the updated Block Plans are now enclosed.

Please find enclosed the requisite information (as summarised above) to address the comments raised and to enable to application to be validated. In addition to addressing the validation queries, some minor updates have been made to the proposed development plans as summarised in the relevant section in this letter. This letter should be read alongside the Planning Statement originally submitted with the application, providing updated assessment where relevant.

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We would be grateful if the documents enclosed and as set out in the table below can please supersede and replace any previous versions that the Council has on record:

[Table 1 – 23/00118/MFUL – Updated Application Documents](#)

Document / Drawing Title	Author	Original Application Reference	Updated Reference (Where Relevant / Superseding Original Version)
Application Form	Turley (on behalf of ZedPods)	PP-11721420	N/A – Original version remains up to date.
CIL Form	Turley (on behalf of ZedPods)	N/A	N/A - Original version remains up to date.
<b>Drawings / Plans</b>			
Site Location Plan	ZedPods	Z27-ZP-A1-00-DR-A-001-S01-P01	Z27-ZP-A1-00-DR-A-001- S01-P03 Rev. P03
Existing Site Plan	ZedPods	Z27-ZP-A1-00-DR-A-002-S01-P01	Z27-ZP-A1-00-DR-A-002- S01-P03 Rev. P03
Existing Site Sections	ZedPods	Z27-ZP-A1-XX-DR-A-020-S01-P01	Z27-ZP-A1-00-DR-A-003-S01-P03 Rev. P03
Existing Site Elevations	ZedPods	Z27-ZP-A1-XX-DR-A-010-S01-P01	Z27-ZP-A1-00-DR-A-004-S01-P02 Rev. P03
Existing Landscaping	ZedPods	Z27-ZP-A1-XX-DR-A-005-S01-P02	Z27-ZP-A1-00-DR-A-005-S01-P03 Rev. P03
Proposed Site Plan	ZedPods	Z27-ZP-A1-XX-DR-A-101-S01-P01	Z27-ZP-A1-00-DR-A-010-S01-P03 Rev. P03
Proposed Ground Floor Plan	ZedPods	Z27-ZP-A1-00-DR-A-102-S01-P01	Z27-ZP-A1-00-DR-A-011- S01-P03 Rev. P03
Proposed First Floor Plan	ZedPods	Z27-ZP-A1-01-DR-A-103-S01-P01	Z27-ZP-A1-01-DR-A-012- S01-P03 Rev. P03
Proposed Roof Plan	ZedPods	Z27-ZP-A1-02-DR-A-104-S01-P01	Z27-ZP-A1-02-DR-A-013-S01-P03 Rev. P03
Proposed Unit Plan 01	ZedPods	Z27-ZP-A1-XX-DR-A-040-S01-P01	Z27-ZP-A1-XX-DR-A-040- S01-P03 Rev. P03
Proposed Unit Plan 02	ZedPods	Z27-ZP-A1-XX-DR-A-041-S01-P01	Z27-ZP-A1-XX-DR-A-041- S01-P03 Rev. P03
Proposed Unit Plan 03	ZedPods	Z27-ZP-A1-XX-DR-A-042-S01-P01	Z27-ZP-A1-XX-DR-A-042- S01-P03 Rev. P03
Proposed Unit Plan 04	ZedPods	Z27-ZP-A1-XX-DR-A-043-S01-P01	Z27-ZP-A1-XX-DR-A-043- S01-P03 Rev. P03
Proposed M4(2) Compliance	ZedPods	Z27-ZP-A1-XX-DR-A-101-S01-P01	Z27-ZP-A1-XX-DR-A-060- S01-P03 Rev. P03

Proposed Block Plan 1	ZedPods	Z27-ZP-B1-XX-DR-A-110-S01-P01	Z27-ZP-B1-XX-DR-A-014- S01-P03 Rev. P03
Proposed Block Plan 1 – Elevations	ZedPods	Z27-ZP-B1-XX-DR-A-221-S01-P01	Z27-ZP-B1-XX-DR-A-021- S01-P03 Rev. P03
Proposed Block Plan 2	ZedPods	Z27-ZP-B2-XX-DR-A-111-S01-P01-	Z27-ZP-B2-XX-DR-A-015- S01-P03 Rev. P03
Proposed Block Plan 2 Elevations	ZedPods	Z27-ZP-B2-XX-DR-A-222-S01-P01	Z27-ZP-B2-XX-DR-A-022- S01-P03 Rev. P03
Proposed Block Plan 3	ZedPods	Z27-ZP-B3-XX-DR-A-112-S01-P01	Z27-ZP-B3-XX-DR-A-016- S01-P03 Rev. P03
Proposed Block Plan 3 – Elevations	ZedPods	Z27-ZP-B3-XX-DR-A-223-S01-P01	Z27-ZP-B3-XX-DR-A-023- S01-P03 Rev. P03
Proposed Block Plan 4	ZedPods	Z27-ZP-B3-XX-DR-A-113-S01-P01	Z27-ZP-B4-XX-DR-A-017- S01-P03 Rev. P03
Proposed Block Plan 4 – Elevations	ZedPods	Z27-ZP-B4-XX-DR-A-224-S01-P01	Z27-ZP-B4-XX-DR-A-024- S01-P03 Rev. P03
Proposed Block Plan 5	ZedPods	Z27-ZP-B4-XX-DR-A-114-S01-P01	Z27-ZP-B4-XX-DR-A-018- S01-P03 Rev. P03
Proposed Block Plan 5 - 01	ZedPods	Z27-ZP-B5-XX-DR-A-115-S01-P01-	27-ZP-B4-XX-DR-A-019- S01-P03 Rev. P03
Proposed Block Plan 5 – 01 Elevations	ZedPods	Z27-ZP-B5-XX-DR-A-226-S01-P01	Z27-ZP-B4-XX-DR-A-026-S01-P03 Rev. P03
Proposed Block Plan 5 – Elevations	ZedPods	Z27-ZP-B5-XX-DR-A-225-S01-P01	Z27-ZP-B4-XX-DR-A-025- S01-P03 Rev. P03
Proposed Site Elevation	ZedPods	N/A	Z27-ZP-A1-XX-DR-A-020-S01-P02 Rev. P02
Proposed Sewer Redirection	ZedPods	N/A	Z27-ZP-A1-XX-DR-A-027-S01-P01 Rev. P01
Proposed Site Section	ZedPods	N/A	Z27-ZP-A1-XX-DR-A-030- S01-P03 Rev. P03
Proposed Landscaping	ZedPods	Z27-ZP-A1-XX-DR-A-050-S01- P02	Z27-ZP-A1-XX-DR-A-050- S01-P03 Rev. P03
Topographical and Utility Survey	Clifton Surveys	989/5521/z27	N/A – Original document remains up- to-date.
<b>Technical Reports and Documents</b>			
Planning and Affordable Housing Statement	Turley	N/A	N/A – Original version remains up to date.
Design and Access Statement (Part 1	ZedPods	N/A	Rev. P01 - Updated to accord with minor design changes.

and Part 2)			
Site Waste Audit Statement	ZedPods	N/A	N/A - New information now enclosed to enable validation.
Heritage Assessment	Cotswold Archaeology	N/A	Issue No. 1 - Updated to accord with minor design changes.
Transport Statement	Via Solutions	N/A	N/A
Preliminary Ecological Appraisal and Preliminary Roost Assessment	Arbtech	Issue No. 2	N/A - Original version remains up to date.
Bat Emergency Survey	Western Ecology	N/A	WOR-3720 - Updated Information now enclosed to enable validation.
Reptile Surveys		N/A	WOR4240 - Updated Information now enclosed to enable validation.
Devon Wildlife Trigger Table	Arbtech	N/A	N/A - Original document remains up- to-date.
Tree Survey and Report	Arbtech	N/A	N/A
Flood Risk Assessment (with indicative Drainage Strategy at Appendix J)	Delta Simons	N/A	N/A
Phase 1 - Ground Investigation Desk Study	Structa	N/A	N/A
Underground Utilities Scan and Desktop Survey	Groundwise Searches Ltd	N/A	N/A - Original version remains up to date.
Biodiversity Net Gain Report	Arbtech	N/A	N/A
Biodiversity Net Gain Metric Data	Arbtech	N/A	N/A
Energy & Sustainability Statement	ZedPods	N/A	N/A - Original version remains up to date.

Climate Emergency Checklist	Turley on behalf of ZedPods	N/A	N/A
Letter of Reliance	Arbtech	N/A	N/A

## Minor Design Changes

Since the original submission of the application, ZedPods have made minor updates to the proposed architectural design as summarised below:

- Further landscaping features are now proposed to maximise ecological enhancements. Please see enclosed the original Biodiversity Net Gain Assessment (dated January 2023) which was prepared based on the originally submitted 'Proposed Landscaping Plan' (Drawing no. Z27-ZP-A1-XX-DR-A-050- S01- P02). Please note that these are currently being updated to ensure the proposals are in excess of the 10% Net Gain. Further landscaping features are proposed, including the addition of trees and increased perennial planting with mixed scrub. We will endeavour to submit the updated documents as soon as possible,
- The proposed roof height has been decreased very slightly compared to the originally submitted plans.
- Following submission, further discussions took place with South West Water to identify a solution for an existing surface water and combined sewer identified on the site. In order to accommodate the sewer diversion on site, the terraced block on the southern most portion of the site has been moved slightly further south by 3m. This has resulted in the private rear gardens now being located to the north of the properties instead and a minor reduction in the separation distance (from 19.29m to 18.54m) to properties at 5-6 School Close. This will still ensure an adequate setback is achieved between properties and will not result in any significant impacts on amenity of existing neighbours or future tenants. The submitted Heritage Impact Assessment confirms that the proposals would not significantly change the local setting and as such would result in no harm to the significance of any heritages assets or the surrounding Conservation Area.
- The provision of Electric charging bays has increased from 1no to 4no bays and now comprises of 5% of the overall car parking provision. This provision exceeds the Local Planning Policy DM5 (Parking) requirements of 1 charging point per 10 residential dwellings.

The enclosed suite of technical documents have been updated to factor in the minor changes above. This includes the Design and Access Statement, Biodiversity Net Gain results, the Flood Risk Assessment and Drainage Strategy and Heritage Statement. Other technical documentation conclusions remain unchanged by the minor design changes above.

The proposed development will replace the existing housing on-site to provide high quality, sustainable new homes for those identified as in need on the register, making efficient use of the site to increase the number of homes from 10 to 18. The proposals accord with all relevant national and local planning policy (including within the Mid-Devon Local Plan Local Plan Policy S1 and S13) which support residential development within the proposed location and this was agreed with the Council during pre-application discussions. The site has access to existing public transport in the area and is within walking / cycling distance to local services and facilities within the village of Bampton. The proposed development will lead to substantial public benefits that would outweigh any limited harm to the Conservation Area and

its setting. The enclosed updated technical assessments demonstrate that the proposals can come forward. There is a clear presumption in favour of sustainable development which is exhibited throughout the NPPF and local planning policy.

## Ecology (Protected Species Survey Results)

### Bat Emergence Surveys

A Preliminary Ecological Appraisal and bat roost assessment were conducted by Arbtech and submitted with the application in January 2023. These recommended that three bat emergence surveys should be conducted. This was subsequently considered to be a validation requirement by the Council.

The three bat emergence surveys were conducted by Western Ecology over the 2023 summer season and identified evidence of bats within one building (B2 on site). Accordingly, works will be carried out between April and October to avoid key months for brown long-eared bat hibernation season and the following mitigation Licence from Natural England will need to be maintained prior to development commencing.

- Alternative temporary roosting boxes will be provided for the bat species found (four Vincent Pro Bat boxes) and are proposed in the garden area of B2;
- New roosting provision will require provision of 4 Green and Blue Bat Block bricks or similar (which can be installed in the external walls of buildings on NW and SE elevations) – details to be secured via a planning condition.
- A sensitive lighting scheme will be required (and can be secured via a planning condition).
- An Ecological Watching Brief will be required prior to any works start on site.

### Reptile Survey

A reptile survey was undertaken by Western Ecology in the required season over the summer in 2023. Sixteen artificial reptile refugia were placed on the site in early July 2023 and inspected on seven occasions between 24<sup>th</sup> July and 8<sup>th</sup> September 2023 and adjacent areas were searched for basking or feeding reptiles.

The survey found slow worms to be present on the site and accordingly further mitigation will be required. This includes the translocation of the slow worm population out of the development site prior to the commencement of works. Further site visits will need to take place until no further evidence of the species on the site is confirmed. The Applicant is now considering the detailed mitigation required with their advisors at Western Ecology.

We consider that the information provided is sufficient to enable the application to be validated and the mitigation above can be secured via suitably worded planning conditions.

## Summary

We trust that the enclosed information is sufficient to enable the application to be validated. We look forward to receiving confirmation of this however please do not hesitate to contact me should you require any further information or have any queries.

Yours sincerely



Elizabeth Lawrence  
Assistant Planner

