

**Town and Country Planning Act 1990 (As Amended)**

Somerset Council hereby **GRANT PERMISSION** in respect of the application of: This is Gravity LTD as described in the plans and particulars received on 19/01/23

**PARISH:** Puriton

**PROPOSAL:** Formation of pedestrian, cycle route and outdoor gym equipment, including landscaping and associated infrastructure.

**LOCATION:** Land At, Gravity, Woolavington Road, Puriton, Bridgwater, Somerset, TA7

**PERMISSION IS GRANTED SUBJECT TO THE FOLLOWING CONDITION(S):**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 ( as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid/reduce impacts to species and habitats of concern as highlighted in the Ecological Assessment prepared by Ecology Solutions Ltd (December of 2022)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 4 Replacement habitat will be planted no later than the end of the first planting season following commencement of the development hereby approved, in accordance with details of its layout and a planting schedule for the habitat creation will shall have been previously submitted to and agreed with the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 5 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, prior to construction. 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 potential bat commuting routes (hedgerows). 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. No other external lighting shall 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 Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 6 The following biodiversity enhancements shall be installed within the site prior to the first use of the route hereby approved:
- a) 5x bird nesting boxes situated on a mature tree at a height above 3m. The ideal position for bird boxes is north facing (followed by north-east, and then east if no other aspects are possible. Under no circumstances should south or west elevations be used, and boxes aimed at different species should be spaced at least 2m apart.
  - b) 2x Beaumaris Woodstone maxi bat box or similar mounted at least 4m above ground on either the south or west facing elevations, and boxes aimed at different species should be spaced at least 2m apart.
  - c) Installation of at least one insect hotel (National Trust Apex insect House or similar), to be installed appropriately and positioned at the correct orientation e.g., within one of the hedgerows.

Once installed, the biodiversity enhancements shall thereafter be retained.

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 policy D20 of the Sedgemoor Local Plan 2011-2032.

Dated: 02/05/2023

*Mickey Green*

Executive Director Climate and Place

Address: Somerset Council, County Hall, Taunton, Somerset TA1 4DY

This decision has been issued by Somerset Planning - North Team, please contact them directly if you have any enquires regarding this decision.

**Schedule A** - this decision is made in accordance with the following plans and documents

Location Plan Drg No. P01

Cycle & Footpath Alignment Drg No. 20-24-201

Engineering Layout Sheet Drg No. 43444/2025/122 Rev. D

Engineering Layout Sheet Drg No. 43444/2025/123 Rev. D

Engineering Layout Sheet Drg No. 43444/2025/124 Rev. A

Foot Cycleway Long Sections Drg No. 43444/2025/161 Rev. C

Foot Cycleway Long Sections Drg No. 43444/2025/162 Rev. B

Foot Cycleway Long Sections Drg No. 43444/2025/163

Standard Details Drg No. 43444/2025/SD01 Rev. A

A fee is payable from 1st September 2008 where a written request is made for the discharge or compliance with one or more conditions on the same permission. The fee is payable for each request and not for each condition. If when the development has been completed you apply for confirmation of compliance with a condition or conditions then a separate fee will also be payable. Please see the Somerset Council website <https://www.somerset.gov.uk/planning-buildings-and-land/> for more detailed information.

Site Notice - The Local Planning Authority is required to erect a Site Notice on or near the application site to advertise the 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.

### **Note(s) to Applicants:**

#### **Statement of Proactive Working**

This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35 (2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, the Local Planning Authority has endeavoured to work proactively in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.

### **ADVISORY NOTES**

#### **1. Other Consents**

This **planning permission** certificate relates solely to the planning application submitted (including any amendments) and it may be necessary for other consents to be obtained, such as

- **Building Regulations Approval**

Advice may be obtained from Somerset Building Control on 0300 303 7790 or by email at [BuildingControl@somerset.gov.uk](mailto:BuildingControl@somerset.gov.uk)

- **Works to the Highway**

For any work connected with the development that takes place within or immediately adjacent to a public highway, including footpaths and verges, piping of ditches, construction of waiting bays, the appropriate section within Somerset County Council must be consulted. The address is Roads and Transport, Environment Directorate, Somerset County Council, County Hall, The Crescent, Taunton, Somerset TA1 4DY. Telephone No. 0300 123 2224. E-mail: [roadsandtransport@somerset.gov.uk](mailto:roadsandtransport@somerset.gov.uk). Alternatively access the County's Web Site [www.somerset.gov.uk](http://www.somerset.gov.uk) for further information.

- **Septic Tank Drainage**

Any discharge from a septic tank may require a separate consent from the Environment Agency, Rivers House, East Quay, Bridgwater, TA6 4YS. Telephone No. 01278 454669 or access their web site [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

- **Consent to Stop or Divert a Public Right of Way**

This permission does not authorise you to stop up or divert a public right of way in order to enable the development to be carried out. Separate consent will be necessary for this. Advice can be obtained from Rights of Way, Somerset Council, Bridgwater House, King Square, Bridgwater, Somerset, TA6 3AR. Telephone No. 0300 123 224.

- **Caravans**

This planning certificate does not permit the occupation of a caravan and it is unlawful for the site to be used for human habitation unless a licence has been obtained. Advice can be obtained from Environmental Health on 0300 123 2224 or [EnvironmentalHealth.Sedgemoor@Somerset.gov.uk](mailto:EnvironmentalHealth.Sedgemoor@Somerset.gov.uk)

Please be aware for any new buildings or where there are significant alterations to existing buildings you may require a new or amended postal address. Please visit <https://www.somerset.gov.uk/planning-buildings-and-land/street-naming-and-numbering/?district=Sedgemoor> or call 0300 123 2224 for further information, including the fees payable and how to apply.

## **2. Floor Levels**

Any new building(s) shall be constructed with a floor level not more than 300mm above original site level unless otherwise specified in the submitted plans.

## **3. Appeals**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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.