



Appeal Decision

Site visit made on 6 August 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal Ref: APP/E3335/W/24/3342358

Land Rear of Council Offices, Churchfield, Wincanton, Somerset BA9 9AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Shepherd (Arlington (Wincanton) Ltd) against the decision of Somerset Council.
 - The application Ref is 22/03341/FUL.
 - The development proposed is the construction of 4 residential properties, alteration to parking layout and formation of new access.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of 4 residential properties, alteration to parking layout and formation of new access at Council Offices, Wincanton, Somerset BA9 9AG in accordance with the terms of the application, Ref 22/03341/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Mr A Shepherd (Arlington (Wincanton) Ltd) against Somerset Council. This application is the subject of a separate decision.

Background and Main Issues

3. The proposal is part-retrospective in nature, as I saw during my site visit that the vehicular access and parking area south of Churchfield was constructed and in use. I have determined the appeal on this basis.
4. The single reason for refusal in the decision notice refers to overdevelopment and the Local Planning Authority's (LPA) appeal submission clarifies that this relates to an insufficient level of proposed parking provision. The Council's Conservation Officer also raised an objection in consultation, and the officer report also identifies a level of harm to the Wincanton Conservation Area (CA). The setting of other surrounding heritage assets may also be affected. Having regard to the statutory duties of Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, along with the third-party representations received, the main issues are:
 - the effect of the proposed development on the parking provision of the appeal site and the surrounding area; and

- the effect of the proposed development on the character and appearance of the Wincanton Conservation Area and the setting of surrounding heritage assets.

Reasons

Parking provision

5. The appeal site comprises grounds and land encompassing a large building known as Churchfield, close to Wincanton town centre. This building is of Victorian-era, originally used as a rectory and then as Council offices with car park. It has been recently converted to residential use through a prior approval procedure¹, providing 15 units. The flats are occupied and are provided with marked parking bays. There is a vehicular access to the west off the Churchfields cul-de-sac, which mainly contains semi-detached dwellings and a public car park immediately alongside the appeal site. The new additional access to the site is to the south and adjacent the cul-de-sac turning head.
6. Wincanton is defined as a Primary Market Town by Policy SS1 of the South Somerset Local Plan (2015) (SSLP). It states that provision will be made for housing within these settlements to increase their self-containment and enhance their roles as service centres. SSLP Policies TA5 and TA6 require, amongst other things, parking provision in new development at levels appropriate to the development and its location, in accordance with the parking standards of the Somerset County Council Parking Strategy (2013) (SCCPS).
7. The current proposal would provide four dwellings towards the east of the site, and would replace an existing rectangular area of 18 parking spaces. New parking spaces would be provided in front of these dwellings. When combined with the parking provision provided off the western and southern site accesses, a total of 22 parking spaces would serve the four proposed dwellings and the 15 flats within the converted Churchfield building. The approved Churchfield scheme included utilising its pre-existing car park area to provide 26 vehicle spaces for its residential occupiers. The proposal would therefore result in a net loss of four parking spaces and a net gain of four dwellings.
8. There is no evidence before me that the proposed parking spaces would be allocated for specific residential units, or that they would include visitor parking. I have therefore determined the appeal on this basis.
9. The LPA states that the standards set by the SCCPS require the proposal to be provided with at least 31 on-site spaces, nine beyond what is proposed. The SCCPS advises that its standards are optimum standards, rather than maximum or minimum, and that the level of parking they specify should be provided unless specific local circumstances can justify deviating from them. Developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision.
10. Churchfields is a narrow road with unrestricted parking, although its long bend with private driveways appears to somewhat restrict the extent of roadside parking in practice. I still observed some vehicles parked along the road, mostly at the cul-de-sac turning head. There are also spaces provided along a

¹ LPA Ref: 22/01991/P3MA

linear surfaced area created within the verge towards the end of the cul-de-sac. Several of these spaces were free at the time of my visit.

11. I also observed some vehicles parked on the smaller area of grass verge adjacent the southern boundary of the appeal site, which is purported to have involved a loss of parking previously available for Churchfields residents. Some dwellings along Churchfields do not have the ability to create driveways due to their frontage layouts, and the southern access may restrict the ability for the adjacent dwellings to create driveways. Representations also state that the parking area created within the surfaced area within the verge was provided by the Council for existing Churchfields residents who have no access to any parking space, and already some of these spaces are being taken by cars from the new flats.
12. Churchfields public car park also appears well-used. I observed vehicles exiting and entering and there were not many empty parking spaces. This car park is free to use, but it is subject to a 24hr limit which restricts more long-term use.
13. I observed most but not all the nearby on-street and public parking spaces to be occupied, although my visit was only a snapshot in time and during an off-peak period. A number of representations have raised issues regarding the existing parking pressures experienced within and around Churchfields, especially school pick up/drop off times and when everyone is home from work. Neighbours also state that the public car park is often full in the evenings, including commercial vehicles.
14. There is a public footpath opposite the southern appeal site access, linking the Churchfields cul-de-sac to a local primary school. The proposal site is also within a short, safe and convenient walk to the town centre via other footpaths, where there is a good variety of shops and services. Although there is no rail station in the town and the bus service does not serve every nearby settlement, this location near the town centre is not an area that necessitates car ownership to meet day-to-day needs. The proposed dwellings comprise two 2-bed units and two 3-bed units and are of modest size, which would somewhat temper the level of parking demand. Future residents of the proposed development would also likely be aware that off-street parking may not always be guaranteed.
15. The SCCPS standards forms optimum guidance only and allows for flexibility to account for more sustainable locations such as the appeal site. The submitted evidence and my site observations indicate a noticeable degree of parking demand in the immediate area. However, the extent of shortfall below the optimum SCCPS level is appropriate for the site and the proposal's characteristics, location and accessibility level, and would not result in any detrimental impact in terms of safety or living conditions of nearby residents. The Churchfield car park could be used by visitors, albeit temporarily, but such users could also visit the town centre within the same journey.
16. The proposed development and its surroundings would therefore be provided with an appropriate level of parking for its location. In this respect, the proposal complies with Policies TA5 and TA6 of the SSLP.
17. Neighbours also have concerns regarding increased traffic along the bend and the primary school walking route. The County Highway Authority raised no objection in consultation in respect of highway safety or capacity. The existing

layout and width of the Churchfields highway would naturally limit vehicle speeds, and the level of additional traffic generated by the accesses to the appeal site would not be so significant to lead to a detrimental safety issue or impact on resident's living conditions, or the character of the area.

Representations have suggested an alternative vehicle access alongside the pedestrian access from Churchfields car park, but I must, and have, assessed the current proposal on its own merits having regard to the submitted evidence and site-specific circumstances.

Heritage Assets

- Wincanton Conservation Area and Churchfield

18. The appeal site is within the Wincanton Conservation Area (CA) and its boundaries encapsulate a relatively large area across the town. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA. Having regard to the Wincanton Conservation Area Appraisal 2010 (WCAA) and my observations on site, the significance of the CA as a whole is derived from variations in local topography, important tree groups, numerous Listed Buildings and other historic details of interest.
19. The WCAA also includes the appeal site building² as an "unlisted building of individual design merit and/or group value" and describes it as an important landmark building, due to its large size, the extent of its fenestration detail and its trees and grounds. Although this building is now converted to residential use, many of its attractive elevational details have been retained. I therefore consider this building to form a non-designated heritage asset (NDHA).
20. The proposed dwellings would sit alongside Churchfield, but behind it when viewed from the western vehicular entrance. Views from other public vantage points would be more restricted, with the dwellings sited behind existing development. The dwellings are of modest design and scale and their appearance and layout also reads well having regard to the relatively secluded setting within the CA. I also note the comments of the Council's Conservation Officer stating that the proposal forms the least harmful way to provide the new dwellings at this site. However, less than substantial harm to the CA would still arise on account of the addition of new residential dwellings within the spacious grounds of Churchfield and near to the former rectory building. In a similar vein, some harm to the NDHA of Churchfield would also arise.
21. The proposal would require removal of one low-quality tree and most of the eastern hedge to facilitate the development. The arboricultural report advises that another tree near the western site entrance needs removal for management due to its poor condition. Four new trees are proposed, two of which will be direct replacements for recent tree loss. The tree and shrubbery loss would not harm the character and significance of the CA, as more prominent and larger trees and shrubs will be retained throughout the site.
22. The proposed dwellings would nonetheless fail to preserve the significance of the CA as a designated heritage asset. The CA is an important asset for the town, and I give this harm considerable importance and weight. Some harm to the setting of Churchfield as a NDHA would also arise. In this respect, the

² Referred as "Churchfields".

proposed development is contrary to Policy EQ3 of the SSLP which requires, amongst other things, proposals to safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets.

- Surrounding heritage assets

23. The nearest Listed Building (LB) to the proposal is the Grade II* LB forming No 7 (Priors House) and No 7a (Dental Surgery) Church Street³. The LB was originally a house of 15th Century origin and has since been altered to provide a commercial use. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 requires me to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The proposed dwellings would be of sufficient scale and separation distance, including other intervening buildings, such that it would not harm the special character of this LB, and would preserve the contribution that its setting makes to its significance.
24. When viewed from the western vehicular entrance, the dwellings would be read in the context of the Grade II LB forming the Roman Catholic Church and Presbytery of St Luke and St Teresa, South Street, sited in the background on higher ground level. This church is of late 19th Century origin and its prominent towers and western gable end are visible above the tree line beyond the appeal site. The proposed dwelling height would be commensurate with the ridgeline of the dwelling of Pococks Ground, which is visible amongst trees between the appeal site and the LB. The prominence and special character of the Listed church would therefore not be diminished or harmed by the proposal, which would preserve the contribution that its setting makes to its significance.

Other Matters

25. The site land level inclines to the east towards the properties beyond and declines towards Churchfields. Despite the land level changes, the proposed siting and separation distances are sufficient to protect living conditions of surrounding neighbours. The lack of consultation or communication with neighbours are matters between the neighbours and the Council. This, along with the part-retrospective nature of the proposal, has had no bearing on my determination of the appeal, which I have considered on its own planning merits.
26. The planning application form indicates that the appellant is the sole owner of the land to which the application relates. However, the red line of the site in the location plan appears to encompass the pathway to Nos 25 and 26 Churchfields adjacent the southern site access. The path access to these dwellings was available at the time of my site visit and there is no evidence before me to indicate that the proposal would hinder such access. The precise legal rights or location of accesses and site boundaries are not matters that can be considered under this appeal.
27. A representation has also raised the need for a disabled parking bay for one of these dwellings. Pedestrian access to the rear of this dwelling from the parking area of the appeal site was previously possible, but is now extinguished through a change of ownership. The current access route from the house is

³ Historic England Official List Entry Ref: 1238517

described as via a slippery slope and uneven pathway into the cul-de-sac turning circle, and on to a bumpy grassed area to gain access to the car.

28. The Public Sector Equality Duty contained in Section 149 of the Equality Act 2010 requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age or disability. The loss of the previous parking and access arrangement has already arisen from a change of land ownership and not directly from the appeal proposal. It is also possible to park nearby on the more even highway adjacent the footway, or on the communal parking area adjacent to the grassed area. I have insufficient evidence to demonstrate that the proposal would cause an adverse highway safety issue or a level of congestion in this area that would conflict with the above Duty. Allowing the appeal would be proportionate within these circumstances.

Heritage and Planning Balance

29. I have found that the proposal complies with Policies TA5 and TA6 of the SSLP in terms of parking provision and highway matters, but conflicts with Policy EQ3 of the SSLP in terms of its impact on the CA and the NDHA of Churchfield. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance as set out in the National Planning Policy Framework (the Framework). In light of this, the proposal conflicts with the development plan as a whole.
30. Paragraph 205 of the Framework states that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 states that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. I have found the harm to the CA to be less than substantial, but of considerable importance and weight. I have also found some harm to the setting of the NDHA of Churchfield. I am however satisfied that in the context of the provision of four new dwellings in a more secluded area of the appeal site, these harms have been minimised as much as possible.
31. Under such circumstances, paragraph 208 of the Framework states that this harm should be weighed against the public benefits of the proposal. Paragraph 209 states that in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
32. The proposal would provide modern, fit-for-purpose family accommodation. The LPA's Five-Year Housing Land Supply Paper published September 2024 for the former South Somerset District Council area sets out that this area has a housing land supply of 3.44 years with a predicted shortfall of 1,043 dwellings. Other evidence submitted indicates that there was also a housing land supply shortfall at the time the planning application was determined.
33. The Framework seeks to significantly boost the supply of housing provision, including through using small sites and suitable sites within existing settlements, and it also states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. I therefore attach very significant weight in favour of the provision of

four family dwellings within a sustainable and suitable brownfield location near to the town centre and its facilities and services. There would also be an associated beneficial impact for the local economy, through employment during the construction period and through new occupiers supporting local services, which is afforded limited positive weight.

34. Cumulatively, the above public benefits are of sufficient weight to outweigh the less than substantial harm to the significance of the CA as a designated heritage asset. Therefore, there would be no conflict with the historic environment protection policies in the Framework.
35. In the particular circumstances of this appeal, the benefits arising from the proposal would outweigh the harms I have identified to both the WCA and the setting of Churchfield as a NDHA, as well as the associated conflict with the policies in the development plan.

Conditions

36. I have considered the LPA's suggested conditions against the tests in the Framework and Planning Practice Guidance, and have amended their wording, where necessary. I agree that a condition specifying time limits for the development (condition 1) is necessary in the interests of planning certainty. Condition 2 is necessary to clarify the approved plan details. A detailed pre-commencement condition requiring agreement of external materials and boundaries (condition 3) is necessary, in the interests of the character and significance of the CA. A condition removing permitted development rights for dwelling enlargements, roof additions and alterations (condition 4) is necessary and reasonable, given the site's location in the CA and near to a NDHA and neighbouring dwellings.
37. Condition 5 is necessary in the interests of highway safety and capacity. The appellant has stated that the electricity substation serving the site has limited capacity, and I noted during my visit three electric vehicle charge points on the northern Churchfield elevation adjacent parking spaces. An additional bespoke condition is necessary (condition 6) to secure on-site electric vehicle charging facilities, in the interests of supporting and promoting sustainable travel modes. The wording of this condition could allow for potential consideration of passive electric vehicle charging facilities, if it can be demonstrated to the LPA's satisfaction that the electrical supply is unable to accommodate installation of active charge points at the time of provision.
38. Condition 7 is necessary to ensure that there is no increased flood risk. I have added a trigger point for the submission of surface water drainage details prior to commencement of development, to allow for proper consideration of the proposed drainage layout prior to any development works. I have deleted the suggested note regarding future maintenance and adoption of the layout, as it does not form the operative part of the condition. Neighbours have raised concern regarding damage to paths from works within the site and potential issues of instability to a historic wall adjoining the site. I have added reference to protection of neighbouring boundaries, walls and paths to the suggested construction management plan or method statement condition (condition 8), which is necessary in the interests of living conditions, highway safety and to protect the CA.

39. Interested parties have raised concerns regarding impact on wildlife. The County Ecologist however raised no objections, subject to conditions. Conditions 9-12 are necessary in the interests of ecology and biodiversity, including a Biodiversity Enhancement Plan. I have provided sequenced lettering (e.g.: a) – l)) for the requirements of conditions 8 and 12, in the interests of precision and clarity. I have also added an implementation clause to condition 12, to ensure that the agreed scheme is provided. Concerns have also been raised in respect of loss of trees and potential damage to tree roots. Conditions 13-14 secure appropriate new planting and tree protection measures as set out in the submitted arboricultural report, and are necessary in the interests of tree and landscape protection and the CA. As works involving the creation of the new car parking area have already commenced, I have amended the condition 14 trigger to “prior to commencement of further development”.

Conclusion

40. The proposed development would conflict with the development plan but material considerations, including the Framework and the benefits arising from the development, indicate that a decision should be made other than in accordance with it.

R Cahalane

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 9650/200 Rev Q Site Block and Location Plan
 - 9650/201 Rev F Units 1 + 2 Floor Plans and Elevations
 - 9650/202 Rev F Units 3 + 4 Floor Plans and Elevations
 - 9650/203 Rev D Section A-A + B-B
- 3) No work shall be carried out in relation to any of the below elements until particulars of that element have been submitted to and approved in writing by the Local Planning Authority:
 - a) materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
 - c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) all boundaries;
 - e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.
- 4) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:
 - a) Part 1, Class A (enlargements, improvements or other alterations);
 - b) Part 1 Class AA (enlargement of a dwellinghouse by construction of additional storeys)
 - c) Part 1, Class B (additions etc to the roof of a dwellinghouse);
 - d) Part 1, Class C (other roof alterations).
- 5) The development hereby permitted shall not be occupied until the parking spaces for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces

shall be kept clear of obstruction in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

- 6) The development hereby permitted shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority which provides for the installation of live or passive electric vehicle charging facilities to serve each dwelling. The option of passive charging provision will only be considered where it can be demonstrated that the electrical supply is unable to accommodate the installation of active points at the time of provision. The agreed scheme shall then be implemented prior to occupation.
- 7) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Such provision shall be installed prior to development above damp-proof course level and thereafter maintained in perpetuity.
- 8) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
 - a) 24 hour emergency contact number;
 - b) Hours of operation;
 - c) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - d) Routes for construction traffic;
 - e) Locations for loading/unloading and storage of plant, waste and construction materials;
 - f) Method of preventing mud being carried onto the highway;
 - g) Measures to protect vulnerable road users (cyclists and pedestrians);
 - h) Measures to protect neighbouring boundaries, walls and paths;
 - i) Any necessary temporary traffic management measures;
 - j) Arrangements for turning vehicles;
 - k) Arrangements to receive abnormal loads or unusually large vehicles;
 - l) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- 9) 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. No lighting should be directed toward the adjacent house, where the Serotine roost is located. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. 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.

- 10) No removal of hedgerows, trees, or scrub, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist accompanied by dated photos showing the site before and after clearance. In no circumstances should netting be used to exclude nesting birds.
- 11) Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brashings and cuttings removed, and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles/amphibians that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible.
- 12) A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to completion of the development. Photographs of the installed features shall also be submitted to the Local Planning Authority prior to use of the development and shall thereafter be fully implemented and maintained in accordance with the approved scheme. The content of the BEP shall include the following:
 - a) Habitat 001 bat boxes (or similar) will be incorporated into each dwelling, at least four metres above ground level and away from windows, on the south and/or west facing elevations.
 - b) Installation of 2 x Vivara Pro Woodstone Bird Boxes (a combination of open front design and 32mm hole versions) or similar mounted between 1.5m and 3m high on the northerly facing aspect of trees and maintained thereafter.
 - c) Installation of 2 x clusters of 3 x Schwegler 1as swift bricks (or similar) built into the dwellings at least 60cm apart, at least 4m above ground level, ensuring that there is an unobstructed access for birds to enter/leave

the box on the east and/or north facing elevations. Ideally, one cluster on units 1&2 and one cluster on units 3&4.

d) A bee brick built into the wall about 1 metre above ground level on the south or east elevation of each dwelling. Please note bee bricks attract solitary bees which do not sting.

e) 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" provides a list of suitable plants both native and non-native.

- 13) All planting and landscaping measures comprised in the approved planting and landscaping scheme (Doc Ref:23109- AA5- DC & Plan Ref: 23109- 5 dated 29th November 2023) must be carried out within the first available dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they must be replaced by the landowner/s within the next planting season with trees and shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.
- 14) Prior to commencement of further development, site vegetation clearance, demolition of existing structures, ground-works, the installation of hard surfacing, heavy machinery entering site or the on-site storage of materials, the pre-commencement requirements of the submitted scheme of tree protection measures (Ref:23109-AA5-DC & Plan Ref: 23109-5 dated 29th November 2023) must be installed and made ready for inspection by a competent Arboriculturalist who must confirm in-writing to the Council that the approved tree and hedgerow protection measures (in particular, the specialist engineering measures for the hard-surfacing, fencing, signage and ground-protection installations) are installed to a satisfactory standard (to comply with this planning condition, you will need to instruct your appointed Arboriculturalist to contact Somerset Council at planning@southsomerset.gov.uk - quoting Planning/DOC Reference: 22/03341/FUL). The approved specialist engineering measures and tree protection requirements must be implemented in accordance with the approved scheme throughout the duration of the construction of the development (inclusive of hard and soft landscaping measures) and may only be moved, removed or dismantled in-accordance with the terms of the approved scheme (Ref: 23109-AA5-DC & Plan Ref: 23109-5 dated 29th November 2023).

End of Schedule