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Northacre Renewable Energy Ltd
Wiltshire House
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Shrivenham Road
Swindon
SN1 2NR

Application Number: 2019/0519/FUL
Date of Application: 12th March 2019
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 12th March 2019 subject to conditions hereunder stated.

Proposal: Installation of an underground grid connection
Location: Start At Rodden Road Sub Station Frome To Border With Wiltshire Council
Parish: Frome Town 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 supports sustainable development objectives relating to energy generation/production.

The proposal will create economic benefits and support business development and growth.

The proposal, by reason of its design, scale, layout and landscaping would be in keeping with its surroundings and preserve the existing landscape setting.

The setting of designated heritage assets would be preserved.

The proposal would safeguard the amenities of neighbouring residents and adjoining land users.

The proposal makes adequate arrangements for the protection of biodiversity.

The proposal makes adequate arrangements for the protection of trees.

The proposal will not adversely add to flood risk.

The proposal will safeguard highway and pedestrian safety.

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 (Principle of Development), CP3 (Business Development and Growth), CP4 (Sustaining Rural Communities), CP5 (Encouraging Community Leadership), CP6 (Frome), DP1 (Local Identity), DP3 (Heritage), DP4 (Landscape), DP5 (Biodiversity), DP6 (Bats), DP7 (Design and amenity), DP8 (Environmental Protection), DP9 (Transport Impacts of New Development), DP18 (Safeguarding Corridors for Sustainable Travel) and DP23 (Flood Risk) of the Mendip District Local Plan 2006-2029 (Part 1 Strategies and Policies - adopted 15th December 2014)

National Planning Policy Framework

Planning Practice Guidance

Frome Neighbourhood Plan

Frome Design Statement

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 approved drawings and reports:

- Preliminary Ecological Appraisal (Project Ref. EP2018018AV3) dated 15th Feb 2019;
- Construction Environmental Management Plan (Document reference: 280915-DNOC-Northacre-CEMP Revision 05) Issued: February 2019;
- Frome to Westbury Cable Route Somerset and Wiltshire - Archaeological Desk Based Assessment (CA Project: 6687, CA Report: 18425) Final Issue: March 2019;
- Northacre Renewable Energy Preferred cable route as of 15/02/2019 (NRE_Route_r13);
- Northacre Renewable Energy Preferred cable route Sections 7 & 8;
- Northacre Renewable Energy Preferred cable route Sections 5 & 6;
- Northacre Renewable Energy Preferred cable route Sections R10 & R11;
- Northacre Renewable Energy Preferred cable route Section 15;
- Northacre Renewable Energy Preferred cable route Sections 12, 13 & 14;
- Northacre Renewable Energy Preferred cable route Sections 9 & 10;
- Northacre Renewable Energy Preferred cable route Sections 11.

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

3. **Archaeology - Watching Brief (Pre-commencement)**

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy DP3 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

4. Construction Management Plan (Compliance)

The development shall be carried out strictly in accordance with the specification (the 'Environmental Management System) set out in the Construction Environmental Management Plan (CEMP) by DNOG issued February 2019.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

5. Implementation of Ecological Appraisal (Compliance)

The development shall be carried out strictly in accordance with the recommendations of the Preliminary Ecological Appraisal dated 15/02/19.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme 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).

6. Hedgerow Management (Compliance)

Where the line of the approved cable crosses a hedgerow, no more than a 1m wide section of the hedgerow shall be removed; and within six months following completion of the works at any particular hedgerow, the removed section shall be re-planted with species compatible with the original hedgerow. The re-planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON: To ensure the protection of existing important landscape features in accordance with Policy DP1 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

NOTES

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 £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.

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. The Planning Authority is required to erect a Site Notice on or near the site to advertise 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.
5. No removal of buildings, structures, trees or shrubs shall take place between 1st March and 31st August unless an experienced ecologist has checked the Site for breeding/ nesting birds. If there is evidence of breeding birds the work must be delayed until the chicks have fledged or suitable working distances observed so as not to disturb the birds.
6. The applicant will be required to enter into a suitable agreements/ licenses with the Highway Authority to secure the construction of the works on the public highway as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Area Highway office Mendip - Glastonbury to progress any requirements this agreement well in advance of commencement of development.
7. Due to the present and former uses nearby the site it would be advisable to keep a watching brief 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.

NPPF s.179: Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.



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 3rd July 2019