



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

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Mr Nicholas Hiscox  
The Barn  
Grove Shute Farm  
Leigh-on-Mendip  
Radstock  
BA3 5QT

**Application Number:** 2019/2996/PAA  
**Please Reply To:** Mr Josh Cawsey  
**Decision Date:** 29th January 2020

**PRIOR APPROVAL DETERMINATION UNDER THE  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 (AS  
AMENDED)**

**Proposal:** Prior Approval for a proposed change of use of 2 No. agricultural buildings to 2 No. smaller and 2 No. larger dwellinghouses (Class C3) and for associated operational development.

**Location:** Yew Tree Farm Hembridge Road East Pennard Shepton Mallet Somerset

**Parish:** East Pennard Parish Council

**Applicant:** Mr Nicholas Hiscox

I refer to your application received on 10th December 2019.

The MENDIP DISTRICT COUNCIL has decided pursuant to the above legislation that the **PRIOR APPROVAL IS GIVEN** for the proposed development for the reason/s stated below.

## **REASON**

1. The proposal is development permitted by Class Q(a) and (b) of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 and the guidance contained within the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

Consideration has been given to transport and highway impacts, noise impacts, contamination risks, flooding risks, whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to residential use, and having regard for the design and external appearance of the building.

It is considered that prior approval is required for the change of use of the buildings and the proposed building operations necessary to convert the buildings to a use falling within Class C3 (dwellinghouse) of that schedule, and prior approval is given.

## **CONDITIONS**

### **1. Plans List (Compliance)**

This decision relates to the following drawings: 05, 06, 07, 08, 12 and 13 validated 10.12.2019 and 01A, 02A, 09A, 14A and 15A received 24.01.2020.

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

### **2. Removal of buildings (Pre-commencement)**

The development hereby approved shall not commence or be occupied until all the buildings and structures shown on drawing number Yew Tree-09A have been permanently removed from the site in accordance with the details shown.

Reason: To ensure the removal of the agricultural activities from the site in the interests of highway safety and amenity of the occupiers of the development hereby approved in accordance with Policies DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because it is essential to ensure that agricultural activities cease on the site in the interests of highway safety and amenity.

## 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](http://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. Due to \*\*\*\* a watching brief should be kept 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.



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 29th January 2020