



MENDIP DISTRICT COUNCIL

Cannards Grave Road Shepton Mallet Somerset BA4 5BT

Telephone 01749 343399 Fax: 01749 344050 Dx: 43001 Shepton Mallet

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING REF NO: 107965/000
DATE OF APPLICATION: 16 February 1999

PERMISSION FOR DEVELOPMENT

THE MENDIP DISTRICT COUNCIL, being the LOCAL PLANNING AUTHORITY for the said District, HEREBY GRANT PLANNING PERMISSION, in accordance with the submitted application and the accompanying plan(s), but subject to the conditions hereunder stated.

AGENT / APPLICANT

Mr N W H Begg
Planet House
Woodcock Street
Castle Cary
Somerset
BA7 7BC

APPLICANT

Messrs Neill Bros.
c/o The Towers
Stoney Stratton
Evercreech
Somerset
BA4 6EA

Proposal: Conversion of barn to holiday accommodation

Location: O.S. Plot 282, Broad Street, Stoney Stratton

Parish: Evercreech

CONDITIONS ATTACHED TO PERMISSION AND REASONS THEREFORE

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 and to avoid the accumulation of unimplemented planning permissions.

2. The development hereby approved shall be used for holiday accommodation purposes only, shall not be let to the same person(s) for more than 28 days in any calendar year with no return within the following 28 days, and shall not be occupied during the months of November, December, January and February.

Reason: The creation of a permanent residential use in this location would conflict with planning policy E8 of the Mendip District Local Plan Deposit Draft which seeks to secure commercial uses within redundant farm buildings, and due to its exposed location would lead to harm being caused to the character of the surrounding countryside during the winter months.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no enlargement or external alteration to the barn conversion hereby approved, or construction of free-standing buildings or structures within the curtilage of the property, without the prior written permission of the Local Planning Authority.

Reason: In the interests of the appearance of the development and of the amenity and character of the area.

NOTES IN RESPECT OF PLANNING APPLICATIONS

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders, and to any directions given under the orders.
2. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the metropolitan district, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

APPLICATIONS FOR LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT OR TO CARRY OUT WORKS TO TREES COVERED BY TREE PRESERVATION ORDERS

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent, Conservation Area Consent or consent to carry out works to trees covered by a Tree Preservation Order, or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 20 of the Planning (Listed Building and Conservation Area) Act 1990 within six months of the date of this notice. IN THE CASE OF TREE PRESERVATION ORDERS THIS PERIOD IS 28 DAYS. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
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3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable in respect of Tree Preservation Orders are set out in Section 203 of the Town and Country Planning Act 1990.
4. Where consent is given to demolish a Listed Building the applicant is advised that "Attention is drawn to Section 8 of the Planning (Listed Buildings and Conservation Area) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, 23 Savile Row, London W1 2HE and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it."

NOTES IN RESPECT OF ALL PLANNING APPLICATIONS

1. Although planning permission may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building, Listed Building Consent may also be required before work commences.
2. If planning permission has been granted for the development, please note that should this involve any work within the highway such as the construction of a vehicular access, the consent of the County Council, as Highway Authority, should also be obtained. Please contact W. S. Atkins SW, Highways East, Beardly Batch, Shepton Mallet BA4 4NB.
3. Where planning permission or Listed Building Consent has been granted, approval may be required under the Building Regulations before any work is commenced.
4. The relevant provisions of the Chronically Sick and Disabled Persons Act 1970 must be complied with.
5. The Code of Practice for Access for the Disabled to Buildings, if this permission will result in the provision of a building or premises as defined in Section 76 of the Town and Country Planning Act 1990, as amended, must be complied with.
6. Any approved development shall be carried out strictly in accordance with the detailed drawings and specification approved by the Local Planning Authority and any conditions upon which such approval is granted shall be strictly observed.
7. This permission does not authorise you to stop up or divert a public right of way to enable the development permitted to be carried out. Separate legal steps are necessary for this and, if required, further information in connection therewith can be obtained from the Director of Planning and Amenities, Council Offices, Cannards Grave Road, Shepton Mallet, Somerset BA4 5BT

NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse consent for the display of the advertisements or grant consent subject to conditions, he may, by notice served within two months of the date of this notice or such longer period as the Secretary of State may allow, appeal to the Secretary of State for the Environment in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State is not, however, required to entertain an appeal if it appears to him that consent to the proposed display of advertisements could have not been granted by the Local Planning Authority, otherwise than subject to the conditions imposed by them.



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4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the barn conversion at any time unless specific written permission has first been obtained from the Local Planning Authority.

Reason: To safeguard the rural integrity of the barn conversion.

5. All work of making good shall be finished to match the original work of the barn in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area.

6. The external stonework to be used shall match that of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area.

7. All external roofing materials to be used shall match the existing roof in respect of size, material, colour, texture and profile.

Reason: In the interests of the appearance of the development and the surrounding area.

8. Prior to the commencement of the development, details of all new joinery work including the materials, finish, dimensions and profiles shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building.

9. The barn conversion shall not be occupied until space has been laid out within the site in accordance with the approved plan for the parking and turning of vehicles, and such area shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the development.

Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety.

10. The first 4.5 metres of the driveway adjoining the public highway shall be hardsurfaced.

Reason: In the interests of highway safety.

11. There shall be no obstruction to visibility within the visibility splays illustrated on the approved drawings in excess of 600mm above the adjoining carriageway level.

Reason: In the interests of highway safety.

12. No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

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4. The relevant provisions of the Chronically Sick and Disabled Persons Act 1970 must be complied with.
5. The Code of Practice for Access for the Disabled to Buildings, if this permission will result in the provision of a building or premises as defined in Section 76 of the Town and Country Planning Act 1990, as amended, must be complied with.
6. Any approved development shall be carried out strictly in accordance with the detailed drawings and specification approved by the Local Planning Authority and any conditions upon which such approval is granted shall be strictly observed.
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13. All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

14. Prior to the first occupation of the barn, details of the sewage disposal plant shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the system shall be completed and connected in accordance with the submitted plans and is fully operational in all respects. The approved system shall following its installation be permanently retained and properly maintained thereafter.

Reason: To minimise the risk of pollution to the water environment.

NOTES

Informative Note(s):

1. This decision relates to drawing numbers 9820/01, 9820/03A, 9820/4A and 9820/05 received on 16 February 1999 only.

Dated 10 May 1999

for Planning Services Manager

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