

Mr Daniel Foster
2 Priory Road
Wells
BA5 1SY

Mr and Mrs Roberts
The Old Chapel
Church Street
Kilmersdon
Radstock
Somerset
BA3 5TA

NOTIFICATION OF DECISION

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 (AS AMENDED) PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990 (AS AMENDED)

Application Type: Listed Building Consent **Application No:** 2021/2427/LBC

Location of Development: The Old Chapel Church Street Kilmersdon Radstock Somerset

Description of Proposal: Re-tiling of the southern wing and installation of replacement flue and new rainwater goods.

Application submitted by: Mr and Mrs Roberts

Mendip District Council, hereby **GRANT** the application described above subject to the following:

Condition(s)

- Standard Time Limit - Listed Building Consent (Compliance)**
The works hereby approved shall be begun before the expiration of three years from the date of this consent.
Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- Plans List (Compliance)**
This decision relates to the following drawings:

PL4602 /1 - Location Plan
PL4602 /2 - Existing Block Plan (Pre-Works)
PL4602 /3 - Proposed Block Plan
PL4602 /4 - Existing Elevations
PL4602 /5 - Proposed Elevation
- received 21st October 2021
Email and attachment providing details of proposed flue and rainwater goods
- received 3rd February 2022

Reason: To define the terms and extent of the permission.
- Materials (roof covering) - Submission of Schedule and Samples (Bespoke Trigger)**

No replacement of the roof covering shall commence until a schedule and samples of the proposed roof covering material to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the significance of the designated heritage asset in accordance with Policy DP3 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Informative(s):

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 GBP116 per request (or GBP34 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 conditions and not to each condition itself. There is a no fee for the discharge of conditions on a listed building consent or advertisement consent although if the request concerns conditions relating to both a planning permission and listed building consent then a fee will be required.

2. The responsibility for ensuring compliance with the terms of this approval rests with the persons 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.
3. 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 proactive way.
4. The planning authority is required to erect a site notice on or near the site to advertise development proposals which are submitted. Thank you for erecting this on our behalf. Please would you ensure that any remaining notices in respect of this decision are immediately removed from the site and suitably disposed of? Your cooperation in this matter is appreciated.
5. In order to discharge conditions relating to the approval of materials please ensure that samples of materials are left on site for approval and not brought to the council offices. When

applying for the approval of materials you must state precisely where on site the samples are available for viewing.

Date of Decision: 11 February 2022

A handwritten signature in black ink, appearing to read 'Julie Reader-Sullivan', written in a cursive style.

Julie Reader-Sullivan
Head of Service Planning and Growth

NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or to approve it subject to conditions, you may appeal to the Secretary of State under Section 78 and 79 of The Town and Country Planning Act 1990, Section 20 of The Planning (Listed Building and Conservation Area) Act 1990 or Regulation 15 of The Town and Country Planning (Control of Advertisements) Regulations 1992.

- You must appeal within 6 months of the date on the decision notice (12 weeks for Householder applications, 8 weeks for Advertisement consent)
- Appeals must be made using a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at: <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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.

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990 and/or Section 32 of The Planning (Listed Building and Conservation Area) Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990, Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in respect of Tree Preservation Orders, Section 203 of The Town and Country Planning Act 1990.

NOTES IN RESPECT OF ALL APPLICATIONS

- Although Planning Permission or Advertisement Consent 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.
- If Planning Permission has been granted for the development, 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 - <https://www.somerset.gov.uk/roads-and-transport/>
- 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 further information can be obtained from: <https://www.somerset.gov.uk/waste-planning-and-land/public-rights-of-way/>
- If planning permission has been granted for development involving the creation of one or more properties needing new addresses you will need to contact the Street Naming and Numbering department, Mendip District Council, for assignment of the official address/es. Details are available at www.mendip.gov.uk/snn

