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Mr Anthony German
Old Westbrook Farm
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Shepton Mallet
BA4 6DS

Application Number:
Date of Application:
Application Type:

2018/0719/FUL
27th March 2018
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 27th March 2018 subject to conditions hereunder stated.

Proposal: Erection of two holiday units on site of existing sheds and storage area; alterations to existing vehicular access; and provision of associated access roads and car parking

Location: Westbrook Barns Leighton Lane Evercreech Shepton Mallet BA4 6DS
Parish: Evercreech Parish Council

DECISION: Approval with Conditions

REASON FOR APPROVAL

1. The proposal accords with the Council's settlement strategy as it proposes holiday accommodation with associated economic benefits.
The proposal, by reason of its design, scale and layout would be in keeping with its surroundings.
The proposal, by reason of its design, scale and layout, would safeguard the amenities of neighbouring residents and adjoining land users.
The means of access and parking arrangements meet the required safety standards and will ensure the free flow of traffic on the highway.
The proposal makes adequate arrangements for biodiversity/ ecology.
The proposal will not harm protected trees.
The proposal will not increase flood risk.
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:-
Policies CP1, 3 and 4 and DP1, 4, 5, 6, 7, 8, 9, 10 and 23 of the Mendip District Local Plan 2006-2029, Part 1: Strategy and Policies, adopted December 2014
National Planning Policy Framework (NPPF), 2018
Planning Practice Guidance (PPG), 2012
Somerset County Council Parking Strategy, 2013
Somerset County Council Standing Advice, 2015

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 permission
2. **Plans List (Compliance)**
The development hereby approved shall be carried out in full accordance with drawing numbers: H5580/101A and H5580/102C received on 25th July 2018 and drawing number H5580/100B validated on the 27th March 2018 only.
Reason: To define the terms and extent of the permission.
3. **Holiday Accommodation Occupancy (Compliance)**
The development hereby approved is for holiday lets and shall not be occupied other than for purposes of holiday accommodation. An up-to-date register of all occupiers on the site (including their main home address), shall be maintained and this information shall be made available at all reasonable times to the Local Planning Authority.
Reason: Permission has only been granted in a location where isolated new dwellings would not otherwise normally be permitted because the development would result in economic benefits from the provision of holiday accommodation in accordance with Policies CP1, CP2 and CP4 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
4. **Materials (Compliance)**
The development hereby approved shall be carried out using the external facing materials specified on the approved plans.
Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
5. **Ducts, Pipes, Rainwater Goods - Submission of Details (Bespoke Trigger)**
No ducts, pipes, rainwater goods, vents or other external attachments shall be fitted or installed unless in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. All such attachments shall thereafter be retained in that form.
Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014)
6. **Removal of Permitted Development Rights - No extensions or alterations (Compliance)**
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, enlargement (including additions or alterations to the roof(s)) or external alterations to the holiday let(s) hereby approved shall be carried out without the granting of planning permission from the Local Planning Authority.
Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area and the character and appearance of the development having regard to the provisions of Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Removal of Permitted Development Rights - No outbuildings (Compliance)**
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no buildings shall be erected within the curtilage of the holiday let(s) hereby approved, other than those expressly authorised by this permission, without the granting of planning permission from the Local Planning Authority.
Reason: Any further outbuildings require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area and the character and appearance of the development having regard to the provisions of Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
8. **Hard and Soft Landscaping (Pre-occupation)**
No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:
(a) size, species and positions for new trees and plants,
(b) boundary treatments,
(c) surfacing materials (including roadways, drives, patios and paths) and
(d) any retained planting.
(e) a detailed programme of implementation
Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season either with the same tree/plant as has previously been approved, or with other trees or plants of a species and size that have first been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policy DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
9. **Access, Parking and Turning Areas (Pre-occupation)**
No occupation shall commence until the access, parking and turning areas have been constructed in accordance with details shown on the approved plans. The vehicular access, parking and turning shall thereafter be kept clear of obstruction and shall not be used other than for the access and parking of vehicles in connection with the development hereby permitted.
Reason: To ensure that suitable access, parking and turning areas are provided and thereafter retained in the interests of amenity and highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
10. **Vehicular Access (Compliance)**
The new field access hereby approved shall not be brought into use unless it has been constructed in accordance with the details shown within approved drawing number H5580/100B, validated on the 27th March 2018. The vehicular access shall thereafter be permanently retained in accordance with the approved plans.
Reason: To ensure that suitable access is provided in the interests of highway safety in accordance with Policies DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).
11. **Closure of Access (Bespoke Trigger)**

The new field access hereby approved shall not be brought into use until the existing field access has been permanently closed, in accordance with the details shown within approved drawing number H5580/100B, validated on the 27th March 2018. The works shall be permanently retained and maintained in accordance with the approved details thereafter.

Reason: To ensure that the development is served by a safe access in the interests of highway safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

NOTES

1. 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.

2. **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.

3. In order to discharge conditions relating to the approval of external walling and roofing materials, please ensure that 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 any samples have been made available for viewing.

4. 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.
5. Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website <http://www.sedgemoor.gov.uk/SomersetBCP/>
6. 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.



Tracy Aarons
Deputy Chief Executive

If you have any queries regarding this notice please contact our Customer Services Team on 0300 303 8588

Dated 19th December 2018