

Application Number	2020/1287/FUL
Case Officer	Simon Trafford
Site	Cheese Yard Peace Close Lane West Horrington Wells Somerset
Date Validated	13 July 2020
Applicant/	M Pullin
Organisation	The Cheeseyard Ltd
Application Type	Full Application
Proposal	Demolition of existing Dutch barn and erection of new dwelling with associated parking.
Division	Mendip Hills Division
Parish	St Cuthbert Out Parish Council
Recommendation	Approval
Divisional Cllrs.	Cllr Edric Hobbs Cllr Tony Robbins

### **Referral to Ward Member/Chair and Vice Chair/Planning Board**

The application proposes a new residential property outside of settlement limits. The officer recommendation is for approval, and therefore in accordance with the scheme of delegation this application is referred to Planning Committee as a departure from the local plan.

### **Description of Site, Proposal and Constraints:**

The application relates to land within a site known as Cheese Yard, Peace Close Lane, West Horrington. The site is outside of any development limits and within the Mendip Hills AONB, but within the well-established curtilage of the Cheese Yard and the built form of the village of West Horrington. The site lies within the Somerset Levels & Moors RAMSAR catchment area.

The site was formerly part of Middle Farm, but many of the buildings have now been converted to residential (north and west) or commercial uses. The former farm workshop building to the south is currently used for office (Class B1a) and warehousing (Class B8) and there is a cafe/tea rooms (A3) to the south-west, next to the site entrance.

The application seeks full planning permission for the demolition of an existing Dutch Barn, and the development of a new 4 bedroom detached dwelling. The new house which has accommodation over two floors would be set with landscaped garden area with on plot

parking. Access would be as existing.

The assessment of this application has been delayed due to the on-going phosphates issue. A solution involving the acquisition of P credits is proposed to redress this matter.

**Relevant History:**

2019/0520/FUL - Replacement of existing Dutch barn with new storage building (Use Class B8). Approved June 2019. The storage building was not constructed and the planning permission has now lapsed.

Unit 1 Cheese Farm: 2016/3056/FUL - Change of use from B1 offices to A3 cafe/tea rooms. Approved with Conditions 25.04.2017

Cheese Farm: 2012/0246 - Conversion and extension of barn and outbuilding to create dwelling and ancillary garaging and store (amendment to an earlier consent). Approved with Conditions 13.08.2012

Various other older applications for conversion of barns to dwellings are recorded for wider site area to the application site

**Summary of Ward Councillor comments, Town/Parish Council comments, representations and consultee comments:**

Parish Member: No comment.

Parish Council: Recommend approval although some concerns expressed about potential light pollution from the roof lights and its impact on the Mendip Hills AONB.

County Ecologist:: The application site lies within Band B of the Bat Consultation Zone for the North Somerset and Mendip Bats SAC which is designated for its horseshoe bat features. However, the proposed development is unlikely to have an effect on horseshoe bats and therefore I do not propose to carry out a Habitats Regulations Assessment for the application. However, given that light averse horseshoe bats are present in the vicinity of the proposed development the following condition will be required:

1) Prior to construction above damp proof course level, a "lighting design for bats" shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set

out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy DP5 of the Mendip Local Plan

Judging from aerial photographs shrubs or tree will require removal to facilitate the proposed dwelling. The following condition will be required:

2) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with policy DP5 of the Mendip Local Plan

Update Comments received on 13th February 2023.

#### Somerset Levels and Moors Ramsar and Special Protection Area

The applicant has undertaken a Shadow Habitats Regulation Assessment (sHRA) report. The proposals comprises the erection of one dwelling which would be connected to mains sewerage (Wells Waste Water Treatment Works) which drains into the catchments of the River Brue, which subsequently discharges into the hydrological catchment of the Somerset Levels and Moors European Site. The applicant has provided a Nutrient Assessment which relies on the purchase of phosphorus credits from Yew Tree Farm Phosphorus Credits Scheme. The submitted Nutrient Assessment demonstrates that wastewater production and land use change arising from the proposed development will generate an additional 0.1 kg of phosphorus (TP) per year (including a 20% buffer) after December 2024 (Post AMP7). The NNAMS proposes to mitigate for the additional phosphorus by purchasing 0.1 of Nutrient Credits from Yew Tree Farm Phosphorus Credits Scheme (each credit equating to mitigate 1kgTP/yr). Evidence of a transactional agreement/purchase between the applicant and Yew Tree Farm Phosphorus Credits Scheme to purchase 0.1 of Nutrient Credits has also been provided within the submitted NNAMS.

Subject to the following conditions no objections are raised:

SES recommend the following to be secured by condition or S106 as appropriate:

- 1) Evidence demonstrating that a sufficient number of credits has been purchased by the applicant from an approved (approved meaning by Natural England) Nutrient Credit Bank concerning application 2020/1287/FUL which illustrates that the number of credits is sufficient to mitigate the nutrient budget totalling to 0.1kg/p/yr.
- 2) Evidence demonstrating no occupation until AMP7 upgrades to the Wells WwTW occur (January 2025).

**Reason:** To ensure that the proposed development is phosphate neutral in perpetuity in accordance with policies DP5 and DP6 of the Mendip Local Plan as well the National Planning Policy Framework (December 2023).

As long as the above is implemented as worded, SES have no further comments to make on matters relating to impacts on the Somerset Levels and Moors Ramsar and Special Protection Area.

Natural England: Comments provided to confirm that Natural England accepts the nutrient budget for the scheme and the proposed approach to delivering phosphorus mitigation. On this basis Natural England agrees with the submitted sHRA.

Highways Development Officer: No specific comments provided.

Environmental Protection: No objection subject to conditions.

Land Drainage Engineer: No objection subject to conditions.

Local Representations: Two letters of support stating that the new dwelling will be in keeping with area and welcoming new housing in the village. One letter of objection raising concerns about light pollution.

### **Summary of all planning policies and legislation relevant to the proposal:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021)
- Somerset Waste Core Strategy (2013)

The following policies of the Local Plan Part 1 are relevant to the determination of this application:

- CP1 – Mendip Spatial Strategy
- CP2 - Supporting the Provision of New Housing
- CP4 - Sustaining Rural Communities
- DP1 - Local Identity and Distinctiveness
- DP4 - Mendip’s Landscapes
- DP5 - Biodiversity and Ecological Networks
- DP6 – Bats Protection
- DP7 - Design and Amenity
- DP8 - Environmental Protection
- DP9 - Transport Impact of New Development
- DP10 - Parking Standards
- DP20 - Reuse of Employment Sites
- DP23 - Managing Flood Risk

**Other possible Relevant Considerations (without limitation):**

- National Planning Policy Framework
- National Planning Practice Guidance
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)

**Assessment of relevant issues:**

**Principle of the Use:**

The village of West Horrington is not identified within the development plan as either a primary or secondary village. However, the village does benefit from a school, cafe and access to Bath & Wells on the 173 bus service. The village does not have a settlement boundary, so by definition is classed as being within the open countryside. Under core policy CP1, development is strictly controlled to prevent sporadic development. The policy seeks to focus development in the major towns and villages. Policy CP2 sets out where new housing should be located. .

Policy CP4 sets out some exceptions where new residential development in rural locations may be acceptable. This includes rural affordable housing where there is evidence of local need

and accommodation for occupational dwellings to support rural based enterprises. The application does not meet these criteria and therefore conflicts with Policy CP4.

The Council cannot currently demonstrate a five-year housing land supply in accordance with the requirements of the NPPF. As a result, the policies within the Local Plan, which seek to prevent new housing outside the development limits of settlements (CP1 and CP2) do not carry full weight in the decision-making process. Therefore, whilst regard should be given to the policies in the Local Plan, the 'presumption in favour of sustainable development' as set out in paragraph 11(d) of the NPPF applies. However, permission should not be granted where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole or where its specific policies indicate that development should be restricted.

Although the site is within a countryside location in policy terms, it is not considered to be an isolated site, located, adjacent to other residential and commercial uses, and is therefore not considered to be in a wholly unsustainable location remote from services or facilities as referred above.

Therefore, with the site not being isolated nor wholly unsustainable, the 'tilted balance' is applied, and planning permission should only be refused where there a clear relevant development plan policies which would significantly and demonstrably outweigh the benefits of the scheme when assessed against the NPPF taken as a whole or where its specific policies indicate that development should be restricted. This aspect of the proposal will be assessed below, and all of the factors weighed in the balance at the end of this report.

### **Employment Protection**

Policy DP20 seeks to protect land or buildings previously or currently used or currently allocated for uses falling with Use Classes B1, B2 and B8. The existing Dutch barn on the site which would be demolished was previously used for agricultural purposes but in recent years has been used for low key storage. The B8 storage building approved in 2019 has not been built so therefore the proposal does not result in the loss of B1, B2 or B8 uses. The proposal therefore complies with Policy DP20.

## **Design of the Development and Impact on the Street Scene and Surrounding AONB:**

The proposed new dwelling is considered modest in form and scale with dormers within the roof space to accommodate a second storey. It has been designed to reflect the character and scale of the existing traditional barn conversions that adjoin the site. The proposed materials are random rubble stone with ashlar heads and cills and a slate roof. These materials are typical of the surrounding vernacular of the AONB. The existing Dutch barn is in a dilapidated state and therefore it is considered that the proposed dwelling will enhance the appearance of the surrounding area. The proposal is therefore considered to have a positive impact on the character of the surrounding AONB in contrast to the existing building.

The site is visually well contained within the former farmyard and within the village, being tucked behind a large storage building. The development will not encroach beyond the built-up area of the village and will not extend into open countryside. Whilst concerns have been raised about light pollution, the roof windows (3 proposed) are modest in scale. Any light spillage will be seen within the context of the surrounding buildings. It is therefore considered that the dwelling will not adversely affect the setting of the surrounding AONB.

In summary, the proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area and would not adversely affect the natural beauty of the landscape of the designated AONB. The proposal accords with Policy DP1, DP4 and DP7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

## **Impact on Residential Amenity:**

The nearest residential occupiers are at Poppy Bank to the north and Dairy Barn to the west. There will be no first floor windows overlooking Poppy Bank with the exception of 2 small roof windows. There will be no inter visibility between the windows of the new dwelling and Dairy Barn. The new dwelling will replace an existing open barn which is unsightly, and its replacement with a permanent building of solid construction which will improve the outlook of neighbouring occupiers. It would also not be noticeably closer to any nearby residential properties. The existing storage building to the south is sited closer to Dairy Barn than the proposed dwelling.

Given the overall design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, smell, traffic or other disturbance. The proposal accords with Policy DP7 of the adopted

Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

### **Impact on Ecology:**

The site lies in Band B of the Bat Consultation Zone for the North Somerset & Mendip SAC. The County Ecologist as suggested a couple of conditions requiring a lighting design for horseshoe bats and the prevention of hedgerow/tree/shrub removal between March and August.

Nutrients: The application site is mapped by Natural England as falling within the water catchment flowing into the Somerset Levels and Moors Ramsar site, designated for its rare aquatic invertebrates, which is currently in an unfavourable condition. Any new housing, including single dwellings, would result in an increase in phosphates contained within foul water discharge. As the designated site is in 'unfavourable' condition any increase, including from single dwellings is seen as significant, either alone or in combination with other developments.

A shadow Habitat Regulations Assessment (sHRA) and a Nutrient Neutrality Assessment and Mitigation Strategy (NNMAS) have been submitted by the applicant demonstrating the development can achieve nutrient neutrality. This can be achieved through on the purchase of P credits. Credits have been agreed at the Manor Farm site, which has agreement from the Local Planning Authority (please refer to SES comments above). Credits can now be secured by conditions, which are recommended accordingly. As the nutrient calculations rely on planned upgrade works to the Wessex Water treatment works (AMP7 improvements) a condition is required to restrict occupation until the water treatment works completed. The shadow Habitat Regulations Assessment as submitted which has been recommended for adoption is sufficient to demonstrate that the LPA has appropriately discharged its legislative duties in this respect. Finally in this regard the permission will not be issued until Natural England have submitted their comments regards the appropriate assessment

Natural England accepts the nutrient budget for the scheme and the proposed approach to delivering phosphorus mitigation. On this basis Natural England agrees with the submitted sHRA.. Taking all of the above into consideration, including the suite of controls as set out in the recommended conditions sufficient information has been submitted to confirm that the proposal would not result in an unacceptable increase in phosphate levels within the foul water discharge and not affect the current unfavourable status of the Somerset Levels and Moors Ramsar site and as such passes Regulation 63 of the Habitat Regulations 2017. On this basis it is therefore considered that the proposed development accords with Policies DP5, DP6 and DP8 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework



## **Assessment of Highway Issues:**

The existing access onto Peace Close Lane is to be utilised. Parking for 4 cars and satisfactory turning space will be provided. The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Policy DP9 and DP10 of the adopted Local Plan Part 1 (2014) and part 4 of the National Planning Policy Framework.

## **Flood Risk and Drainage**

The site lies within flood zone 1 – low risk. The proposal would result in an increased hardstanding area. A condition is sought to require the agreement of an alternative method of surface water drainage if infiltration testing and soakaway design is unable to meet Building Regulations.

## **Environmental Impact Assessment**

This development is not considered to require an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **Equalities Act**

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

## **Conclusion and Planning Balance:**

Paragraph 11 of the NPPF sets out that decisions should apply a presumption in favour of sustainable development and that, under criterion d) where the policies which are most important for determining applications for new housing and which are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Given the lack of a five-year housing land supply, paragraph 11 d) of the Framework is engaged.

The benefits of the proposal, a single dwellinghouse, would make a very modest contribution to assisting the Council's shortage of housing land within the District as a

whole. The proposal would have some economic benefits for the duration of the construction. However the amount of weight given to these benefits is however limited given the conflict with policies CP1 and CP2.

In summary as set out in the technical assessment of the application scheme, no demonstrable harm has been identified in terms of the usual planning controls of design, amenity, highway safety and impact on the AONB. The proposed siting for the proposed dwelling would be behind a large barn which largely screens it from the road. As such, the site could not be described as forming part of open land and/or isolated from other development. Furthermore the application site is within conceivable walking distance of a primary school and public transport links to Well, therefore meaning that any future occupiers will not wholly rely on the private car.

In the absence of any specific identified and demonstrable harm, and taking into account the limited benefits, a recommendation for approval is on balance considered justified.

## Recommendation

### Approval

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 drawings: PL4296 /D1 rev A PROPOSED LOCATION PLAN PL4296 /D2 EXISTING BLOCK PLAN PL4296 /D3 PROPOSED BLOCK PLAN PL4296 /D4 PROPOSED DWELLING FLOOR PLANS PL4296 /D5 PROPOSED ELEVATIONS

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

3. **Materials - Submission of Schedule and Samples (Bespoke Trigger)** No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, 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 appearance of the development and the surrounding

area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **External Lighting (Bespoke Trigger)** Prior to construction above damp proof course level, a "lighting design for bats" shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of Bats and in accordance with policy DP5 of the Mendip Local Plan.

5. **Nesting Bird Protection (Bespoke Trigger)** No removal of trees hedges or shrubs shall take place between 1st March and 31st August unless a Survey to assess the nesting bird activity on the site during this period and a Scheme to protect the nesting birds has been submitted to and approved in writing by the Local Planning Authority. No tree hedge or shrub shall be removed between 1st March and 31st August other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and prevent ecological harm in accordance with DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Surface Water Drainage System (Pre-commencement)** No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme of phasing, implementation and maintenance for the lifetime of the development and subsequently be implemented in accordance with these approved details.

Reason: In the interests of providing a satisfactory level of surface water drainage, improving water quality and to prevent flooding in accordance with Policy DP23 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because it is necessary to understand the drainage scheme in detail prior to any initial construction works which may prejudice the surface water drainage strategy.

7. **Construction Management Plan (Pre-commencement)**The development hereby approved shall not commence until a Demolition, Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- o Details of the working methods to be employed on site during the demolition and construction (and preparation associated with construction) of the site.
  - o Measures (including screening) to be taken to minimise emissions of dust, fumes, odour, noise, vibration.
- Details for the safe disposal of waste materials shall also be included confirming that no burning of site generated waste is permitted.
- o The parking of vehicles of site operatives and visitors;
  - o Loading and unloading of plant and materials;
  - o Storage of plant and materials used in constructing the development;
  - o Prevention of nuisance caused by radios, alarms, PA systems or raised voices
  - o Delivery and construction working hours.
  - o the parking of vehicles of site operatives and visitors;
  - o wheel washing facilities;
  - o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that safe operation of the highway and minimise the effect of noise, odour and dust from the construction phase of development on occupiers of nearby properties in the interests of residential amenity and sustainable development, in accordance with Policies DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

8. **Parking Area (Pre-occupation)**The dwelling hereby approved shall not be occupied until the parking spaces shown on drawing PL4296 /D3 have been laid out in accordance with the approved plans and made available for the parking of vehicles. The parking spaces shall thereafter be retained for the parking of vehicles associated with the dwelling and for no other purpose.

Reason: To ensure that sufficient parking is provided to serve the approved development in the interests of highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

9. **Phosphate Credits (Pre Commencement)**The development hereby permitted shall not be commenced until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area

upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway. The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated by the development (1kg total phosphorous), thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with policies DP5, DP6, DP8 and DP23 the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) as well as part 15 of the National Planning Policy Framework

10. **AMP7 Improvements (Pre Occupation)**The development hereby approved shall not be occupied until written evidence that the Asset Management Plan 7 (AMP7) planned upgrades to the Wells Waste Water Treatment Works by Wessex Water to provide additional treatment capacity and improvement to nutrient capture have been completed and that the increase in phosphorus arising from occupation of the development will accordingly be no more than the permit licence of 1 mgP/l total phosphorous.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with policies DP5, DP6, DP8 and DP23 the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) as well as part 15 of the National Planning Policy Framework.

## **Informatives**

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. The request must be made in writing or using the Standard Application form (available on the council's website). 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. 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.

