

Case Officer	Kelly Pritchard
Site	Lower Stoke Farm Barrow Wood Lane Rodney Stoke Cheddar Somerset
Application Number	2022/2441/FUL
Date Validated	16 December 2022
Applicant/ Organisation	R Counsell
Application Type	Full Application
Proposal	Change of use of agricultural building to ancillary accommodation. Part demolition and extension to existing dwelling. Erection of ancillary outbuilding and construction of wildlife swimming pool.
Division	Mendip West Division
Parish	Rodney Stoke Parish Council
Recommendation	Approval
Divisional Cllrs.	Cllr Heather Shearer Cllr Ros Wyke

Scheme of Delegation:

Prior to the existence of Somerset Council, in accordance with Mendip's scheme of delegation, this application was referred to the Chair and Vice Chair as a departure to the development plan. The case officer recommendation is to approve with conditions, the Parish Council made no objections, and the Ward Member did not submit a comment.

After consultation with the Chair and Vice Chair they agreed with officer recommendation. We then advertised the application as a departure and have not received any additional comments resulting from this publicity, however the decision notice has yet to be issued.

Under Somerset Council's scheme of delegation, all departure applications need to be considered by the Planning Committee, hence this application is now being considered.

Description of Site, Proposal and Constraints:

This site is known as Lower Stoke Farm, Barrow Wood Lane, which is surrounded by agricultural land and lies to the south of Rodney Stoke. It is accessed via a single lane road which has a wide entrance to turning circle in front of the property.

It is a large two storey detached house, finished in stone, tiled roof, wooden windows in a large plot. There is a large barn to the north of the house which is stone and wood clad, it is also two storey and contains stables on one side and ancillary accommodation/storage on the other.

The site is remote with no immediate neighbours.

The site is outside defined development limits, within a SSSI Impact Risk Zone, Bat Consultation Zone (North Somerset Mendip Bats Special Area of Conservation) Band C, a PROW runs up Barrow Wood Lane. The site is not within the Somerset Levels and Moors Ramsar Risk Area, the catchment area is just on the other side of Barrow Wood Lane. There is a priority habitat to the east of Barrow Wood Lane, but the site is outside of this.

This application seeks part demolition and construction of extensions to the south and north of the existing house, considerably increasing the overall footprint. It also incorporates the conversion and alteration of the adjacent barn to continue accommodating three stables and a tack room, a three bed annex, an office and domestic storage. The alterations to the barn include its roof form being fundamentally altered to present an 'L' shaped, steeper pitched, gable-ended roof. It also proposes a wildlife swimming pond and a further workshop/hobby building.

The planning history would indicate that the existing barn which is physically separate from the house should be used for purposes ancillary to the residential use of the dwelling known as Lower Stoke Farmhouse as described by condition 2 of planning consent 2021/2046/VRC (see planning history below). However, the building is currently being used for equine, some storage in association with that use and some ancillary domestic use. The submission documents also mention office use for the applicant.

The predominant material will remain as local Draycott stone with some timber cladding and tiles to match existing.

Relevant History:

The site has had a varied planning history which is listed below. The history shows the repeated renewal of the application, which was originally allowed on appeal, which was then followed by two different applications of the approval of reserved matters, firstly for the barn and then for the agricultural workers dwelling. Application 109768/007 effectively gave consent for a revised design of the house. Condition 2 of planning consent 109768/007 read;

The agricultural dwelling hereby permitted shall not be occupied until the building to house 70 dairy cows, or some other number which shall be agreed in writing by the Local Planning Authority, together with their milking and fodder storage have been completed in their entirety and are available for immediate occupation by the livestock.

Reason: To ensure that there is a viable holding present on site which is the justification for this agricultural dwelling.

This condition was subsequently removed by application reference 2021/2046/VRC and instead the condition was replaced with the following condition.

The outbuilding permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Lower Stoke Farmhouse; and shall not be occupied as an independent dwelling unit.

Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers contrary to Policy DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Following a lawful development certificate which was granted under reference 2020/1592/CLE, approval was given to remove the agricultural occupancy condition for the house under reference 2020/2325/VRC.

- 109768/000 – Erection of agricultural workers dwelling and dairy unit. Refused. 07.01.92. Appeal Upheld. 28.05.92
- 109768/001 – Siting of mobile home for agricultural worker and formation of new vehicular access. Approval. 28.01.92
- 109768/002 – Renewal of permission 109768/000 (erection of agricultural workers dwelling and dairy unit). Approval. 11.01.95
- 109768/003 – Approval of details for agricultural workers dwelling. Approved. 22.09.99
- 109768/004 – Approval of details for the erection of a general purpose barn. Refused. 07.05.98. Appeal upheld 03.02.99
- 109768/005 – Renewal of permission 109768/002. Refused. 21.02.01
- 109768/006 – Erection of a dairy cow unit. Withdrawn. 20.02.01
- 109768/007 – Erection of an agricultural workers dwelling. Approval. 27.07.05
- 109768/008AG – Erection of an agricultural storage building. Permission not required. 15.04.08
- 2020/1592/CLE - Dwelling house occupied in breach of occupancy restriction. Development is Lawful. 15.10.20
- 2020/2325/VRC - Application to remove condition 3 (agricultural restriction occupancy) of planning approval 109768/007 (Erection of an agricultural workers dwelling) to unrestricted residential occupancy. Approval. 30.03.21
- 2021/2046/VRC - Application to remove condition 2 (occupation of dairy housing) of planning approval 109768/007. Approval. 28.10.21
- 2022/1400/CLE - Mixed use of office and storage use ancillary to Lower Stoke Farm and agricultural use. Pending Consideration.

Summary of Ward Councillor comments, Parish Council comments, representations

and consultee comments:

Ward Member: No comments received.

Rodney Stoke Parish Council: Approval.

If approval is given, then condition as follows;

1 To condition that the main property and the development stay as a single family unit;

2 There is concern over light pollution in the open countryside due to the size of the development, and the Council request that the use of smart glass and/or automatic blinds are required to protect the dark skies.

Environmental Protection: No objection.

Contaminated Land: No objection.

- Due to the nature of farms, it would be advised to keep a watching brief for potential hotspots of contamination and assess for visual/olfactory evidence of contamination during any groundworks.

Land Drainage: Object. 23.01.23

- Further information regarding foul and surface water drainage is required.

Ecology: No objection subject to conditions.

Mendip Gliding Club: No objection.

Local Representations:

No other representations have been made.

Full details of all consultation responses can be found on the Council's website
www.mendip.gov.uk

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) (post JR version)
- Somerset Waste Core Strategy
- Somerset Mineral Plan (2015)

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

- CP1 (Mendip Spatial Strategy)
- CP4 (Sustaining Rural Communities)
- DP1 (Local Identity and Distinctiveness)
- DP4 (Mendip's Landscapes)
- DP5 (Biodiversity and Ecological Networks)
- DP6 (Bat Protection)
- DP7 (Design and Amenity of New Development)
- DP8 (Environmental Protection)
- DP9 (Transport Impact of New Development)
- DP10 (Parking Standards)
- DP23 (Managing Flood Risk)

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- 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 original dwelling was modest in size due to the original agricultural need requirement of the holding. This application proposes extension and alteration of an existing now unfettered dwelling.

The barn immediately adjacent was granted to serve the holding, but during the passage of time and as a result of the planning history, has been altered and used for uses other than agriculture. When considering Policy DP22 this building is not redundant. The planning history also shows that the barn has been consented to be used for purposes ancillary to the residential use of the dwelling.

The proposed use of the barn is for a mixed use of stables, storage in association with the stables, office use and an independent self-contained annex which will be linked via a covered walkway to the main house. The applicant wishes to use the proposed annex for staying guests and family members. This accommodation is self-contained and could therefore be considered as an unjustified dwelling in the open countryside, as such it does not sit neatly with policies CP1, CP2 and CP4. The amount of development proposed overall is extensive, but the proposal has similarities to application 2022/0263/FUL, Brook Farm, Southwood Lane, Baltonsborough which included a self-contained annex and significant alteration which was approved by members last year.

Although the proposed annexe has all the facilities that you would expect of an independent property, due to its close relationship to the existing dwelling and the stables that are housed in the same building it would not be acceptable as a separate open market dwelling for reasons of amenity and its unsustainable location having regard to policies CP1, CP2, CP4, and DP9. At the same time the use of this accommodation as holiday would equally be unacceptable due to its remote location. As such whilst the alterations proposed by this application are extensive, providing there is no resulting harm, which will be discussed later in this report, the alterations are considered acceptable in principle providing the annexe building is controlled as ancillary to the main house and that the application is considered as a departure to the development plan.

Design of the Development and Impact on the Street Scene and Surrounding Area:

The barn adjacent to the dwelling is of a considerable scale and currently dominates the existing dwelling. The proposals are far from subservient to the host dwelling, but it is considered that the size of the plot can accommodate it. The site will have a greater prominence when viewed from Barrow Wood Lane, but the combination of the alterations to the barn, the extensions to the house and by physically connecting the two, the development will appear more coherent.

The Area of Outstanding Natural Beauty lies just over 1km to the northeast, so the site may be visible from within the AONB as it is on lower land, but it is not considered to harm the setting of the designated site as it will be seen as a group of buildings taking the form of a farmstead.

It is recognised that given the amount of development proposed the scheme may not sit comfortably with some of the principle policies as stated above in this report. However, the controls of the site have been relaxed since the first approval for an agricultural workers dwelling was approved to be constructed on the site.

Given the current level of control as to the formal use for the site and given the lack of any significant harm resulting from the proposed development in visual and/or landscape terms, it is considered that the proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and on balance responds to the local context in an acceptable manner without resulting in any landscape harm and/or creating a detrimental visual impact and as such can be considered acceptable.

On balance when considered against Policies DP1, DP4 and DP7 no objections are raised to the application scheme.

Impact on Residential Amenity:

There are no immediate neighbours to this site. However, due to the proximity of the self-contained accommodation to the host dwelling and that the self-contained accommodation is in the same building as the stables it is considered necessary to impose a condition which restricts the occupation of the annex. As such there will be no amenity conflict.

Given the 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, odour, 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:

An ecological assessment and Bat Emergence Surveys have been provided.

The application site lies within Band C 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 highly unlikely to have an effect on horseshoe bats and therefore Somerset Ecology Service do not propose to carry out a Habitats Regulations Assessment for the application. They also confirm no objection to the proposed development subject to conditions which will be imposed on any permission granted.

The proposed development will not have an adverse impact on bats or other ecology. The

proposal accords with Policies DP5 and DP6 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Assessment of Highway Issues:

There are no proposed changes to the access for the site. Given the existing residential use, it is considered that the proposal would not result in a significant increase in traffic movements that would be prejudicial to highway safety.

The proposed access for the site is therefore considered to be in accordance with DP9.

There is adequate parking provision within the site.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Policies DP9 and DP10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Land Drainage:

The site is located in Flood Zone 1 and is shown to be at very low risk of surface water flooding on the Environment Agency's Long Term Flood Risk Map.

The proposals will increase the impermeable areas of the site and therefore the volume of surface water runoff. The application form indicates that a soakaway will be used for the management of surface water but no further details are provided.

Soils mapping indicates slightly acid loamy and clayey soils with impeded drainage. Infiltration testing results in accordance with BRE Digest 365 and details of ground water levels will be required to demonstrate whether soils on the site are suitable for infiltration. No alternative receptor for the surface water discharge has been identified.

Non-mains foul drainage to a package treatment plant is proposed.

Our drainage engineer requires percolation tests to ensure the soakaway will perform. In addition, the completion of the Environment Agency's FDA1 form or a document containing the same information which provides capacity information of the existing system and how this relates to the proposed loading from the converted buildings in accordance with British Water Flows and Loads Guidance.

The applicant's agent has confirmed that there is no public sewer in Barrow Wood Lane and to some degree the foul drainage this is covered by other legislation.

In this instance given the area of the site and the amount of land adjacent which the applicant owns, there is a likely solution for surface water management should the infiltration testing prove unsatisfactory. As such a pre-commencement condition will be imposed to secure this detail.

The proposed development will not have an adverse impact on flood risk or represent a danger to water quality. The proposal accords with Policies DP8 and DP23 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Refuse Collection:

The site is considered capable of providing adequate storage space for refuse and recycling.

Environmental Impact Assessment:

This development is not considered to require an Environmental Assessment 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, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusion & Planning Balance:

The site is located outside the settlement limits, where development is strictly controlled (policy, CP1, CP2, CP4 refers), but on the basis that the annexe remains ancillary to the main house as proposed it is considered acceptable.

Notwithstanding the controls imposed by the terms of condition 3 as recommended, and although the development proposed is extensive given that no recognisable harm has been identified it is considered therefore acceptable as a departure to the development

plan policy as referred.

Recommendation

Approval

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 permissions.

2. Plans List (Compliance)

This decision relates to the following drawings:

1587/041 Rev A, 1587/040 Rev B, 1587/033, 1587/032 Rev B, 1587/031 Rev C, 1587/030 Rev C, 1587/022, 1587/021, 1587/020, 1587/014, 1587/013, 1587/012, 1587/011 Rev A, 1587/010 Rev A, 1587/003 Rev D, 1587/002 Rev A, 1587/001, 128/1A received 16.12.22

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

3. Ancillary Use annexe/stable/storage building (Compliance)

The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Lower Stoke Farm and shall not be occupied as an independent dwelling unit.

Reason: The annexe accommodation hereby approved is not capable of independent occupation or use without adverse impact on the amenities of existing or future residential occupiers and it is in a location where isolated new dwellings would not otherwise be permitted having regard to Policies CP1, CP2, CP4, DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. Private use (Compliance)

The proposed stables shall be used for private use of the applicant and not for any livery or commercial use. The remaining storage area within the same building shall be used for ancillary uses associated with the stable and purposes ancillary to the

residential use of the dwelling known as Lower Stoke Farm only.

Reason: In the interests of amenity and highway safety having regards to Policies DP7, DP8 and DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

5. **Materials (Compliance)**

The development hereby approved shall be carried out using external facing and roofing materials as specified on the application form and submitted Design and Access Statement.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Hard and Soft Landscaping (Compliance)**

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 completion of the extensions to house or in accordance with the programme (phasing) 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 the provision of an appropriate landscape setting to the development in accordance with Development Policy 1, 4 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Flooding - Surface water drainage incl. Infiltration Testing (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 results of infiltration testing, along with details of groundwater levels and soakaway design, in accordance with Building regulations Part H, to verify whether or not soakaways will be suitable for the development. Where soakaways are found to be suitable, details of the soakaways to be installed should be provided. If the

infiltration test results or ground water levels demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be detailed and justified instead. The scheme shall also include a programme of phasing, implementation and maintenance for the lifetime of the development and subsequently be implemented in accordance with these approved details and retained for the life of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Development Policies 7, 8 and 23 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) and section 14 of the National Planning Policy Framework. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

8. European Protected Species Mitigation Licence (Pre-commencement)

No development shall commence until the following has been submitted to and approved in writing by the Local Planning:

- a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
- b) a statement in writing from the licensed bat ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that a Licence is in place, if required, before development commences and because initial works to commence development have the potential to harm protected species and therefore these details need to be agreed before work commences.

9. Supervision of Works - Protected Species (Compliance)

All works potentially affecting bats shall proceed under the supervision of the licensed bat ecologist.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

10. Provision of Bat Box (Pre-commencement)

Prior to commencement of development a Beaumaris Woodstone bat box has been

installed to accommodate any discovered bat(s) during construction works. The bat box shall be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. The bat box shall be retained thereafter in perpetuity.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that a suitable alternative roosting location is available for bats, before development commences and because initial works to commence development have the potential to harm protected species and therefore these details need to be provided on site before work commences.

11. Replacement of Bat Roosts (pre-commencement)

No development shall commence until a compensatory bat roost feature suitable for day roosting common pipistrelles has been provided in accordance with details that are first approved in writing by the Local Planning Authority. The detailed design shall show the location of roost entrances and internal details. Any areas that are accessible to bats must be lined with traditional black bitumen felt (type 1F) to avoid the risk of entanglement of bats. Modern roofing membranes will not be permitted in areas which are accessible to bats. Any timbers that are to be retained and requiring remedial timber treatment should only be treated with 'bat friendly' chemicals (see <https://www.gov.uk/guidance/bat-roosts-use-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>). The roosts will be implemented in strict accordance with the agreed scheme and maintained thereafter.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that a replacement bat roost is provided to house any bats from the commencement stage of development.

12. Nesting Bird Protection (Bespoke Trigger)

No development to the roof, including rooflights, soffits, fascias, bargeboards, and guttering, shall take place between 1st March and 30th September inclusive, 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 development to the roof, including rooflights, soffits, fascias, bargeboards, and guttering, shall take place between 1st March and 30th September inclusive other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and prevent ecological harm in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

13. **External Lighting (Bespoke Trigger)**

Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018) shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the agreed details and maintained as such thereafter. No other external lighting shall be installed.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and protecting the character and appearance of the countryside in accordance with Development Policies 1, 4, 5, 6, 7, 8 and 22 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

14. **Mitigation and Enhancement (compliance)**

All ecological measures and/or works shall be carried out in accordance with the details contained within the submitted Bat Emergence Survey report dated 22 September 2022 by Brookside Ecology, Section Ecological Mitigation and Enhancement Proposal, pages 13 and 14. All mitigation and enhancements recommended shall be implemented in strict accordance with the details hereby approved and maintained as such thereafter.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with policy DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

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, which is 116GBP per request (or 34GBP where it relates to a householder application). 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. 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. 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://buildingcontrol.somerset.gov.uk>

5. Due to the nature of farms 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.

6. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations, or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during the implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest opportunity.