

**TAUNTON
DEANE
BOROUGH
COUNCIL**

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Planning and Development Manager

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Our Ref: **48/13/0009/LB** *(please quote on all correspondence)*

17 April 2013

MR A MACDONALD
TURLEY ASSOCIATES
10 QUEEN SQUARE
BRISTOL
BS1 4NT

Dear Mr MacDonald

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT, 1990

Proposal: ALTERATIONS TO THE BOUNDARY INCLUDING THE REMOVAL AND REPLACEMENT OF WALL AND HEDGE AT HARTNELLS FARM, MONKTON HEATHFIELD

Application Type: Listed Building Consent: Works
Grid Reference: 325732.127109

Please find enclosed the decision notice for your listed building application **48/13/0009/LB**. It is very important that you carefully read the entire notice including the conditions. No further reminder letters will be sent.

Listed Building Conditions

Listed Building Consent is conditional on the compliance with any attached conditions. Failure to adhere to the requirements of a condition can result in unauthorised development taking place which in the case of a Listed Building is a criminal act.

It is your responsibility to ensure that you have complied with all the requirements of all conditions.

Approval of Details Reserved by Condition

Some conditions can require the submission of information or further details within a certain time period or prior to any works commencing. Failure to comply with the requirements of any such condition could result in the listed building consent becoming null and void, or a requirement to cease a use and/or remove the works.

Application forms for the approval of details reserved by condition are available from the Planning Portal website. Requests should be made to the Conditions Monitoring Officer.

There are no national requirements for applications for the approval of details reserved by condition except that they should be made in writing and that the authority should determine them within 12 weeks of the application being validated. It is therefore important that any request is made in a timely manner to avoid any delays in works commencing on site.

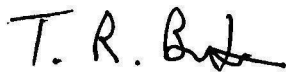
Building Regulations

Building Regulation approval is a separate matter from obtaining planning permission for the work that you are intending to carry out. Most building work whether new, alterations, extensions or change of use requires Building Regulations approval. For more information about the Building Regulations, from what they are to what is covered by them, please contact our Building Control Team at building_control@tauntondeane.gov.uk or telephone 01823 356470. Additional information can be obtained at www.tauntondeane.gov.uk/buildingcontrol.

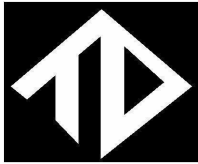
Site Notice

The Local Planning Authority may have erected a Site Notice on or near the application site to advertise this development proposal. Could you please ensure that any remaining notice in respect of this decision is removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

Yours sincerely



PLANNING AND DEVELOPMENT MANAGER



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DEANE
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PLANNING AND DEVELOPMENT

The Deane House, Belvedere Road,
Taunton, Somerset, TA1 1HE
Website: www.tauntondeane.gov.uk/planning
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Email: planning.admin@tauntondeane.gov.uk

MR A MACDONALD
TURLEY ASSOCIATES
10 QUEEN SQUARE
BRISTOL
BS1 4NT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT, 1990

Application No: 48/13/0009/LB
**Proposal: ALTERATIONS TO THE BOUNDARY INCLUDING THE
REMOVAL AND REPLACEMENT OF WALL AND HEDGE AT
HARTNELLS FARM, MONKTON HEATHFIELD**

Application Type: Listed Building Consent: Works
Grid Reference: 325732.127109

Taunton Deane Borough Council under the above Act hereby GRANT CONSENT for the above development for the following reason(s):

The proposal is considered not to adversely affect the setting or character of the Listed Building and is therefore considered acceptable and, accordingly, does not conflict with Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy CP8 (Environment) of the Taunton Deane Core Strategy and the relevant guidance in Section 12 of the National Planning Policy Framework.

The development must be carried out in accordance with the application and accompanying plan(s) submitted to the Council and is only valid subject to compliance with the following conditions:

- 1 The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

- 2 No development, excluding site works, shall begin until a panel of the proposed stone/brickwork measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy CP8 of Taunton Deane Core Strategy and the relevant guidance in Section 12 of the National Planning Policy Framework.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A0) DrNo 1492-SK-02 Rev D Existing Farm Access

(A1) DrNo 1492-AK-03 Rev D Proposed Farm Access

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4 The proposed boundary hedge, stone wall, brick gate piers and gate shall be built in strict accordance with the details contained on plan number 1492-SK-03 rev D and shall be completely reinstated in the proposed location within 6 months of the commencement of the removal of the existing boundary hereby consented.

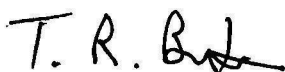
Reason: In order to ensure that the removal of the existing boundary does not result in either its replacement with a boundary treatment that would neither preserve nor enhance the setting of the listed building or no replacement of the boundary treatment which would also neither preserve nor enhance the character and setting of the listed building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy CP8 of Taunton Deane Core Strategy and the relevant guidance in Section 12 of the National Planning Policy Framework.

- 5 No removal works shall commence on site until the contract has been let for the adjacent highway works (creation of the adjacent footpath) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the removal of the existing boundary does not result in either its replacement with a boundary treatment that would be detrimental to the setting of the listed building or no replacement of the boundary treatment which would also be detrimental to the street scene and character and setting of the listed building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy CP8 of Taunton Deane Core Strategy and the relevant guidance in Section 12 of the National Planning Policy Framework.

NOTES TO APPLICANT

Not Applicable



PLANNING AND DEVELOPMENT MANAGER

N.B. Notes of the applicant's rights are overleaf.

Date: 17 April 2013

NOTES

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of the date of this notice, appeal to the Secretary of State in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. (Appeals must be made on a form which is obtainable from **The Customer Support Unit, Planning Inspectorate, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Telephone 0117 3726372)**). Identical sets of documents should be submitted to the Planning Inspectorate and the Chief Executive, The Deane House, Belvedere Road, Taunton TA1 1HE). 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 Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within six months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

- (2) If listed building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State 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 reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district in which the land is situated a listed building purchase notice requiring the Council to purchase his interest in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990,
- (3) In certain circumstances a claim may be made against the Local Planning Authority for compensation, where consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.