Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr H Abbott
Breach Farm
Breach Lane
Earl Shilton
Leicestershire
LE9 7FB

Name and Address of Agent (if any)
Mr Stephen Buckingham
16a Station Road
Hinckley
Leicestershire
LE10 1AW

Part I - Particulars of Application

Date of Application	**Application No.**
18 February 2008	08/00160/FUL

Particulars and location of development:

ERECTION OF AGRICULTURAL AND EQUESTRIAN BUILDING, MANEGE, ASSOCIATED HARDSTANDING AND CREATION OF ACCESS (RE-SUBMISSION)

Land Rear Of Breach Farm Breach Lane Earl Shilton Leicestershire

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, BE14, BE26, NE5, NE14 and T5 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. This permission relates to the application as revised by amended plan No. 08/00160A/FUL received by the Local Planning Authority on 2nd May 2008 and the letter from the agent dated 16th April 2008.

3. Notwithstanding the submitted details, prior to the commencement of the development hereby approved a scheme for the storage and disposal of manure shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details prior to the development being first brought into use.

4. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

5. No horse manure or other waste materials shall be burnt on the site at any time.

6. There shall be no animal effluent or contaminated surface water from the buildings or associated impervious areas discharged into any ditch or watercourse.

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7. Notwithstanding the submitted details, before the development hereby approved is commenced on site a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the treatment proposed for all ground surfaces together with planting plans noting species, plant sizes and proposed numbers. The development shall be carried out in accordance with the approved details.

8. The approved landscaping scheme shall be carried out during the first appropriate planting season following the date when the development hereby approved is first ready for use. The scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs that die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.

9. The applicant, their agents or successors in title, are required to undertake an appropriate programme of archaeological post-excavation analysis, reporting and archive deposition. This work will be undertaken in accordance with the specification submitted to and approved by the planning authority.

10. The proposed access route between the application site and the adopted public highway shall be provided as shown in the submitted details and the access shall be set out and constructed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

11. Before the development hereby approved is first brought into use, the length of track shown darker green on the submitted plan shall be constructed to Leicestershire County Council (LCC) standard detail "Vehicular Access Construction (Domestic)" as shown on LCC drawing SD/11/5A*.

12. Any light fittings shall be shielded in order that the luminance of the light source is not visible either directly or by reflection to road users.

13. Notwithstanding the submitted details, the gate to be erected at point A on the approved plan shall be as per LCC standard drawing SD/3/26** (Single field gate up to 4.25m width) and be erected prior to the development first being brought into use.

The reasons for the conditions are:-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To define the permission.

3. To prevent pollution of the surface water system in accordance with policy NE14 of the adopted Hinckley and Bosworth Local Plan.

4. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

5. To ensure that the proposed use does not become a source of annoyance to nearby residents and in the interests of visual amenity to accord with policy BE1of the adopted Hinckley & Bosworth Local Plan.

6. To avoid water pollution in accordance with policy NE14 of the adopted Hinckley and Bosworth Local Plan.

7. To enhance the appearance of the development to accord with policy NE5 of the adopted Hinckley & Bosworth Local Plan.

8. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE5 of the adopted Hinckley & Bosworth Local Plan.

9. To ensure the satisfactory completion of the archaeological investigation and recording and deposition of the archive to accord with policy BE14 of the adopted Hinckley and Bosworth Local Plan.

10. In the interests of highway safety and the safety of bridleway users to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

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11. To ensure adequate construction of the access and in the general interests of highway safety to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

12. In the interests of road safety to accord with policy BE26 of the Hinckley & Bosworth Local Plan.

13. To identify the private nature of the track and in the interests of security to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

NOTES TO APPLICANT :-

1. Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. Animal waste and surface water contaminated by animal waste must not be discharged to ditches, watercourses or soakaways. Slurry, contaminated run-off (including wash water) and leachate from stockpiled manure, must be collected in tanks (or lagoons) complying with the standards laid down in the 'Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991'. Clean roof water should be discharged to soakaways (subject to suitable ground strata), ditches or watercourses.

5. The section of track shown light green on the submitted plan should be constructed to an appropriate standard for its purpose. For example, to "Agricultural Field Access Construction", as shown on LCC Drawing No. SD/11/5A.

6. The proposed access route shall be constructed in general accordance with the submitted details. Any works / required construction standards over an above those originally proposed as part of the consequential bypass works; to provide a field type access route only to the land shall be funded entirely at the applicants expense. A separate agreement will be required between the Highway Authority and the applicant to define future maintenance responsibilities for the intended access route in its entirety. Contact Mr M. Lennon (0116 305 7193).

7. The bridleway must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council.

8. All works in respect of the access shall be carried out to the satisfaction of the Director of Highways, Transportation & Waste Management. Please contact Mr Harjinder Marwaha 0116 305 7107 prior to any works commencing on the access route.

9. In relation to Condition 7, a comprehensive landscaping scheme that includes the planting of indigenous tree species to screen the proposed building and manege from the wider countryside will be required in this case.

10. The applicant is advised that during the construction phase of the development hereby approved, a watching brief for all protected species, including but not limited to, great crested newts, shall be carried out by a suitably qualified person. Should the presence of any protected species be detected, all works must cease and the Historic and Natural Environment Section of the Leicestershire County Council be consulted for additional advice.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 13 May 2008