Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr Sean Birch
9 Peckleton View
Desford
Leicestershire
LE9 9QF

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
6 June 2008	08/00585/FUL

Particulars and location of development:

ERECTION OF AGRICULTURAL BARN FOR STORAGE AND LIVESTOCK AND CONSTRUCTION OF NEW FIELD ACCESS

Land Adj Wrask Farm Desford Road Newbold Verdon Leicestershire

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies:

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, is adjacent to an existing settlement and farm complex, does not have an adverse effect on the character of the landscape, is in keeping with the scale and character of existing buildings, is screened by landscaping and will not generate traffic on a scale likely to impair road safety.

Hinckley & Bosworth Borough Council Local Plan (2001):- BE1, NE5, NE14 and T5

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 Nos. SL01A and BP01A received by the Local Planning Authority on 14th July 2008 and No. 08/00585A/FUL received by the Local Planning Authority on 6th June 2008 and additional plan No. 08/00585B/FUL received by the Local Planning Authority on 13th October 2008.

3. Notwithstanding the details submitted on the approved plan, the blockwork on the southern elevation (facing Desford Road) shall be clad in stained timber boarding and the blockwork on the remaining elevations shall be painted dark brown to match the timber boarding.

4. No other development shall commence on site until the new vehicular access to the site has been constructed in accordance with the details provided on additional plan No. 08/00585B/FUL received by the Local Planning Authority on 13th October 2008.

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IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE REVERSE SIDE OF THIS FORM

5. The existing vehicular access shall be closed permanently within one week of the new access being brought into use and the existing vehicular crossing reinstated to grassed highway verge to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

(i) hard surfacing materials
(ii) planting plans
(iii) written specifications
(iv) schedules of plants, noting species, plant sizes and proposed numbers
(v) implementation programme.

7. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which 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 at which time shall be specified in writing by the Local Planning Authority.

8. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the public highway and thereafter shall be so maintained.

9. Animal waste and surface water contaminated by animal waste must not be discharged to ditches, watercourses or soakaways.

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

4. The existing vehicular access point is poorly located opposite the Main Street junction and an alternative access which meets the appropriate design standards needs to be provided in an alternative location in the interests of highway safety to accord with policy BE1 and NE5 of the adopted Hinckley and Bosworth Local Plan.

5. To reduce the number of vehicular accesses to the site in the interests of highway safety to accord with policy NE5 of the adopted Hinckley and Bosworth Local Plan

6. To enhance the appearance of the development to accord with policy BE1 and NE5 of the adopted Hinckley & Bosworth Local Plan.

7. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 and NE5 of the adopted Hinckley & Bosworth Local Plan.

8. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users to accord with policy NE14 of the adopted Hinckley and Bosworth Local Plan.

9. To avoid pollution of the water environment and ensure that satisfactory arrangements are made for drainage of the site to accord with policy NE14 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.

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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. List of plans used in the determination of this application:- Plan Nos. SL01A and BP01A received 14th July 2008, 08/00585A/FUL received 6th June 2008 and 08/00585B/FUL received 13th October 2008.

5. In respect of Condition 6, the applicant is advised that the landscaping scheme should include the planting of native species of trees to provide additional screening of the approved building, particularly from the west and north and should also include the planting of native hedgerow and reinstatement of the highway verge to provide closure of the existing field access once the new access required by Condition 4 has been provided.

6. In relation to Condition 4, the new access should be provided with a minimum 6 metres control radii to each side, hard bound porous surfacing (not loose aggregate) for a minimum of 7 metres behind the highway boundary with any gates also set back a minimum of 7 metres behind the highway boundary. The adjacent hedges should be trimmed and maintained to provide maximum visibility.

7. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.

8. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (Telephone 01455 287202).

9. In relation to Condition 9, 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.

T. M Prowse

Date:- 24 November 2008

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL