Item: **16**

Reference: **11/00249/FUL**

Applicant: **Mr Martin Morris**

Location: **Land Adjacent New House Farm Stapleton Lane Dadlington**

Proposal: **ERECTION OF AGRICULTURAL WORKERS DWELLING AND DETACHED GARAGE**

Target Date: **20 May 2011**

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it is an application for an agricultural workers' dwelling where an agricultural appraisal is required.

Application Proposal

This application seeks full planning permission for the erection of a two storey permanent agricultural workers dwelling and detached garage on land at New House Farm, Stapleton Lane, Dadlington. The proposal would provide a three bedroomed dwelling with a detached garage within the garden area.

Previous applications have been submitted in relation to a permanent agricultural workers dwelling on this site. An outline application for an agricultural workers dwelling on the site was approved in 2003 and the reserved matters application was approved in 2007. These applications have now expired. Two further applications were submitted in 2009 but both were withdrawn as it was considered that the proposal at the time failed both the financial and functional tests. Two further applications for an agricultural workers dwelling on the site were submitted in 2010 but refused due to them failing the functional test as outlined in Annex A of PPS7. The last refused application is currently pending an appeal and the associated informal hearing is scheduled to be heard on 9 June 2011.

The Site and Surrounding Area

The site is located within the countryside between the settlements of Stapleton and Dadlington. The proposal site measures 1015 square metres and currently comprises an agricultural field and grass verge to the road frontage. There is an existing access to the site from Stapleton Lane.

There are a cluster of agricultural buildings associated with the holding located to the north and west of the site. There is other land associated with the applicant's ownership to the north and east of the site. The total holding of land at New House Farm is 11.3 hectares.

The nearest neighbours to the site are the occupants of the original New House farmhouse which is in separate ownership and is located on the opposite side of the farm track to the west.

The wider area is countryside with isolated dwellings and farmsteads along this stretch of the lane.

There is a public footpath which has recently been diverted which crosses the field to the east of the site.

Technical Documents submitted with the application

A Design and Access Statement has been submitted with the application which states that the applicant and/or employees are required to visit the site on a daily basis to attend to the needs of the farm. The proposed new dwelling will allow an agricultural worker to live on the site facilitating its day to day management. The applicant is currently able to fund the construction of the new dwelling. The dwelling has a traditional external appearance of a converted barn in order to be acceptable within the area. Construction materials have been influenced by the surrounding dwellings. The new garage is sited so as to be screened by existing planting. The dwelling has been amended in design from the previous application in order to provide a larger boot/utility room.

The application has been submitted with a Supporting Planning Statement which states that the proposal seeks to provide a modest two storey, three bedroom dwelling and associated double garage for a person working in agriculture. The site is well screened from Stapleton Lane by mature hedges and trees. This site forms part of a larger agricultural unit which is operated from three sites: Mulberry Farm, Brook Farm and the application site. In light of the unintended expiration of planning permission 03/00316/OUT; the subsequent unsuccessful attempts to re-establish planning permission; the increased numbers in livestock; and, the unsuitability of existing buildings at Mulberry Farm, the applicant has been left with little choice but to relocate the lambing ewes and calves for rearing (as well as those weaned for further rearing) to New House Farm as originally planned. In order to protect the stock and to meet with animal welfare standards the applicant has occupied a mobile home on the site. Currently occupied on a seasonal basis, the mobile home does not have planning permission. The statement concludes that a full time worker is required to reside on site at New House Farm in order to be on hand at short notice to attend to: issues surrounding lambing; illness and disease relevant to the ewe stock and dairy calves; DEFRA standards relating to bio-security; and, to be able to respond in the case of emergency i.e. in the event of a fire. In light of the clear animal welfare issues relevant to the livestock managed at New House Farm, it is considered the applicant would not be able to discharge his legal obligations under the Animal Welfare legislation were he not able to reside permanently on site.

The application has been submitted with an Agricultural Statement which sets out stock levels, buildings and ownership of the overall agricultural holding. The current stock levels at New House Farm are 130-150 store cattle, 820 lambing ewes, with bucket fed calves (300 - 400 per year). 465 laying hens and 1000 seasonal turkeys are to be relocated to the site later this year. The land holding is 42.48 hectares with 828.81 hectares rented. It states that the farm business as a whole has expanded significantly since the lapsed 2003 approval (ewe numbers have risen by 32% and store and fattening cattle have increased by 70%) and the relocation of part of the stock to New House Farm requires a full time stockman to be housed permanently on the unit. The welfare requirements of the stock already held at New House Farm together with the stock it is proposed to relocate there constitute a functional need for a full time presence on the unit. Meeting the welfare requirements of the stock is critical to the success of the farm business. To comply with current welfare standards the cattle housed at New House Farm must be inspected three times a

day. The requirement for new inspection regimes for all stock has been put in place to improve bio-security following the Foot and Mouth Disease (FMD) outbreak in 2001. The applicant is mindful of his responsibilities in relation to this advice, particularly as during the 2001 FMD outbreak stock on two farms close to farm business's land holding were compulsorily slaughtered. The high numbers of stock held at New House Farm renders them at risk of disease outbreak and injuries. The lack of a 24 hour presence on the farm increases such risks, to the detriment of the farm business.

The statement goes on to say that bucket reared calves have also been relocated to New House Farm. The care of young calves newly removed from their mothers is particularly labour intensive. Attention to detail and close observation of the young calves is critical, particularly during the first few weeks following separation from their mothers. Each year the farm business rears over 400 calves, principally from local dairy farmers. The ability for a stockman to be on hand close to the rearing facilities will allow any disease symptoms or injuries to be observed and dealt with promptly; this will not only improve animal welfare but, by lowering mortality, it will improve the economics of the farm business. It is proposed to bring a mobile 465 bird laying house to New House Farm for the egg laying flock, and to erect a stock building to house turkeys and cockerels for the Christmas trade (outside the rearing periods for the turkeys and cockerels, i.e. January to June, this building will be utilised for housing sheep and cattle). The turkeys and cockerels are bought in as day old chicks and reared under artificial heat sources. For the first week the temperature must be maintained at 36 degrees centigrade and then reduced to 25 to 27 degrees centigrade for two more weeks until the chicks are able to tolerate lower temperatures as they become feathered. DEFRA codes of welfare for poultry are particularly stringent, centring on the need for regular inspections to assess flock health and to deal promptly with any issues arising.

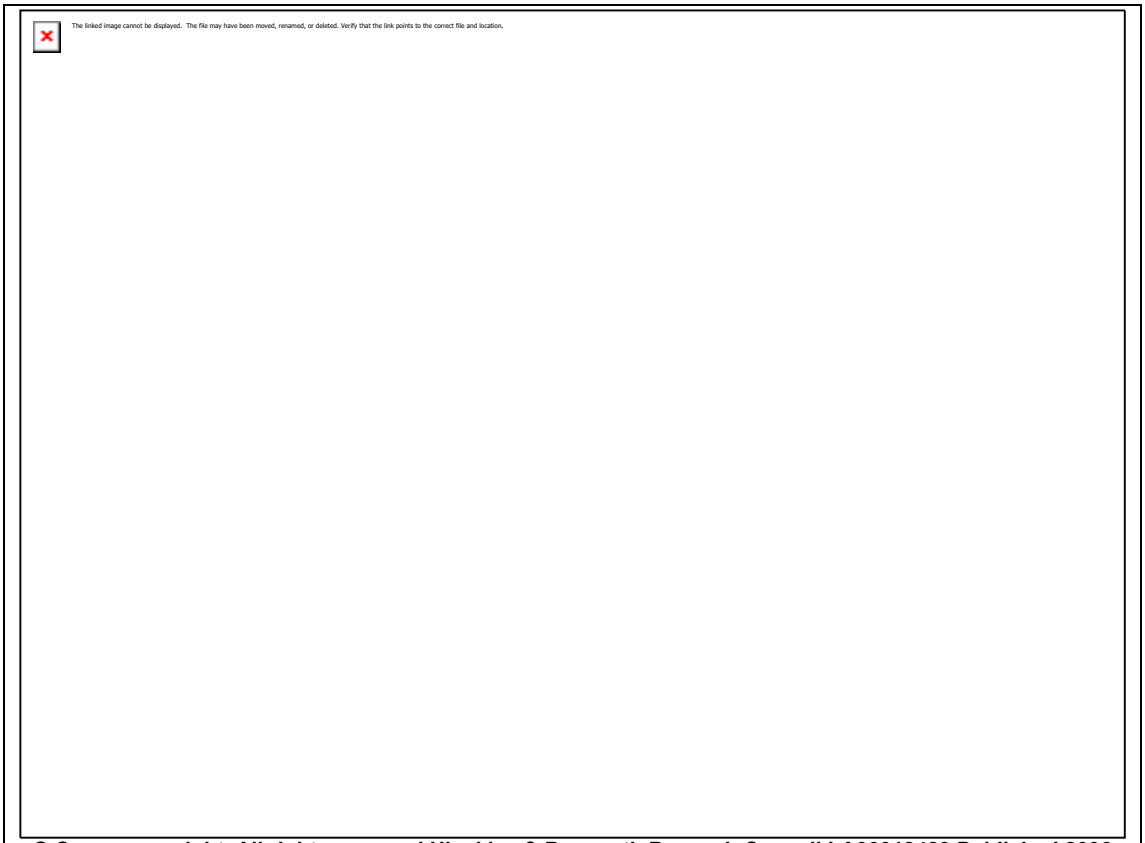
The application has been submitted with copies of the financial accounts for the business for the last three trading years.

Also submitted is a copy of a plan which denotes the agricultural buildings which are currently erected on the site and those approved but not yet erected at the site.

History:-

11/00194/FUL	Erection of link building for agricultural Storage	Pending decision	
10/00968/FUL	Erection of two agricultural buildings	Approved	16.02.11
10/00916/GDO	Erection of Agricultural building	Approved	22.12.10
10/00816/FUL	Erection of Agricultural Dwelling with double garage	Refused Appeal pending	07.12.10
10/00623/FUL	New Agricultural Building	Approved	15.11.10
10/00594/GDO	Portal Framed Livestock/ Poultry Building	Application returned	17.08.10
10/00148/FUL	Erection of Agricultural Dwelling with double garage	Refused	14.04.10

09/00791/FUL	Erection of Agricultural Dwelling with double garage	Withdrawn	24.11.09
09/00456/FUL	Erection of Agricultural Dwelling with double garage	Withdrawn	27.07.09
08/00943/GDO	Extension to agricultural building	Approved	04.11.08
06/01311/REM	Erection of farmhouse and detached garage	Approved	06.01.07
03/00316/OUT	Agricultural workers dwelling	Approved	03.12.03



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Consultations:-

No objections received from Western Power Distribution (Formerly Central Networks).

No objection subject to conditions received from:-

The Director of Environment and Transport (Highways)
The Head of Business Development and Street Scene Services
The Head of Community Services (Pollution).

No objections subject to note to applicant received from:-

The Director of Environment and Transport (Public Footpaths)

The Head of Community Services (Land Drainage).

The Borough Council's Agricultural Appraisal Consultant advises that the application information has been considered in terms of the actual and proposed enterprises at New House Farm in the context of national planning policy guidance and development plan policy and concludes that:-

a) the farm business of which New House Farm and its associated farming activities form a part is well-established
b) the scale and nature of the enterprises have a total labour requirement of in excess of 5 full-time workers
c) the livestock activity associated with the New House Farm site generates a requirement for 2.5 workers, the ready availability of one is necessary to ensure its proper management
d) the farm business is profitable at a level which gives appropriate remuneration to its principles and an ability to fund a dwelling
e) the proposed dwelling is a substantial property, but well within an acceptable size range for agricultural dwellings according to national experience
f) existing dwellings associated with the farm business, and alternative housing in the locality of New House Farm, are not sufficiently close to provide an appropriate supervisory base for a readily available key worker.

Site notice displayed and neighbours notified.

At the time of writing the report, comments have not been received from:-

The Ramblers Association
Parish Council.

The consultation period remains open at the time of writing the report and closes on 28 April 2011. Any consultation responses received before the closing date will be reported and appraised as a late item.

Policy:-

Central Government Guidance

Planning Policy Statement 1 (PPS1): 'Delivering Sustainable Development' sets out the overarching planning policies on the delivery of sustainable development through the planning system. Paragraph 5 states that planning should facilitate and promote sustainable and inclusive patterns of rural development by protecting and enhancing the natural environment and the quality and the character of the countryside.

Planning Policy Statement 3 (PPS3): Housing sets out the national planning policy framework for delivering the Government's housing objectives. Paragraph 10 seeks to ensure that housing developments are in suitable locations.

Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth provides guidance in respect of the Government's sustainable economic growth objectives.

Planning Policy Statement 7 (PPS7): 'Sustainable Development in Rural Areas' sets out the Government's planning policies for rural areas. Paragraph 1 advises that new building development in the open countryside outside existing settlements should be strictly controlled in order to protect the countryside for its intrinsic beauty. Paragraph

10 makes it clear that isolated new dwellings in the countryside require special justification for planning permission to be granted. Further advice is provided in Annex A to PPS7 which states that one of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural and certain other full time workers to live at, or in the immediate vicinity of, their place of work. In assessing planning applications for new dwellings in the countryside Annex A requires a functional and financial test to be applied in order to give consideration to: the nature of the holding and the functional need/necessity for the person to live on site, having regard to the security and efficient operation of the holding, (e.g. if a worker is needed day and night to provide essential care at short notice and deal quickly with emergencies that could otherwise cause serious loss); the financial viability of the holding to sustain the worker in full time employment; the availability of suitable existing accommodation nearby. In addition, the agricultural dwelling should be of a size commensurate with the established functional requirement and be well related to existing farm buildings. Dwellings that are unusually large in relation to the needs of the unit or expensive to construct in terms of the income it can sustain in the long term should not be permitted. It is the requirements of the enterprise not those of the owner or occupier that is relevant in determining the size of the dwelling that is appropriate.

Local Development Framework Core Strategy 2009

Spatial Objective 13: Transportation and Need to Travel seeks to reduce high reliance on car travel within the borough.

Hinckley and Bosworth Local Plan 2001

Policy BE1 seeks to safeguard and enhance the existing environment and states that planning permission will be granted where the development:- complements or enhances the character of the surrounding area with regard to scale, layout, mass, design and materials; has regard to the safety and security of individuals and property; ensures adequate highway visibility for road users and adequate off street parking and manoeuvring facilities; is not adversely affected by activities within the vicinity of the site which are likely to cause a nuisance to the occupiers of the proposed development; does not adversely affect the occupiers of neighbouring properties and incorporates landscaping to a high standard.

Policy RES12 states that in assessing planning applications for dwellings required to accommodate a person employed in agriculture, consideration will be given to: the nature of the holding and the necessity for the person to live on site, having regard to the security and efficient operation of the holding; the viability of the holding to sustain the worker in full time employment; the availability of suitable alternative accommodation in the local housing market.

Policy T5 refers to the application of appropriate standards for highway design and parking targets for new development.

Policy NE5 states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is important to the local economy and cannot be provided within or adjacent to an existing settlement and only where it does not have an adverse effect on the appearance or character of the landscape, is in keeping with the scale and character of the existing buildings and general surroundings, will not generate traffic likely to exceed the capacity of the highway network or impair road safety and is effectively screened by landscaping. Policy NE12 states that proposals for development should

make provision for further landscaping where appropriate. Policy NE14 requires satisfactory arrangements to be made for the disposal of foul sewage and surface water. Policy NE12 seeks to ensure that development proposals take into account the existing features of the site and make provision for further landscaping where appropriate.

Supplementary Planning Guidance/Documents

The Council's Supplementary Planning Guidance on New Residential Development provides further advice in respect of layout, design etc.

Appraisal:-

The main considerations with regards to this application are the principle of residential development in the countryside, the layout and design of the dwelling, impact on the amenity of the occupiers of the neighbouring property and its impact on the character and appearance of the surrounding landscape and highway safety.

Principle of Development

One of the few circumstances in which isolated residential development may be justified in the countryside is when accommodation is essential to enable a full-time agricultural worker to live at their place of work and special justification can be provided in both functional and financial terms. An agricultural dwelling has previously been approved for this site but planning permission has now expired, and up to date information has been submitted to justify the current application. The Borough Council's Agricultural Appraisal Consultant has confirmed that New House Farm is actively being developed as the principal operational centre of the farm business and there has been recent investment in new buildings and planning permission has been secured for further buildings. The availability of the latest buildings has enabled the transfer of stock, notably a calf rearing enterprise and a lambing ewe flock to New House Farm from the previous farm centre at Mulberry Farm, Stoke Golding. The transfer of poultry activity is anticipated in the near future. Existing dwellings associated with the farm business, and alternative housing in the locality of New House Farm, are not sufficiently close to provide an appropriate supervisory base for a readily available key worker. Furthermore, the farm business is profitable at a level which gives appropriate remuneration to its principles and an ability to fund a dwelling. Therefore, there is now support for an agricultural workers dwelling on the site.

It is noted that as part of the approval of the 2003 outline application, a condition was imposed to ensure that the occupation of Brook Farm remained as an agricultural dwelling and was not sold separately on the open market as it could give rise to pressure for an application for an additional dwelling within the countryside. Information contained within the current agricultural appraisal refers to a dwelling at Brook Farm and states that it is soon to be occupied by the retired partner to the business. It would therefore not be appropriate to apply a condition in relation to Brook Farm in connection with this application. However, as agricultural operations are to continue at Mulberry Farm, it is suggested that a condition requiring that dwelling to be occupied by an agricultural worker is appropriate to ensure that there is no further pressure for additional dwellings in future.

Furthermore, a condition is suggested in order to ensure that the erection of the buildings recently approved in connection with the relocation of the farm business takes place prior to the occupation of this dwelling.

Layout, Design and Impact on the Countryside

The site is located within the countryside with isolated dwellings and farmsteads in the vicinity. The agricultural storage complex associated with the proposal is located to the north of the proposed site. The dwelling is to be sited in close proximity to the existing agricultural buildings. The wider surrounding area is that of a predominately flat rural landscape bound by mature hedgerows and trees. Due to the mature hedgerows surrounding the site, views of the application site are obscured and therefore the proposal will not be particularly prominent within the rural landscape.

This current proposal, as submitted, is calculated to provide a two storey dwelling of approximately 140 square metres floorspace with a height of 9 metres to the main ridge which is reasonable in terms of scale. The Council's Agricultural Appraisal Consultant has confirmed that the proposed dwelling is substantial but well within an acceptable size range for agricultural dwellings according to national experience and that the proposed dwelling is sited in a position from which the functional need can be properly met and adequate security surveillance of the farmstead can be delivered.

The design proposed incorporates features often found on converted barns and similar to the design approved in 2006. The dwelling is now proposed to face the farm track rather than Stapleton Lane which results in a lesser mass facing the lane. The main part of the dwelling will be facing brick with a clay tiled roof and wooden windows. The northern elevation consists of a timber clad element at first floor level which contains a small balcony to a bedroom. The east elevation incorporates a full height glazed screen detail which is reminiscent of a converted barn.

The size and design of the proposed detached double garage is the same as approved in the 2006 application. It is a simple pitched roof construction with access in the gable end. It is located to the front of the site in a similar position to that previously approved and is screened by mature hedges.

Neighbours Amenity

The nearest adjacent dwelling to the proposal is the original New House Farmhouse which is in separate ownership and is located to the west of the site and beyond the farm track. There is a mature hedge to the property's eastern garden boundary. This hedge, the farm track and proposed siting will ensure that the proposal does not result in any significant impact on the neighbouring amenity. The proposal is considered to be acceptable.

Highway Safety

The Director of Environment and Transport (Highways) has referred to standing advice and conditions have been included which ensure that adequate parking and surfacing is provided within the site and that the existing access is improved to ensure that the it meets current highway safety standards.

Other Considerations

The previous issues in respect of the diversion of footpath T65 have now been resolved in that a Diversion Order has been made and will be implemented in the near future. The Director of Environment and Transport (Footpaths) has suggested notes to the applicant to ensure that no damage or obstruction is caused to the public footpath.

The Head of Community Services (Land Drainage) has suggested notes to applicants which have been included.

Conclusion

The Council's Agricultural Appraisal Consultant response confirms that the evidence submitted with the application is sufficient and that the new agricultural workers dwelling in this location satisfies the tests of PPS7 and local plan policy RES12, the design of the dwelling is considered appropriate to this sensitive countryside location and as such the application is considered to be acceptable. It is proposed to control the occupation and further expansion of the dwelling by way of conditions within the decision to ensure that the dwelling remains necessary for agriculture and of a size that is commensurate with the agricultural unit. Furthermore conditions are suggested to control the occupancy of Mulberry Farm and to ensure that this dwelling is not occupied until the buildings previously approved in connection with the relocation of the farm business to the site are completed.

RECOMMENDATION :- Permit subject to the following conditions:-

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 government guidance and 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 as it passes the functional and financial tests of Annex A of Planning Policy Statement 7 and given the design and layout would not have an adverse impact upon the character or appearance of the countryside.

Local Development Framework - Core Strategy:- 13.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5, NE12, NE14, RES12, T5.

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

2 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working in the locality in agriculture as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry or a widow or widower of such a person, and to any resident dependants.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by (Amendment) (No.2) (England) Order 2008 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A to C and E inclusive shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

4 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling and garage shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

5 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:-

a) proposed finished levels or contours
b) means of enclosure
c) car parking layouts
d) hard surfacing materials
e) planting plans
f) written specifications
g) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
h) implementation programme.

6 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.

7 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:- Drawings 02H, 04Q, 05O, 06C, 08A and 10C.

8 Before the first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with a hard bound porous material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.

9 Notwithstanding the submitted plans, the vehicular access serving the development hereby approved, shall be a minimum of 6.0 metres wide for at least the first 5 metres behind the highway boundary and have 10 metres controlled radii at its junction with the adopted road carriageway. The access drive shall be provided prior to first occupation of the dwelling hereby approved and shall be so maintained at all times thereafter. If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

10 Notification of the commencement date of any site investigation work relating to potential contamination should be given in writing to the Local Planning Authority not less than 14 days before such work commences.

11 No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

12 If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

13 Notification of the commencement of development should be given in writing not less than 14 days before development commences.

14 The dwelling at Mulberry Farm, Stoke Golding shall not be occupied other than by a person wholly or mainly employed, or last employed locally in agriculture as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry or a dependent of such a person residing with him, or a widow or widower of such a person.

15 The dwelling hereby approved shall not be occupied until the agricultural buildings approved under references 10/00623/FUL and 10/00968/FUL have been erected and are available for their approved use.

Reasons:-

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

2 The site lies within an area of countryside where the Local Planning Authority would not normally grant permission for residential development. And, to ensure that the existing dwellings associated with the farm holding are used for agricultural purposes, to avoid the proliferation of new agricultural dwellings to accord with Planning Policy Statement 7 and policies RES12 and NE5 of the adopted Hinckley and Bosworth Local Plan.

3 The site lies within an area where the Local Planning Authority would not normally grant permission for residential development. The dwelling hereby permitted has been justified by the agricultural needs of the applicant and the dwelling is proportionate to the needs of the applicant and the agricultural unit. Further extensions would create a disproportionate dwelling and would be unacceptable in terms of Planning Policy Statement 7 and policy RES12 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 enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

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

7 For the avoidance of doubt and in the interests of proper planning.

8 To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan and the guidance contained within Leicestershire County Council's current highway design guidance, 'Highways, Transportation and Development'.

9 To ensure that vehicle entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway, to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan and the guidance contained within Leicestershire County Council's current highway design guidance, 'Highways, Transportation and Development'

10 To ensure that the site is not contaminated and to safeguard the health of future occupiers to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

11&12 To ensure safe development of the site and to protect the amenities of future occupiers of the site to accord with policy NE2 of the adopted Hinckley and Bosworth Local Plan.

13 To ensure that the site is not contaminated and to safeguard the health of future occupiers to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

14 To ensure that existing dwellings associated with the farm holding are used for agricultural purposes and to avoid proliferation of new agricultural dwellings, in accordance with Annex I of Planning Policy Guidance Note 7.

15 To ensure that the proposed relocation of the farm business to the site is in full operation prior to occupation of the dwelling, in accordance with Annex I of Planning Policy Guidance Note 7.

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 6 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. 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 (0116 3052202).

5 Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid the necessity of discharging some surface water off-site, flow attenuation methods should be employed, either alone or, if practicable, in combination with infiltration systems and/or rainwater harvesting systems.

6 Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet.

7 You are reminded that you would not be entitled to carry out any works directly affecting the existing route of footpath T65 as shown by a solid black line on the attached plan. In addition, you will be responsible for ensuring that free access can be exercised safely by pedestrians at all times along the existing path. If it is necessary for works to be carried out within the confines of the existing footpath, the County Council's consent to these should be obtained before they are commenced. The applicant should contact the Rights of Way Inspector for the area, Mr. A. Perry, who is based at the County Council's Area Highways Office, Mountsorrel and can be contacted on 0116 305 0001. Any damage that may be caused to the surface of the existing footpath prior to the confirmation of the Diversion Order will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority. The applicant will be responsible for ensuring that

no additional structures are installed either on a temporary or a permanent basis across the existing footpath without the written consent of the Highway Authority having been obtained. Unless a structure has been authorised by the Authority, it constitutes an unlawful obstruction of the right of way and the County Council would be obliged to seek its immediate removal.

Contact Officer:- Louise Forman Ext 5682