Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant	**Name and Address of Agent (if any)**
Mr J Hay	Mr D. Haynes
Lower Cleeve Farm	56 Leicester Road
Ross-on-Wye	Groby
Hereford	Leicestershire
HR9 7TD	LE6 0DJ

Part I - Particulars of Application

Date of Application	**Application No.**
14 October 2008	08/00997/FUL

Particulars and location of development:

ERECTION OF PERMANENT FARM MANAGERS DWELLING

The Poultry Farm Desford Road Ratby Leicester 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 as it would provide essential accommodation for a person employed in the locality in agriculture, would be well related to the existing buildings and due to its siting and design would not have an adverse impact on the character and appearance of the surrounding landscape.

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

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. 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. The materials to be used on the external elevations of the proposed dwelling shall be Ibstock Arden Weathered Red facing bricks and Redland Duo (Rustic Brown) roof tiles unless otherwise agreed in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

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.

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

5. 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.

6. 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.

7. 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.

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

9. Prior to first occupation of the dwelling hereby approved the temporary mobile home shall be permanently removed from the site.

10. The new beech hedges indicated on amended plan No. 3726:1A shall be planted during the first appropriate planting season following the date when the dwelling is first ready for occupation. 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.

11. The residential curtilage of the dwelling hereby approved shall be limited to the area enclosed by a red edge and new beech hedges as indicated on amended plan No. 3726:1A received by the Local Planning Authority on 5th December 2008.

12. The car parking and turning facilities shown on the approved plan shall be provided before first occupation of the dwelling hereby permitted and once provided shall thereafter permanently remain available for such use unless otherwise agreed in writing by the Local Planning Authority.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1, Classes A - E inclusive shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

The reasons for the conditions are:-

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 open countryside where the Local Planning Authority would not normally grant permission for residential development and to accord with policy RES12 of the adopted Hinckley and Bosworth Local Plan.

3. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & 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 - 8. To ensure the safe development of the site and protect future residents from potential land contamination due to the use of the site as a farm to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

9. To define the permission and to ensure that the temporary mobile home is removed from the site to protect the character and appearance of the countryside and to accord with policies RES12 and NE5 of the adopted Hinckley and Bosworth Local Plan.

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10. To define the residential curtilage, to enhance the appearance of the development and 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.

11. To define the residential curtilage and for the avoidance of doubt to accord with policies BE1 and NE5 of the adopted Hinckley and Bosworth Local Plan.

12. To ensure that adequate car parking and turning facilities are provided within the curtilage of the dwelling to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

13. To safeguard the visual amenities and the rural character of the area to accord with policy BE1 and NE5 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. List of Plans used in the determination of this application:- Plan Nos 3726:1A; 3726:2; 3726:3 and 3726:4.

5. A cess pit is a holding tank for sewage; not a treatment plant. It must not have an overflow pipe or weir, or any other facility enabling it to discharge to a ditch or watercourse, only a suction nozzle for the transfer of its contents to a road tanker. Access and turning for a tanker vehicle must be provided and maintained within the site.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 17 December 2008