



Appeal Decisions

Inquiry Held on 18, 19 and 20 January 2021

Site visit made on 23 January 2021

by Mark Harbottle BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2021

Appeal A: APP/R0660/C/19/3227885

Land at Edgefields, Hough Lane, Alderley Edge SK9 7JD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (the Act) as amended by the Planning and Compensation Act 1991.
- The appeal is made by Derek Andrew Kelly against an enforcement notice issued by Cheshire East Council.
- The enforcement notice, numbered 17/00707E, was issued on 1 April 2019.
- The breach of planning control as alleged in the notice is the unauthorised erection of 2 connected buildings.
- The requirements of the notice are (1) demolish the 2 connected buildings; (2) remove the foundations to the buildings; (3) remove all services connected to the buildings; and (4) remove all resulting debris from the land.
- The periods for compliance with the requirements are (1), (2) and (3) 4 months; and (4) 5 months from when the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Act.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld

Appeal B: APP/R0660/W/19/3227486

Hawthorn Farm, Hough Lane, Alderley Edge SK9 7JD

- The appeal is made under section 78 of the Act against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs Kelly and Mr & Mrs Johns against the decision of Cheshire East Council.
- The application Ref 18/5376M, dated 23 October 2018, was refused by notice dated 23 January 2019.
- The development proposed is extensions and alterations to the Farmhouse and erection of three new dwellings (Barns 1, 3 and 4) to replace former agricultural buildings with associated works to include landscaping.

Summary of Decision: The appeal is allowed and planning permission is granted in the terms set out in the Formal Decision below

Preliminary matters

1. Appeal B seeks planning permission for development already partly carried out and I have adopted the description of the development from the addendum to the Statement of Common Ground.
2. Proposed Barn 3 in Appeal B is a completed version of the 2 connected buildings the subject of Appeal A. While I shall consider ground (a) of Appeal A alongside Appeal B, the difference between the 2 connected buildings and the

development proposed in Appeal B will necessitate variations in assessment. However, for brevity I shall describe the 2 connected buildings as Barn 3 in this decision.

3. Some elements of the Appeal B proposal, notably the alterations to the Farmhouse and the construction of Barn 4, are either as permitted in 2016¹ (the original permission) or in subsequent minor or non-material changes². However, it is common ground that the previously approved schemes can no longer be lawfully constructed.
4. An appeal on ground (f), that lesser steps would resolve the alleged breach of planning control, was withdrawn from Appeal A before the Inquiry opened.

Appeals A and B – the appeal on ground (a) and the s78 appeal

5. The main issues in these appeals are:
 - Whether the erection of the 2 connected buildings in Appeal A (the Edgefields scheme) and the alterations to the Farmhouse and the erection of Barns 1, 3 and 4 in Appeal B (the Hawthorn Farm scheme) are inappropriate development in the Green Belt having regard to the revised Framework³ and any relevant development plan policies.
 - The effects of the Edgefields scheme and the Hawthorn Farm scheme on the openness and purposes of including land in the Green Belt.
 - The effects of the Edgefields scheme and the Hawthorn Farm scheme on the landscape and on the character and appearance of the area.
 - If the Edgefields scheme and the Hawthorn Farm scheme are inappropriate development, whether, in each case, the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Whether the Edgefields scheme and the Hawthorn Farm scheme are inappropriate development

6. If the alterations and extension to the Farmhouse in the Hawthorn Farm scheme result in disproportionate additions over and above the size of the original building, they would be inappropriate development. However, both parties included this element in their baseline for assessing the effect on the Green Belt and it is not recorded among the matters not agreed in the Statement of Common Ground.
7. Nevertheless, both schemes include the construction of new buildings. New buildings are inappropriate development in the Green Belt unless one or more of the exceptions in paragraph 145 of the revised Framework applies. None of these exceptions is claimed, and no exception provided by saved policy GC1 of the Macclesfield Borough Local Plan (the MBLP) or policy PG3 of the Cheshire East Local Plan Strategy (the CELPS) is suggested.
8. Accordingly, both schemes are inappropriate development in the Green Belt.

¹ 16/3872M, granted 6 October 2016

² 16/5846M, granted 7 December 2016, 17/2834M, granted 21 June 2017, 17/3426M, granted 4 December 2017 and 18/1529M, granted 7 June 2018

³ The National Planning Policy Framework, updated 19 February 2019

The effects on the openness and purposes of including land in the Green Belt

9. Paragraph 133 of the revised Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.
10. Notwithstanding the differing views expressed by witnesses, the parties agree that the baseline for assessing the effect on openness should be the site as it currently exists but excluding Barn 3 and the new build parts of Barn 1.
11. From this starting point, the only empirical assessment of the effects on openness in spatial terms is that provided by the Council⁴. This indicates that the Edgefields scheme introduces 1,408 cubic m of built form, 301 square m floor space, and that Barns 1 and 3 in the Hawthorn Farm scheme introduce 2,854 cubic m of built form, 583 square m floor space. Both represent a significant increase in the quantum of built development in the Green Belt.
12. The effects of each scheme on openness in visual terms varies depending on the viewpoint. From the baseline, the new build parts of Barn 1 would have a significant impact on openness in views from the Hough Lane frontage, limiting views of the countryside beyond. Views of the gables of Barn 1 from further north and south on Hough Lane form part of the baseline and while the new build elements would add to the effect this has on the visual aspect of openness, the difference would not be significant.
13. Views of Barn 3, as built, from Hough Lane are currently constrained by screening around the site. Apart from glimpses through access points, this would largely be the case if Barn 1, its car port and the 1.8m wall between them were built out. However, in the absence of Barn 1 and those associated features, the effect of the Edgefields scheme is likely to be more significant, limiting views of the countryside that would otherwise be possible between the Farmhouse and Barn 4.
14. The effects also vary in views from the public footpaths near the site, FP52, FP54 and FP55. From FP52⁵, the Farmhouse, Barn 3 and Barn 4 can be seen in combination, appearing as a compact group of buildings. The Farmhouse and Barn 3 combine to give the appearance of a group when viewed from FP54⁶ and the Farmhouse and the gables of Barn 1 combine in views from FP55⁷. In some instances, these views are fleeting, while the Farmhouse and Barn 3 remain in view for longer while walking FP54. The Hawthorn Farm scheme and, to a lesser extent, the Edgefields scheme therefore reduce the openness of the Green Belt in visual terms. Accordingly, and considered with the spatial effects noted above, both cause harm to the openness of the Green Belt.
15. Barn 3 and the new-build elements of Barn 1 would fill space between the Farmhouse and Barn 4. Differing views were given as to how this space might appear if the appeals were to fail and Barn 3 be removed. Should either scheme represent encroachment into the countryside, it would be contrary to one of the stated purposes of including land within the Green Belt, set out in CELPS policy PG3, MBLP policy GC1 and paragraph 134 (c) of the revised

⁴ Ms Fenghour's proof of evidence, the table at paragraph 6.17

⁵ The appendices to Mr Folland's proof of evidence, viewpoint 1

⁶ Ibid, viewpoints 3 and 4

⁷ Ibid, viewpoint 5

Framework. None of these documents provides a definition of encroachment and none was suggested in the Inquiry. However, with Barns 1 and 3 largely or entirely absent, as per the baseline, the Edgefields scheme and the new-build elements of the Hawthorn Farm scheme would appear to fill a gap between the Farmhouse and Barn 4. From this perspective, I am not convinced that this gap, if created through the demolition of Barn 3 and no further work being done to Barn 1, would be read as countryside or that either scheme should be viewed as an encroachment into the countryside.

16. The same policies record that another purpose of including land within the Green Belt is to assist in urban regeneration, although this is not included in the Council's reasons for issuing the enforcement notice or refusing planning permission. While it may be that every dwelling built in the countryside provides a housing opportunity that might otherwise be met within a settlement, no evidence of harm to urban regeneration was presented.
17. Accordingly, while conflict with the purposes of including land within the Green Belt has not been demonstrated, both schemes cause harm to its openness.

The effects on the landscape and on the character and appearance of the area

18. The Cheshire East Landscape Character Assessment (LCA) notes the contribution of dispersed farms within the Lower Wooded Farmlands and, more specific to the appeals, to the Chonar Character Area. There are no direct references to Hough Lane in the LCA, indicating that while it may contribute to landscape character, it was not considered special in landscape terms.
19. The landscape I saw when walking Hough Lane between Beech Farm and the junction with Moss Road has a strong rural character. Within this section are instances of roadside buildings grouped in farmstead form, whether active as farms or converted to housing. While such groups are not unique to Hough Lane, they are a strongly repeated motif in its rural landscape, making a very significant contribution to local character. These regularly occurring man-made features reflect how farm buildings and agricultural activity have occupied and shaped the local landscape over time and are a very significant component of its character. From this perspective, the development beyond the baseline in both schemes would result, to differing extents, in a built form that, while reducing some views of countryside, is characteristic of this part of Hough Lane.
20. Where farmsteads have been converted to residential use it has introduced varying degrees of suburbanisation, largely through boundary treatments, car parking arrangements, and hard and soft landscaping. I saw examples of how these changes had diminished the perception of farmstead grouping in views from Hough Lane at Big Brick Hill Farm, now Haddock Hall Farm, and Hough Green Farm. Rosevale Farm, a short way to the south, was suggested as an example of how the Farmhouse and Barn 4 would be perceived if Barns 1 and 3 were absent. I found this comparison informative because Rosevale Farm has the appearance of an isolated dwelling, with little evidence of an agricultural past, when viewed from Hough Lane.
21. However, I also saw that the clusters of buildings visible at Chonar Farm, Walmsley Fold Farm and Brook Farm give a strong indication of their agricultural origins and their place in the rural landscape, regardless of their current use.

22. There is no certainty about the future management and appearance of the area between the Farmhouse and Barn 4 if the appeals were to fail. The separation and differing ages and designs of these buildings mean that they would be seen as separate dwellings with little evidence of a shared history as parts of a farmstead. They would therefore appear as instances of sporadic residential development that would not make a positive contribution to the landscape and rural character of this part of Hough Lane.
23. In contrast, and from the baseline, the completion of Barns 1 and 3 in the Hawthorn Farm scheme would achieve a grouping more in keeping with the prevailing character of farmstead development on Hough Lane and in the rural landscape. Not only would this contrast positively with the loss of that character visible in other former farmsteads on Hough Lane, it would also rectify the loss to landscape character arising from the current appearance of the site. However, the Edgefields scheme could not achieve the same grouping benefit and the legibility of any cluster would depend in part on the retention of the gables to Barn 1, which is not certain.
24. Barn 3 and the new-build elements of Barn 1 would lack evidence of historic changes that were characteristic of the previous buildings, although neither was recorded as a heritage asset. However, this would not alter the contribution of their form and grouping to sense of place and the character and quality of the local landscape, whereby they avoid conflict with CELPS policies SE1 and SE4.

Whether very special circumstances justify the developments

25. Inappropriate development is, by definition, harmful to the Green Belt and should not be granted unless very special circumstances exist where the harm to the Green Belt and any other harm is clearly outweighed by other considerations. Very special circumstances need not be unusual and may arise from ordinary factors that, when combined, amount to something very special.
26. It is submitted by the appellants that the current appearance of the site, in particular the gap between the Farmhouse and Barn 4, is without precedent and incongruous in the context of Hough Lane. The Council's landscape witness agreed in cross-examination that this conflicts with policies SE1 and SE4. The appellants further contend that the achievement of a roadside farmstead grouping would have a positive reinforcing effect on the landscape and the character of the area, capable of providing very special circumstances that justify inappropriate development.
27. As noted, such groupings are a significant component of the rural character of the landscape surrounding and including Hough Lane, but this has declined because of some residential conversions. Maintaining such a group at Hawthorn Farm would therefore conserve landscape character, which CELPS policy SE4 expects all development to do, and a development that has a neutral effect on the landscape may therefore comply with the policy. However, the policy also allows that development may, where possible, do more by enhancing and effectively managing man-made landscape features that contribute to the local distinctiveness of rural landscapes. This higher level of landscape contribution goes beyond mere compliance.
28. The addition of Barns 1 and 3 to the Farmhouse and Barn 4 through implementation of the Hawthorn Farm scheme would recreate a man-made

- landscape feature with a discernible agricultural group form that is characteristic of Hough Lane. This would make a strong positive contribution to the local distinctiveness of the rural landscape. Even though the character and appearance of the original buildings cannot be entirely recreated, the reinstatement of group form would stem, and to some extent reverse, the decline of farmstead groupings in the rural landscape that surrounds and includes Hough Lane. In this way, the scheme would not only reinforce landscape character but overcome the harm to that character presented by the site in its current state.
29. There is no indication that this very substantial landscape enhancement would be achieved if the scheme did not go ahead. While the Council could address the current appearance of the site through use of powers under section 215 of the Act, it has not been suggested that this could achieve reinstatement of the farmstead grouping. The landscape character benefits of the Hawthorn Farm scheme may therefore be considered to meet, and even exceed, the higher objective of policy SE4. I afford very substantial weight to this positive landscape contribution.
 30. The Edgefields scheme cannot achieve the same group form as it only includes Barn 3. Consequently, I afford less weight to the landscape contribution this scheme would make.
 31. I afford limited weight to the claimed ecological benefits of the proposed landscaping or the contribution that either scheme would make to meeting housing need. While it was suggested that both schemes could support the role of Alderley Edge as a Local Service Centre, the site is some way from the settlement boundary⁸ and accordingly I do not attach weight to this matter. The fact that support is expressed by the Parish Council and members of the local community cannot of itself add weight to the planning merits of either scheme. However, several comments identify benefits to local landscape character, which have been considered above, and to the appellants' personal circumstances, which are considered below.
 32. Planning considerations must be material, by serving a planning purpose and being fairly and reasonably related to the development in question. However, while this may eliminate the relevance of many individual circumstances, it does not necessarily exclude all personal circumstances. As confirmed in the *Brentwood* case⁹, the range of considerations that might, individually or cumulatively, clearly outweigh harm to the Green Belt is unlimited and can include factors relating to personal circumstances.
 33. Although the appellants would not lose their homes if the appeals were to fail, they risk substantial financial losses. While it would not be correct to afford weight to any potential financial loss itself, the likely effect of that loss on an appellant, and particularly on a vulnerable member of their family, may be material. The welfare of vulnerable adults is a matter of public interest.
 34. The vulnerable adult who would live in Barn 1 has a strong association with Alderley Edge and living in or near the town would therefore enhance his quality of life. However, Barn 1 is not the only way in which this could be achieved and even if it were, it may not be the optimal long-term solution.

⁸ Core Document I15

⁹ *Brentwood BC v SSE* [1996] 72 P&CR 61

Nevertheless, the evidence indicates that living with his family in the Alderley Edge area is in his best interests at present and Barn 1 would provide stability and continuity that other housing options might not. Furthermore, and considering his parents' ages, the financial loss they may suffer if Barn 1 were not realised could reduce his prospects for a secure, stable and independent future life.

35. The vulnerable adult who would live in Barn 3 needs care and is likely to have greater needs in the coming years. He does not live with the appellants at present but is likely to need to move because of the age of his present carers and the absence of options to live with other family members. While living away from family members is possible, evidence indicates that this is difficult for him. The environment of either completed scheme would afford him appropriate independence and security, although this could be achieved elsewhere. One option that had not been exhaustively tested is a ground floor extension to the appellants' current home. The absence of firm evidence regarding this option reduces the weight that may be afforded to this family member's personal circumstances in the assessment of both schemes.
36. I do not find a direct association between the foregoing personal circumstances and CELPS policies SC3 and SC4, which require development to provide opportunities for healthy living, including minimising social isolation, and to address the housing needs of vulnerable people. This is because, even though Barn 3 includes a ground floor bedroom that would meet the relevant family member's needs, no evidence was presented that either Barn was designed to meet the policy objectives. While some evidence of adaptation of Barn 3 to that end was presented, this is in the form of internal works that do not require planning permission and are not shown on the submitted plans.

Appeals A and B – conclusions on ground (a) and the s78 appeal

37. Both appeal schemes constitute inappropriate development and cause harm to the openness of the Green Belt. This is a matter to which substantial weight is given and there is conflict with CELPS policy PG3, MBLP policy GC1 and Part 13 of the revised Framework.
38. On the other side of the scales, the personal circumstances cited do not, of themselves, have sufficient weight to justify the inappropriate development of either scheme, particularly as it would be rare for personal circumstances to justify permanent development.
39. In terms of landscape character, the Hawthorn Farm scheme would enhance and manage a man-made feature to overcome the harm it currently causes and thus make a very significant contribution to the distinctiveness of the rural landscape and the character of Hough Lane. This is a matter that I attach very substantial weight to. However, the Edgefields scheme would only achieve this in part and accordingly I attach lesser weight to the landscape and character effects of that scheme.
40. The landscape character benefits of the Hawthorn Farm scheme are very significant, and I attach very substantial weight to them, such that they clearly outweigh the harm I have identified, and form very special circumstances that justify the development. Accordingly, the Hawthorn Farm scheme is acceptable and should be granted planning permission. Further justification of this scheme through addressing the needs of vulnerable adults is therefore not necessary.

41. The less comprehensive Edgefields scheme would not achieve the same landscape character benefits. When those lesser benefits are combined with the benefit of addressing the needs of the vulnerable family member, the harm that I have identified is not clearly outweighed. Consequently, the very special circumstances necessary to justify that development do not exist and the deemed planning application should not be granted.
42. Accordingly, the requirements of the enforcement notice will not change. However, the appellant can rely on section 180 of the Act, which provides that a notice shall cease to have effect insofar as it is inconsistent with planning permission granted after the service of the notice. In other words, a grant of planning permission pursuant to Appeal B would override the notice to the extent that it authorises the development described in the alleged breach of planning control.

Appeal B – Conditions

43. The parties have agreed 13 recommended conditions. Some of these make requirements that go beyond the conditions of the original permission and the subsequent minor or non-material changes. In view of this, and as the Farmhouse and Barn 4 are complete, I have made minor drafting changes to avoid injustice to their owners, who were not parties to the discussion on conditions, by focusing conditions 6 – 9 and 12 on Barns 1 and 3.
44. As the development has partly been carried out, there is no requirement for a commencement condition. Condition 1 lists the approved plans and is required to provide certainty as to what is permitted.
45. Conditions 2, 3 and 4, relating to materials and landscaping, are necessary to achieve an acceptable external appearance to the buildings and the site overall and condition 10, relating to a cart port, is necessary to ensure its scale, design and appearance are also acceptable. Condition 9, relating to external lighting, is also necessary in view of the rural character of the location.
46. Conditions 5 and 6, relating to land contamination, are necessary in the interest of human health, while conditions 7, 8 and 9 are necessary to safeguard protected species and to secure ecological enhancements consistent with CELPS policy SE3.
47. Conditions 11 and 12, which remove permitted development rights for extensions and incidental buildings, are necessary in view of the importance of restricting built development in the Green Belt and to safeguard the farmstead group form that I have found to constitute very special circumstances.
48. Condition 13, relating to electric vehicle charging points, is required in accordance with paragraph 110 e) of the revised Framework.

Appeal A – the appeal on ground (g)

49. The provisions of section 180 of the Act described earlier are activated by the grant of permission. Accordingly, and in view of my intention to grant planning permission for Barn 3 as part of the Appeal B scheme, I shall take no action on the appeal on ground (g).

Appeal A – Conclusion

50. For the reasons given I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the Act.

Appeal A – Formal Decision

51. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the Act.

Appeal B – Formal Decision

52. The appeal is allowed and planning permission is granted for extensions and alterations to the Farmhouse and erection of three new dwellings (Barns 1, 3 and 4) to replace former agricultural buildings with associated works to include landscaping at Hawthorn Farm, Hough Lane, Alderley Edge SK9 7JD in accordance with the terms of the application, Ref 18/5376M, dated 23 October 2018, subject to the conditions in the attached schedule.

Mark Harbottle

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

David Manley QC	
He called	
Derek Andrew Kelly	
Roseanne Johns	
Nicholas Iain Folland BA (Hons)	Director, Barnes Walker Limited
DIP LA CMLI	
Gareth Salthouse BA (Hons)	Principal Planning Consultant, Emery
MPLAN MRTPI	Planning

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Henderson of Counsel	
He called	
Jan Gomulski BA (Hons) BLD	Principal Landscape Architect, Cheshire
MCD CMLI	East Council
Catherine Fenghour BA (Hons)	Senior Planning Officer, Cheshire East
MSc PgDip	Council

INTERESTED PERSONS:

Patricia Dawson	Adjacent resident
Michael Dudley-Jones	Chairman, Alderley Edge Parish Council
Patrick Rutter	Local resident

Documents submitted at the Inquiry

- 1 The appellants' opening submissions.
- 2 The Council's opening submissions.
- 3 Planning application form 17/3426M.
- 4 Map with suggested walking and driving routes for the site visit.
- 5 The Council's closing submissions.
- 6 The appellants' closing submissions.

Schedule of conditions: 18/5376M

- 1) The development hereby approved shall be carried out in accordance with the following approved plans: 10E (Proposed Site Plan); 11J (Hawthorn House Plans & Elevations); 12E (Hawthorn Barn Plans & Elevations); 13F (Edgefields Plans & Elevations); 14J (Hay Barn Plans & Elevations); 19B (Proposed Car Port 3 Plans & Elevations); 01C (Site Location Plan).
- 2) Notwithstanding any description of materials on the plans hereby approved, no further above ground construction works shall take place unless and until samples of all external facing materials to be used (including brickwork, roofing, rainwater goods, garage doors and fenestration) have been submitted to and approved in writing by the local planning authority. Such details shall include the type, colour, and texture of the materials. The development shall be carried out in accordance with the approved details and retained in such a form at all times thereafter.
- 3) Notwithstanding any description of materials on the plans hereby approved, no further above ground construction works shall take place to Barn 1 (referred to as Hawthorn Barn on approved drawing 12E) unless and until a brickwork method statement has been submitted to and approved in writing by the local planning authority. This shall include details of the brick bond pattern, pointing and mortar, and a sample panel(s) of the brickwork to be used shall be made available on-site for inspection. The development shall be carried out in accordance with the approved details and retained in such a form at all times thereafter.
- 4) Prior to first occupation of Barn 1 or 3 (identified as Hawthorn Barn & Edgefields on the plans hereby approved), full details of both hard and soft landscaping works shall be submitted to and approved in writing by the local planning authority. The details shall include: the position, design, height and materials of the boundary treatments and means of enclosure; materials for all hard surfaced areas; planting plans; specifications and schedules (including planting size, species and numbers/densities); existing plants/trees to be retained; and a scheme for the timing and phasing of implementation works. The approved landscaping works shall be carried out in accordance with the approved scheme for timing and phasing of implementation. Any trees or shrubs planted or retained in accordance with this condition which are subsequently removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season (1 October – 31 March or as defined in the scheme for the timing and phasing of implementation works) by trees or shrubs of similar size and species to those originally required to be planted shown on the approved scheme.
- 5) Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping associated with Barn 1 or 3 shall be tested for contamination and suitability for use prior to importation to site. Prior to the occupation of Barn 1 or 3, evidence and verification information (for example, laboratory certificates) shall be submitted to and approved in writing by the local planning authority.
- 6) If, during the course of development of Barn 1 or 3, contamination is found to be present, that contamination shall be made safe and reported immediately to the local planning authority. Prior to further works being

carried out in the identified area, a remediation scheme shall be submitted to and approved in writing by the local planning authority. Such agreed measures shall be implemented and completed in accordance with a timetable approved in writing by the local planning authority.

- 7) No removal of any vegetation or demolition of any buildings in connection with the construction of Barn 1 or 3 shall take place between 1 March and 31 August in any year, unless a detailed survey by a suitably qualified person has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the local planning authority before any further works take place within the exclusion zone.
- 8) No further above ground construction works relating to Barn 1 or 3 shall take place unless and until a scheme for the incorporation of features suitable for breeding birds, roosting bats and barn owls, has been submitted to and approved in writing by the local planning authority. The approved features shall be installed in accordance with a timetable approved in writing by the local planning authority and retained at all times thereafter.
- 9) No external lighting shall be installed to serve Barn 1 or 3 unless an external lighting scheme has first been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed in accordance with a timetable approved in writing by the local planning authority and retained at all times thereafter.
- 10) Prior to construction of 'Car Port 2' (as annotated on Proposed Site Plan 10E hereby approved), a scheme detailing its scale, design and appearance shall be submitted to and approved in writing by the local planning authority. The construction of 'Car Port 2' shall take place in accordance with the approved scheme thereafter.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revising or revoking and re-enacting that Order, with or without modification), no development permitted by Classes A, AA, B, C, D and E of Part 1 of Schedule 2 to that Order shall take place.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revising or revoking and re-enacting that Order, with or without modification), no new fences, gates, walls or other means of enclosure, other than those specifically identified in the details approved pursuant to condition 4, shall be erected within the curtilages of Barn 1 or 3.
- 13) Prior to the occupation of Barn 1 or 3, a scheme for the installation of electric vehicle charging points, and a timetable for installation, shall be submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall thereafter be installed in accordance with the approved scheme and retained at all times thereafter.