
Appeal Decision

Hearing held on 27 September 2022

Site visit made on 27 September 2022

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2022

Appeal Ref: APP/P1940/W/22/3297122

The Mulberry Bush Farm, Dawes Lane, Sarratt WD3 6BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr T W Norris against the decision of Three Rivers District Council.
 - The application Ref 21/1139/FUL, dated 1 May 2021, was refused by notice dated 1 November 2021.
 - The application sought planning permission for the erection of agricultural workers dwelling with associated curtilage without complying with a condition attached to planning permission Ref 17/2169/FUL, dated 18 December 2017.
 - The condition in dispute is No 11 which states that: *The occupation of the agricultural worker's dwelling hereby permitted shall be limited to a person(s) solely or mainly working at The Mulberry Bush in agriculture, or a widow or widower of such person, and to any resident dependents.*
 - The reason given for the condition is: *The site is within an area where a dwelling would not normally be permitted and permission is only granted because the dwelling is intended to serve the needs of agriculture in accordance with Policy CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM7 and Appendix 3 of the Development Management Policies LDD (adopted July 2013).*
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Decision

1. The appeal is allowed and planning permission is granted for the erection of agricultural worker's dwelling with associated curtilage at The Mulberry Bush Farm, Dawes Lane, Sarratt WD3 6BQ in accordance with the application Ref 21/1139/FUL dated 1 May 2021, without compliance with condition number 11 previously imposed on planning permission Ref 17/2169/FUL, dated 18 December 2017 and subject to the conditions listed at Annex 1.

Application for costs

2. An application for costs was made by Mr T W Norris against Three Rivers District Council prior to the opening of the Hearing. This application is the subject of a separate Decision.

Background and Main Issue

3. The Mulberry Bush farm is located in the countryside of the Chilterns Area of Outstanding Natural Beauty (AONB) and is also located in the Green Belt. Planning permission was granted on 18 December 2017 for the erection of an agricultural worker's dwelling at the appeal site, subject to a number of

conditions¹. In granting planning permission, the Council clearly considered that very special circumstances existed to justify this inappropriate development in the Green Belt, due to the essential need for an agricultural worker to live close to the agricultural business.

4. Condition 11 of the planning permission restricted the occupancy of the dwelling to *a person(s) solely or mainly working at The Mulberry Bush in agriculture, or a widow or widower of such person, and to any resident dependents*. From the evidence, *The Mulberry Bush* refers to the farm, totalling some 4.2 hectares in area, within which the appeal site is situated.
5. In addition to the conditions attached to the grant of planning permission, a Section 106 Planning Obligation, dated 27 November 2017, was entered into by the appellant and his wife, and the Council, which, amongst other things, restricted the provision of permanent, temporary or mobile agricultural and associated buildings and structures at the farm and limited the operation of the farm in terms of its scale.
6. Furthermore, it is also common ground between the main parties that agricultural permitted development rights under the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (the GPDO) were removed from the farm (and elsewhere) through an Article 4 Direction made in 1963 that remains extant.
7. The farm was established by the appellant in 1998, and at the time that planning permission was granted for the appeal dwelling in 2017, the farm business, which included a number of buildings associated with its operation, was shown to be viable. At the time that the Council granted planning permission for the appeal dwelling the farm was predominantly a poultry business, including the production of chickens for meat and the production of free range eggs. A much smaller scale horticultural business also operated at the farm, through two polytunnels for the growing of herbs and salad produce.
8. The appellant significantly reduced the scale of the poultry business shortly after planning permission for the dwelling had been granted. This was said to be for various reasons, which included the construction of the approved dwelling and, the significant changes to the agricultural labour force as a result of the United Kingdom (UK) leaving the European Union (EU), which was said to leave the poultry business unviable. The appellant reportedly employed workers from eastern countries of the EU for an extended period of time, but several left in 2017. By October 2018, the remaining EU workers had left the business and the last poultry building was emptied.
9. Through 2019 and 2020 the appellant obtained the prior approval² of permitted development rights under Schedule 2, Part 3, Class R of the GPDO to convert a number of barn-type buildings that had been used in the farming of poultry, to commercial use, in this case to be used as holiday accommodation.
10. In 2020 the appellant sought to vary Condition 11 of the implemented planning permission for the agricultural worker's dwelling thus: *The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a*

¹ LPA Ref. 17/2169/FUL

² LPA Refs. 19/2143/PDA and 20/0402/PDF

person, and to any resident dependents. The Council refused this application, contrary to officer recommendation, on 25 March 2021³.

11. Later in 2021 the appellant sought to remove Condition 11 of the implemented planning permission for the agricultural worker's dwelling; this was refused by the Council on 1 November 2021⁴, again contrary to the officer recommendation to vary the condition as per the previous application. It is this decision that is the subject of this appeal.
12. Consequently, the main issue in these circumstances is whether Condition 11 meets the six tests for planning conditions⁵ contained in the National Planning Policy Framework 2021 (the Framework).

Reasons

The Mulberry Bush Farm

13. The Mulberry Bush farm is roughly quadrangular in shape, and is bounded by trees, hedges and fencing. Moor Lane forms the northwest boundary of the farm, from which there is a gated and surfaced access road. To the southeast, the farm is separated from Dawes Lane by a narrow belt of woodland, which contains a public footpath; an unsurfaced and gated access track from Dawes Lane crosses this woodland. To the northeast and southwest of the farm are pasture fields.
14. The terrain of the farm slopes steeply upwards from Moor Lane and to a lesser extent from Dawes Lane, with an area of relatively level land in the central eastern part.
15. At the present time, in addition to the constructed agricultural worker's dwelling and associated access road and hardstanding, two of the barn-type buildings that had been used to house chickens have been converted to human-habitable accommodation, and a third was in the process of being converted. The extent of these works means that it is very unlikely that these buildings would return to an agricultural use.
16. There are three further barn-type buildings at the base of steeply sloping fields next to Moor Lane, which are vacant or used for storage. The three buildings are constructed of breeze blocks partly clad in timber, with a concrete floor and a pitched roof structure, and are said to be of a similar design and size to the buildings that have now been converted.
17. Two polytunnels are being used to grow tomatoes at present and I noted the frame of a larger replacement polytunnel nearby when I visited the site. Much of the remainder of the farm is grassland, divided into fields by hedges and fencing. A small flock of sheep was grazing in the steeply sloping fields in the northwest of the farm, whilst several beehives are located in the northern corner; the appellant is also considering the scope for a vineyard.
18. I note that at the present time a range of uses are said to be taking place at The Mulberry Bush farm. The Council has indicated that it has drafted a Planning Contravention Notice (PCN) in order to establish what uses are taking

³ LPA Ref. 20/2603/FUL

⁴ LPA Ref. 21/1139/FUL

⁵ Necessary; Relevant to planning; Relevant to the development permitted; Enforceable; Precise; and, Reasonable in all other respects.

place there. However, this has not been served and no formal enforcement activity in relation to Condition 11 has been undertaken. I have considered the current lawful uses at the farm, as they relate to the appeal proposal.

19. There are constraints to the operation of the Mulberry Bush farm. The S106 Planning Obligation linked to the planning permission for the dwelling, imposes various restrictions on the operation of the farm. The Article 4 Direction removing agricultural permitted development rights under the GPDO means that applications for planning permission would be necessary for works that elsewhere would be permitted development.
20. I note the comments concerning the sloping terrain, currently restricting alternative agricultural uses for the three barn-type buildings by Moor Lane, and the relatively small size of the farm. The appellant referenced the now extinguished poultry business, including the difficulties they experienced in rotating the grazing areas for the chickens, which led to degradation in soil and flock health. The appellant also referenced predation by Red Kites, and I observed several of these Birds of Prey in the locality when I visited the farm.
21. I am also mindful of the location of the farm within the Chilterns AONB and that, amongst other things, the Government states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, and that the conservation of wildlife is also an important consideration⁶. These are matters that would need to be considered in the operation of the farm.
22. Nevertheless, despite these constraints the appellant was able to operate a poultry business for an extended period of time, and of a scale sufficient for the Council to grant planning permission for a dwelling for an agricultural worker essential to the operation of the farm.
23. I note the Gross Margin for free range egg production in the UK has declined from £6.46 per hen in 2013⁷, when the overall farm profit was £58,714⁸, to £2.14⁷ in 2019 and just £0.16⁷ in 2021. I also note that the various lockdowns resulting from the Covid-19 pandemic beginning in Spring 2020 have meant that Farmers' markets, which were previously used by the farm to sell produce, have closed.
24. However, I note the Council's statement that the appellant followed a different business model for eggs that achieved a much higher return, and whilst the pandemic resulted in significant legal restrictions to many parts of the economy and society, there are currently no such restrictions in place. As the effects of the pandemic have diminished, I see no reason why Farmers' markets would not return to operation, as much of the rest of the economy and society has done.
25. I accept that following the granting of planning permission in 2017, the reduction and cessation of the poultry business over the following year was in part caused by the very substantial changes to the agricultural labour market as a result of the UK leaving the EU. I note the appellant's reliance upon the flexibility of skilled agricultural labour from the EU, for both the rearing and the on-site slaughter and processing of chickens, and for the collection and

⁶ Paragraph 176 of the Framework.

⁷ Table 1 of the Agricultural Needs Appraisal, September 2021

⁸ Paragraph 4.7 of the Council's Appeal Statement, August 2022

packaging of eggs. The appellant states that British workers have neither the skills nor the inclination to undertake such work.

26. However, I note that no attempt has been made to recruit and / or train replacement British workers that would have enabled the poultry business to continue. Furthermore, the construction of the agricultural worker's dwelling, which was a matter unrelated to the viability of the poultry business, was also a factor that contributed to its significant decline at this time.
27. The construction of the agricultural worker's dwelling and the conversion of three of the barn-type buildings to non-agricultural use has reduced the available agricultural land on the farm to some 3.5 hectares. However, the Council does not consider that a poultry business, albeit on a reduced scale, could not operate profitably again.
28. The Council's Statement, produced by a consultancy that operates across the country, goes on to provide examples of alternative agricultural businesses which, notwithstanding some differences in scale or some necessary alterations to farm infrastructure, it considers would be suitable for the Mulberry Bush farm. These include rearing pigs, lambs, or calves, indoor carp farming, or the farming of alpacas or rabbits.
29. The appellant considers that many of these uses would be impractical or difficult for various reasons. The appellant states that there are few abattoirs located nearby, that would be essential for the slaughter and processing of larger farm animals such as sheep, pigs and cattle. Such activities could not be undertaken at the farm, and would, alongside transport costs, weigh against this type of farming. However, no compelling evidence has been produced to substantiate these statements or to show that an alternative livestock business could not operate successfully here.
30. The current economic situation, with rising interest rates and high inflation is also said to be detrimental for the type of small-scale agricultural business that operated at the Mulberry Bush farm. However, given the very limited evidence of the accounts of the overall farm business, including egg production, chickens reared for meat and the small-scale horticultural activities, I am not satisfied that a poultry or other farm business would not be viable now.
31. The diversification of the farm business to provide holiday accommodation would provide further income to the appellant and is something that the Government supports⁹; the location of the farm in an AONB, near to recreational footpaths, would be likely to be attractive to tourists.
32. However, the effect of this diversification on the viability of the farm is unclear. No substantive details of the costs of the conversions and the current and expected future income from rural tourism at the farm has been provided by the appellant.
33. The current agricultural activities at the Mulberry Bush farm are substantially different and much smaller in scale than those that existed at the time that planning permission for the dwelling was granted in 2017. However, despite the various constraints, I am not satisfied that a profitable agricultural business could not be operated at the farm. Moreover, there is no compelling evidence

⁹ Paragraph 84 of the Framework

that shows that such a use would not provide sufficient income, as part of a diversified farm, to support the appellant.

Housing market and agricultural workers' dwellings

34. The appellant has provided evidence regarding the housing market in this area between January 2012 and January 2022, including with regard to demand for dwellings with agricultural ties. Five such dwellings are said to have been granted planning permission during this period and none between January 2018 and January 2022.
35. The appellant also notes that two Certificates of Lawful Use (CLU) allowing dwellings to be occupied in breach of agricultural occupancy conditions were granted during this time, and that permission was granted to remove agricultural occupancy conditions at two dwellings.
36. Other than with regard to the appeal property, I am not familiar with these cases. However, whilst the number of permissions for new agricultural workers' dwellings or for the removal of CLUs / agricultural occupancy conditions has been small over the 10 years in question, I do not accept the appellant's conclusion that this represents little or negligible demand.
37. The assessment by the Local Planning Authority of new dwellings or to address agricultural occupancy on existing dwellings in the Green Belt is rigorous, supported by the Government's policies contained in the Framework, as well as the policies contained in the development plan. Without knowing the circumstances of these cases, the limited number of permissions granted could equally be seen as the successful application of restrictive national and local policy by the various Councils in the area, rather than little demand.
38. The absence of any permissions for such dwellings between January 2018 and January 2022 does not in my view demonstrate a significant diminishing demand, given the short period of time in question and the restrictive policy framework.
39. In terms of the supply of accommodation that may be suitable for agricultural workers in the area based upon distance and price, the appellant has undertaken some online research. This shows a buoyant housing market in 2022, with dwellings for sale, some of which have been sold subject to contract, both close to the appeal site and in the wider area, excluding the larger urban settlements.
40. In an area with good access to London by rail (including the underground), to nearby towns, close to the national motorway network, and within or near to an AONB, a healthy housing market is not unexpected. No evidence has been put forward that the housing market was in a significantly less healthy state at the time that the appeal dwelling was granted planning permission, and yet at that time there was still the need for an agricultural worker's dwelling at the farm.
41. Moreover, the events of recent years, such as the UK leaving the EU, the global Covid-19 pandemic and the consequences of the invasion of Ukraine by Russia on energy supply / prices, have had major effects on the economy and society. The medium and long-term implications of these events on the supply of / demand for housing are not clear, and I do not, therefore, consider the

extrapolation of future supply and demand for agricultural workers' dwellings based on the recent past to be robust.

42. I am not satisfied that the appellant's housing evidence demonstrates that the demand for agricultural workers' housing in this locality is very low or diminishing. Furthermore, the evidence does not demonstrate that the identified supply of accommodation considered to be suitable for agricultural workers to reside in, would be sufficient to remove the need for agricultural workers' dwellings in this area.
43. Whilst I note the valuation of the Mulberry Bush Farm dated 8 March 2022, which includes a 30% reduction in the value of the dwelling to account for the agricultural worker's occupancy condition, the appellant is not presently intending to sell the Farm or the dwelling and so the valuation has not been tested in the market. Furthermore, I also note the stated limitations to the valuation, and in particular that no local authority searches and no legal analysis of the title of the property have been undertaken. Given some of the identified constraints at the farm, these matters are likely to be significant in this case.

The Six Tests

44. There was agreement between the main parties that at the time planning permission was granted in 2017, Condition 11 met the six tests contained in the Framework with one exception, the test of *Reasonableness*. The appellant considered that the condition was unreasonable in being tied to The Mulberry Bush farm only, rather than to agriculture in the locality, and in that it would not allow them to retire from agricultural work whilst continuing to reside at the dwelling.
45. In these respects, and with regard to forestry, the wording of Condition 11 is different from the wording of the model agricultural occupancy condition contained in Appendix A of the otherwise revoked Circular 11/95, which was the wording proposed by the appellant when they previously sought to vary the condition. However, I note that the wording of the original condition was not appealed against by the appellant.
46. Based on the current uses at the farm, and in addition to their previous concern about the *Reasonableness* of Condition 11, the appellant considered that it also failed to meet the test of *Necessity*. With the ending of the poultry business in 2018 there was no longer any requirement for an agricultural worker to reside at the dwelling. The Council, in refusing planning permission to remove Condition 11, noted that agricultural activities were continuing at the farm and considered that at that time the condition still met the six tests contained in the Framework.
47. I am satisfied that in seeking to control housing development in an area where it would not otherwise be permitted that Condition 11 remains *Relevant to Planning* and *to the Development Permitted*, which was the erection of the dwelling. I am also satisfied that it is *Enforceable* and *Precise*, neither of which are matters of dispute between the main parties.
48. This dwelling was only permitted in the Green Belt because there was an essential need for an agricultural worker to reside at the farm. The dwelling has been constructed and so will not cause any greater harm to the openness of

the Green Belt than exists at present regardless of whether the appeal is allowed or dismissed.

49. Whilst the appellant has altered their business and as such contends there is no longer an essential need for a worker to reside at the farm, agricultural activity was taking place at the time of my site visit, and I note that the appellant continues to look at further agricultural diversification.
50. Notwithstanding the constraints to agriculture at the farm, a profitable agricultural business operated there for an extended period in the past and I see no compelling evidence that a profitable agricultural business could not operate at the farm again, albeit on a somewhat smaller scale. Such a use could require an agricultural worker to reside at the farm, such as for reasons of animal husbandry, as was the case at the Mulberry Bush farm in the past.
51. I am not satisfied that a demand for accommodation for agricultural workers' dwellings in the area does not exist, or that the supply of suitable accommodation is sufficient to mean that new tied-dwellings would not be needed in the area. Were the agricultural occupancy condition to be removed and the appeal dwelling occupied or sold as market housing, this would mean that a further dwelling in the Green Belt would need to be sought, which would be inappropriate development and harmful to the openness of the Green Belt.
52. I am mindful of the great importance that the Government attaches to Green Belts, including the essential characteristics of openness and permanence¹⁰. On this basis, I am satisfied that a condition restricting the occupancy of this particular dwelling remains *Necessary*.
53. With regards the test of *Reasonableness* I note the concerns of the appellant with regard to compliance with the condition, including with regard to Article 8 of the European Convention on Human Rights, which is transposed into UK law through the Human Rights Act 1998, and which amongst other things concerns the right to family life and a home. However, I note that Article 8 is a qualified right and interference with this right is allowed in accordance with the law and where necessary in a democratic society.
54. I also note that the appellant has passed the age at which they may draw a state pension and I have had due regard to the Public Sector Equality Duty (PSED) contained at Section 149 of the Equality Act 2010.
55. Were the dwelling to be occupied in contravention of Condition 11 of the original planning permission, there is scope that the appellant would have to leave their home at some point in the future. However, agricultural activity continues to take place at the farm and the appellant continues to look at further agricultural diversification options. There is no substantive evidence before me that Condition 11 has been breached at the present time.
56. I am satisfied that Condition 11 does not meet the test of *Reasonableness*. However, given it would comply with the other five tests, including *Necessity* and *Relevance to the development permitted*, it should not be removed. A variation as per the Model Condition from Appendix A of Circular 11/95 would enable an occupier who had solely or mainly or last worked in agriculture or forestry in the locality, including at the Mulberry Bush farm, to reside there.

¹⁰ Paragraph 137 of the Framework

57. Whilst I note that the Framework supports the development of land-based rural businesses and sustainable rural tourism¹¹ and that the appellant has converted farm buildings to holiday accommodation, very little information has been provided regarding these changes. No evidence has been provided that demonstrates that running a rural tourism business or another unspecified rural enterprise would require a worker to reside at the farm. Consequently, I am not satisfied that conditioning the occupancy condition to include rural tourism or another unspecified rural enterprise would meet the test of *Necessity*.
58. Whilst there is little evidence to support the inclusion of forestry in the wording of the condition, its inclusion is not a matter of dispute between the parties and I am content to include it in this case. There are woodlands nearby, the appellant included forestry when they previously sought to vary the appeal condition and including reference to forestry would be consistent with the Government's model condition.
59. There was some discussion at the Hearing regarding a condition said to have been used by Cherwell District Council, which whilst similar to the wording of the model condition, also included reference to a *civil partner*. This condition is not in the evidence before me and the precise wording has not been agreed by the parties. Whilst I see no inherent difficulty amending the model condition to also address civil partnerships, I have not done so in this case.
60. For these reasons I find that Condition 11 meets five of the six tests for planning conditions contained in the Framework. However, it does not meet the test of *Reasonableness*. Consequently, it should be replaced by a new condition that does and I am satisfied that this would be a proportionate outcome in this case. Such a condition would accord with Policy CP11 (Green Belt) of the Core Strategy (October 2011), with Policy DM2 (Green Belt) and Appendix 3 (agricultural and forestry dwellings) of the Development Management Policies Local Development Document (July 2013), and with the Framework.

Other Matters

61. In my Pre-Hearing Note, I raised the issue of the S106 Planning Obligation that the original grant of planning permission (17/2169/FUL) was subject to. The Council's officer report includes the recommendation that planning permission be granted subject to (amongst other things) *the prior completion of a Deed of Variation entered into pursuant to Section 106 and 106A securing the heads of terms as set out at paragraph 3.8 of the officer report*.
62. The Council responded in writing to my Pre-Hearing Note, and confirmed at the Hearing, that such a Deed of Variation would not be necessary even if the appeal were to be allowed and a new planning permission granted. The appellant agreed that a Deed of Variation was not necessary.
63. No such Deed of Variation has been submitted and I have therefore determined this appeal based on the evidence before me.
64. I note the comments from interested parties regarding whether the proposal can be dealt with under Section 73 of the Town and Country Planning Act 1990 (as amended) (the Act). S73 of the Act concerns applications to develop land without compliance with conditions previously attached, and where the condition has not been breached. This is not a matter of dispute between the

¹¹ Paragraph 84 of the Framework

main parties and I am satisfied that the appeal should be determined as set out in the banner heading above, including with regard to S73 of the Act.

65. Interested parties have also commented that the appellant's behaviour may have sought to circumvent the Planning system. I also note that some parties have suggested that the building be demolished if it is no longer required for the purpose for which it was granted planning permission. These are matters outside the scope of this appeal.

Conditions and Conclusion

66. Planning Practice Guidance makes clear that decision notices for the grant of planning permission under S73 should also restate the conditions imposed on earlier permissions that continue to have effect. New conditions may also be imposed. In this case, with regard to the evidence, including the Council's officer report, I consider conditions addressing the following matters should be attached to this grant of planning permission.
67. Conditions restricting certain domestic permitted development rights and the installation of external lighting would be necessary to protect the character and appearance of the area, given the constraints of the site.
68. A condition restricting the occupancy of the dwelling would be necessary given its location within an area where a dwelling would not normally be allowed.
69. Conditions concerning landscaping and parking layout would be necessary to protect the character and appearance of the area and in the interests of public safety.
70. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is allowed and planning permission is granted, as set out in my formal decision.

Andrew Parkin

INSPECTOR

APPEARANCES – 27 September 2022

FOR THE APPELLANT:

- Caroline Parsonson – Parsonson Planning Consultancy
- Mike Oakley – Parsonson Planning Consultancy
- Sara Tucker MRICS FBIAC – North and Letherby Chartered Surveyors
- Timothy Norris

FOR THE LOCAL PLANNING AUTHORITY:

- Scott Volker – Three Rivers District Council
- Peter Williams – Reading Agricultural Consultants

INTERESTED PARTIES:

- Jane Soans
- Lee Farman – Sarratt Parish Council

Annex 1 – Conditions

- 1A) Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (the GPDO) (or any other order revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the GPDO shall be permitted:
- Part 1 Development within the curtilage of a dwellinghouse
 - Class A – enlargement, improvement or other alteration of a dwellinghouse
 - Class B – additions etc to the roof of a dwellinghouse
 - Class C – other alterations to the roof of a dwellinghouse
 - Class D – porches
 - Class E – buildings etc incidental to the enjoyment of a dwellinghouse
 - Class F – hard surfaces incidental to the enjoyment of a dwellinghouse
 - Class G – chimneys, flues etc on a dwellinghouse
 - Class H – microwave antenna on a dwellinghouse
 - Part 2 Minor Operations
 - Class A – gates, fences, walls etc
- 2A) No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.
- 3A) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.
- 4A) The development shall be maintained in accordance with the Landscaping Plan referenced 1246.LP.01 REV-A including the replacement of any trees or plants which die, are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period of five years from the date of the approved scheme, as agreed in writing by the Local Planning Authority on 12th March 2018.
- 5A) The parking layout shall be maintained in accordance with plan 1246.LP.01 REV-A and shall be kept permanently available for the use of residents and visitors to the site, as agreed in writing by the Local Planning Authority on 12th March 2018.