

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES**      **Report No.**

<b>Date of Meeting</b>	19 <sup>th</sup> September 2019
<b>Application Number</b>	19/05178/FUL
<b>Site Address</b>	Rowdens Farm, Bunny Lane, Sherfield English, Romsey, Wiltshire SO516FT
<b>Proposal</b>	Demolish black barn and rebuild using brick and cladding to create annexe within curtilage of Rowdens Farm house.
<b>Applicant</b>	Head Bros. Rowdens Farm
<b>Town/Parish Council</b>	Whiteparish Parish Council
<b>Electoral Division</b>	Aldbury and Whiteparish, Cllr Richard Britton
<b>Grid Ref</b>	
<b>Type of application</b>	Full
<b>Case Officer</b>	Mrs. Becky Jones

**Reason for the application being considered by Committee:**

Cllr. Britton has called the application to committee to be determined if recommended for approval by officers, on the following grounds:

- This is considered to be a new dwelling in open countryside and outside the settlement boundary

**1. Purpose of Report**

To consider the above application and the recommendation of the Area Development Manager that planning permission be approved.

**2. Report Summary**

The main planning issues to consider are:

1. Principle of development and the issue of an annexe or a separate dwelling
2. Siting, scale, design, materials and impact on the landscape character of the Special Landscape Area
3. Neighbouring amenity and public protection
4. Ecology
5. Impact on highway safety

The application generated 1 letter of objection from Whiteparish Parish Council on the grounds that it is considered to be a new dwelling in the countryside.

**3. Site Description and Proposal**

Black barn is a timber framed outbuilding located within the garden courtyard area serving Rowdens Farm house. Agricultural buildings are located nearby, but the black barn opens into the courtyard and parking area and is currently used for domestic storage. The west side of the barn appears to have a separate internal dividing wall and opens onto the farm track. This side of the barn houses some agricultural goods and timber.

There are no listed buildings in the vicinity. The farm and its associated buildings lie within the countryside of the Special Landscape Area. The site has a Grade 3 Agricultural Land

Classification and is within Flood Zone 1. Bunny Lane to the south of the farm complex is an adopted, unclassified road. A public footpath WHIT 24 runs to the north of the site.

The applicant is proposing to demolish the existing black barn structure and its lean to and replace it with a new brick structure to create an annexe. The annexe would share the existing access, parking area and garden for Rowdens Farm house.

### Planning History:

**73/EY/478** Erection of agricultural worker's dwelling house and garage. **Approved subject to conditions:**

#### Conditions :

1. The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act, 1971 or in forestry (including any dependents of such a person residing with him) or a widow or widower of such a person.
2. The existing cottages shall be demolished and removed not later than 6 months from the date of the occupation of this dwelling.

#### Reasons :

1. The dwelling is permitted only on the basis of its agricultural need.
2. In order to secure satisfactory re-development.

**18/11051/PNCOU** Notification for Prior Approval under Class Q - Develop Agricultural Barn into Living Accommodation as One Dwelling (Use Class C3) and Associated Operational Development **Withdrawn (officer note – the building was considered unlikely to comply with the provisions of Class Q due to its domestic storage use)**

### 4. National and Local Planning Policy

**National Planning Policy Framework (NPPF 2019) and National Planning Practice Guidance NPPG**

**Wiltshire Core Strategy (WCS) adopted Jan 2015:**

- CP1: Settlement Strategy
- CP2: Delivery Strategy,
- CP31: Warminster Community Area
- CP48: Supporting Rural Life
- CP51: Landscape
- CP57: Design
- CP60: Sustainable Transport
- CP61: Transport and Development
- Saved Policy C6 Special Landscape Area
- Saved Policy C2 Extensions and additions to buildings in the countryside
- Saved Policy H33 Accommodation for dependant persons (Saved in Annexe D of WCS)

## **The Conservation of Habitats and Species Regulations 2010, Circular 06/2005**

**EC Habitats Directive when as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).**

### **5. Summary of consultation responses**

**Conservation:** no comment

**Highways:** No objection

**Public Protection:** No objection subject to contamination condition

**Ecology:** No objection subject to a scoping bat survey condition

**Archaeology:** No further archaeological recommendations

**Wessex Water:** no objection

### **6. Publicity**

The application was advertised by site notice and neighbour consultation. No third party letters were received.

### **7. Planning Considerations**

Planning permission is required for the development. The applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. (Paragraph 215 at Annex 1). The NPPF confirms in para 11 that plans and decisions should apply a presumption in favour of sustainable. For decision making, that means approving development proposals that accord with an up-to-date development plan without delay.

#### **7.1 Principle of development and the issue of an annexe or a separate dwelling**

**Settlement Strategy:** The Settlement Strategy (Core Policy 1) identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The site lies in the countryside outside any settlement boundary.

**Delivery Strategy:** The Delivery Strategy set out in Policy CP2 states that other than in circumstances as permitted by other policies within this Plan, identified in paragraph 4.25, development will not be permitted outside the limits of development. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan documents and neighbourhood plans.

However, the proposal relates to an existing domestic outbuilding within the curtilage of an existing agricultural worker's dwelling, which in turn, lies within a farm complex, accessed from a private drive and through a gateway. The proposal seeks to replace the existing outbuilding with a new structure. Access and curtilage including garden space would be shared.

New residential development in the countryside is generally resisted by local and national planning policies. However, the proposal is for a residential annexe to serve Rowdens Farm house and officers understand that it is intended to accommodate family members/parents (or dependants). This would be compatible with the original condition 1 for the agricultural worker's dwelling, which permits occupation of Rowdens Farm house by dependants of agricultural workers. Therefore, the *principle* for this development can be considered under two relevant policy strands:

- i) Saved Policy H33 for annexed accommodation
- ii) Saved policy C24 and H31 for residential buildings and extensions in the countryside.

CP48 cannot be applied to this proposal as it seeks conversion and re-use of existing rural buildings. This proposal seeks to demolish and rebuild an ancillary building on the site of the existing black barn and use it as an annexe to provide ancillary residential accommodation.

Therefore, the key test is whether the building continues to perform an *ancillary* function to the main dwelling i.e. shares some of the facilities with the main dwelling (such as access, amenity space and parking). This would ideally take the form of a suitable extension to the main dwelling. However, in this case, the potential to extend the house would appear to be constrained by the adjacent farmland and the garden.

The policy for the replacement and modest "enlargement" of the black barn (or any future replacement building) may be considered under Policy C24 as a new addition to the residential curtilage. It states:

#### ***Extensions to Buildings***

*C24 Extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings, and fall within the existing curtilage.*

The building would lie on the footprint of the existing black barn, which is within the existing residential curtilage.

The proposed annexe use may be considered under saved Policy H33 (iv):

#### ***Accommodation for Dependent Persons***

*H33 Proposals to create separate units of accommodation for dependent persons will be permitted provided that either:*

- (i) the accommodation is created wholly or partly within the existing dwelling or takes the form of an extension to that dwelling;*
  - (ii) the design and internal arrangement of the proposed unit of accommodation would allow it to be re-absorbed into the main dwelling when it is no longer required to house a dependent person; and*
  - (iii) where an extension is proposed, its siting and design is acceptable and the remaining external space around the building is adequate*
- or,*
- (iv) the accommodation is created as a result of a conversion of an existing building within the curtilage of the main dwelling; and*
  - (v) is subject to a restrictive occupancy condition or, if outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing Policy Area, is subject to the applicant entering into a legal agreement with the Local Planning Authority that the ancillary accommodation will not be let or sold separately from the main dwelling.*

The policy generally refers to the conversion of an existing building **within the curtilage** of the main house. The building would then be tied by condition to the main house, to prevent it from being separated (sold or let) or the planning unit divided.

Therefore, the provision of a replacement building on the site of the black barn to provide ancillary accommodation in the form of an annexe would be acceptable *in principle* on this site in policy terms, provided it is tied by a restrictive condition to the main dwelling and subject to the detailed considerations of the development plan.

### **Annexe or new dwelling?**

The matter of whether or not the accommodation would comprise an “annexe or a “new dwelling” has been deemed by the courts to be a matter of *fact and degree* for the decision maker.

The case of **Uttlesford District v Secretary of State for the Environment 1991** has determined that one dwelling can be ancillary to another. There is no requirement for the occupiers of an annexe to share part of the accommodation in the main house and provided the LPA is happy with an annexe in all other policy matters, they may impose a condition or require a legal agreement to ensure that the accommodation remains ancillary to the house.

Whether or not the accommodation should be considered as an annexe very much depends on the level of supporting information and justification given by the applicant, the scale, location and inter-relationship of the annexe building with the main property, and other material considerations such as landscape impact and highway safety. Other factors for Members to consider include:

- Appeals experience in Wiltshire indicates that PINS/Inspectors are not supportive of refusals on grounds that annexes are tantamount to a separate dwelling and believe any concerns in that respect can be adequately controlled through the standard condition restricting occupancy.
- Stand-alone new builds need to be clearly well related in layout to the principle dwelling - not lending themselves to separation;
- No separate accesses;
- no separate residential curtilage;
- a layout and configuration that would not be acceptable as two separate dwellings due to inadequate amenity (privacy/overlooking);
- the quantity of independent accommodation to be provided and need for such accommodation
- Most importantly clearly defined and detailed familial link between the applicant/occupants of the principle dwelling and the intended occupants of the annexe. Tied into this is a clearly expressed need for the "dependents" to reside at the site.

The appeal examples in the Appendices to this report show how this has been interpreted by Inspectors. Their decisions reflect the level of familial information submitted in support of applications and also an assessment of the *Uttlesford District* decision. At Woodpeckers,

Whiteparish, 16/11152/FUL (APP/Y3940/W/17/3167856) in **Annexe 1**, the Inspector dismissed the appeal, concluding:

*8. Accommodation for a dependant person or persons is normally associated with shared facilities of some kind. In this case access to the site would be shared and there would be no separate garden to serve the proposed dwelling. Nonetheless, the substantial size of the proposed accommodation would be not far short of that in the main dwelling. It would provide for completely separate and independent living some distance from the main house, and on this basis it would effectively be a separate planning unit.*

*9. In these circumstances it would be inappropriate to restrict the occupancy of a conversion of this size by a condition or a legal agreement as this would not meet required tests of precision, reasonableness or enforceability. The Council have highlighted in their evidence a similar situation where an appeal<sup>1</sup> for the removal of a planning obligation was allowed because the accommodation was capable of functioning as a separate unit, as is the case here.*

However, the application at Mortons, Hankerton, MALMESBURY, APP/Y3940/W/15/3003246 (14/08416/FUL) in **Annexe 2** required the replacement of three outbuildings with a new 2 storey building in the countryside. The Inspector stated:

*5. The proposed building would be two storeys in height and would include two bedrooms, a kitchen, living room, a ground floor toilet and a first floor shower room and toilet. It would have all of the facilities to enable independent day to day living however it has been very clear through the processing of the planning application and this appeal that it would be intended for ancillary purposes. The Council considers that there is insufficient physical connection between the dwelling and the site. If the proposal were for a separate dwelling, this location within the countryside would be unacceptable as it would not comply with the exceptions allowing such development as set out in LP policy H4, CS policy 48 or paragraph 55 of the NPPF.*

*6. I have not had any particular policy drawn to my attention that indicates that annexes have to be physically linked to the primary accommodation. I am content that the proposed position relates well to the domestic garden and overall use of the site for a single household. A planning condition as suggested by the appellant would ensure use remains ancillary to the main house and not an independent dwelling. If that condition were subsequently breached, the Council could consider taking enforcement action to secure compliance.*

He also considered the large size of the annexe:

*7. In terms of the need for such a large annex, I can understand why the Council may be sceptical. However, the existing dwelling whilst including 4 first floor bedrooms and a bedroom on the ground floor has a layout which does not allow much privacy. The appellant's wife has a form of dementia and both of them are in their 70's. They have 4 adult children one of whom has two children and I can understand that there is likely to be the ongoing need for regular visits. At the same time, there may also be a need for quiet relaxation during visits. Having a degree of separation would allow for a much more comfortable experience for the whole family during such visits. **These personal circumstances are not, in my experience, unusual.***

At Blakeney's, The Street, West Knoyle, Appeal Ref: APP/Y3940/D/17/3166866 (16/07534/FUL) in **Annexe 3**, the Inspector considered whether the proposal would create a separate dwelling (Uttlesford District case) and also, why a condition was suitable instead of a legal agreement:

*Whether the proposal would create a separate dwelling*

3. *The proposed dwelling would provide all of the facilities necessary to enable occupiers to live wholly independently of the house at Blakeney's. However, this on its own is not conclusive as the judgement in Uttlesford DC v Secretary of State for the Environment & White [1992] makes clear – it is a matter of fact and degree. The appellant has explained in her grounds of appeal that the building is intended to be occupied by her son, who has special needs, enabling him to live as part of the family but with a degree of independence. The proposed dwelling would share the same access as the main dwelling, and there would be no separate curtilage. It would be very much smaller than the main house, and would be fairly close to it.*

**4. Whilst I recognise that the building could be used as a separate dwellinghouse wholly independent of Blakeney's, on the basis of the evidence before me, I consider that it could be realistically occupied as an annex, and in such circumstances it would be appropriate to prevent separate occupation by means of a condition limiting occupation for purposes ancillary to the residential use of the main dwelling.**

5. *Wiltshire Core Strategy (CS) Policy H33 deals with accommodation for dependent persons and provides that such proposals will be permitted in circumstances which include where the accommodation is created as a result of a conversion of an existing building within the curtilage of the main dwelling. A further criterion is that the occupation of the accommodation should be subject to a restrictive occupancy condition or, if outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing Policy Area, is subject to the applicant entering into a legal agreement.*

6. *The proposal would be outside of the specific locations referred to in the policy, and thus the policy would require a legal agreement to be entered into. However, a condition would have the same effect as a legal obligation, and I see no reason as to why such control would not be effective in the same manner. Thus, the proposal would comply with the permissive approach of Policy H33, if not with the letter of the policy.*

## **The Black Barn**

Officers have considered this application on its own merits and have concluded that it meets the criteria for consideration as an annexe and could be suitably conditioned as such under H33.

**Family need and quantity of accommodation** - The Black Barn is intended for family use, for parents of the applicants, as set out in the applicant's letter. The accommodation is sufficient to enable visitors and in future, a carer to reside, if this is required. In the meantime, the family are likely to be active in helping on the farm, and the boot/utility room is intended to make this convenient for washing etc. The building does not exceed the existing footprint of the barn.

**Existing Curtilage** - Drawing AA shows that the replacement building directly relates to the existing footprint of the barn and, falls within the existing residential curtilage.

**Acceptability of layout** – the relationship between the annexe and the main house is considered to be acceptable. Whilst there is intervisibility between the two buildings, existing amenities would not be adversely affected.

**No new access or entry point** - Furthermore, it can be noted from drawing C that entry to the annexe is proposed from the existing parking courtyard, shared with the main house. There is no proposed entrance or doorway on the west elevation facing the farm track.

Furthermore, the existing residential curtilage is sited within an enclosed area *within* the farmyard which in turn, is accessed via a private, gated driveway.

It would therefore be highly impractical and undesirable to split the curtilage into two in future, and any future “private” occupiers of the black barn would need to obtain a separate means of access and amenity space for the accommodation. Clearly, anyone not associated with the farm would have to be prepared to live in close proximity to animals, machinery and farm activity on a daily basis. Therefore, this accommodation would not easily lend itself to being separated from the farm house and would more conveniently remain as “ancillary” for family use associated with the farm, as proposed.

## **7.2 Siting, scale, design, materials and impact on the character of the countryside and Special Landscape Area**

Saved Policy C6 sets out the criteria for development in the Special Landscape Area and states:

*C6 Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they will be subject to the following criteria;*

- (i) the siting and scale of development to be sympathetic with the landscape; and*
- (ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area.*

The policy needs to be read in conjunction with C24 and H33 for this proposal.

Scaled drawings of the existing barn elevations and the proposed elevations for the new building have been submitted and these show that

- the existing ground to ridge height of black barn is about 5.2m and the proposed height of the replacement building would be 5.5m
- the existing length and width of black barn is 9.4m and 9.2m respectively and the proposed length and width of the replacement building would be 9.5m and 9m respectively.

Therefore, the development represents only a modest increase in the dimensions of the building on site and there would be some increase in the bulk of the building created by the dormer and balcony (replacing the existing flat roof lean to). The proposed materials of brick, grey slate and timber cladding are all acceptable within the context of the adjacent farm buildings and farm house.

It is concluded that the scale and appearance of the new building is sympathetic with the existing one it replaces and would not harm the character of the area, in accordance with C24 and C6(i) and (ii).

## **7.3 Neighbouring amenity and public protection**

Core Policy 57 sets out the general principles for the design of development, including impacts on neighbours. It states:

*A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

*vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).*

The public protection team have previously responded:

*The photographs show a tank to the left of the barn, at this stage we have no information on whether the stored chemicals/oil is for domestic or agricultural use. We would therefore recommend the following condition is attached to any full application approval to ensure the site is adequately investigated for any contaminated land;*

*1. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:*

*a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.*

*b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.*

The owner has written in a statement confirming that the tank to the left is a bunded gas oil fuel tank which would be relocated. He states: "I can confirm that there is no history of the existence of contamination arising from any previous activities over the last 30 years." This statement is considered to satisfy criteria (a) above and criteria (b) would still apply.

The proposed annexe is sufficiently remote from other neighbouring properties to ensure that there would be no adverse impacts on amenities in terms of overlooking, dominance or disturbance. In conclusion, appropriate levels of amenity are achievable within the development itself, subject to the above condition, in accordance with CP57.

## **7.4 Ecology**

The NPPF para 118 states: *When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;*
- *opportunities to incorporate biodiversity in and around developments should be encouraged*

The NPPG also sets out guidance. **Core Policy 50** seeks to ensure that all development proposals incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Ecology have commented:

*The site falls within two Bat SAC consultation zones, and may have some potential as a night feeding perch for the relevant bat species. Therefore, I consider, on balance, that a scoping bat survey of the building proposed for demolition is required.*

*As the proposal is for an annexe, the potential impact of the development falling within the catchment of the River Avon SAC does not become a consideration.*

The photos of the building show that the building has limited potential for a significant bat roost because it appears to have poor thermal insulation properties. It has a single skinned metal roof. Conditions are light in places due to the building's open front and back. It appears the walls are not double skinned although officers cannot be entirely sure of this. However, given the building's age and position between two bat SAC consultation zones, it remains possible that the barn is used by bats roosting singly on a casual basis or by small numbers during the winter for hibernation or as a night feeding perch for Annex II bats. Therefore, given the condition of the building and the risk of finding a significant roost is small, a planning condition is recommended to ensure that any demolition work is overseen by a licensed bat ecologist:

In conclusion, the development is considered to pose a low threat to protected species and no objection is raised to the development, in accordance with Core Policy 50, the NNPF, guidance in the NPPG and the ODPM circular 06/2005, subject to the above condition.

## **7.5 Highway Safety**

CP60 and CP61 are relevant to the proposal. The highways officer has stated:

*The site is located outside of any development boundary and therefore attracts an adverse highway comment on sustainable transport grounds, however as this is proposing an annexe, I will be guided by you as to whether you consider the proposal to be contrary to the Wiltshire Core Strategy, Core Policy 60 and 61 and Section 9, paras 102, 103, 108 & 110 of the National Planning Policy Framework 2019 which seeks to reduce the need to travel particularly by private car, and support and encourage sustainable, safe and efficient movement of people and goods.*

*Vehicle access to the site is along Bunny Lane, a single track, no through road and I would*

*consider that any traffic movements associated with this development would not have an adverse impact on the surrounding highway network. Should you are minded to support the development, I wish to raise no highway objection to the proposal.*

## **7.7 Conclusion**

The proposal seeks to provide a replacement building on the footprint of the existing black barn within the curtilage of Rowdens Farm house and subject to a restrictive condition to tie the annexe to the main agricultural worker's dwelling, the development is considered to be acceptable in policy principle. The issue of whether or not the accommodation comprises an annexe or a new dwelling in the countryside has been considered against experience from recent appeal decisions and the case law from Uttlesford DC V Secretary of State 1991. Officers are satisfied that the accommodation meets the necessary requirements to be considered as ancillary accommodation.

There are no objections to the development on parking and access grounds, and subject to suitable conditions, the development is unlikely to cause harm to protected species or the future amenities of the occupiers. Therefore, the development is recommended for approval.

### **RECOMMENDATION: APPROVE subject to the following conditions:**

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule:

Proposed Elevations Dwg No C dated 20/5/19

Proposed Ground Floor with footprint of Existing Barn Dwg No AA dated 20/5/19

Proposed First Floor Plan Dwg No B dated 20/5/19

Barn conversion to Dwelling Plan 2 dated 6/11/18

Site Location Plan (red line) at 1:1250 scale

Planning Statement from M. Head received 5/7/19

REASON: For the avoidance of doubt and in the interests of proper planning.

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details submitted, namely red brick (to match Rowden's Farm house) and timber cladding for the walls and slate for the roof.

REASON: In the interests of visual amenity and the character and appearance of the area.

The annexed accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main agricultural worker's dwelling, known as Rowdens Farm house and it shall remain within the same planning unit as the main dwelling. The annexe shall not be sold or let separately from the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling. The main dwelling, known as Rowden's Farm house is subject to a restrictive condition under 73/EY/478 which restricts the occupiers to a person solely, or mainly employed or last employed in the locality in agriculture (as defined) or in forestry (including any dependents of such a person residing with him) or a widow or widower of such a person). The occupation of the annexe, being ancillary to the main dwelling, would be available only to such dependents/persons.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additional insertion of any doors or entrances in the west elevation of the annexe hereby approved.

REASON: To ensure that the annexe retains its entrance within the curtilage of the main house.

The annexe hereby permitted shall not be occupied until the proposed sewage and surface water disposal drainage works set out on the statement from M. Head received 5/7/19 and Plan 2 have been completed in accordance with the details hereby approved.

REASON: To ensure that the development is provided with a satisfactory means of drainage before occupation.

If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary. The development shall be implemented in accordance with any scheme of remediation works to be subsequently agreed in writing.

Reason: In the interests of future amenities of the occupiers.

The demolition works hereby approved shall be overseen by a licenced bat ecologist who will be present on site on the day the demolition works commence to undertake a detailed inspection of the internal and external parts of the building to identify any areas that hold potential for bats (a bat scoping survey). The works will only proceed in accordance with any subsequent written advice issued by the ecologist.

REASON: To ensure harm to bats is avoided in accordance with the Habitats Regulations 2010

### **Informative**

The applicant is advised that all British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please note that this consent does not override the statutory protection afforded to any such species. If bats are discovered, all works should stop immediately and Natural England should be contacted for advice on any special precautions before continuing (including the need for a derogation licence)