



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Grant of Planning Permission

Planning Application Reference: **21/02938/FUL**

Decision Date:- 05.05.2022

Winchester City Council **GRANTS** planning permission for **Construction of one dwelling, relocation of grooms flat within the barn and use of the original grooms flat for ancillary equestrian purposes (Revised siting of new dwelling under 0)** at **Home Farm , Reading Room Lane, Curdridge, SO32 2HE** subject to the following conditions:

01 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 (1) of the Town and Country Planning Act 1990 (as amended).

02 The development hereby approved shall be constructed in accordance with the following plans:

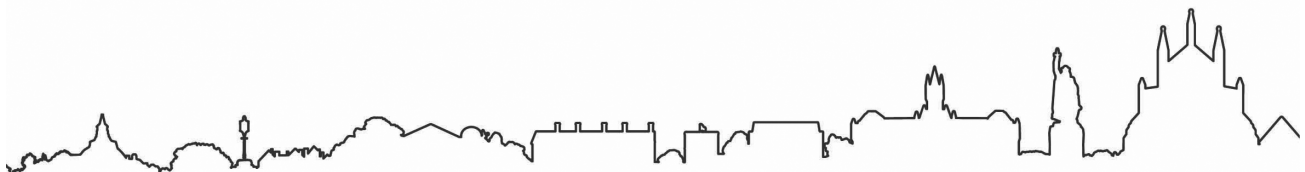
RRL 01 Floor Plans and Elevations
RRL02 Block and Location Plans
RRL03 Design and Access Statement
WIN-ID - 1408.06 Stable building floor plan

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

03 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation of the building.

Reason: To ensure satisfactory provision of foul and surface water drainage.

04 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting size and layout. The



scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

05 The garage hereby permitted shall only be used for purposes incidental to the dwelling house. At no time shall the development be occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

06 Prior to the commencement of development a Tree Protection Plan and Arboricultural Method Statement in accordance with BS 5837:2010 Trees in relation to design, demolition and construction - Recommendations detailing the implementation of all necessary tree protection measures for construction of the dwelling and the driveway shall have first been submitted for written approval of the Local Planning Authority.

The approved tree protection measures shall be fully implemented prior to the commencement of any works on site and shall be retained and adhered to throughout any construction phase until the completion of the development.

Reason: To safeguard the protected trees on site.

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, B or C of Part 1 Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and to comply with policy DM3 of the Winchester District Local Plan Part 2.

09 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

10 Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

11 The occupation of the dwelling within the stable barn hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in equestrian or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture or forestry.

12 Prior to occupation of the replacement dwelling hereby approved, the dwelling within the northern end of the stable barn highlighted in red on plan WIN - ID - 1408.06 shall cease to be a dwelling and the area shall revert to uses ancillary to the equestrian business. At no time shall this area be used as a dwelling or for overnight accommodation.

Reason: To comply with the terms of the application to which the decision relates and to prevent an additional dwelling within the countryside that would be contrary to MTRA4.

13 On commencement of development permission 21/00042/FUL for a replacement dwelling to the north of the farmhouse on the site of the manege shall cease to exist as confirmed by the submitted affidavit.

Reason: To comply with the terms of the application to which the decision relates and to prevent an additional dwelling within the countryside that would be contrary to MTRA4.

Julie Pinnock BA Hons MTP MRTPI
Service Lead - Built Environment

Notes To Accompany Planning Decision Notice

General Notes for Your Information:

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1.
In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:
 - offer a pre-application advice service and,
 - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.In this instance the officer has been in regular contact with the applicant.

 2.
The Local Planning Authority has taken account of the following development plan policies and proposals:-
Local Plan Part 1 - Joint Core Strategy: DS1, MTRA2
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17

 3.
This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

 4.
All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

 5.
During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

 6.
Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of

deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

Community Infrastructure Levy

Please note that this application is subject to the payment of Community Infrastructure Levy (CIL).

A separate CIL Liability Notice will be produced which provides full details regarding CIL. Please refer to that notice for further information. As this is a CIL liable development you must advise Winchester City Council of your intention to commence work.

Rights of Appeal:

- The applicant or the applicant's representative has the right to appeal to the Secretary of State against any of the conditions applied to this permission under section 78 of the Town and Country Planning Act 1990.
- As this is a decision relating to a Planning Application, any appeal against the conditions must be made within 6 months from the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals must be made using a form which you can get from the Secretary of State at:

The Planning Inspectorate (England)
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Or online at:

<https://www.gov.uk/government/organisations/planning-inspectorate>

- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.