

Mr Paul Harris  
West Court  
Lower Basingwell Street  
Bishops Waltham  
Southampton  
SO32 1AJ

8 March 2021

Please quote **21/00106/PNACOU**  
on all correspondence

Dear Mr Harris

**Town and Country Planning Act 1990  
Town and Country Planning (General Development Permitted  
Development) Order 2015**

**Application for prior approval for Agricultural buildings to Dwelling House  
Schedule 2, Part 3 Class Q ;**

Application Reference Number: **21/00106/PNACOU**

Proposal: **Change of use of an existing agricultural building to a single  
dwellinghouse**

Site Address: **Oaktree Farm Sciviers Lane Upham Southampton  
Hampshire  
SO32 1HB**

I am pleased to enclose the Notice of the Council's formal decision in relation to  
the above application. If you are acting as an Agent please ensure that a copy  
is given to the applicant.

**Before proceeding please read the following important information which  
affects this Notice**

Yours Sincerely

Marge Ballinger

Case Officer

01962 848 569

[mballinger@winchester.gov.uk](mailto:mballinger@winchester.gov.uk)



**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Prior Approval Required and Approved**

Planning Application Reference: **21/00106/PNACOU**

**Decision Date: - 08.03.2021**

Winchester City Council determines that that **prior approval details are required and APPROVED** for the development as described in the plans and particulars submitted with your application received on 14 January 2021. The proposal can now proceed, subject to the works being carried out in accordance with the plan and all details notified and in compliance with the criteria and conditions of **Class Q** as below:

**Change of use of an existing agricultural building to a single dwellinghouse at Oaktree Farm, Sciviers Lane, Upham, Southampton, Hampshire, SO32 1HB** subject to the following conditions:

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

Reason: To comply with the criteria of Class Q of the General Permitted Development Order 2015 (as Amended).

- 2 This change of use Class Q(a) and (b) prior approval determination does not authorise any physical extensions or additions to the exterior of the building which require planning permission.

Reason: To prevent works which require planning permission.

- 3 The development hereby approved shall be constructed in accordance with the following plans:
  - Location Plan received 14 Jan 2021
  - Proposed Drawings within OTF\_02\_A dated Nov 2020 (amended Feb 2021)

Reason: To comply with the criteria of Class Q of the General Permitted Development Order 2015 (as Amended).

- 4 Detailed proposals for the disposal of surface and foul 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 development can commence.

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

- 5 The materials to be used in the construction of the external surfaces of the extension, hereby permitted shall be:
- Roofing: Kingspan KS 1000/2000 Insulated roof panel, pale grey with matching gutters/fascias and RWDPs
  - Windows and Door Frames: Pale grey, External Reveals to window and door openings and sills: Pale grey
  - Timber Wall Cladding: 200 deep sawn (not planed) oak boards with clear preservative, laid ship lap (overlap) and horizontally

Reason: In the interests of the visual amenities of the area.

J Pinnock  
**Julie Pinnock BA (Hons) MTP MRTPI**  
**Service Lead – Built Environment**

# **Notes To Accompany Planning Decision Notice**

## **General Notes for Your Information:**

1 With regard to Regulation 75 of the Conservation of Habitats and Species Regulations 2017, where works under 'permitted development' are likely to have a significant effect on European Sites (alone or in combination with other projects), works may not begin until the developer has received written notification of the approval of the Local Planning Authority.

The initial onus is upon the developer to judge whether or not the development is likely to have a significant effect on European sites (either alone or in combination with other projects) but this must be done on a precautionary basis, and having regard to all other plans and proposals affecting the Special Protection Areas (Southampton and Solent Water) and/or the Solent Maritime Special Area of Conservation (being the European sites in this area). The developer may seek the opinion of Natural England under Regulation 76 as to whether or not the proposed development is likely to have a significant effect. However Natural England have concluded that all new residential development discharging waste water via WWTWs into the coast (Solent and Southampton Water Special Protection Areas) will cumulatively with other residential developments, have a significant effect upon the nature conservation interests of the European Sites.

Where permitted development is likely to have a significant effect upon one or more of the European sites, development must not be begun until the developer has received written notification of the approval of the Local Planning Authority under Regulation 77. This is a separate process and a positive decision under the prior approval procedure should not indicate approval under the Habitat Regulations.

If the development is likely to have a significant effect on a European site, the developer must apply to the Local Planning Authority with details of the development which is intended to be carried out, a copy of any opinion given by Natural England and the required fee.

The applicant is reminded that the issue of this notice does not absolve the compliance with any other obligation in the Habitat Regulations relating to protected species or the requirements of any licences that may be required. It may be necessary to take independent ecological advice prior to any works to the building being undertaken. If any protected species are discovered during the course of the development; all works should cease immediately and Natural England should be contacted for advice before work is recommenced.

2 This permission is granted for the following reasons: The development is in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England)(Amendment) Order 2018 and (Amendment) Order 2019

3 In accordance with paragraphs 186 and 187 of the NPPF, Winchester

City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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.

### **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 12 weeks 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.