



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Grant of Planning Permission

Planning Application Reference: **24/02126/FUL**

Decision Date:- 13.01.2025

Winchester City Council **GRANTS** planning permission for **New Agricultural Access onto Liberty Road (amended plans)** at **Haraldslea Farm, Liberty Road, Newtown, Hampshire, ,** 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.

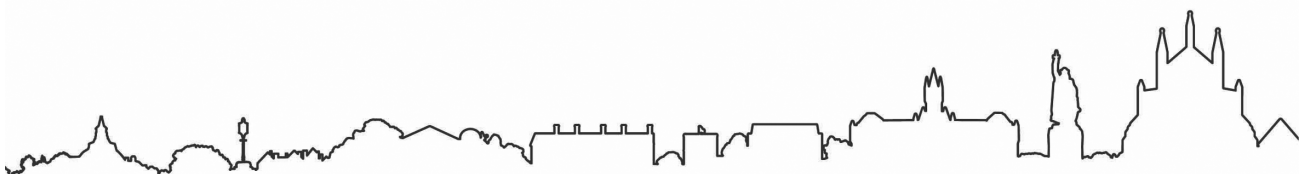
Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

Location Plan
Wider Site Plan
Proposed Block Plan
Access and Swept Path Tracking - NJC-002 REV A
Access and Visibility Plan - NJC-001 REV B
Proposed Gate Details
Agent Details on Materials, Gates and Splays
Preliminary Ecological Appraisal - V3
Traffic Survey
Planning Statement
Highways Technical Report
Design and Access Statement
Biodiversity Metric Calculation Tool

Reason: In the interests of proper planning and for the avoidance of doubt.

03 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in the Agent details on materials, gates and splays document.



Reason: To ensure a satisfactory visual relationship between the new development and the existing.

04 As per the development hereby permitted, within the visibility splays as shown on drawing Access and Visibility Plan - NJC-001 REV B, any structure, erection, planting or vegetation must not exceed 0.6 metres in height from ground level in perpetuity, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users.

05 In making an application to discharge the biodiversity gain condition prior to the commencement of development on site the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

06 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 5. The HMMP shall include the following details:

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval. Notice in writing shall be given to the Local Planning Authority once the habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

07 Development shall proceed in accordance with the measures set out within the Preliminary Ecological Appraisal by Arbtech (November 2024) V3 submitted with the planning application.

Reason: to enhance the ecological value of the site and increase its contribution to the local environment.

08 Prior to the commencement of the development hereby permitted a Biodiversity Enhancement and Management Plan showing the location of the ecological enhancements outlined with the Preliminary Ecological Appraisal V3 must be submitted and approved by the Local Planning Authority and retained thereafter unless otherwise agreed.

Reason: to enhance the ecological value of the site and increase its contribution to the local environment.

Julie Pinnock BA Hons MTP MRTPI
Corporate Head of Planning and Regulatory Services

Notes To Accompany Planning Decision Notice

General Notes for Your Information:

- 1 In accordance with paragraph 38 of the NPPF (2023), 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 a site meeting was carried out.

- 2 The Local Planning Authority has taken account of the following development plan policies and proposals:- Local Plan Part 1 Joint Core Strategy: DS1, CP13, CP16 Local Plan Part 2: DM1, DM3, DM15, DM16, DM17, DM18, DM23, DM24
- 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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.
<https://www.winchester.gov.uk/environment/pollution/construction-sites>
- 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 Considerate Practice

<https://www.considerateconstructors.com/resources/the-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 <https://www.winchester.gov.uk/building-control>
- 8 For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

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/appeal-planning-decision>

- 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.