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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Case No: 14/00574/FUL

W Ref No: W22651/01

Grid Ref: 453390

114799

Change of use of land for the keeping of horses and erection of stables and new access to field along with changes to adjoining ground levels (RETROSPECTIVE)

Land Adjacent To Calcot Lane Calcot Lane Curdridge Hampshire

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority hereby GRANT permission for the above development(s) in accordance with the plans and amended plans dated 6 May 2014 and particulars submitted with your application received on 5 March 2014 and subject to compliance with 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 provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 Horse manure shall be stored on the site in the 'Horse Manure Storage' area marked on the approved plan 110098/51A and the manure shall be removed from the site by a licenced waste contractor as set out in point 7 of the material key on approved plan 110098/51A. These facilities and means of disposal shall be provided and thereafter maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality.



3 Apart from the 3 external lights shown on approved plan No 110098/52A, no external lighting, including floodlighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

4 Within one month of the date of this permission, 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 provide the following details:

- Native planting specifying species, density, planting, size and layout;
- Existing hedgerows to be strengthened;
- Additional planting around the new access and adjacent to the stables;
- Planting to the south of the stables to provide additional screening;
- Finished land levels and contours of the area where levels have been changed;
- Re-seeding of the area where levels have been changed.
- Planting required to stop up the existing access.

The scheme approved shall be carried out in the first planting season following the grant of this permission. 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.

5 The building hereby permitted shall not be used other than for the stabling of horses for private recreation purposes and it shall not be used for commercial livery or DIY livery or in connection with any riding school or commercial horse breeding uses.

Reason: For the avoidance of doubt as to the scope of this planning permission.

6 The land surrounding the stables hereby permitted shall not be used for the storage or siting of horse transport vehicles, horse boxes and shelters, caravans, mobile stables or any other structures, vehicles or chattels unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

7 Within one month of the date of this permission the existing access to the site shall be stopped up and abandoned and the verge crossing shall be reinstated to the requirements of the Local Planning Authority in accordance with details submitted to discharge condition 4.

Reason: In the interests of highway safety.

Informatives:

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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

2. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

3. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: MTRA4, CP20
Winchester District Local Plan Review 2006: DP3, DP4, CE5, RT11, T2

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. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

Simon Finch BSc (Hons) Lond, DipTP, MSc, MRTPI
Head of Planning Management
30 May 2014