

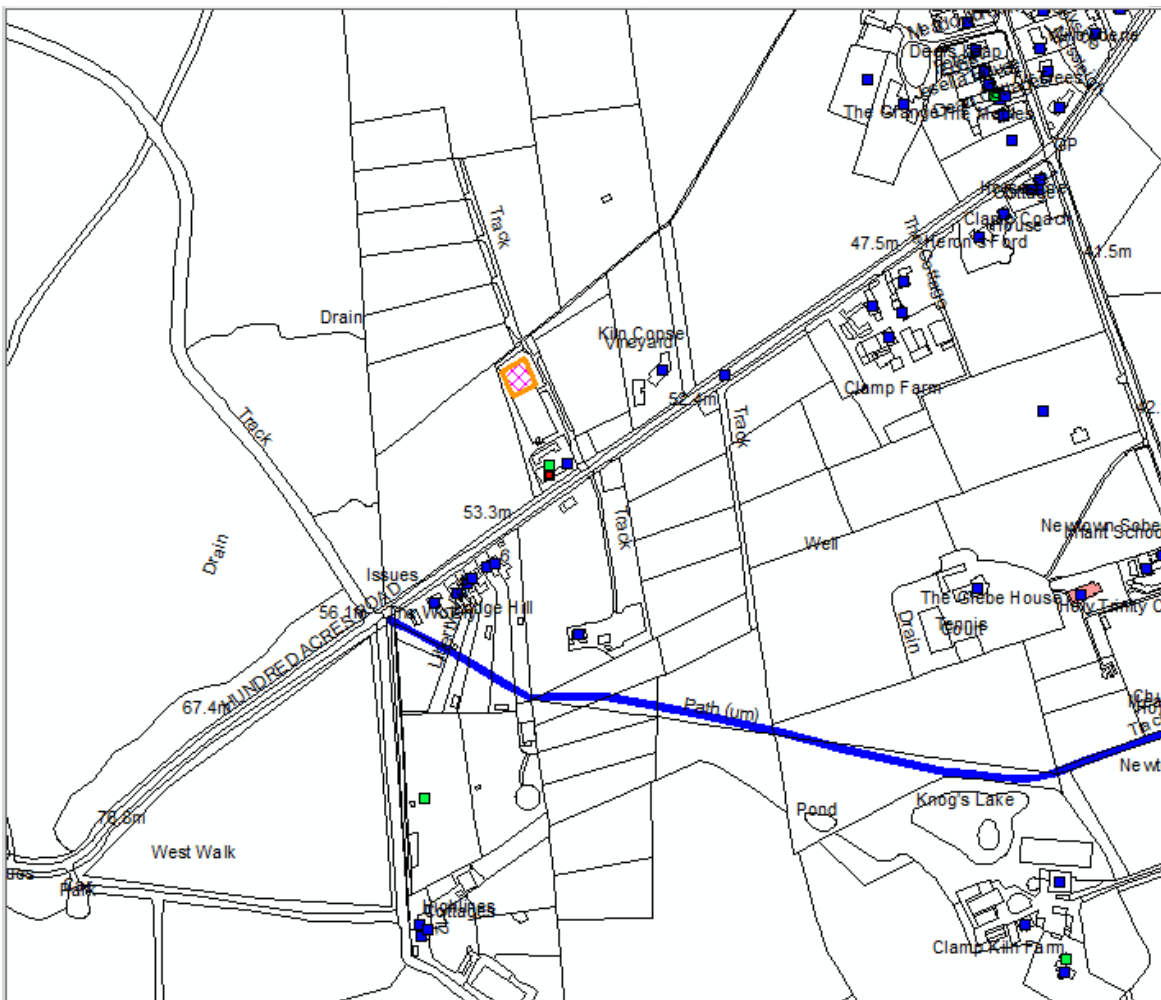
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/02081/FUL
Proposal Description: General Purpose Storage Barn (Amended Plans)
Address: Tricklebank Stud Lodge Hill Newtown PO17 6LG
Parish, or Ward if within Winchester City: Soberton Parish Council
Applicants Name: Mrs Sophie Bailey
Case Officer: Cameron Finch
Date Valid: 4 August 2021
Recommendation: Approve
Pre Application Advice: No

Link to Planning Documents

21/02081/FUL

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that the storage building would have no adverse impact on the setting and character of the surrounding area by way of its positioning, scale and appearance. The development is not harmful to the character and appearance of the surrounding area or neighbouring amenity and material planning matters do not indicate an alternative approach should be taken.

General Comments

The application is reported to committee because of the number of objections received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

The external materials of the building were amended on the elevation plans to be dark stained timber, replacing the previously proposed green cladding. These plans were submitted 17th May 2022 and were re-advertised to neighbours and commenters through a further three week consultation period.

Site Description

Tricklebank Stud is a mixed site comprising of an equestrian enterprise at the front of the site coupled with agricultural fields to the north. The site is located immediately to the west of Newtown within the countryside. The holding extends approximately 16.34 acres in total. The overriding character of the surrounding area is rural with a small number of neighbouring dwellings within the immediate vicinity with open fields, woodland and agricultural sites further in the distance. The boundary of the South Downs National Park is located approximately 100 metres to the west. The site is generously sized. Two stable blocks finished with timber cladding are sited within the south-western corner of the site adjacent to the entrance. A ménage is sited immediately to the rear. A static caravan is sited on the south-eastern corner of the site with open paddocks beyond (20/01281/FUL). Built form close to the road is generally low and single storey. The site slopes gently to the north with a small stream along the northern edge of the field. The site is bounded by mature trees and vegetation to the south, west and north.

Proposal

The proposal seeks to construct a building to provide the storage of agricultural machinery used to maintain the site, as well as fodder produced on site to feed the animals accommodated on the site. The building is located within the north-western corner of the site. External walls are finished with a mixture of concrete sheet with and dark stained cladding. Fibre cement sheets finish the roof. The building is accessed by roller metal shutter doors on the eastern facing elevation. The building measures approximately 9.92 metres in total to the ridge height.

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Relevant Planning History

- (04/00866/FUL) (PERMITTED) Erection of stables
- (06/01822/FUL) (PERMITTED) All weather exercise arena with timber post and rail fence and sand surface
- (11/02535/FUL) (PERMITTED) Erection of additional stabling and barn; removal of condition no. 5 of planning permission 04/00866/FUL to allow business use for livery and stud farm
- (20/01281/FUL) (PERMITTED) Provision of temporary equestrian worker's dwelling for 3 years
- (21/00967/FUL) (PERMITTED) Application Reference Number: 11/02535/FUL Date of Decision: 18/01/2012

Condition Number(s): Condition 6

Conditions(s) Removal:

The applicant wishes to have the flexibility of using all the stables on the site for stabling horses used for commercial stud and livery. The deletion of the condition would remove the current restrictions on the use of the stables

Consultations

Service Lead – Community and Wellbeing (Landscape)

No objection subject to condition including a landscape plan.

Service Lead – Engineering (Drainage)

No objection subject to condition including a surface water drainage plan.

South Downs National Park Authority

No objection.

Representations:

Councillors – Councillor Victoria Weston – Central Meon Valley Ward – OBJECTS, received 18 November 2021.

- The location of the barn is on the other side of the menège and not grouped with the existing buildings therefore positioned out into the countryside contributing to visual harm.
- The size scale and mass will have a detrimental visual impact on the surrounding area and visible from the SDNP Forest of Bere. The height of barn being 26ft in height and 60ft in length is rather excessive for a general-purpose storage barn relating to the equestrian established activity on the site. Concerns have been raised with me about the further industrialisation and commercial

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activities on Lodge Hill that a barn of this size will attract. The equestrian site does not require large farm machinery, so residents fail to understand why these needs be to this scale.

- The barn will no doubt have lighting and again this will have both a visual and environmental impact on the surrounding area and being so close to the Forest of Bere which is a breeding ground for wildlife, insects and mammals. The Dark Skies SDNP policy SD8 needs to be considered as this area surrounds zone E1a which is of intrinsic rural darkened skies with SQM range of 20 to 20.5 and being so close to the Forest with currently very good dark sky quality. Therefore, being so close to the boundary with the SDNP this should be taken into consideration. The proposed position for such a large barn and the cumulative effect of light pollution with the residential property also being built opposite the existing barn and stables will harm the quality of dark night skies in this area.
- The suggested materials could be much improved to soften the impact on the area, the correct positioning grouping with the existing buildings and a building size more in keeping with the current activity of the site.
- Drainage also needs to be considered as this site has several surface water and piped culverts that drain the land and water from the Forest flows down into the Wallington River. As the river flows through private gardens further downstream nothing that would cause increase flow should be allowed without mitigation measures put in place.
- I therefore feel I have no choice but to object to this planning application as it stands and if you are minded to approve please consider the appropriate conditions to address the light concerns with evening curfews and to the use and activity of such a structure, so the quiet residential and long standing properties opposite, going back to the beginning of the century and other neighbouring properties will not be impacted by this development in any way in the future.

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Further response received following further consultation on 13th June 2022. :

I have been made aware of the amended plan submitted and whilst the materials are an improvement there is still no justification for the size and the siting of the barn away from the other buildings. This large barn bears no relationship with the existing buildings but is creating a new incongruous building in open countryside that will be visible visual from higher ground and foot paths through the forest to the south and the forest adjacent to the stud land.

This building will have an unacceptable effect on the rural character of the area, by means of visual intrusion, by impacts on the tranquillity and impacts on the dark sky environment of the adjacent SDNP forest. A concern is that this large barn situated where it is proposed will have an effect by changing the local distinctiveness and creating what as the landscape assessment refers to as states the emergence of a suburbanised urban fringe character, in places. This is not a good landscape characteristic. Consideration of the cumulative effects of development on the character of an area should be regarded, and in this case those effects are harmful.

This is an equestrian site and DM 12 is very clear in stating that that it should not involve the erection of new buildings, or associated features such as hard standing, parking or manure storage sites, which may harm the existing landscape through isolated or scattered development. Development should not harm the character of the area by reason of the cumulative impact when considered with other similar enterprises in the area and should not involve the use of construction materials, boundary treatments, floodlighting, siting of areas of hard-standing, new or extended access routes, or other infrastructure related to the equestrian development that would have an adverse impact on the appearance of the landscape. It is to be noted that none of the earlier applications for these equestrian activities on site have identified the need for this building.

Drainage and runoff and defuse pollution into the watercourses above and below ground need to have careful consideration if we are going to be climate resilient for the next generations. No regard appears to be given to the quantity of runoff that will be generated by the large roof area, or how this will be dealt with so as to prevent flooding downstream. If this is contaminated, in the same way as that arising from the existing manure storage area, then there will be a large volume of contaminated water added to existing flooding problems in Newtown.

Soberton Parish Council

Response received 15 November 2021:

Comment: The Parish Council are extremely concerned about the visual impact such a large structure in the proposed location will have on the local landscape. It is clear that as proposed the building and its use will impact on the amenity of neighbouring properties. We also feel the proposed cladding of the building is inappropriate in this setting.

The Parish were consulted again following the submission of amended plans. No response received.

11 Objecting Representations received from different addresses citing the following material planning reasons:

- The building is too large and spoils the rural character of the landscape.
- The building is too large for its function.
- The proposed materials are industrial and inappropriate for the countryside location.
- The building would appear taller than neighbouring trees.
- The levels on the site are artificial and make the building appear taller.

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- Noise generated by the building will have a negative impact on surrounding area and neighbours.
- Potential for light overspill to cause harm to the character of the surrounding area.
- Drainage is an issue in this area; the proposed development will worsen surface water drainage on this site.
- Privacy of neighbouring dwellings are harmed by the development.

0 Supporting Representations received

1 Neutral representation received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 of the National Planning Policy Framework 2021

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

DS1 - Development Strategy and Principles

MTRA4 - Development in the Countryside

CP13 - High Quality Design

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

CP19 – South Downs National Park

CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM1 - Location of New Development

DM12 – Equestrian Development

DM15 - Local distinctiveness

DM16 - Site Design Criteria

DM17 - Site Development Principles

DM23 - Rural Character

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DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Soberton Village Design Guide (2002)

Other relevant documents

Landscape Character Assessment 2022

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of the settlement boundary.

Policy MTRA4 allows development which has an operational need for a countryside location which does not harm the character and landscape of the area or create inappropriate noise/light and traffic generation. It is considered that the proposal demonstrates an operational need by supporting the site for agricultural uses as well as support for the existing equestrian enterprise. Both are considered to be acceptable uses within the countryside and the proposal is considered by officers to be justified development in the countryside.

Policy DM23 allows proposals outside defined settlement boundaries where they do not have an unacceptable effect on the rural character of the area by means of visual intrusion, the introduction of incongruous features or impacts on the tranquillity of the environment.

The principle of development is therefore acceptable.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area and landscape

The Landscape Character Assessment (2022) identifies the emergence of a sub-urbanised urban character including the development of sheds and equestrian buildings. Where schemes like this come forward, visual enhancement by landscaping should be included to prevent significant harm to the rural landscape in this area. Buildings should

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also be sensitively sited. It is considered that the proposed building is typical of similar storage buildings which characterise the rural area. The proposed design form and material palette are considered to correspond with other similar examples within the surrounding area and does not appear out of character. The use of dark stained timber is a character feature of more traditional rural buildings within this area and helps to settle the development within its surroundings. This also ensures that the building appears less industrial and more rural. The site has been identified as an important view within the Soberton Village Design Guide (2002), however the building is sited amongst assorted development within this area and is not considered intrusive. Additional native planting will improve the appearance of the site from the existing.

Views of the development from the road into the site are largely screened by the boundary treatment of mature vegetation and trees sited along the western and southern boundaries, ensuring the building is only glimpsed. Whilst screening does not completely obscure the appearance of the building within the surrounding area, it does soften its appearance with only the ridge line appearing unobstructed as viewed from the west. Landscape enhancements are secured through condition along the eastern boundary to better screen views into the site from these vantage points.

Long distance glimpses are possible at present but this is not considered to be harmful to the character of the area. The taller trees that define the northern edge of the site effectively screen views within the wider landscape from this direction. Whilst the glimpses and views identified are considered important, there are no longer distance sustained views within the landscape that would seriously disrupt its character.

The development is significantly screened by mature trees and hedges from the footpath that runs through fields on the southern side of Lodge Hill. The barn would appear most prominent from the entrance to the site although it would be more visible to those walking the road than driving. Whilst the barn is visible it is not considered to be an incongruous feature in the countryside.

The height of the building is significantly taller than other buildings on site. It is considered that the siting of the building at the northern end of the site within the dip of the land effectively mitigates the potential for an over prominent building. It has been noted that some of the ground level on the site as existing is not the original ground level, however the level drawings confirm that building is set slightly into the ground which mitigates some height. The building is set against a backdrop of mature trees which are 12-15 metres tall, this lessens the impact of the scale of the building. This combined with the proposed material palette ensures the building does not appear visually intrusive from visual receptors to the east and west. Whilst the building is large, it is not considered inappropriate for its proposed function.

Policy DM12 recommends that buildings on equestrian land should be grouped together. The siting of this building adjacent to existing development would bring the building closer to the public realm at a higher ground level and would appear more prominent than the present proposal. Considering the position of the dwelling in relation to surrounding visual receptors it is considered that the building is sited sensitively within the site and its position is the most acceptable. The above factors combined with effective screening ensure that the height of the building is not harmful to the rural character of the surrounding area.

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The use of the building to store machinery, feed and other items relating to the applicant's equestrian and agricultural enterprise are considered acceptable for a countryside location and have an operational need. The use of the building for storage is proposed to be controlled through condition so any alternative uses would need to be assessed. To ensure no harm is caused by light pollution, a lighting plan is proposed through condition to ensure any external lighting is sensitive to neighbours, the appearance of the surrounding area and the South Downs National Park.

The nearest Right of Way is Soberton : 25 which is to the opposite side of the road and set behind a collection of dwellings and other buildings. Due to the distance, adverse harm on the enjoyment of the countryside from this public right of way is not found and the proposal complies with policy DM23 of the LPP2.

The proposal complies with policy DM12, DM15, DM16, DM17 and DM23 of the Winchester District Local Plan Part 2 (2017).

Development affecting the South Downs National Park

The application site is located approximately 100 metres from the South Downs National Park with the boundary to the West.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Views of the site from the park boundary are screened by mature vegetation and trees along the western boundary. This softens its appearance and prevents harm to the character of this part of the Park. It is noted that the area already contains buildings over the boundary and is considered in character with this neighbouring section of the National Park. The South Downs National Park is a Dark Skies reserve, and whilst the building is not within the park boundary it is important that any external light is controlled to prevent harm by light pollution. This is controlled by recommended condition 7.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development has a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation. The proposal complies with policy CP19 of the Local Plan Part 1.

Historic Environment

There are no statutory listed buildings or structures in the area. The site is not within or near a conservation area.

There are no archaeological or non-designated heritage assets impacted.

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There is therefore no adverse impact on heritage matters.

Neighbouring amenity

Kiln Copse Vineyard is the neighbouring dwelling sited to the east of the proposal site. The low boundary with this site ensures that the development site is visible making this a sensitive visual receptor. The proposed development is sited over 70 metres away from amenity space. Whilst the development is certainly visible it is not considered adversely overbearing due to the intervening distance. Additional planting close to the eastern boundary will play a part in filtering views of the building from this viewpoint and is considered sufficient to avoid visual harm, this area is within the ownership of the applicant and is controlled by condition 4. The proposed material palette and change in ground levels also reduce its visual impact on this dwelling. This is secured through condition. Potential harm caused to this dwelling by light overspill can be controlled through the inclusion of a lighting plan secured by condition. Concern has been raised about noise generated by the use of this building, however its primary use is for storage with occasional noise generated through the opening of the roller shutter doors or the starting of machinery stored within. It is not considered this would be a sustained impact as a result of this building and is acceptable and such issues can be managed under separate legislation should an impact arise.

It is not considered that the proposed development results in a reduction in privacy of this neighbour due to the intervening distances and proposed screening.

A number of residential dwellings are sited to the south west on the southern side of Lodge Hill which are distant from the site. Screening is provided by intervening hedgerows and trees such that the visual impact upon these dwellings is not significant.

The proposed development does not impact upon further neighbouring amenity.

The proposal complies with policy DM17 of the Winchester District Local Plan Part 2 (2017).

Sustainable Transport

The proposal will have no adverse impact on highway safety and traffic generation because it is not considered that a storage building would attract additional traffic into the site. The use of the building is conditioned to be linked to the site (condition 4) which will restrict movements on off the site specifically to this absolutely necessary to its use. The proposal complies with policy DM17 of the Local Plan Part 2.

Ecology and Biodiversity

The proposal will have no impact as it is not development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

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Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

It is not considered that the construction of the building will be harmful to the stream that sits immediately to the north due to the scale of the development proposed and the sufficient intervening distance which includes a change in levels and condition 5 secures an appropriate drainage strategy. The disposal of manure from the site was confirmed under 11/02535/FUL and no proposals have been put forward to change this. Conditions on the 2011 application continue to apply.

Sustainable Drainage

It is not considered that the site is at risk of flooding from sources, however information on how surface water runoff is managed and disposed of should be submitted for consideration. It is considered the proposed condition is sufficient to secure this information (condition 5). The proposal complies with policy CP17 of the Local Plan Part 1.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

Based upon the above assessment, it is considered that the storage building would not have an adverse impact on the setting and character of the surrounding area by way of its positioning, scale and appearance. The development is not harmful to the character and appearance of the surrounding area or neighbouring amenity. The proposal is compliant with policies DS1, CP13 and CP20 of Local Plan Part 1 and DM12, DM15, DM16, DM17 and DM23 of Local Plan Part 2.

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Recommendation

Permit subject to the following conditions:

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. The development hereby permitted shall be constructed in accordance with the following Plans:

Location Plan received 04 August 2021

Elevation and Floor Plan Drawings received 17 May 2022

NE Sectional Elevations received 31 January 2022

Topography received 31 January 2022

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in drawing titled 'Elevations and Floor Plans' received 17 May 2022.'

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

4. The storage building hereby permitted shall be used solely for the purpose of storing machinery used on site and the storage of fodder and animal feed associated with Tricklebank Stud and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: To protect the amenity and privacy of the adjoining residential properties.

5. Detailed proposals for the disposal of surface water drainage 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 development hereby permitted.

Reason: To ensure satisfactory provision of surface drainage

6. 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

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occupation of the building or the completion of the development whichever is the sooner.

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

7. 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.

8. Prior to the installation of any external lighting, details of locations and specifications must be submitted to and approved in writing by the Local Planning Authority alongside an assessment of the impact on the surrounding SINC's and Ancient Woodland.

Reason: The site is in a sensitive location and lighting may impact upon surrounding habitats and species.

Informatives:

1.

In accordance with the NPPF 2021, 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 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, CP13, CP16, CP17, CP19, CP20, MTRA4,

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM12, DM15, DM16, DM17, DM23, DM24

Supplementary Planning Document
National Design Guide 2019

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High Quality Places 2015
Soberton Village Design Guide (2002)

Other relevant documents
Landscape Character Assessment 2022

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>

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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)

8.

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.

The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.