

## Appendix 2 – Representations from Other Persons

**Rupert Burnell-Nugent**

**Rumwood, Norton, Winchester, Hampshire, SO21 3ND**

**Received 9 May 2019**

Subject: Representation - Norton Park Hotel, SO21 3ND

I would like to formally make a representation regarding the application to vary the premises licence at Norton Park Hotel, Bullington Road, Norton, Winchester, Hampshire SO21 3ND.

The application is to remove the condition:

"Licensable activities shall take place in the Barn only between the hours of 1100 and 2200"

and to add the conditions:

"1. Licensable activities shall be permitted in the Barn only between the hours of 1100 and 0000 (midnight).

"2. The playing of any live or recorded music in the Barn shall utilise a noise limiting device set as a volume agreed with the Licensing Authority.

"3. After 2000 the patio doors to the Barn shall not be used except as an emergency exit."

I would like to bring the Council's attention to the planning permission that was granted for the property, case no 04/00011/FUL, granted on 6th December 2004. A copy of the decision notice is attached. The following relevant conditions were imposed by the Council on granting consent:

"5. External noise levels from any speech, music or other amplification system shall not exceed 45dBI Aeq.5min when measured at any point on the perimeter of the Dolce Norton Manor Property.

Reason: To protect the amenities of the occupiers of nearby properties.

"6. Any activities producing external noise generated by amplified music or voices or non-amplified music shall be restricted to the hours of 0800 to 2200 Sunday to Thursday and 0800 to 0000 Friday and Saturday.

Reason: To protect the amenities of the occupiers of nearby properties."

and

"8. The operating hours of the thatched barn shall be restricted to 0800 hours to 2200 hours:

Reason: To protect the amenities of the occupiers of nearby properties."

By the proposed removal of the above condition from the premises licence and replacing it with proposed condition 1, the applicant will in effect be seeking a license to operate during hours in which the property does not have planning permission to operate. It would seem that the matching of the two closing hours of 2200 between the license condition and planning conditions were put in place for a reason, and should remain in place as the circumstances are unchanged.

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The proposed condition 2 appears reasonable. The Barn forms the boundary of the property, and it therefore seems appropriate to match the decibel limited imposed by planning condition 5 at a maximum of 45dBI Aeg.5min.

The proposed condition 3 appears reasonable.

The grounds for this representation are that the variation to the licence would harm the residents of neighbouring properties, as evidenced by the planning conditions imposed by Winchester City Council to protect those occupiers, and would therefore undermine objective 3 of the licensing objectives, the prevention of public nuisance.

A copy of this representation will also be shared with Winchester City Council Planning Enforcement and Wonston Parish Council.

Kind regards  
Rupert Burnell-Nugent  
Rumwood  
Norton  
Winchester  
Hampshire  
SO21 3ND

*[See next page for attachment to email].*

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 TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
 

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GRANT OF PLANNING PERMISSION

Case No: 04/00011/FUL

W Ref No: W10019/13

Grid Ref: 446999 140980

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 Change of use and construction of new road and access

Dolce Norton Manor Norton Manor Bullington Road Sutton Scotney Winchester 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 particulars submitted with your application received on 29 December 2003 and subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five 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.

2. The development hereby permitted shall be for a mixed use comprising residential training centre and hotel use only, and for no other purpose (including any other purpose in Classes C1 or C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order, with or without modification).

Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

3. There shall be no external lighting or floodlighting, security cameras, entrance gates, walls, fences or other means of enclosure, constructed on or adjacent to the access road hereby approved or within the application site, without the prior written approval of the Local Planning Authority.



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 Robin Cooper Director of Development Services

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

4. The following works shall be undertaken and completed prior to the commencement of the change of use hereby approved:

- i) The new access road shall be constructed, completed and brought into use, in accordance with the approved plans;
- ii) The existing main access to the north of the site shall be closed and gated to prevent vehicular access, other than by emergency vehicles.
- iii) The existing service access adjacent to the old stables shall be permanently gated and locked and shall not be used by vehicular traffic at any time.
- iv) The existing access to Norton Manor House, to the south of the site, shall be retained for limited use only and the capacity of the car park adjacent to the Manor House shall not be increased at any time, without the prior written approval of the Local Planning Authority.

Reason: the hotel use is likely to generate more intensive traffic movements to and from the site, which could be harmful to the amenities of the residents of the hamlet of Norton and to highway safety within the vicinity of the site.

5. External noise levels from any speech, music or other amplification system shall not exceed 45dBL Aeq.5min when measured at any point on the perimeter of the Dolce Norton Manor Property.

Reason: To protect the amenities of the occupiers of nearby properties.

6. Any activities producing external noise generated by amplified music or voices or non-amplified music will be restricted to the hours of 0800 to 2200 Sunday to Thursday and 0800 to 0000 Friday and Saturday.

Reason: To protect the amenities of the occupiers of nearby properties.

7. There shall be no use of open air fireworks at the site, at any time, without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

8. The operating hours of the thatched barn shall be restricted to 0800 hours to 2200 hours.

Reason: To protect the amenities of the occupiers of nearby properties.

9. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

10. Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 15.0m metres from the highway boundary.

Reason: In the interests of highway safety.

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11. Before the development hereby approved is first brought into use, visibility splays of 4.5 metres by 215.0m metres shall be provided at the junction of the access and public highway. 600mm.

Reason: In the interests of highway safety.

12. Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

**Informatives:**

1. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: C1, C2, T6, R3, E6, E8, E16, E17, UB3  
 Winchester District Local Plan Proposals: C1, C2, C7, C12, C13, C21, HG19, HG23, HG24, EN4, EN5, EN7, EN15, RT13, T8, T9, T11  
 Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, DP5, DP14, C1, C6, C24, HE13, HE16, RT15, T2, T4

3. The applicant is advised that a licence will be required to carry out highway works. Please contact: The Engineering Services Manager, Engineering Department, Winchester City Council, Winchester, (Telephone: 01962 848326).



Director of Development Services  
6 September 2004