

**PLANNING STATEMENT ON BEHALF OF
CLAIRE SLATER IN RELATION TO
AN ENFORCEMENT NOTICE REQUIRING THE REMOVAL OF A
MOBILE HOME.**

**Planning Ref.
APP/L1765/C22/3306531**

Introduction

I am Richard Stone and have carried on a practise as a Planning Consultant since 1999. I have specialised in rural planning and dealt with more than 25 applications for agricultural and equine residential dwellings. I have also provided evidence to public inquiries and informal hearings on many occasions.

This statement has been produced in support of a planning appeal for the retention of a mobile home.

History

This application should be determined on its own merits and all previous applications and appeals should not be considered. This application is made by a different landowner and appellant. Previous applications have related to agricultural use of the land whereas this application seeks to be determined against local plan policies relating to equestrian enterprises and need.

Winchester City Council Planning Enforcement Officer visited the site and met with Mr Hall, the property owner. The Officer firstly satisfied herself that the mobile home on the site was still being occupied and that it remained a mobile structure. Following this she briefly walked around the yard and more importantly inspected the stables. Having investigated what she considered necessary she left. There was no discussion as to what agricultural/equestrian activities were taking place. 2 weeks later the Enforcement Notice now being appealed was served. It is considered irresponsible of the Council to have taken this action without ascertaining the facts and perhaps inviting a planning application. This action could have avoided this appeal.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that "Where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise".

The supporting appraisal provides evidence that the facts of the application are fully supported by local plan policy, NPPF and that temporary planning permission subject to conditions should be granted.

Nitrates

The Winchester Local Plan Part 1 requires applications to take account of the conservation of habitats and species regulation 2017. Policies CP11, CP16 and CP21 of the WDLP part1 need to be complied with to conform with the regulation.

To conform with the requirements a water efficiency calculation which demonstrates that no more than 110lts of water per person, per day shall be consumed with the development.

A mitigation package addressing the additional nutrient input arising from the development must be submitted to and approved in writing by the LPA. The mitigation package has to address the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to occupation and allow the LPA to ascertain on the basis of the best available scientific evidence that such addition loading will not have an adverse effect on the integrity of the protected European sites having regard to the conservation objects for those sites.

In this particular instance the site is not sufficiently close to a main sewer to compulsory require it to be connected to. The current caravan onsite is connected to an existing tank which has performed without problem over the last 5 years. It is accepted that this application is treated as a new development and the existence of the tank for the period stated does not privilege it from immunity.

It is therefore requested that the following condition is imposed

Within 2 months of the grant of planning permission a water efficiency calculation which demonstrates that no more than 110lts of water per person, per day shall be consumed with the development shall be submitted and approved by the LPA.

Furthermore, a mitigation package addressing the additional nutrient input arising from the development must be submitted to and approved in writing by the LPA. The mitigation package has to address the additional nutrient load imposed on protected European sites by the development and be implemented in full within the same 2 month time period.

Ground f

It is considered the steps required are excessive due to the animal husbandry and general stud work taking place on a daily basis. It is essential that there is some form of welfare unit on the site. If the notice was complied with and the existing mobile home was removed off site, it could easily be replaced by another under the "Wealden" principle. A more realistic requirement would be to remove the residential goods from the structure.

Ground g

A commercial equine business has been established with mares foaling, stallions stabled and horses at livery. It is essential for on site attendance at all times so not only would it be necessary to find other residential accommodation but arrangements would have to be made for the mares to be moved and more importantly stabling for the stallions. It is almost impossible to find livery for stallions. Therefore, a period of a least 1 year is required.

Conclusion

It is concluded that the application meets all the requirements required by the NPPF and Local Plan Policy and should be permitted. The Inspector is respectfully requested to permit the application.