



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Grant of Planning Permission

Planning Application Reference: **18/01691/FUL**

Decision Date:- 01.11.2018

Winchester City Council **GRANTS** planning permission for:

Continued siting of 4 no. residential gypsy caravans without complying with Condition 3 of planning permission ref. 11/01875/FUL at:

7 The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire, PO17 6JU,

subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, as defined by the Planning Policy for Gypsies and Travellers, published in August 2015.

Reason: To ensure an adequate supply of gypsy and traveller caravan pitches throughout the District and because the site is situated in the countryside where new residential premises are not normally permitted.

2. There shall be no more than 4 pitches on the site. No more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 (as amended) and the Caravan Sites Act 1968 (as amended) - of which no more than one shall be a static caravan or mobile home - and no more than one day room shall be stationed on each pitch at any time.

Reason: To define the extent of this planning permission and to prevent more intensive use of the site.

3. No commercial, industrial or retail activity (including vehicle sales and display or the storage of goods, materials, scrap and scrap metal, equipment or machinery) and no parking of heavy goods vehicles (other than as specified in condition 6) shall take place on the site .

Reason: To protect neighbouring amenities and the character of the countryside and to ensure that use of the track, which is also used as a public footpath, does not become excessive and inconvenient through inappropriate activity.

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4. Within 3 months of the date of this planning permission a system for the disposal of sewage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in accordance with the approved details within one month of the approval by the Local Planning Authority.

NB: The scheme to be submitted for approval should be prepared in consultation with the Environment Agency.

Reason: To ensure satisfactory provision of foul and surface water drainage.

5. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. The scheme shall specify species, density, planting, size and layout, with particular regard to the southern boundary. The approved scheme shall be carried out in the first planting season following the approval. 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 ensure that an acceptable level of screening of the site is achieved in the interest of countryside amenities.

6. The parking area of the plan hereby approved (Drawing 2/6 dated 21 June 2016) shall only be used by the occupants of the 4 gypsy and traveller pitches hereby approved or visitors to the occupants of the pitches. No more than 2 heavy goods vehicles (HGV's) shall be parked, stationed or stored on the site and those HGV's shall not have an authorised mass exceeding 7.5 tonnes. The site shall not be used at any time for the siting of additional caravans for either residential or storage purposes and the existing mobile home currently on the site shall be removed within 3 months of the date of this permission.

NB: The applicant is advised that their rights to use the private road that the site gains access from (Firgrove Lane) may not include the right to drive heavy goods vehicles on it. This permission and condition does not in any way confer any such right on the applicant.

Reason: For the avoidance of doubt as to the scope of this planning permission and to protect the amenities of the locality.,

7. No external lighting shall be provided on the site.

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

J Pinnock
Julie Pinnock BA (Hons) MTP MRTPI
Head of Development Management

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Notes To Accompany Planning Decision Notice

General Notes for Your Information:

1. In accordance with paragraph 38 of the NPPF, 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 there have been continued discussions with the applicants over an extended period.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
 - Local Plan Part 1 - Joint Core Strategy: MTRA1, CP2, CP11
 - Local Plan Part 2 - Development Management and Site Allocations: DM1, DM14, DM15, DM16, DM17
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. Environmental Permit
Please note that this development may require an Environmental Permit, a variation of an existing permit or an exemption from an Environmental Permit from the Environment Agency. The applicant must ensure that the operations at the site are in accordance with the Environmental Permitting Regulations 2008.

The applicant is advised to contact the National Customer Contact Centre (NCCC) on 03708 506 506.

Under the Environmental Permitting (England and Wales) Regulations 2010 the operator of a waste site will require an environmental permit for the importation, storage and treatment of waste.

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

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5. Ordinary Watercourse Consent

The prior written consent of the relevant Lead Local Flood Authority is required for the erection of any flow control structures, culverting or diversion of ordinary watercourses, including streams, land drains and ditches.

Please be aware that the Lead Local Flood Authority has up to two months to determine applications for consent made under Section 23 of the Land Drainage Act 1991 and you are therefore advised to contact Hampshire County Council as soon as possible to discuss making an application. Full details of HCC's consenting procedure and requirements can be found on Hampshire CC Ordinary Watercourses. HCC's consenting email address is owc@hants.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:

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<https://www.gov.uk/government/organisations/planning-inspectorate>

- 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.

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