

22 MARCH 2022 PLANNING COMMITTEE

6b PLAN/2021/1102

WARD: KNA

LOCATION: Land north of Warbury Lane and west of Chobham Road, Knaphill, Woking, GU21 2TU

PROPOSAL: Erection of stable building and retrospective permission for existing sand school and use of land for private recreational keeping of horses (site address/location clarified 21.02.2022).

APPLICANT: Mr and Mrs Barber

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

The application is recommended for approval and involves development carried out on a site having an area of 1 hectare or more. It thus falls outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

Existing use

The application seeks to regularise the ongoing use of the land for the private recreational keeping of horses.

Existing sand school

The applicant claims the existing sand school on the site has been in existence since approximately 2007. Notwithstanding that it may now be immune from enforcement (due to the passage of time) the application seeks retrospective planning permission to regularise the existing sand school, for the training of the applicant's personal horses. The sand school measures 20 metres by 40 metres.

Proposed stable building

The applicant states that the horses on the site are currently outdoors and there now exists a need for on-site stabling. The proposed new stable building would measure 17.2 metres in width by 10.1 metres in depth with a maximum height of 3.9 metres at the apex of the building and would provide stabling for six horses. The applicant states that owing to the use of the building and the value of its content, a secured design incorporating the 6no. stables/feed room/wash down bay and storage room is proposed. The stable building is proposed to be externally finished in traditional timber materials. A track is also proposed to create a walk through between the sand school and the proposed stable building, this would be located to the south of the sand school.

PLANNING STATUS

- Green Belt
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Surface Water Flood Risk (Medium - Partial)

RECOMMENDATION

Grant planning permission subject to recommended conditions.

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SITE DESCRIPTION

The application site comprises a parcel of very largely open land located to the north of Warbury Lane and to the west of Chobham Road within the Knaphill area. To the north-west the application site is bounded by Nos.1 and 2 Hill Place Cottages (on Warbury Lane) and Romany Road (a PROW, Bridleway 8a). To the north the site is bounded by the private driveway of the dwellings at Hill Place. The site currently contains a sand school, enclosed with post and rail fencing. Horses are kept on the site for private recreational purposes.

RELEVANT PLANNING HISTORY

None relevant

CONSULTATIONS

Drainage and Flood Risk Team (WBC) (second response): Following a review of the submitted information, we would recommend approval on drainage and flood risk grounds. In order for the application to be compliant with NPPF and Woking Borough Council's Core Strategy: Policy CS9 we recommend the following condition is included. Without this condition the application will increase flood risk to the site and the surrounding area and will not be compliant. This condition is required due to the size, type and location of the development (recommended condition 09 refers).

County Highway Authority (Surrey CC): The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining highway. The County Highway Authority therefore has no highway requirements.

Forestry Commission: No comments received.

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

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

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS6 - Green Belt

CS9 - Flooding and water management

CS21 - Design

CS24 - Woking's landscape and townscape

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Development Management Policies Development Plan Document (DM Policies DPD) (2016)

DM3 - Facilities for outdoor sport and outdoor recreation

DM13 - Buildings in and adjacent to the Green Belt

Supplementary Planning Documents (SPD's)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2022)

Other Material Considerations

Planning Practice Guidance (PPG) (online resource)

National Design Guide: Planning practice guidance for beautiful, enduring and successful places (October 2019) (NDG)

Woking Borough Council Strategic Flood Risk Assessment (SFRA) (November 2015)

PLANNING ISSUES

01. The main planning considerations in determining this application are:

- Impact on Green Belt;
- Visual impact;
- Neighbouring amenity;
- Flooding and water management; and
- Local finance considerations

having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Impact on Green Belt

02. The site falls within the Green Belt, as defined by the Proposals Map, and as such Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the DM Policies DPD (2016) and Section 13 of the NPPF (2021) apply. These policies seek to preserve the openness of the Green Belt; the essential characteristics of the Green Belt are its openness and permanence. The purposes of the Green Belt are defined in Paragraph 138 of the NPPF as (a) to check the unrestricted sprawl of large built-up areas, (b) to prevent neighbouring towns merging into one another, (c) to assist in safeguarding the countryside from encroachment, (d) to preserve the setting and special character of historic towns and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Policy CS6 of the Woking Core Strategy (2012) is consistent with the NPPF approach to development in the Green Belt and the application of exceptions to inappropriate development.

03. In respect of the use of the land for the private recreational keeping of horses paragraph 150 of the NPPF states that "*Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are [applicable in this instance] (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)*". The use of the land for the private recreational keeping of horses appears to have been ongoing on the land for some period of time although the application seeks to regularise this use, mainly in relation to the proposed stable building for which planning permission is also sought. The use of the land for the private recreational keeping of horses is considered to preserve

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Green Belt openness; the keeping of horses is relatively common in the surrounding rural area.

04. In respect of the proposed stable building the erection of new buildings in the Green Belt is inappropriate development unless it complies with one of the exceptions listed in Paragraph 149 of the NPPF. Exceptions to this include:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”

05. Policy DM3 of the DM Policies DPD (2016) also relates to outdoor sport and recreation facilities, including equestrian facilities. The supporting text for Policy DM3 notes that *“the policy provides for appropriately scaled outdoor sport and recreation development whilst respecting the purposes of the Green Belt”* (para 3.24).

06. The proposed stable building would be a detached building comprising 6no. stables/feed room/wash down bay and storage room. The feed and storage rooms are proposed to keep hay, feed and other associated items dry, which is considered reasonable. The British House Society guidance advises that 1-1.5 acres is required per horse for grazing. The application site extends to some 8.0 hectares (20 acres) and the stables would provide for 6no. horses, which would allow for 3.33 acres of grazing per horse, as such the number of horses to be accommodated within the proposed stable building is appropriate to the size of the site. There are no bridleways within the site which is accessed via its own track and gate to the southern boundary but can also be accessed via the main vehicular access to Hill Place, although the applicant advises that would not be a regular occurrence. Romany Road, adjacent to the site, to the north-west is a bridleway (a PROW, Bridleway 8a) although any use of this bridleway would not be materially impacted by 6no. horses which already have access to the site.

07. The 6no. stables/feed room/wash down bay and storage room, would comprise a single building with external dimensions of 17.2 metres in width by 10.1 metres in depth with a maximum height of 3.9 metres at the apex of the building. The stable building would be sited relatively close to the existing sand school towards the north-west of the site and within a location in which it would be visually and spatially associated with the existing cluster of buildings which together form Hill Place, Hill Place Farm and Hill Place Cottages. The proposed stable building would be small in size, faced in timber and form a commonplace feature found in the rural landscape.

08. In respect of the existing sand school paragraph 150 of the NPPF states that:

“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are [relevant in this case] b) engineering operations”.

09. The finished surface of the 20 metres by 40 metres sand school does not extend materially above the adjacent ground level. The sand school fencing in

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itself is 'permitted development' (PD) under the provisions of Article 3, Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). In any case the fencing is modest in height and its post and rail nature has a high degree of visual permeability. The formation of the sand school constituted an engineering operation, falling as an exception to inappropriate development within the Green Belt by reason of paragraph 150 of the NPPF, subject to tests of openness and Green Belt purposes.

10. The sand school has no significant volume and by its very purpose does not facilitate use harmful to openness (i.e., such as the parking of vehicles etc). Whilst the use of horse jumps etc may occur within the sand school such features would be small in scale, temporary in nature and would not in themselves give rise to harmful impacts upon openness. The new track proposed between the sand school and the proposed stable building would also have no significant volume and would not facilitate use harmful to openness, simply allowing for the movement of horses between the stable building and sand school, and vice versa.
11. The planning application (i.e., the description of development on the submitted application form and the Planning Statement) set out that the land, proposed stable building and existing sand school are to be used for the private recreational keeping of horses (i.e., not for any commercial equestrian enterprise). On this basis, and given the limited number of stables proposed, it is not considered that the proposal would result in a level of activity at the site that would be out of character with this rural area.
12. In terms of the purposes of the Green Belt, as are defined in paragraph 138 of the NPPF, overall the proposal would not result in the unrestricted sprawl of large built-up areas, would not result in neighbouring towns merging into one another, would not involve encroachment into the countryside, would not harm the setting and special character of historic towns, and would not preclude urban regeneration (the use proposed would not represent an inefficient use of land within the Urban Area).
13. Having regard to the above factors the proposed development would preserve the openness of the Green Belt and would not conflict with its purposes. As such the material change in the use of the land to use for the private recreational keeping of horses would fall, by virtue of paragraph 150 of the NPPF, as an exception to inappropriate development in the Green Belt. The proposed stable building would constitute an appropriate facility for outdoor recreation and therefore fall, by virtue of paragraph 149 of the NPPF, as an exception to inappropriate development in the Green Belt. The formation of the sand school constituted an engineering operation which fell, by virtue of paragraph 150 of the NPPF, as an exception to inappropriate development in the Green Belt. In respect of impact on Green Belt the proposal would comply with Policy CS6 of the Woking Core Strategy (2012), Policies DM3 and DM13 of the DM Policies DPD (2016) and Section 13 of the NPPF.

Visual impact

14. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to '*respect and make a positive contribution to the street scene and the character of the area in which they are situated....*' and Policy CS24 seeks

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to maintain the landscape character of the area. Policy DM3 of the DM Policies DPD (2016) requires facilities for outdoor recreation to be appropriately scaled, not to result in an adverse visual impact and to be satisfactorily integrated with existing buildings where present.

15. The site forms part of a wider rural landscape dominated by fields and paddocks and containing scattered farmsteads and groups of low density dwellings. Hedgerows and tree cover limit some views in the immediate area generally.
16. The use of the land for the private recreational keeping of horses is not considered to result in a harmful impact on visual amenity; the keeping of horses is relatively common in the surrounding rural area and this element of the proposal is therefore considered to have an acceptable visual impact.
17. The 6no. stables/feed room/wash down bay and storage room, would comprise a single building and be sited relatively close to the existing sand school towards the north-west of the site and within a location in which it would be visually and spatially associated with the existing cluster of buildings which together form Hill Place, Hill Place Farm and Hill Place Cottages. The proposed stable building would have the appearance of a small rural building which would be faced in timber and would appear as a conventional addition to this rural site. It is considered that the proposed stable building would be well located within the site, leaving the remainder of the site (except for the existing sand school) for pasture/grazing for horses. Although additional hard surfacing would be created adjacent to the existing sand school (to its south), this would be formed by a stone dressing laid on top of the existing surface and would not therefore appear intrusive.
18. The finished surface of the 20 metres by 40 metres sand school does not extend materially above the adjacent ground level. The sand school fencing in itself is 'permitted development' (PD) under the provisions of Article 3, Schedule 2, Part 2, Class A of the GPDO. In any case the fencing is modest in height and its post and rail nature has a high degree of visual permeability and is typical of a rural location such as this. The size (20m x 40m) of the sand school is considered appropriate for private / personal use, with the associated scale and level of activity therefore in keeping with the location and wider surrounds. The wider visual impact of the sand school is limited and the presence of such a feature within a rural area such as this is not, in itself, harmful to landscape character and is a relatively typical feature of the countryside.
19. Overall, the proposals would not therefore be detrimental to the character and appearance of the site and surrounding area. The proposal is therefore considered to comply with Policies CS21 and CS24 of the Woking Core Strategy (2012), Policy DM3 of the DM Policies DPD (2016) and the respective provisions of the NPPF (2021).

Neighbouring amenity

20. Policy CS21 of the Woking Core Strategy (2012) states that "*Proposals for new development should...achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.*" More

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detailed guidance is provided by SPDs Outlook, Amenity, Privacy and Daylight (2022) and Design (2015). Policy DM3 of the DM Policies DPD (2016) also requires recreational facilities to have an acceptable amenity impact.

21. The use of the land for the private recreational keeping of horses is not considered to give rise to an undue increase in vehicle movements and activity and the proposed use would be consistent with the rural character of the area.
22. The nearest neighbouring properties to the proposed stable building are Hill Place Farm (beyond intervening Romany Road to the west and intervening vegetation) and Nos.1 and 2 Hill Place Cottages (to the south-west). The proposed stable building would be located around 34 metres away from the closest corner of Hill Place Farm, in excess of 55 metres away from the rear elevations of, and in excess of 30 metres away from the rear garden boundaries of, Nos.1 and 2 Hill Place Cottages. The proposed stable building would have a maximum height of around 3.9 metres. Given these separation distances, the small number of stables proposed and that no commercial use of the stables is proposed (and is recommended to be controlled by condition 05) the proposed stable building would not give rise to significantly harmful impact to nearby residential occupiers by reason of potential loss of privacy, daylight or sunlight, or overbearing effect. The closest dwelling to the east of the proposed stable building (The Mews, Hill Place) is located in excess of 80 metres away from the stable building, which is more than sufficient to avoid any significant harmful impact to this dwelling.
23. By combined reason of its nature (i.e., a finished surface not materially above adjacent ground level and provision of post and rail fencing) and separation from the nearest residential properties the sand school does not give rise to significantly harmful impact to nearby residential occupiers by reason of loss of privacy, daylight or sunlight, or overbearing effect.
24. The applicant intends the sand school (and proposed stable building) to be used for their own personal use for in training horses for competition. These horses are already kept on the land without stabling, the same horses would be stabled within the proposed stable building and would use the existing sand school. This would ensure no harmful intensification of use, including any associated additional traffic movements and general noise. The use of the sand school, on the basis of such private / personal use and that horses are kept/stabled on the site, as is proposed, would avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations or other releases. No external lighting forms part of the application and can be precluded via recommended condition 07, as can the potential use of a public address (PA) system or other forms of amplified sound (recommended condition 08).
25. Overall, subject to recommended conditions, the proposal is considered to have an acceptable impact on the amenities of neighbours and accords with Policy CS21 of the Woking Core Strategy, Policy DM3 of the DM Policies DPD, SPD Outlook, Amenity, Privacy and Daylight and the NPPF.

Flooding and water management

26. Paragraphs 155-165 (inclusive) of the NPPF relate to planning and flood risk. Policy CS9 of the Woking Core Strategy (2012) states that the Council will

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determine planning applications in accordance with the guidance contained within the NPPF and that the Council expects development to be in Flood Zone 1.

27. The site falls wholly within Flood Zone 1 (low risk), as identified on the Flood map for planning, and a significant distance away from Flood Zone 2/3 areas, and therefore no fluvial flood issues arise.
28. The application constitutes 'Major' development, as defined by the DMPO (by reason of site area). In respect of surface water drainage in accordance with the NPPF, and Policy CS9 of the Woking Core Strategy (2012), local planning authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS). A Drainage Strategy and SuDS appraisal (dated January 2022) has been submitted with the application which identifies that the access track will be constructed of permeable materials, and that the existing sand school by nature allows for water to infiltrate through the surface and thus does not increase surface water runoff to any degree.
29. The submitted Drainage Strategy and SuDS appraisal identifies that site investigations were undertaken in January 2022 to determine infiltration rates to ground to inform the design of a soakaway. The proposed drainage strategy (SuDS) for the stable building will see a soakaway system installed with infiltration to ground.
30. The Drainage and Flood Risk Team consider the submitted Drainage Strategy and SuDS appraisal to be acceptable. Subject to recommended condition 09 the proposed development would not increase the risk of flooding and complies with Policy CS9 of the Woking Core Strategy (2012), and the relevant NPPF provisions, in respect of flooding and water management.

Local finance considerations

31. The Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council as a primary means of securing developer contributions towards infrastructure provision in the Borough. The proposed development would not result in floorspace within either residential or retail uses and therefore would not be CIL liable.

Conclusion

32. In conclusion, the proposal is considered an acceptable form of development in principle and would constitute appropriate development within the Green Belt which would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. The proposal is considered to have an acceptable visual impact and acceptable impacts on neighbouring amenity and flooding and water management.
33. The proposed development complies with Policies CS1, CS6, CS9, CS21 and CS24 of the Woking Core Strategy (2012), Policies DM3 and DM13 of the DM Policies DPD (2016), SPDs Design (2015) and Outlook, Amenity, Privacy and Daylight (2022), Sections 2, 4, 12, 13, 14 and 15 of the NPPF (2021), the PPG, the NDG and the SFRA is recommended for approval. In considering this application the Council has had regard to the provisions of the Development

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Plan, so far as material to the application, and to any other material considerations. In making the recommendation to grant planning permission it is considered that the application is in accordance with the Development Plan of the area.

BACKGROUND PAPERS

Site visit photographs

Consultation response(s) from Drainage and Flood Risk Team (WBC)

Consultation response from County Highway Authority (Surrey CC)

Site and Press Notices (Major development)

RECOMMENDATION

Grant planning permission subject to the following conditions:

Conditions

01. The development hereby permitted must be commenced not later than three years from the date of this permission.

Reason: To accord with the provisions of Section 91 (1) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted must be carried out only in accordance with the following approved plans numbered / titled:

Site Location Plan (1:2500 scale), dated 21-04-2021 (rec'd by LPA 08.10.2021)

L(PL)HP.02 Rev A (Proposed Site Plan), dated 26.05.2021 (rec'd by LPA 08.10.2021)

2414AT Rev 1 (Stable building plans and elevations), dated 16.02.21 (rec'd by LPA 08.10.2021)

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The external finishes of the stable building hereby permitted must only be as shown/annotated on the approved plan numbered/titled 2414AT Rev 1 (Stable building plans and elevations), dated 16.02.21 (rec'd by LPA 08.10.2021). The stable building hereby permitted must thereafter be permanently maintained as such unless the Local Planning Authority first agrees in writing to any variation.

Reason: To protect the character, appearance and visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the National Planning Policy Framework (NPPF).

04. The land edged in red on the approved plans listed within condition 02 of this notice must only be used for the private recreational keeping of horses and must not be used for commercial equestrian purposes including for, or in connection with, any form of riding or livery establishment or any competitive equestrian event or demonstration including shows or gymkhanas.

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Reason: To ensure that the development hereby permitted will not cause harm to the Green Belt and the general rural character and amenity of the surrounding area through the generation of unacceptable activity or loss of amenity by reason of intensification of use and associated noise, traffic (and associated fumes) or other general disturbance in accordance with Policy CS6 of the Woking Core Strategy (2012), Policy DM3 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

05. The stable building hereby permitted must only be used for private recreational purposes and must not be used independently of the land edged in red on the approved plans listed within condition 02 of this notice. The stable building hereby permitted must not be subdivided into or used as separate livery, for commercial equestrian purposes including for, or in connection with, any form of riding or livery establishment or any competitive equestrian event or demonstration including shows or gymkhanas.

Reason: To ensure that the development hereby permitted will not cause harm to the Green Belt and the general rural character and amenity of the surrounding area through the generation of unacceptable activity or loss of amenity by reason of intensification of use and associated noise, traffic (and associated fumes) or other general disturbance in accordance with Policy CS6 of the Woking Core Strategy (2012), Policy DM3 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

06. The sand school hereby permitted must only be used in connection with horses stabled/grazed on the land edged in red on the approved plans listed within condition 02 of this notice and must not be used for commercial purposes including for or in connection with any form of riding or livery establishment or any competitive equestrian event or demonstration including shows or gymkhanas.

Reason: To ensure that the development hereby permitted will not cause harm to the Green Belt and the general rural character and amenity of the surrounding area through the generation of unacceptable activity or loss of amenity by reason of intensification of use and associated noise, traffic (and associated fumes) or other general disturbance in accordance with Policy CS6 of the Woking Core Strategy (2012), Policy DM3 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

07. Floodlighting and/or other forms of external artificial lighting must not be installed on the land edged in red on the approved plans listed within condition 02 of this notice without planning permission first being granted by the Local Planning Authority.

Floodlighting and/or other forms of external artificial lighting must not be installed over or around the sand school hereby permitted without planning permission first being granted by the Local Planning Authority.

Reason: In the interests of visual amenity, the general amenity of the area, neighbouring amenity and ecology in accordance with Policies CS6, CS7 and CS21 of the Woking Core Strategy (2012), Policy DM3 of the Development

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Management Policies DPD (2016), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (NPPF).

08. Public address (PA) and/or any other system for the amplification of sound must not be used and/or installed on the land edged in red on the approved plans listed within condition 02 including in connection with the sand school hereby permitted.

Reason: To protect the general environment and amenities of the surrounding area and of occupants of nearby properties in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM3 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

09. The development hereby permitted must only be implemented fully in accordance with the approved Drainage Strategy & SuDS Appraisal prepared by Syntegra Consulting Ltd (Ref: 21-8765), dated January 2022 (rec'd by LPA 07.02.2022) and prior to the first beneficial use of the stable building and/or track hereby permitted. Thereafter the surface water drainage scheme must be permanently maintained and managed in accordance with the approved details for the lifetime of the development hereby permitted.

Reason: To ensure the development hereby permitted would not increase the risk of flooding in accordance with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework 2021 (NPPF).

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2021.
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.