

Supporting Statement

S.73 application in relation to planning permission DM/21/0376 - Moatlands, Vowels Lane, RH19 4LL

- Variation of Condition 3
- Removal of Condition 4
- Variation of Condition 5

Planning permission DM/17/3376 was issued in July 2018 for the demolition of Moatlands House and the construction of a replacement dwelling. The approved scheme included (at some distance from the house) construction of a building known as The Barn, comprising garaging with stores above.

The Conditions imposed on DM/17/3376 included: -

3. No development shall be carried out unless and until a schedule/samples of materials and finishes to be used for external walls, roof, windows and doors of both the proposed replacement dwellings and garages have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

4. The car parking area within the garage shown on the approved drawings shall not be used for any purpose (including use as living accommodation) other than for the garaging or storage of private motor vehicles and no trade or business shall be carried out therefrom."

5. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. The extension/building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed details.

DM/18/4898 was issued In January 2019. This was a Section 73 application with regard to Condition 1 (Approved Drawings) of DM/17/3376, to permit some design changes to the house.

A further S.73 followed (DM/21/0376 granted in March 2021), relating to Condition 1 (Approved Drawings) and to substitute plans of the basement level of the house.

In each S.73 consent, the Conditions were carried over from the original Decision Notice (DM/17/3376). Those Conditions included the three set out above: - Condition 3 (Materials), Condition 4 (use of The Barn) and Condition 5 (Drainage).

However,

- (a) a planning application for The Barn had been submitted in June 2019 proposing “use of existing garages for B1 and B2 use, restoration of old cars and offices”, with planning permission (DM/19/2218) being granted in August 2019 and The Barn then having been put into use pursuant to that consent.
- (b) details submitted pursuant to Conditions 3 (materials) and 5 (drainage) on DM/21/0376 were approved in June 2021 under reference DM/20/1952.

In light of the above, this S.73 seeks that Condition 4 be removed (as it conflicts with the use of The Barn pursuant to planning permission DM/19/2218) and that Conditions 3 and 5 be re-worded (to reflect that the details have been approved by DM/20/1952).

The revised wording proposed for Conditions 3 and 5 is

3. The materials and finishes used for this development shall be in accordance with those approved under reference DM/20/1952 unless otherwise agreed with the Local Planning Authority.

5. The arrangements for foul and surface water drainage and means of disposal for this development shall be in accordance with those approved under reference DM/20/1952 (unless otherwise agreed with the Local Planning Authority) and neither building shall be occupied prior to the drainage works for that building having been carried out in accordance with those approved details.