

## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

### Appeal Reference: APP/L1765/C/18/3195411

#### DETAILS OF THE CASE

Appeal Reference APP/L1765/C/18/3195411

Appeal By MR M OAKLEY

Site Address  
Land known as Texas  
Texas Drive  
OLIVERS BATTERY  
SO22 4HT

#### SENDER DETAILS

Name MR STEPHEN MORGAN

Address  
5, Plovers Down  
SO224HH  
Winchester  
Hampshire  
SO22 4HH

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## YOUR COMMENTS ON THE CASE

I am a close neighbour of Texas Drive, overlook the site and regularly walk in the area.

I strongly encourage the Secretary of State to reject the appeal and uphold the enforcement notice for the following reasons:

- The site is within a sensitive area, forming a strategic gap south of Winchester. Mr Oakley narrowly received the original planning permission after a lengthy process in which the plans were modified several times. As local residents, while we did not agree with the original decision, we reluctantly accepted it
- He intentionally ignored the approved designs and constructed footings for the house which were larger, further down the site and significantly more prominent than the permitted development
- He also constructed footings for a double garage which was not in the original permission, re-landscaped the entire site, causing extensive damage to an ancient landscape that can be seen from miles around (see attached image from Google which still shows the extent of damage) and laid a metalled surface on an old track leading to the property, for which there was no planning consent
- A subsequent retrospective planning application was rejected after a large number of objections, including mine, were received

Mr Oakley has appealed on the following grounds:

- Ground (a) - retrospective planning permission has already been refused and should not be given for all the reasons in the initial objections
- Ground (f) - lesser steps would not overcome objections. The existing footings must be removed and the site returned to as close to its natural state as possible, because without planning permission, there is no use for them. If they are not removed, Mr Oakley will simply continue to ignore the planning regulations and benefit from his blatant disregard for the planning process
- Ground (g) - Mr Oakley must be held to a deadline for complying. 3 months seems reasonable to me

If Mr Oakley is allowed to benefit from his intentional disregard for the planning process, a precedent will be set that will threaten the strategic gap and the local chalk downland. Please reject this appeal

**COMMENT DOCUMENTS**

**The documents listed below were uploaded with this form:**

**Relates to Section:** REPRESENTATION  
**Document Description:** Your comments on the appeal.  
**File name:** IMG\_6069.jpg

**PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US**