

Case Ref: 16/00146/USE

Issued: 10 May 2019

**WINCHESTER CITY COUNCIL**

**ENFORCEMENT NOTICE**

Relating to land and premises

Old Orchard Kilham Lane Winchester Hampshire SO22 5PT

Lisa Hall, Head of Legal Services (Interim), Winchester City Council, City Offices,  
Colebrook Street, Winchester, Hampshire, SO23 9LJ



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY: WINCHESTER CITY COUNCIL**

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Old Orchard Kilham Lane Winchester Hampshire SO22 5PT Hampshire, shown edged red on the attached plan ("the Land").

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the material change of use of the land from a single residential unit to a mixed use comprising a residential unit and five self contained holiday apartments.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 4 years.

The development is considered to be contrary to policy MTRA4 and CP8 of the Winchester District Local Plan Part 1 & 2 – Joint Core Strategy in that it represents unnecessary development in a countryside location where appropriate premises should be retained for such uses.

Planning conditions could not overcome these objections.

5. **WHAT YOU ARE REQUIRED TO DO**

1. Cease the use of the five apartments, in the approximate positions cross-hatched in black on the attached plan, as self contained holiday apartments.



2. Remove all kitchens, bathrooms from the five apartments.
3. Restore the five apartments to uses incidental to the residential use of the Land

**6. TIME FOR COMPLIANCE**

Step 1 & 2: 6 months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 14 June 2019, unless an appeal is made against it beforehand.

10 May 2015  
[Redacted Signature]  
Date .....  
Signed .....  
Head of Legal Services (Interim)

on behalf of: Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ



ANNEX

**YOUR RIGHT OF APPEAL**

You can appeal against this notice, but any appeal must be received or posted in time to be received by the Planning Inspectorate before the date specified in paragraph 7 of the Notice. The enclosed leaflet from the Planning Inspectorate explains what you need to do if you wish to appeal.

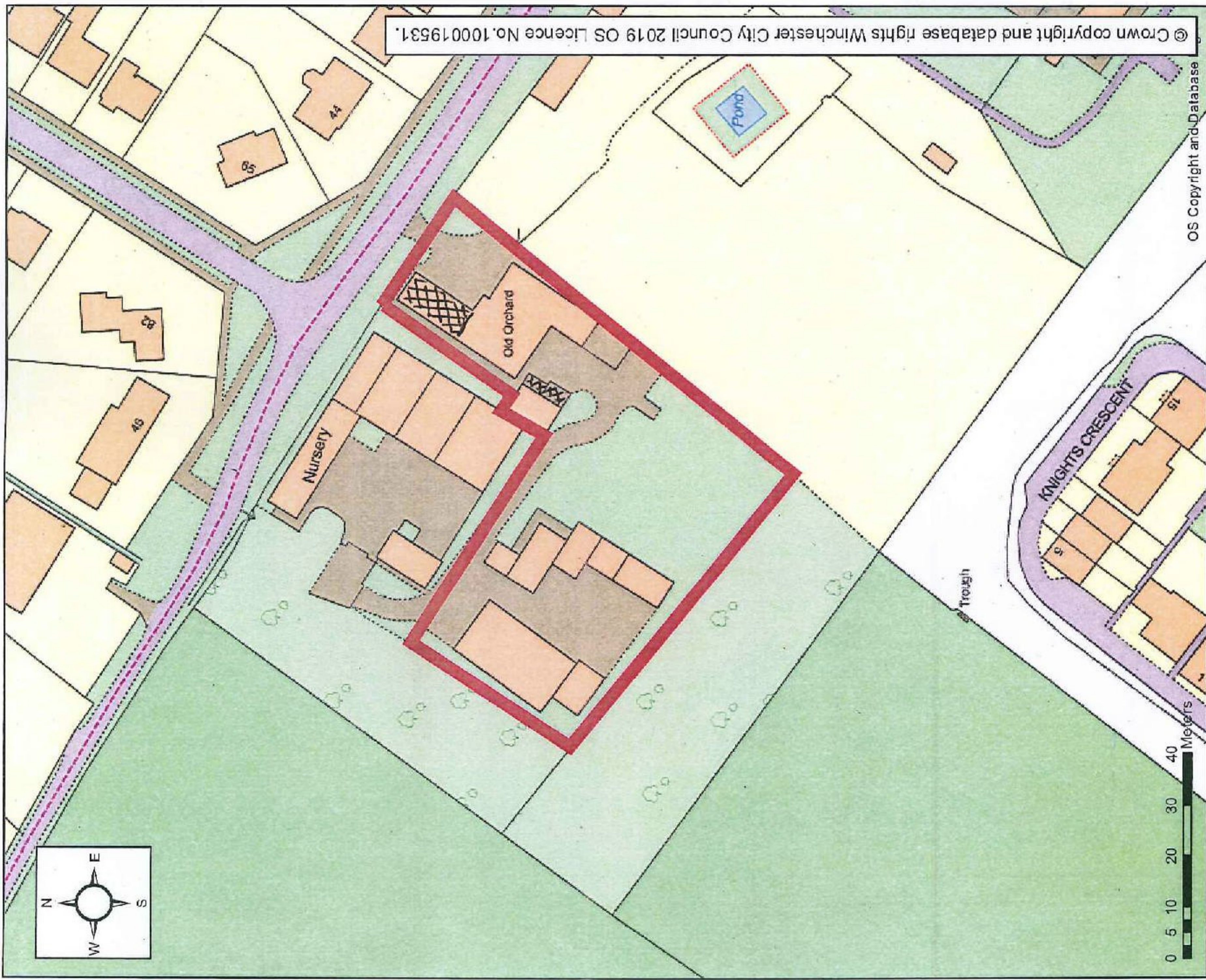
Two copies of the enforcement notice are enclosed:

- (a) One is for you to send to the Planning Inspectorate if you decide to appeal,
- (b) The second copy is for your own records.

**WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.





Date: 07/05/2019

Scale: 1:1,000

Author: Winchester City Council

**Map Notes**

Notes are here

**Legend**