



Notification Letter

Enq to: Appeals Officer

Direct Dial: 01962 848 599

20 January 2020

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 174**

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|---------------------------|---|
| Site Address: | Barclays Main Road Littleton Winchester Hampshire SO22 6QS |
| Alleged breach: | Without planning permission, the erection of a detached building comprising of two flats and a double garage ("the Building"). |
| Appellant's name: | Mr Michael Culhane |
| Appeal reference: | APP/L1765/C/18/3214144 |
| Appeal start date: | 07.01.2020 |

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Winchester City Council on 15.02.2018

The enforcement notice was issued for the following reasons:

It appears to the Local Planning Authority that the aforementioned breach of planning control occurred in the last four years; and

1. The development is located in the open countryside and results in the creation of two flats where there is no justification. As such the development is contrary to policies DM3 and DM11 of the Winchester District Local Plan Part 2, policy MTRA 4 of the Winchester District Local Plan Part 1 Joint Core Strategy and paragraph 79 of the National Planning Policy Framework 2018.

2. The resultant site layout is cramped, contrived and poorly designed leading to a lack of amenity space for the flats and mixed parking arrangements. As such the development is harmful to the residential amenity and detracts from the enjoyment of the accommodation whilst resulting in a visually intrusive building in close proximity to Barclays and St Swithun's Cottage (a Grade II listed building). Overall, the building is poor back land development out of character with the surrounding area and which is contrary to policies DM16 and DM23 of the Winchester District Local Plan Part 2, policy MTRA 4 of the Winchester District Local Plan Part 1 Joint Core Strategy and paragraph 127 of the National Planning Policy Framework 2018.



3. The development responds unsympathetically to the linear settlement pattern within the locality. The subdivision of the site and layout of the development is cramped and as a result it detracts from the local distinctiveness, special qualities and character of the Littleton Conservation Area. This is contrary to policies DM15 and DM27 of the Winchester District Local Plan Part 2, policy MTRA 4 of the Winchester District Local Plan Part 1 Joint Core Strategy, the Littleton Village Design Statement 2009 and Paragraph 200 of the National Planning Policy Framework 2018.

The enforcement notice requires the following steps to be taken:

1. Cease the residential use of the flats as independent dwellings within the building.
2. Disconnect all services and utilities from the building.
3. Demolish the building and remove all associated waste materials from the land.

TIME FOR COMPLIANCE

Step 1 to be completed within one calendar month from the date on which this Notice takes effect.

Steps 2 and 3 to be completed within 6 calendar months from the date on which this Notice takes effect.

The appellant has appealed against the notice on the following grounds:

Ground (a) – that planning permission should be granted for what is alleged in the notice.

Ground (b) – that the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

Ground (f) – the steps required to comply with the requirements of the notice are excessive and lesser steps would overcome the objections.

Ground (g) – that the time given to comply with the notice is too short.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

Opirim Agala

The Planning Inspectorate
Room 3B Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 18 February 2020. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference APP/L1765/C/18/3214144.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

The appeal documents are available to view on our website www.winchester.gov.uk using the following link www.winchester.gov.uk/enforcement-appeal

Online access is also available by visiting our offices in Colebrook Street, Winchester SO23 9LJ.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours faithfully

Julie Pinnock BA (Hons) MTP MRTPI
Service Lead - Built Environment