



ENF Notification Letter

Enq to: Appeals Officer

Direct Dial: 01962 848 599

12 May 2020

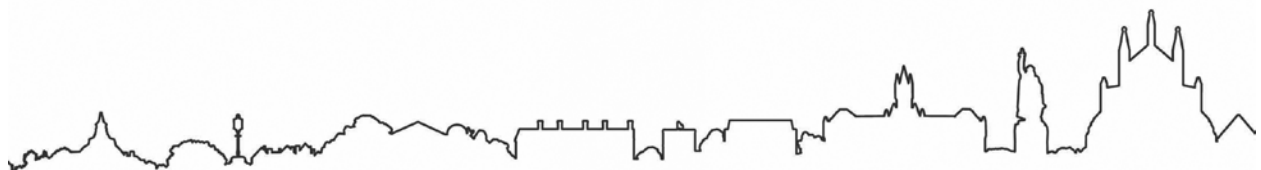
**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 174**

Site Address:	Southwick Ranch Southwick Road North Boarhunt Fareham Hampshire PO17 6JF
Alleged breach:	The material change of use of the Land from agriculture to use for the siting of 4 residential caravans and ancillary equestrian purposes and the laying of hardstanding associated with the residential use of the land.
Appellant's name:	Derek Charles Saunders
Appeal reference:	APP/L1765/C/19/3230601
Appeal start date:	28.04.2020

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 03.06.2019

The enforcement notice was issued for the following reasons:

- The siting and residential occupation of caravans on the Land represents the creation of new dwellings in the countryside for which there is no justification and is therefore contrary to Policies MTRA3, MTRA4 and CP5 of the Winchester District Local Plan Part 1 - Joint Core Strategy, and policies DM1 and DM4 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations of the adopted Gypsy, Traveller and Travelling Showpeople Development Plan Document and Government Planning Policy for Traveller Sites.
- The residential use and associated development and activities on this previously undeveloped agricultural land has resulted in the increased domestication of this rural area to the detriment of its character and appearance. The development is therefore contrary to Policies DM 15 and DM23 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.



- The development is contrary to Policies CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to make appropriate provision for the Solent Disturbance and Mitigation Charge Zone.

The enforcement notice requires the following steps to be taken:

- i. Cease the residential use of the Land
- ii. Remove from the Land the caravans, the mobile stable and mobile lavatory and all other items associated with the non-agricultural use of the Land including the generator, vehicles table and chairs
- iii. Remove from the Land the hard standing
- iv. Remove from the Land all materials and debris resulting from compliance with steps 5(i) to (iii) above
- v. Restore the Land to levels prior to the breach occurring and reseed with grass after compliance with steps (i) to (iv)

Time for Compliance

28 days after 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 (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 a **hearing**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Hearings Procedure) (England) Rules 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:

Craig Maxwell
The Planning Inspectorate
Room 3B

Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 9 June 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/19/3230601.**

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