

BISHOP'S WALTHAM PARISH COUNCIL

The Jubilee Hall, Little Shore Lane, Bishop's Waltham, Hampshire, SO32 1ED

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**Representation on Appeal Ref: APP/L1765/C/20/3248513, The Bungalow Botley Road
Bishop's Waltham Southampton Hampshire SO32 1DR**

A planning application (19/00464/FUL) for the change of use for a domestic swimming pool to commercial use was considered by Winchester City Council Planning Committee on 12th September 2019. Bishop's Waltham Parish Council had no objection to this application. The decision of the Committee was to refuse the application. Subsequently an enforcement notice was issued by Winchester City Council on 5th December 2019 to cease using the swimming pool for commercial use and the adjacent land for associated car parking.

There were three reasons for the issue of the enforcement notice, and the Parish Council wishes to comment on each:

Access onto the Botley Road is substandard in terms of geometry and visibility.

Parish Councillors provide drivers and escorts for the Bishop's Waltham Community Bus which is 6 metres long. The exit onto the Botley Road at this junction is used by the bus at least once a week and there has never been a problem.



Photographs taken from the driver's seat of a car waiting at the junction are below and show the very clear visibility on both directions.

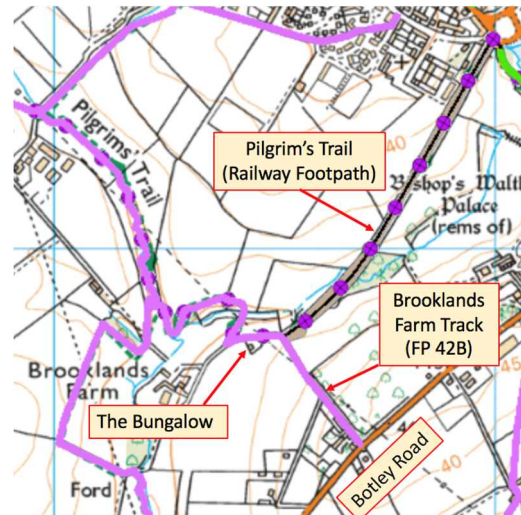
The road leading to and from the site is of inadequate width

The access track is narrow, but there is a passing place with good visibility in both directions so there is adequate warning for a car to pull over and wait for an oncoming vehicle to pass. The photograph alongside illustrates this. A condition of placing a speed limit on this track would be reasonable.



The use has a significant adverse impact on the amenity and recreational value of the path

This section of public footpath 42B, along the track itself, is one of the least used in the whole Parish. It leads onto the Botley Road which has no pavements or adjacent footpaths. The Case Officer, relying on wrong advice from both Hampshire Highways Authority and Hampshire Countryside Service, misled the Planning Committee into believing that the Pilgrim's Trail followed the track. The map alongside illustrates that the Pilgrim's Trail follows the line of the disused railway, a permissive path owned by Hampshire County Council. This is a very popular route for walking, unlike the approach track to the bungalow which is never used for such.



Conclusion

The reasons for the enforcement order are unfounded in every respect. The access onto the Botley Road is not dangerous, the passing place on the track allows two-way traffic, and the majority of walkers are not impacted by traffic on the track.

Winchester City Council, as advised by the Hampshire Highways Authority, are interpreting the regulations as they might apply to a busy thoroughfare in an urban area. The circumstances behind this enforcement order are about a private track in a rural community, and the efforts of a small business to provide a facility for the residents of Bishop's Waltham.

The Parish Council strongly recommends that the Planning Inspectorate arranges for a site visit in order to inform a proper consideration of the relevant facts in this case.