

Notification Letter

 Enq to: Appeals Officer
 Direct Dial: 01962 848 599

1 December 2021

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

Site Address:	Caravans at The Old Piggery and The Withy Beds , Firgrove Lane, North Boarhunt, Hampshire, PO17 6JU
Enforcement Notice 01	Without planning permission, the material change of use of the Land to use as a residential caravan site; together with the construction of associated areas of hardstanding, buildings and fencing which facilitate the change of use of the Land.
Appellant's Name:	Mr Joe Keet
Appeal Reference:	APP/L1765/C/21/3285763
Appeal Start Date:	28.10.2021

Site Address:	Plot 6, The Old Piggery, Firgrove Lane, North Boarhunt, PO17 6JU
Enforcement Notice 02	Without planning permission, the material change of use of the Land to use as a residential caravan site; together with the construction of associated areas of hardstanding, buildings and fencing which facilitate the change of use of the Land.
Appellant's Name:	Mrs J Keet
Appeal Reference:	APP/L1765/C/21/3285764
Appeal Start Date:	28.10.2021

Site Address:	Plots 21,21A and 22 , The Withy Beds, North Boarhunt, Hampshire, PO17 6JU
Enforcement Notice 03	Without planning permission, the material change of use of the Land to use as a residential caravan site; together with the construction of associated areas of hardstanding, buildings and fencing which facilitate the change of use of the Land.
Appellant's Name:	Mr Joe Keet, Ms Lena-Lara Keet
Appeal Reference:	APP/L1765/C/21/3285765 and APP/L1765/C/21/3285766
Appeal Start Date:	28.10.2021

I refer to the above details. The appeals have been made to the Secretary of State against an enforcement notice issued by Winchester City Council on 04.10.2021.

The enforcement notices were issued for the following reasons:

It appears to the Local Planning Authority that the aforementioned breach of planning control occurred within the last ten years.

Planning permission was refused on 22 July 2021 for “Continued use of land for the stationing of residential caravans” for the following reasons:

The proposal would represent new dwellings in the countryside for which there is no justification and would therefore be contrary to Policies MTRA3, MTRA4 and CP5 of Local Plan Part 1 - Joint Core Strategy, Policies DM1 and DM4 of Local Plan Part 2 – Development Management and Site Allocations, Winchester District Gypsy, Traveller and Travelling Show People Development Plan Document, and Government Planning Policy for Traveller Sites.

The proposal would be contrary to Policy CP5 of Winchester Local Plan Part 1 and Policy TR7 of the Winchester District Gypsy, Traveller and Travelling Show People Development Plan Document in that insufficient information has been provided in respect of the provision of facilities, particularly in terms of wastewater infrastructure and safe play spaces. As such it is not possible to ensure that facilities appropriate to the scale of the site can be adequately provided without adverse impact on the occupants of the site, neighbouring properties or the surrounding area.

The Council does not consider that planning permission should be granted. Planning conditions would not overcome these objections to the development..

The enforcement notices require the following steps to be taken:

WHAT YOU ARE REQUIRED TO DO

1. Cease the residential use of the Land.
2. Remove all caravans (and mobile homes) from the Land and disconnect all services (water, gas, electricity, waste).
3. Remove the hardstandings, drainage runs/pipes, tanks and all buildings and fencing associated with the use of the Land as a residential caravan site.
4. Remove any resultant waste and restore the Land to its former condition prior to the breach of planning control by laying topsoil and re-seeding to grass.

TIME FOR COMPLIANCE

9 months after this notice takes effect.

The appellants have appealed against the notices on the following grounds:

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

Ground (e) - The notice was not properly served on everyone with an interest in the land.

Ground (g) - The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why.

These appeals will be determined on the basis of a **Public Inquiry**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries 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:

Alice Maurice
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 30 December 2021. 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 number(s).**

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 using the following link <https://www.winchester.gov.uk/planning/planning-enforcement/enforcements-appeals>
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

