

The Planning Inspectorate

QUESTIONNAIRE (s174) ENFORCEMENT NOTICE (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. Any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

Appeal Reference

APP/L1765/C/21/3285765

Appeal By

MR JOE KEET

Site Address

Plots 21,21A and 22
The Withy Beds
North Boarhunt
Hampshire
PO17 6JU

PART 1

1.a. Do you agree to the written representation procedure?

Yes No

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

1.b. Do you wish to be heard by an Inspector at;

Inquiry Hearing

1.c. How long do you expect an inquiry would last?

2 day(s)

1.d. How many witnesses do you intend to call?

4

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?

Yes No

2.b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

Yes No

To fully access the site.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?

Yes No

Please describe:

Animals.

2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself?

Yes No

PART 2

3. Are there any related appeals currently before the Secretary of State, e.g.

Yes No

under s.78, 174 or 195 of the Town and Country Planning Act 1990, s20 or 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or orders under s102 of the Town and Country Planning Act 1990? If yes please provide reference number(s)

Please provide our reference numbers:

APP/L1765/C/21/3285763, APP/L1765/C/21/3285764, APP/L1765/C/21/3285766

- 4.a. Has the local planning authority received the correct fee payable for the deemed planning application/ground (a) to be considered? Yes No
- 4.b.i. Is the appeal fee exempt? Yes No
- 4.b.ii. Please state why the appeal is fee exempt?

A recent planning application was refused - 21/00399/FUL.

- 5.a. Is the appeal site within a conservation area? Yes No
- 5.b. Is the appeal site adjacent to a conservation area? Yes No

PART 3

- 6.a. Does the notice relate to building, engineering, mining or other operations? Yes No
- 6.b. Is the area of the alleged breach different from the above? Yes No
- 6.c. Does the alleged breach create any floor space? Yes No

Does the enforcement notice relate to a change of use of land to use for:

- 7.a. the disposal of refuse or waste materials? Yes No
- 7.b. the deposit of materials remaining after mineral extraction? Yes No
- 7.c. the storage of minerals in the open? Yes No
8. If the enforcement notice relates to the erection of a building or buildings, is it accepted that their use is for purposes of agriculture on land used for agricultural purposes (not necessarily an agricultural unit as defined in the Agriculture Act (1947))? Yes No
9. Does the enforcement notice relate to the erection/change of use of a building which is a single private dwellinghouse, as defined in Regulation 2(1) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012? Yes No

PART 4

10. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) in relation to the application site? Yes No
11. Has any planning permission been granted previously in respect of the development? Yes No
12. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes No
- If YES, please provide

12.a. the date of the relevant application

09/02/2021

12.b. the date of the LPA's decision (if any)

22/07/2021

12.c. a copy of the decision (if any)

see 'Questionnaire Documents' section

12.d. the reference number

21/00399/FUL

13. Has a planning contravention notice been served?

Yes No

If YES, please send a copy of the Planning Contravention Notice and the reply

A copy of the PCN and the reply:

see 'Questionnaire Documents' section

14.a. the appeal site is within 67 METRES OF A TRUNK ROAD?

Yes No

14.b. the appeal site is CROWN LAND (as defined in s293 of the Act)?

Yes No

14.c. a STOP NOTICE has been served in addition to the enforcement notice?

Yes No

14.d. the appeal site is in or adjacent to or likely to affect a SSSI?

Yes No

14.e. any protected species are likely to be affected by the alleged development?

Yes No

14.f. the appeal site is in a Green Belt or AONB?

Yes No

14.g. any part of the site is subject to a Tree Preservation Order?

Yes No

14.h. the appeal site is within 400m of an area of underground or surface mineral interest?

Yes No

14.i. the appeal site is within 250m of a waste landfill site?

Yes No

14.j. does the development affect the setting of a listed building or ancient monument?

Yes No

14.k. has importation of waste materials been involved in the development?

Yes No

14.l. does the appeal involve persons claiming gypsy/traveller status, whether or not this is accepted by the planning authority?

Yes No

PART 5

16.a. Is the appeal site subject to an ARTICLE 4 Direction?

Yes No

17. Have any development rights been restricted by means of a planning condition?

Yes No

18. Does the development relate to operational development for a disabled person, as defined by s29 of the National Assistance Act 1948?

Yes No

19. Will any consultation be carried out on the possibility of planning permission being granted if the appeal is confirmed as valid?

Yes No

If YES, please provide the name(s) and address(es) of any consultees.

You can choose to enter this information directly on this form, or to send it to us in a separate document. Please indicate your preference below.

the box below

Environmental Impact Assessment - Schedule 1

20.a. Is the alleged development within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Environmental Impact Assessment - Schedule 2

20.b.i. Is the development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Environmental Impact Assessment - Environmental Statement (ES)

20.e. Has the appellant supplied an environmental statement? Yes No

PART 6

21.a. a copy of the letter with which you notified people about the appeal.

see 'Questionnaire Documents' section

21.b. a list of the people you notified and the deadline you gave for their comments to be sent to us.

see 'Questionnaire Documents' section

the deadline you gave for their comments to be sent to us.

21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes.

21.d. where ground (a) (s174) has been pleaded and any fee required has been paid, a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this now, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement.

Policies/Planning Guidance

22.a. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan). You must include the front page, the title and date of approval/adoption, and the status of the plan. Copies of the policies should include the relevant supporting text.

List of policies

see 'Questionnaire Documents' section

22.b. extracts of any relevant policies which have been 'saved' by way of a Direction.

22.c. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted, and if so when.

22.d. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached.

22.e. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has

been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

Date the DPD/Neighbourhood Plan is likely to be adopted:

28/02/2019

see 'Questionnaire Documents' section

22.f. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

22.g. your Authority's CIL charging schedule is being/has been examined;

22.h. your Authority's CIL charging schedule has been/is likely to be adopted.

Please provide the date of adoption:

01/01/2014

22.i. any other relevant information or correspondence you consider we should know about.

PART 7

23. A true copy of the Enforcement Notice

see 'Questionnaire Documents' section

24. The Enforcement Notice Plan (if applicable)

see 'Questionnaire Documents' section

25. A list of those served with the Notice

see 'Questionnaire Documents' section

26. Do you wish to attach your statement of case?

Yes No

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

L1765

Completed by

Alice Honan

On behalf of

Winchester City Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference

APP/L1765/C/21/3285765

Appeal By

MR JOE KEET

Site Address

Plots 21,21A and 22
The Withy Beds
North Boarhunt
Hampshire
PO17 6JU

The documents listed below were uploaded with this form:

Relates to Section: PART 4

Document Description: 12. A copy of the decision.

File name: Decision Notice - 21.00399.FUL.pdf

Relates to Section: PART 4

Document Description: 13. A copy of the Planning Contravention Notice (PCN) and the reply.

File name: 13-00017-CARAVN PCN 2 OP.pdf

File name: 13-00017-CARAVN PCN 2 FL.pdf

File name: 13-00017-CARAVN PCN 4 FL.pdf

File name: 13-00017-CARAVN PCN 3 FL.pdf

File name: 13-00017-CARAVN PCN 4 OP.pdf

File name: 13-00017-CARAVN PCN 2a FL.pdf

File name: 13-00017-CARAVN PCN 5 FL.pdf

File name: 13-00017-CARAVN PCN 5 OP.pdf

File name: 13-00017-CARAVN PCN 3 OP.pdf

File name: 13-00017-CARAVN PCN 5a FL.pdf

File name: 13-00017-CARAVN PCN 6 OP.pdf

File name: 13-00017-CARAVN PCN 4 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 2a FL RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 6 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 7A OG RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 3 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 15 FL.pdf

File name: 13-00017-CARAVN PCN 2 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 20 WB.pdf

File name: 13-00017-CARAVN PCN 9 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 20a WB.pdf

File name: 13-00017-CARAVN PCN 2 FL RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 24 WB RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN JAS.pdf

File name: 13-00017-CARAVN PCN 24a WB RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 10 OP RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 5a FL RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 1 FL.pdf

File name: 13-00017-CARAVN PCN 1 OP.pdf

File name: 13-00017-CARAVN PCN LLS RETURNED 2_Redacted.pdf

File name: 13-00017-CARAVN PCN 9 FL.pdf

File name: 13-00017-CARAVN PCN 5 FL RETURNED_Redacted.pdf

File name: 13-00017-CARAVN PCN 10 FL.pdf

File name: 13-00017-CARAVN PCN 14 FL.pdf

File name: 13-00017-CARAVN PCN 26a WB RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 8 FL.pdf
File name: 13-00017-CARAVN PCN 12 FL.pdf
File name: 13-00017-CARAVN PCN 22 WB.pdf
File name: 13-00017-CARAVN PCN 18a WB.pdf
File name: 13-00017-CARAVN PCN 8 OP RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 9 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 20 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 19 WB RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 6 FL.pdf
File name: 13-00017-CARAVN PCN 14 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 7 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 19 WB.pdf
File name: 13-00017-CARAVN PCN 20 FL.pdf
File name: 13-00017-CARAVN PCN 15 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 21A WB.pdf
File name: 13-00017-CARAVN PCN 21 WB.pdf
File name: 13-00017-CARAVN PCN 22 FL.pdf
File name: 13-00017-CARAVN PCN 22 FL RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 25 WB.pdf
File name: 13-00017-CARAVN PCN 24 FL.pdf
File name: 13-00017-CARAVN PCN 24a WB.pdf
File name: 13-00017-CARAVN PCN 25A WB.pdf
File name: 13-00017-CARAVN PCN 26 WB.pdf
File name: 13-00017-CARAVN PCN 24 WB.pdf
File name: LIST OF PCNS AND ADDRESSES.docx
File name: 13-00017-CARAVN PCN LGM.pdf
File name: 13-00017-CARAVN PCN 26 WB RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 10 OP.pdf
File name: 13-00017-CARAVN PCN 8 OP.pdf
File name: 13-00017-CARAVN PCN 26a WB.pdf
File name: 13-00017-CARAVN PCN 1a OP.pdf
File name: 13-00017-CARAVN PCN 1b FL.pdf
File name: 13-00017-CARAVN PCN 25 WB RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 1a FL.pdf
File name: 13-00017-CARAVN PCN 21 FL.pdf
File name: 13-00017-CARAVN PCN JCM.pdf
File name: 13-00017-CARAVN PCN 1 OP RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN LLS.pdf
File name: 13-00017-CARAVN PCN 25A WB RETURNED_Redacted.pdf
File name: 13-00017-CARAVN PCN 23 FL.pdf
File name: 13-00017-CARAVN PCN 27 WB.pdf
File name: 13-00017-CARAVN PCN LLS RETURNED 1_Redacted.pdf

Relates to Section: PART 6
Document Description: 21.a. A copy of the letter with which you notified people about the appeal.
File name: Notification Letter - EN01, EN02, EN03.pdf

Relates to Section: PART 6
Document Description: 21.b. A list of the people you notified and the deadline you gave for their comments to be sent to us.
File name: Notification List - EN01, EN02, EN03.pdf

Relates to Section: PART 6
Document Description: 22.a. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
File name: Policy DM4 – Gypsies, Travellers and Travelling Showpersons.docx
File name: Policy MTRA3.doc
File name: Adopted Local Plan Part 2 including Policy Maps - Oct 17 - FRONT.pdf

File name: Policy MTRA 4.doc
File name: LPP1 Front Cover.pdf
File name: Policy DM1 – Location of New Development.docx
File name: Policy CP5.doc

Relates to Section: PART 6
Document Description: 22.e. An explanation of the Council's policy position in respect of this appeal upon its adoption if any Development Plan Document (DPD) or Neighbourhood Plan is relevant to this appeal.

File name: Gypsy and Traveller DPD adoption version - Final - 28.02.2019.pdf

Relates to Section: PART 7
Document Description: 23. A true copy of the Enforcement Notice.
File name: EN03 - Enforcement Notice - Redacted.pdf

Relates to Section: PART 7
Document Description: 25. A list of those served with the Notice.
File name: A list of those served by hand with the Enforcement Notices.pdf

The documents listed below are to follow by post:

Relates to Section: PART 7
Document Description: 24. The Enforcement Notice Plan.

Completed by Not Set

Date 02/12/2021 19:07:59

LPA Winchester City Council