

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

## **BUILT ENVIRONMENT**

Officer: Madelaine Clavey  
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10 November 2021

Dear Sir/Madam,

**Town & Country Planning Act 1990 (as amended)**  
**APPEALS: APP/L1765/C/21/3285763, 3285764 and 3285765**  
**SITE: The Old Piggery and The Withy Beds, Firgrove Lane, North Boarhunt**

In response to Ground (e) being included in appeal ref: APP/L1765/C/21/3285763, the Local Planning Authority (LPA) (Winchester City Council) can provide the following initial comments.

Please note that each point made by the appellant has been addressed separately in bold below for ease.

**The appellant has confirmed that not all occupiers received the enforcement notice, with some finding that the envelopes had been thrown into their gardens and others having not received the notice at all.**

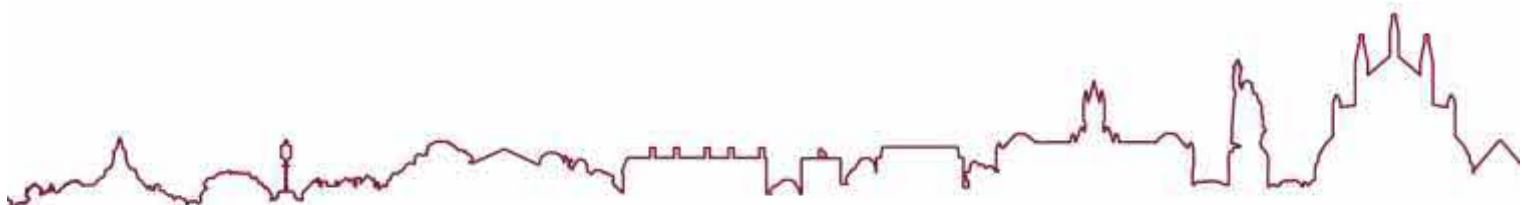
The Enforcement Notice (EN) and copies of the EN were delivered by hand by the Principal Enforcement Officer. All accessible properties were provided with a copy. Most properties did not have letter boxes, nor were they accessible (surrounded by locked fencing/ large dogs with warning signs present); therefore, some EN's were placed on porches or left in a suitable/safe place.

The owners of the land were duly served (by hand) and the appellant has not suggested otherwise.

A site notice for all three EN's was attached to a tree near the entrance to the mobile homes. This was visible and accessible. A site notice was included as part of the service to ensure all owners/occupiers were duly served. Photographs of this have been taken as evidence.

The EN's were served as required by Section 172 of the Town and Country Planning Act 1990.

The appellant has not indicated who was allegedly not served; the LPA can therefore not add more specific commentary.



Even if it was found that there had been an issue over service, we would respectfully ask the Inspector to exercise powers under s176 (5) to disregard any issue over service as it is difficult to see how the appellant or any occupier will have been prejudiced by a failure to serve.

**In addition, whilst the application was made under the address of The Old Piggery, this is only as a result of the Local Planning Authorities failure to check the address properly with the appellant, and the appellants then agent simply using the address used in the planning history as it was known to the Local Planning Authority.**

**Previous applications demonstrate that this has been pointed out to the LPA, who appear to have taken no notice whatsoever. e.g., Planning reference “17/00951/FUL | This application refers to both The Old Piggery and The Withy Beds Sites. Permanent retention of twenty-six residential caravans for travellers and 6 transit pitches, together with associated access... | The Old Piggery Firgrove Lane North Boarhunt Hampshire”.**

**To clarify, the central site, the subject of this appeal, is known as ‘The Withy Beds’ and registered as such. Caravans occupying Nos 1-10 are located on ‘The Old Piggeries’ site. Caravans occupying Nos 18 onwards are located on ‘The Withy Beds’ site.**

**The authorised site to the north is known as ‘The Old Piggeries’. The ‘travelling showpeople’s’ site to the south (on which there are no travelling showpeople/travellers or gypsies occupying) is known as ‘Firgrove Lane Caravan Park’ and is outside the ownership of the appellant.**

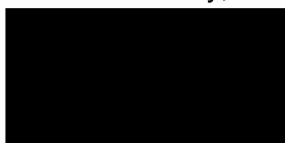
A red line plan has been included with all three EN’s and outlines the areas affected by the Notices. These plans are definitive and paragraph 2 of all three EN’s clearly states this to be the case.

Paragraph 2:

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire **shown edged red on the attached plan (“the Land”)**.

If you require any further information please do not hesitate to contact me.

Yours sincerely,



**Madelaine Clavey  
Principal Enforcement Officer**

