



Appeal Statement

On behalf of

Winchester City Council

("the Council")

Land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21
3BW

EN1 (a, b, d, e, f, g).

APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783

Appeal by: Mr Freddie Loveridge, Mr Anthony O'Donnell, Mr Patrick Flynn, Mr Hughie Stokes,
Mr Danny Carter, Mr Patrick Stokes, Mr Oliver Crumlish.

EN2 (a, b, c, d, e, f, g).

APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784

Appeal by: Mr Freddie Loveridge, Mr Anthony O'Donnell, Mr Patrick Flynn, Mr Hughie Stokes,
Mr Danny Carter, Mr Patrick Stokes, Mr Oliver Crumlish.

EN4 (a, c, f, g).

APP/L1765/C/22/3296503; 3296504

Appeal by: Mr Patrick Stokes, Mr Bernie Stokes.

Appendices

LPA 1	Planning Permission 02/01022/FUL
LPA 2	EN 1
LPA 3	EN 2
LPA 4	EN 3
LPA 5	EN 4
LPA 6	Land Registry
LPA 7	05/01605/FUL
LPA 8	06/00441/FUL
LPA 9	Enforcement Notices 06 September 2010
LPA 10	10/02598/FUL
LPA 11	2011 Appeal Decision
LPA 12	2013 High Court
LPA 13	2015 Court of Appeal
LPA 14	Breach of Condition Notice 18 04 19
LPA 15	2019 Appeal Decision
LPA 16	Gum Tree Advert
LPA 17	Visit 21 September 2021
LPA 18	Aerials
LPA 19	Private Sector Housing Notes
LPA 20	EN 4 Interest
LPA 21	Housing Visit
LPA 22	PCN 12 October 2021
LPA 23	Decision 09 April 2021 Lower Paddock

INTRODUCTION

1. This statement is produced on behalf of Winchester City Council (“the Council”) in response to appeals under s174 of the Town and Country Planning Act 1990 (“the Act”) against 3 Enforcement Notices issued by the Council under s171A(1) of the Act on 01 March 2022 at land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21 3BW (“the appeal site”).
2. The appeal site lies in countryside approximately 150 meters West of the A33 and is outside of any settlement boundary. It is accessed by a shared track from the A33 and covers approximately 5 acres.
3. The western boundary of the appeal site is Woodland known as the Black Wood Site of Importance for Nature Conservation (SINC). To the north are agricultural buildings and a dwellinghouse, and to the east and south is agricultural land.
4. On 01 March 2022 4 enforcement notices were issued at the appeal site which are referred to respectively as EN1, EN2, EN3, and EN4. Attached to each enforcement notice is a plan, which corresponds with the relevant area of the appeal site in the case of each notice.
5. Appeals have been made against EN1, EN2 and EN4 but not EN3.
6. **EN1** (LPA 2) was issued against the material change of use of the Land to a residential caravan site, including the stationing of approximately 100 caravans for residential use (“the Unauthorised Use”).
7. EN1 relates to the whole of Carousel Park excluding parts of former plots 3 and 7.
8. EN1 requires:
 - a) Cease the use of the Land as a residential caravan site;
 - b) Remove all caravans, park homes, mobile homes, hardstanding, hard surfacing, fencing, walls, gates, services, storage containers, sheds, porta-loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, lighting, and any other items associated with the Unauthorised Use from the Land;
 - c) Restore the Land to its condition before the breach of planning control took place.

9. The compliance period is 6 months.

10. **EN2** (LPA 3) was issued against the breach of conditions 10, 11, and 15 of planning permission 02/01022/FUL of 2 October 2003 being:

10. There shall be a maximum of three caravans or mobile homers occupied for residential purposes on each pitch. Any additional touring caravans used by the travelling showpeople may be stored within the defined storage areas but may not be occupied for residential purposes at any time.

11. There shall be no more than 9 family pitches on the site and the pitches may not be sub-divided at any time.

15. No more than 50 people shall occupy the site at any time.

11. EN2 relates to the whole of the appeal site.

12. EN2 requires:

- a) Cease the use of the Land for siting more than three caravans or mobile homes per pitch occupied for residential purposes (condition 10);
- b) Cease the use of the Land for occupation by more than 50 people (condition 15);
- c) Restore the layout of the Land to comprise no more than 9 family pitches as shown on the attached plan 02-44-01 of December 2002 (condition 11).

13. The compliance period is 6 months.

14. **EN3** (LPA 4) was not appealed and came into effect 12 April 2022.

15. EN3 was issued against the material change of use of the Land to a residential caravan site, including the stationing of approximately 10 caravans for residential use ("the Unauthorised Use").

16. EN3 relates to an area in the south western corner of the appeal site.

17. It requires:

- 1 Cease the use of the Land as a residential caravan site;
- 2 Remove all caravans, park homes, mobile homes, hardstanding, hard surfacing, fencing, walls, gates, services, storage containers, sheds, porta-loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, lighting, and any other items associated with the Unauthorised Use from the Land;
- 3 Restore the Land to its condition before the breach of planning control took place.

18. The compliance period is 6 months (by 12 October 2022).

19. **EN4** (LPA 5) was issued against the material change of use of the Land to a residential caravan site, including the stationing of approximately 10 caravans for residential use (“the Unauthorised Use”).

20. EN4 relates to an area in the south of the appeal site.

21. It requires:

- a) Cease the use of the Land as a residential caravan site;
- b) Remove all caravans, park homes, mobile homes, hardstanding, hard surfacing, fencing, walls, gates, services, storage containers, sheds, porta-loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, lighting, and any other items associated with the Unauthorised Use from the Land;
- c) Restore the Land to its condition before the breach of planning control took place.

22. The compliance period is 6 months.

23. The Appellants in relation to EN1 and EN2 are:

- a) Freddie Loveridge (Occupier plot 1) ref: 3296767 / 3296768
- b) Anthony O'Donnell (Occupier plot 2c) ref: 3296771 / 3296772
- c) Patrick Flynn (Occupier plot 3) ref: 3296773 / 3296774
- d) Hughie Stokes (Occupier plot 6) ref: 3296776 / 3296777
- e) Danny Carter (Owner plot 8) ref: 3296778 / 3296779
- f) Patrick Stokes (Occupier plot 9) ref: 3296781 / 3296782

g) Oliver Crumlish (Occupier plot 9B) ref: 3296783 / 3296784

24. The Appellants in relation to EN4 are:

a) Patrick Stokes (Owner) ref: 3296503

b) Bernie Stokes (Owner) ref: 3296504

25. The appeal site is owned, occupied, and controlled by different people and that ownership, occupation, and control fluctuates, and is not reflected by land registry and other information.

26. The registered proprietors of the appeal site are (LPA 6):

HP722336 Plot 1. Darren Loveridge of 18 Brunner Court, Ottershaw, Surrey, KT16 0RG. Paid £10,000 05 November 2009

HP655638 Land South West of Plot 1. Beverley Black of Plot 2. Paid £1,500 on 29 March 2011

HP648953 Plot 2. Linda Black of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading. Paid £56,000 on 21 May 2004

HP648947 Plot 3. Suzanne Wall of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading. Paid £45,000 on 21 May 2004

HP648948 4. Michael Stokes and Francis Anthony Casey of 4. Paid £10,000 on 21 October 2015.

HP648956 Plot 5. Maurice Cole of 19 Lawford Crescent, Yateley, Hants, GU46 6JX. Paid £45,000 on 21 May 2004.

HP665606 Plot 6. Anna Lee of Plot 6. Paid £40,000 on 30 March 2005.

HP655142 Plot 7. Derek George Birch, Derek William Birch, and Valerie Ann Birch care of 1 Firgrove Lane, North Boarhunt, Wickham, Hants, PO17 6JS. Paid £40,000 on 28 January 2005.

HP654472 Plot 8. Danny Carter, Joe Ripley and Jimmy Ripley of Plot 8. Paid £42,000 on 13 August 2007.

HP681655 Plot 9. Valerie Carter, Shannon Marie Mcdonagh and Caroline Stevens of Plot 9. Paid £40,000 on 18 May 2016.

27. The Appellants in the EN4 appeal (Patrick and Bernie Stokes) state that they have jointly owned the land referred to in EN4 (formally parts of plot 4/5) since 20 February 2022, despite the Land Register not reflecting this (LPA 20).

28. The appeals against EN1 proceed on grounds a), b), d), e), f), g).

29. The appeals against EN2 proceed on grounds a), b), c), d), e), f), g).

30. The appeals against EN4 proceed on grounds a), c), f), g).

31. By email 11 May 2022 PINs confirmed that all appeals will be dealt with by joint public inquiry.

PLANNING HISTORY

32. On 02 October 2003 planning permission was granted (02/01022/FUL) subject to conditions for the Change of use of the appeal site from agricultural land to a travelling showpeoples' site (LPA 1). The conditions restricted the number of family pitches to 9, the number of caravans used for residential purposes to 3 per pitch, and occupation to no more than 50 people.

33. It is common ground that the permission was implemented (LPA 15 para114).

34. On 10 October 2005 planning permission was granted (05/01605/FUL) for the erection of fences (LPA 7).

35. On 10 April 2006 planning permission was granted (06/00441/FUL) for the construction of a garage workshop for the servicing and repair of travelling showman vehicles and equipment (LPA 8).

36. On 06 September 2010 the Council issued Enforcement Notices in relation to areas within the appeal site known as Plots 1, 2, 3, 7, 8, and 9 alleging without planning permission, the material change of use of the Land from use as a travelling

showpersons site to use for siting of caravans/residential mobile homes for occupation by persons who are not travelling showpersons and the storage of vehicles, equipment and materials in association with the operation of businesses unrelated to that of travelling showpeople (LPA 9).

37. On 24 September 2010 a planning application was made for the use of land as a travelling showmans site (LPA 10). It was not determined.

38. The notices at LPA 9 were appealed and an appeal decision issued 09 December 2011 (LPA 11). On 11 and 14 October 2011 the Inspector visited and recorded the condition of the appeal site in plans attached to the appeal decision:

- a) Plot 1 contained 1 mobile home / static caravan.
- b) Plot 2 contained 2 mobile homes / static caravans.
- c) Plot 3 contained 3 mobile homes / static caravans.
- d) Plot 7 contained 2 mobile homes / static caravans.
- e) Plot 8 contained no mobile homes / static caravans.
- f) Plot 9 contained 3 mobile homes / static caravans.

39. The Appellants case was that firstly, the 02 October 2003 permission (LPA 1) had been implemented (LPA 11 para 14) but was a permission for a residential caravan site not restricted to travelling show people, and secondly, if it was so restricted, that at the time the notices were issued 06 September 2010 the occupants fell within that restriction in any event (LPA 11 para 12).

40. No further action was taken in relation to the appeal against the non-determination of the planning application at LPA 10.

41. The appeal decision became the subject of a s289 appeal and s288 challenge. The High Court allowed the appeal on 01 February 2013 (LPA 12) and the decision of 09 December 2011 was returned to SSCLG for redetermination. The s288 challenge was dismissed.

42. An appeal to the Court of Appeal against the decision of the High Court was dismissed on 17 March 2015 (LPA 13).

43. A breach of condition notice was issued 19 April 2019 (LPA 14).

44. The remitted appeal decision was issued 22 November 2019 (LPA 15). The Inspector found that at the time the notices were issued:

- a) Plot 1 was *not* in use for the siting of caravans/residential mobile homes for occupation by persons who were not travelling showpersons (para 52).
- b) Plot 2 was *not* in use for the siting of caravans/residential mobile homes for occupation by persons who were not travelling showpersons (para 66).
- c) Plot 3 was *not* in use for the siting of caravans/residential mobile homes for occupation by persons who were not travelling showpersons (para 72).
- d) Plot 7 was occupied by persons who were *not* travelling showpeople and used to store equipment and materials in association with a landscape gardening and compost sales business (para 83) and that use was materially different use to a travelling showpeoples' site (para 121).
- e) Plot 8 was *not* in use for the siting of caravans/residential mobile homes for occupation by persons who were not travelling showpersons (para 103).
- f) Plot 9 was *not* in use for the siting of caravans/residential mobile homes for occupation by persons who were not travelling showpersons (para 108).

45. The Inspector quashed the enforcement notices relating to Plot 1, 2, 3, 8, and 9, and upheld the enforcement notice (with variation para 2) relating to Plot 7.

46. That decision was not challenged by the Appellants or the Council.

47. On 12 October 2021 the Council issued Planning Contravention Notices to all registered proprietors of the appeal site (para 26 above) (LPA 22).

48. On 01 March 2022 the Enforcement Notices were issued.

49. On 20 April 2022 Council Housing Officers visited the appeal site (LPA 21).

50. The Appellants state that the appeal site is occupied by a mixture of gypsy and travellers, travelling showpeople, and households requiring affordable housing (Appeal Forms ground a).

THE CASE FOR THE COUNCIL

51. On 21 September 2021 the Council visited the appeal site. Officers walked around the site, took photographs, and spoke to occupiers.

52. The appeal site contained approximately 100 caravans and was divided into multiple plots / pitches. Occupiers that officers spoke to were a mix of gypsy / travellers, non-gypsy / travellers, and travelling showpeople. Some paid rent to a landlord and had found the accommodation on Gum Tree (LPA 16) whilst others would not identify themselves or speak to officers.
53. During the visit officers were approached by a man who told them to leave unless they had a warrant. The officers explained their powers of entry and that they would not leave. The man said he didn't want to talk to them and left.
54. The appeal site was occupied by gypsy / travellers, non-gypsy / travellers, and travelling showpeople. The use of the site was not as a travelling showpeoples' site in accordance with the 02 October 2003 planning permission but as a residential caravan site.
55. Photographs taken during the Councils visit are at LPA 17.
56. Aerial photographs at LPA 18 show the development of the appeal site since 2000.
57. Private sector housing notes record events at the appeal site since 2016 (LPA 19).
58. There are overlaps in ownership, control, and occupation across the site which do not match land registry information and fluctuate. Common parts of the site including the roadway and bunding are in single ownership and the appeal site would be unusable without common access and cooperation.
59. The number and occupation of caravans contained on the appeal site has fluctuated from the 11 recorded by the inspector during site visits 11 and 14 October 2011, to around 100 on the Councils visit 21 September 2021, and from only travelling showpeople (except on plot 7), to a mix of gypsy and travellers, travelling showpeople, and non-gypsy / travellers.
60. The use of the site as a travelling showpeoples site fulfils a planning purpose and that purpose is safeguarded by development plan policies. The change of use in this case would affect the capacity of the appeal site to contribute to that purpose and has significant planning consequences.

61. The use of the appeal site as a residential caravan site containing 100 caravans is a materially different use.
62. The Council objects to that use for the reasons set out in the enforcement notice and as addressed below in respect of the Appellant's Ground (a) appeal.
63. As such the enforcement notices were issued on 01 March 2022.
64. The enforcement notices seek to restore the appeal site to its condition before that breach of planning control took place.
65. Hardstanding, fencing, walls, and gates, shed, buildings, animal enclosures, and lighting have been erected, and storage containers, porta-loos, vehicles, machinery, trailers, waste, and construction materials, have been brought onto the appeal site, in order to facilitate, or are ancillary to, that use.
66. The Council has attempted to engage with occupants of the appeal site in order to address any hardship caused by the enforcement action (LPA 21) and will continue to do so.

RESPONSE TO GROUNDS OF APPEAL

Ground e) – copies of the Notice were not served as required by s172

In relation to EN1 and EN2 only (APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783; and APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784).

67. The Appellants state that because, on the Council's case, there are over 100 caravans on site, it is unlikely that the Council have served all individuals with an interest in the land and have put the Council "to proof" that they have served all individuals with an interest in the land.
68. This ground of appeal is misconceived. To make good an appeal pursuant to s.174(2)(e) of the Act, the Appellants would need to demonstrate that copies of the notice were not served as required by section 172 and that anyone not served with the notice who should have been was substantially prejudiced by that failure. It is not for

the Council to “prove” that notices were properly served. The Appellants have not identified anyone who was not served with copies of the enforcement notices that should have been and have not identified anyone that has been prejudiced by any such failure.

69. In any event, the Council will present evidence to demonstrate that the Enforcement Notice was sent to all registered proprietors of the Land by recorded delivery to their registered address, delivered by hand to the Land to all registered proprietors and owners and occupiers, and affixed conspicuously to objects on the land so as to discharge the requirements of s.172 and s.329 of the Act.

70. The appeal forms confirm that Appellants, who are occupiers and not registered proprietors, have received the enforcement notices.

71. On 12 October 2021 PCNs (LPA 22) were sent to the registered proprietors asking for details of anyone with an interest in the land and of any occupiers of the land. On 26 October 2021 Green Planning Studio requested a 7-day extension to reply in relation to Plot 1 to which the Council agreed. On 25 January 2022 Green Planning Studio informed the Council that they had not been instructed to respond.

Ground b) – the matters have not occurred

In relation to EN1 and EN2 only (APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783; and APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784).

72. This ground of appeal is again misconceived. To make good an appeal under s.174(2)(b) of the Act, the Appellants would need to demonstrate that the breach of planning control identified in the notice (i.e. the use of the site as a residential caravan site) has not occurred as a matter of fact. However, the Appellants do not argue that the appeal site has not been used as a residential caravan site nor have they identified any other use that they suggest is being carried out on the appeal site. Indeed, the Appellants accept that the appeal site is used as a residential caravan site for gypsy and travellers, travelling showpeople, and households requiring affordable housing (appeal forms, ground a), and that some breaches of condition have occurred on at least parts of the site (appeal forms, ground b).

73. The points made by the Appellants in their appeal forms under this ground relate to the wording of the enforcement notice, not to whether the alleged breach of planning control has occurred as a matter of fact.

74. The Appellants' appeal under this ground must therefore fail for this reason alone.

75. However, addressing for completeness the Appellant's points about the wording of the notice, the Appellants state that:

- a) the site is not one large planning unit but rather that each yard is owned and used individually, and that the site comprises a series of smaller planning units.
- b) the "yards" identified in EN3 and EN4 are no different to others on site which have not been categorized as planning units.
- c) the enforcement notices at LPA 9 identified smaller areas and that the SoS Inspectors did not find that approach to be incorrect.
- d) EN1 and EN2 are not capable of remedy, in that it would not be possible to reduce the red line area to reflect what they consider to be the numerous planning units on site without prejudice to potential Appellants of the notice.

76. The Appellants' complaints about the wording of the enforcement notice are also misconceived. So long as an enforcement notice identifies the land affected by the notice, the notice does not need to identify the planning unit or relate to any specific planning unit (Hawkey v Secretary of State [1971] 22 P&CR 610).

77. Thus, it does not matter whether the entirety of the appeal site is a single planning unit or is divided into multiple planning units. The Council will demonstrate that the breach of planning control identified in the enforcement notice is occurring throughout the land affected by the enforcement notice in either case.

78. Merely because the Council has decided to serve separate enforcement notices in respect of particular parts of the site (see EN3 and EN4) and has previously served enforcement notices in respect of smaller areas of the site (see LPA 9) does not mean that the enforcement notice is deficient.

79. For completeness, it should be noted that the Council's position is that, having regard to the tests in Burdle & Williams v SSE & New Forest RDC [1972] 1 WLR 1207, the

appropriate planning unit against which to measure whether there has been a material change in use is the entirety of the appeal site. Even where different parts of a site are in separate ownership or occupation, the planning unit may encompass the site as a whole, having regard to the nature of the use and the nature of the occupation of the land (see Rawlins v Secretary of State for the Environment [1990] 1 P.L.R. 110).

80. As noted above, however, even if the appeal site is comprised of a number of smaller planning units, the matters alleged in the enforcement notices to constitute a breach of planning control *have* occurred and the ground b) appeal should fail.

Ground c) – the matters do not constitute a breach of planning control

In relation to EN2 only (APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784).

81. The Appellants state they will demonstrate that there has not been a breach of planning control and that permitted development rights have not been removed.

82. Accordingly, the Appellants are of the view that the construction of fences and walls did not constitute a breach of planning control because such works fell within extant permitted development rights (although the Appellants have not identified which permitted development rights they are relying on or which walls or fences they suggest are lawful).

83. The basis of the Appellants' appeal under this Ground is unclear. The matters stated in EN2 relate to the breach of conditions 10, 11 and 15 of planning permission 02/01022/FUL of 2 October 2003, which restrict the number of caravans or mobile homes occupied for residential purposes on each pitch (Condition 10), the number of pitches on the site (Condition 11) and the number of occupants of the site (Condition 15).

84. The Council assumes that the Appellants will argue that it was open to them to subdivide the site through the erection of walls and fences through permitted development rights. However, Condition 11 expressly prohibits the subdivision of any plot. To the extent that any walls or fences have the effect of sub-dividing any of the plots, there has been a breach of Condition 11, irrespective of whether there are otherwise permitted development rights to erect such structures.

In relation to EN4 only (APP/L1765/C/22/3296503; 3296504)

85. The Appellants do not set out the substance of a ground (c) appeal in the relevant part of the appeal form, although the Inspector's start letter refers to the appeal as proceeding under ground (c) (in addition to grounds (a), (f) and (g)).

86. Under ground (a) of the Appellants' appeal form, the Appellants state that the site benefits from planning permission, with reference to an enforcement notice (LPA 11) which was quashed and remitted to the SoS for redetermination (LPA 15). The Appellants make no reference to the intervening appeals and subsequent re-determination of the 2011 enforcement appeal.

87. There is no planning permission for the use of the appeal site as a residential caravan site.

Ground d) – at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters

In relation to EN1 only (APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783)

88. The alleged breach of planning control in EN1 is the material change of use of the Land to a residential caravan site, including the stationing of approximately 100 caravans for residential use ("the unauthorised use").

89. It appears to be common ground that the relevant time limit for the relevant breach of planning control is 10 years beginning with the date of the breach: s.171B(3) of the Act.

90. The burden of proof falls upon the Appellants to demonstrate with sufficiently precise and unambiguous evidence that the breach of planning control alleged in the Notice occurred by 01 March 2012 and has been active and continuous since, such that the Council could have taken enforcement action at any point during that period.

91. The Appellants state that the material change in use occurred between 11 December 2011 and 01 March 2012, being the weeks following the issue of the appeal decision at LPA 11 on 09 December 2011.

92. The Council will demonstrate that there is not any precise or unambiguous evidence to demonstrate that this is the case such that the Ground (d) appeal must fail.

93. The Council will refer to evidence presented to the previous public inquiry.

94. The area covered by EN3 cannot be lawful as there is an effective enforcement notice (LPA 4) covering that part of the appeal site.

In relation to EN2 only (APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784)

95. The Appellants state that the correct period within which the Council ought to have taken was within 4 years of the breach of condition.

96. The Appellants' view refers to unspecified case law which purportedly establishes that the appropriate time period where the use of a dwelling house amounts to a breach of condition, the relevant period for enforcement ought to be four years.

97. In addition, the Appellants assert that the subdivision of a site amounts to operational development for which enforcement must take place within four years (presumably under s.171B(1) of the Act).

98. Alternatively, if the correct period is 10 years, the Appellants state that the breach of conditions occurred more than 10 years before the issue of EN2.

99. Section 171B of the Act makes provision for time limits in the context of planning enforcement.

100. Subsection (1) of that section provides that "where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations... no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed". The four-year time limit in s.171B(1) applies to operations carried on without planning permission.

101. However, operational development carried out in breach of a planning condition is subject to the ten-year period in s.171B(3).
102. Section 171B(2) provides for a four-year time limit in the context of a “breach of planning control consisting in the change of use of any building to use as a single dwellinghouse”.
103. Section 171B(3) provides “in the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach”.
104. The breach of planning control alleged in EN2 does not consist of the change of use of any building to use as a single dwellinghouse. The correct time period is 10 years.
105. The 2010 Enforcement Notices did not allege “some subdivision of the site”.
106. The erection of fencing or walls in itself do not constitute subdivision. It is a matter of fact and degree based on the nature and purpose of any physical barrier and the actual use on occupation of the enclosures created.
107. The burden of proof falls upon the Appellants to demonstrate with sufficiently precise and unambiguous evidence that the breach of planning control alleged in EN2 occurred by 01 March 2012 and has been active and continuous since, such that the Council could have taken enforcement action at any point during that period.
108. There is no suggestion in the (quashed) appeal decision 09 December 2011 (LPA 11) that any pitch was occupied by more than 3 caravans or mobile homes occupied for residential purposes, that there were more than 9 family pitches on the site, or that more than 50 people occupied the site.
109. A breach of condition notice was issued 18 April 2019 (LPA 14) in relation to plot 9.

Ground a) - permission ought to be granted

In relation to EN1 and EN2 only (APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783; and APP/L1765/C/22/3296768; 3296772; 3296774; 3296777; 3296779; 3296782; 3296784).

110. The Appellants seek planning permission for the material change in use of the Land to a residential caravan site, including the stationing of approximately 100 caravans for residential use.

111. The Appellants do not dispute that the grant of planning permission would be contrary to the Development Plan. However, the Appellants argue that the benefits of the scheme would outweigh any harm and that the most relevant local plan policies are out of date and therefore paragraph 11 of the NPPF is engaged.

112. The Appellants have not specified which policies they consider to be “out of date” for the purpose of paragraph 11 of the NPPF. However, they have suggested that paragraph 11 of the NPPF will be engaged because the Council cannot demonstrate a five-year supply of gypsy and traveller pitches, a five-year supply of travelling showpersons sites or a five-year housing supply.

113. A recent appeal decision 09 April 2021 at para 28 found Council policy to be up to date (LPA 23).

114. The Appellants outline several material considerations which, in their view, support the ground (a) appeal;

- a) Need (national, regional and local);
- b) Lack of available, suitable, acceptable, affordable alternative sites;
- c) Lack of a five-year land supply;
- d) Failure of policy; and
- e) The personal circumstances of site occupants (human rights and article 8 considerations, personal need, health, education, and the best interests of the child).

115. As set out in greater detail below, the Council can demonstrate a five-year supply of housing and a five-year supply of gypsy and traveller pitches. The Council cannot demonstrate a five-year supply of travelling showpersons sites but that is a consideration which weighs against the grant of permission in this appeal, given that the proposal would give rise to a loss in travelling showpersons accommodation.

116. The Council can demonstrate that paragraph 11 of the NPPF is not engaged.

The Council's case

117. The Council will refer in particular to the following policy documents:
- o Winchester Gypsy, Traveller and Travelling Showpeople DPD February 2019 (“the DPD”)
 - o Winchester District Local Plan Joint Core Strategy March 2013 (“the Local Plan Part 1”)
 - o Winchester Local Plan Part 2 April 2017 (“the Local Plan Part 2”)
 - o DCLG Planning Policy for Traveller Sites August 2015 (“the PPTS”)
118. Policy TR1 of the Traveller DPD identifies Carousel Park (W020) as an existing Travelling showpersons site and safeguards it from alternative development unless the site is no longer required to meet any identified traveller need. Policy TR3 of the Traveller DPD sets out the site-specific policy for Carousel Park.
119. The occupation of the appeal site by non-travelling showpeople reduces the number of available acceptable sites for Travelling Showpeople in the context of an existing shortfall contrary to policy TR1 of the DPD, CP5 of the Local Plan Part 1, and DM4 of the Local Plan Part 2.
120. The Appellant has suggested that “The occupation of the site by those not fitting the definition of travelling showpeople will not result in a loss of accommodation for those who are travelling showpeople.... And travelling showpeople no longer require storage space.... Occupation by others will be where that storage would have taken place.”
121. The Council will demonstrate that the occupation of the site for residential purposes does result in the loss of accommodation for travelling showpeople.
122. Due to the layout, density, and volume of caravans, mobile homes, enclosures, and buildings, vehicles are unable to turn without significant reverse manoeuvring into and around blind corners across shared space causing conflict between pedestrians and vehicles on site contrary to Policy TR7 of the DPD, CP5 of the Local Plan Part 1 and DM18 of the Local Plan Part 2.
123. The boundary treatment of the site is inadequate and poorly maintained with a lack of suitable planting and landscaping to reinforce the boundary and screen the site

- leading to waste deposits in the adjacent Blackwood Forest and the surrounding area and a detrimental visual impact on the character of the site and locality contrary to policy TR7 of the DPD, CP5 of the Local Plan Part 1 and Policy H of the PPTS.
124. There is no open space for safe children's play and evidence of waste processing and vehicle repairs, including the storage and sorting of materials other than as necessary for the use as a travelling showpersons site contrary to policy TR7 of the DPD, CP5 of the Local Plan Part 1, DM17 of the Local Plan Part 2, and Policy H of the PPTS.
125. Due to the layout and number of caravans, mobile homes, enclosures, and buildings, there is inadequate space for the storage and maintenance of equipment for travelling showpeople contrary to policy TR7 of the DPD and Policy F of the PPTS.
126. The Appeal site is within the countryside outside of a defined settlement, does not fall within the examples set out in policy MTRA 4 – Development in the Countryside of the Local Plan, and *does* cause harm to the character and landscape of the area for the reasons above.
127. The number of caravans and other forms of accommodation results in an over-concentration contrary to policy CP5 of the Local Plan Part 1.
128. There is inadequate provision for the safe storage of waste and recycling contrary to policy TR7 of the DPD and DM17 of the Local Plan Part 2.
129. The Appellant has argued that *“The existence of mobile homes etc is an established characteristic of the area.”* The Council will demonstrate that the character of the Travelling showpersons site subject to the permission at LPA 1 is materially different to the unauthorised use by virtue of the number caravans, layout, and resulting intensity of domestic activity.
130. The Appellant has also argued that, because the existence of mobile homes is an established characteristic of the area, *“There is therefore no harm resulting from the density of the site / Insufficient turning space”*
131. The Council will demonstrate that the layout, density, and volume of caravans, mobile homes, enclosures, and buildings on site, results in vehicles being unable to turn without significant reverse manoeuvring across shared spaces into and around

blind corners causing conflict between pedestrians and vehicles, and does not provide safe play areas for children, or adequate private amenity space for occupiers.

The material considerations relied on by the Appellant

Housing Need and Supply

132. The Council can show that the 5-year supply of available housing sites is in excess of the requirement. Using a 5-year period of April 2022 – March 2027, there are sites available to provide 6.1 years' supply (including a 5% buffer). The details are reported in the Council's Authorities' Monitoring Report 2020-2021 (AMR) and its accompanying Appendix. The table below is based on the AMR and summarises the position.

Table 1 - 5 Year Land Availability

	2022 - 2027 District Total
Requirement (including 5% buffer)	3,491
Supply	4,260
Years supply	6.1 Years

133. The calculation behind the housing land supply position is set out below for the 2022-2027 period.

Table 2 - Full 5 Year Land Availability Calculations (2022 – 2027)

5 Year Period: 2022-2027			
a	2011- 2022 requirement (Local Plan trajectory & local housing need)		5,908
b	Completions to Apr 2022 (projected, incl. communal)		6,748
c	Shortfall at 2022	(a - b)	0
d	Remaining years of Plan		9 years
e	Annual shortfall 2022-2031	(c / d)	0
f	5 Year shortfall	(e x 5)	0
g	5-year requirement from 2022 (local housing need)	(665 x 5)	3,325
h	5 Year requirement + shortfall	(f + g)	3,325
i	Total requirement with 5% buffer	(h + 5%)	3,491
Therefore			
j	Annual requirement for 5 years	(i / 5)	698
k	Supply over 5-year period		4,260
l	District 5-year land supply	(k / j)	6.1 years

134. Table 2 demonstrates that there has been no shortfall of provision in the period up to 2022 (lines a to f), based on the requirements of the Local Plan trajectory and, more recently, the local housing need ('Standard Method'). The annual requirement from 2022 is based on the Standard Method figure at the time (line g) and the Council's evidence will update this as necessary. A 5% buffer is applied to the 5-year requirement (line i), as required by NPPF paragraph 74. There is no justification for a higher buffer as there has not been a recently-adopted local plan (10% buffer) or significant under-delivery over the last 3 years (20% buffer).

135. The resulting requirement is 698 dwellings in each of the next 5 years (line j) and there is a supply of 4,260 dwellings (line k). The supply of housing takes a cautious estimate and reflects the requirements of the NPPF (paragraph 74 and Annex 2) to identify 'a supply of specific deliverable sites'. Appendix 3 of the AMR sets out in detail how each of the components of supply is calculated and those elements that have been discounted or disregarded if they would not meet the NPPF definition of 'deliverable'. These sources are summarised below.

Table 3 - Total 5 Year Land Supply

Sources of supply	2022 Monitoring period	-2027
Commitments (large sites)	3524	
Commitments (small sites)	390	
SHELAA Sites	43	
Windfall	210	
Communal accommodation	93	
TOTAL	4,260	

136. The deliverable housing supply represents 6.1 years of the annual housing requirement, so comfortably exceeds the requirement to demonstrate a 5-year supply with a 5% buffer. The Council’s evidence will update the housing land supply position as necessary prior to the appeal inquiry. The Council will also seek to establish and agree which elements of the housing requirement or supply are challenged by the appellant and will focus its detailed evidence on those matters.

137. Notwithstanding the Council’s confidence in the adequacy of its housing supply, it will argue that, even if there were a land supply shortfall, the appeal site would not be a suitable location for general housing provision. The site is totally separate from any settlement and in a relatively isolated location that would not serve general housing needs. The Council is in the process of producing a new local plan which will cover the period to 2039, which is likely to be published in consultation draft form before the appeal inquiry. A very large number of sites are promoted by landowners and developers through the Strategic Housing and Employment Land Availability Assessment (SHELAA) and the Council will decide which of these may need to be allocated to meet longer-term housing needs through the local plan process. It is right that this is undertaken in a plan-led way rather than through ad hoc appeal decisions.

138. Even if NPPF paragraph 11(d) were triggered and Development Plan policies relating to housing supply found to be ‘out of date’, case law is clear that policies cannot be ignored and it is still necessary to consider the weight to be attached to them. That weight is a matter to be considered by the decision maker. The evidence shows there

is not a housing supply shortfall and that, even if there were, a local plan is already being progressed which could address it. There is, therefore, no need to allow the appeal for land supply reasons, especially given the minor contribution to housing supply that the site would make. The Inspector should continue to give significant weight to the Development Plan policies, even if paragraph 11(d) were engaged

Affordable Housing

139. The Appellant has argued that “The site is a form of affordable housing and meets a need for affordable housing”

140. However, the Appellant has not provided evidence that the accommodation provided meets the definition of Affordable Housing set out at Annex 2 of the NPPF by meeting all of the following conditions:

The rent is set in accordance with the Governments rent policy for Social Rent or Affordable Rent, or is at least 20% below market rents; and

The landlord is a registered provider; and

It includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

141. In any event, the proposal does not comply with policies 3, 4, 5, 7, 9, and 13, of the Affordable Housing SPD 2008 or meet the criteria set out in Policy CP3 and CP4 of the Local Plan Part 1;

It is not indiscernible from and well-integrated with market housing – there is no market housing

The scheme is not of a design and character appropriate to its location and causes harm to the character of the area and to other planning objectives (see above).

There is no evidence it would not meet long-term needs or remain available in perpetuity;

The Appellant has not demonstrated that the proposal has community support.

142. Furthermore, whatever the position of the appeal proposals, the NPPF does not require a separate housing land supply assessment to be carried out for affordable

housing and the information on general housing requirements and land supply includes affordable housing. Evidence on affordable housing needs, viability, site availability, etc was used to determine policies on affordable housing in the Local Plan. Affordable housing requirements have been determined through the Local Plan process and applied in accordance with Government advice. They will be updated as necessary through the emerging new local plan.

143. Even if there were a land supply shortfall, the appeal site would not be a suitable location for general housing provision. The site is not well related to any settlement and separate from facilities and services, which makes it even less well suited to affordable housing provision than it is for general housing. In any event, the existing accommodation on the site does not fall within any of the categories of 'affordable housing' (as defined by NPPF Annex 2) as it is not provided at least 20% below market rents/prices, or controlled to secure ongoing affordability. While it may be relatively low-cost accommodation, this is primarily because it is of poor quality and unauthorised. Such provision is not an appropriate solution to any problems of affordable housing provision that may be alleged.

144. The Council reserves the right to adduce further evidence on affordable housing issues when it has seen the appellant's justification for claiming a shortfall in provision.

Gypsy / Traveller Need and Supply

145. Policy TR5 of the DPD applies in cases where the intensification of existing sites is proposed. The proposal should be passed on a case by case basis in accordance with the provisions of Policy TR7 of the DPD. It will be necessary for the application to demonstrate the need for additional provisions in relation to Policy DM4, the lack of alternative provision, and specific circumstances of the Appellant.

146. The Council can demonstrate a 5-year supply of gypsy traveller accommodation but a shortfall in travelling showpersons sites of -8.

147. The Appellants state that there are not alternative available sites for them to move to but do not state what type of site they require. In any event the Council can demonstrate adequate supply of Gypsy and Traveller sites but a shortfall of Travelling Showpeople sites.

148. The Council monitors traveller site provision annually over a period from 1 September to 31 August, to reflect the base date of the Gypsy and Traveller Accommodation Assessment 2016 (GTAA). The level of need for gypsy, traveller and travelling showpersons accommodation is set in Local Plan Part 2 (policy DM4) and the Winchester Gypsy, Traveller and Travelling Showpeople Development Plan Document ('Traveller DPD'), which sets out policies and site allocations to secure the necessary provision. The GTAA breaks pitch and plot needs down into 5-year periods.
149. Local Plan Part 2 (LPP2) policy DM4 requires the provision of 'about 15 gypsy/traveller pitches and about 24 travelling showpeople's plots between 2016 and 2031'. The Traveller DPD made provision which it expected would result in a surplus of 16 gypsy and traveller pitches but was unable to identify sufficient sites for travelling showpeople. It therefore expected a shortfall of 8 showpersons' plots (Traveller DPD paragraph 2.11).
150. The Council's Authorities' Monitoring Report 2020-2021 (AMR) summarises the pitch/plot supply position at September 2021, reproduced in Table 4 below. The Appendix accompanying the AMR set out details of sites permitted since the base date of the GTAAA and current supply.

Table 4 - Gypsy and Traveller 5-Year Pitch / Plot Availability 2021-2026

Calculation	Gypsies & Travellers	Travelling Showpeople
a. 2016-2026 requirement + other proven need	12 + 4 = 16	21
b. Completions 2016-2021	34	4
c. Remaining 5-Year requirement 2021 – 2026 (a – b)	-18	17
d. Buffer (5% / 20%) (c x 5% or 20%)	0	0.9 / 3.4
e. Total 5 year requirement 2021 – 2025 with 5% / 20% buffer (c + d)	-18	18 / 20 (rounded)
f. Supply 2021-2026	10	7

g. Years pitch / plot supply	N/A - negative requirement	1.9 / 1.8
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151. The pitch/plot requirement (Table 4, line a) is calculated by taking the LPP2/GTAA requirement to 2026 (adding the 2016-2021 and 2021-2026 requirements) and adding an additional identified need of 4 pitches for gypsies and travellers. Sites 'completed' (authorised) since September 2016 are then subtracted (line b) and a buffer is added (line d), calculated for 5% and 20% in the absence of guidance in the Planning Policy for Traveller Sites (PPTS). The total requirement is set out (line e), this is a negative figure for gypsy and traveller sites in view of the large number of sites permitted compared to the requirement. The supply is then considered (line f) and the details of this are provided at Appendix 6 of the AMR.

152. There is a negative requirement for gypsy and traveller pitches (-18) compared to a 5-year supply of 10 pitches, so comparison of the 5-year requirement and supply for gypsies and travellers produces an infinite supply (line g). However, for travelling showpeople it has not been possible to demonstrate a 5-year supply and only 1.8 – 1.9 years' supply exists (depending on the buffer applied). Therefore, the evidence shows the Council can demonstrate a substantial supply of gypsy and traveller sites but not of travelling showpersons' sites. The assessment is based on the level of 'needs' established in the LPP2 and provided for through the Traveller DPD. These do not include any needs that may arise from Carousel Park itself, as it is not possible to do this until the characteristics of the occupiers and the planning status/restrictions on the site are clarified through this appeal.

153. Accordingly, the Council accepts that it is unable to demonstrate an adequate supply of travelling showpersons' sites which, according to the PPTS, '*should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission*' (PPTS paragraph 27). The advice is, therefore, very different to that for housing generally, as set out in the NPPF, whereby relevant policies may be rendered out-of-date if an adequate land supply is not demonstrated. The NPPF confirms the different approach: '*for the avoidance of doubt, a five-year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document.*' (NPPF paragraph 74 / footnote 38).

154. Therefore, the lack of an adequate supply of sites for travelling showpeople is a *'significant material consideration'* in this appeal but does not render policies for the supply of traveller sites or general housing out of date under NPPF paragraph 11(d). Conversely, given the adequacy of supply of gypsy and traveller sites (and general housing), the need for these sites is not *'a significant material consideration'*. While the PPTS refers to applications for temporary consent, the appeal site already has consent for travelling showpersons use and the enforcement notices seek to ensure that this is followed. The lack of available sites for travelling showpeople, whether temporary or permanent, is a significant material consideration, especially in view of the lack of showpersons' sites available to meet overall needs, not just those within the immediate 5-year period. Upholding the enforcement notices would enable several showpersons plots to be used for their intended and permitted purpose.

155. In conclusion, the retention of a site that is allocated and authorised for travelling showpersons' use is a *'significant material consideration'*, given the lack of an adequate supply of such sites and the difficulty the Council has experienced in finding adequate sites through the Traveller DPD. The replacement of the existing authorised showpersons' use by consent for other forms of accommodation, for which there is an adequate 5-year supply, is unjustified and would exacerbate the shortfall of showpersons' accommodation and conflict with the policies of the Development Plan.

Failure of Policy

156. The Council have up-to-date and adequate policies for the provision of Gypsy and Traveller pitches, Travelling Showperson sites, and housing supply (see above).

157. The proposal would conflict with policies designed to meet an identified need.

Personal Circumstances

158. The Appellants have not provided any details of any personal circumstances or any children who are currently or would occupy the site in response to the enforcement notices or PCN's.

Planning balance

159. The Council will demonstrate that the proposal would be contrary to the Development Plan and that there are no material considerations which would outweigh that conflict. Even if paragraph 11 of the NPPF is engaged (which the Council disputes), the Council will demonstrate that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

In relation to EN4 only (APP/L1765/C/22/3296503; 3296504)

160. The Appellants state that the site will meet the needs of the Gypsy / Traveller community, and states that there is “no plausible reason” not to grant planning permission.

161. The Appellants refer to the decision of the Inspector in the 2011 enforcement appeal, without reference to the subsequent appeals to the High Court and Court of Appeal. Those subsequent appeals resulted in the Inspector’s 2011 decision being quashed, with the matter being remitted to the Secretary of State for redetermination (see above).

162. The appeal site is not occupied by members of the Gypsy and Traveller community and does not meet that need.

163. The Council’s position regarding supply is set out above.

Ground f) – that the requirements of the notice exceed what is necessary to remedy the breach of planning control

In relation to EN1 and EN2 only (APP/L1765/C/22/3296767; 3296771; 3296773; 3296776; 3296778; 3296781; 3296783)

164. The Appellants take issue with requirement 3 of EN1, which requires “the restoration of the land to its condition before the breach took place” and with requirements 2 and 3 of EN2.

165. Requirement 2 of EN2 states: “cease the use of the Land for occupation by more than 50 people (condition 15)”. Requirement 3 of EN2 states: “restore the layout of the land to comprise no more than 9 family pitches as shown on the attached plan 02-44-01 of December 2022 (condition 11)”.

166. The Appellants state that the requirements are excessive because different parts of the appeal site were developed at different times and the breach could only have occurred at one point in time.

167. This ground of appeal is based on a similar misconception noted above in respect of Ground (b).

168. It does not matter when the change in use of the Land occurred or whether that change of use occurred at different times in different parts of the site. The requirements of the notice are simply to restore the land to the condition it was in prior to the breaches specified in the notice in each case, whenever they occurred.

169. The requirements specified in the notice are commonplace and there is nothing excessive in them.

170. Insofar as the Appellants argue that certain of the matters are immune from enforcement, that is not relevant to Ground (f) but rather to Ground (d), and the Council’s position is as set out above.

In relation to EN4 only (APP/L1765/C/22/3296503; 3296504)

171. The Appellants ground (f) case is based on the false assumption that the appeal site benefits from planning permission through the quashed appeal decision at LPA 11. In summary, it states that the authorized use of the appeal site is a residential caravan site, and that no remedial steps need to be undertaken.

172. As set out above, this is incorrect.

Ground g) – that the time given falls short of what should reasonably be allowed

In relation to all appeals.

173. The Appellant in EN1 and EN2 ask for 2 years and for EN4 12 months to comply with the enforcement notice respectively.

174. The Council have attempted to engage with occupiers of the appeal site without success (LPA 21).

175. If circumstances arise that justify an extension to the compliance period the Council would exercise its powers to extend that period. However, the Council does not accept that the Appellants have put forward circumstances which might justify allowing the appeal under Ground (g).

CONCLUSION

176. The Inspector will be invited to dismiss the appeals.

Mr P Burton
c/o Brimble Lea And Partners
Wessex House
High Street
Gillingham
Dorset SP8 4AG

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Case No: 02/01022/FUL
W Ref No: W05589/12
Grid Ref: 454108 141899

Change of use of agricultural land to travelling showpeoples' site

Land Rear Drivers Diner Micheldever Winchester Hants

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority hereby GRANT permission for the above development(s) in accordance with the plans and particulars submitted with your application received on 18 April 2002 as amended by plans received on 6 January 2003 and subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

2. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall include a method statement demonstrating that the scheme can be implemented without damage to existing trees and shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

3. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan for each pitch indicating the positions, design, materials and type of boundary treatment and gates to be erected, the position of all areas of hardstanding and storage, the position and sizes of all residential caravans and any other temporary or permanent structures or buildings and the areas of open amenity space. Development shall be carried out in accordance with the approved details before the pitches are first occupied.

Reason: In the interests of the visual amenities of the area and to control and define the use of the site.

5. No vehicles, equipment, caravans, mobile homes or other structures on the site are to exceed 4.5 metres in height above ground level.

Reason: In the interests of the visual amenity of the area.

6. Details of any floodlighting to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The floodlighting shall be installed, operated and maintained in accordance with the approved scheme.

Reason: In the interests of the amenities of the occupants of nearby properties.

7. No maintenance, repairs or testing of equipment or vehicles shall be carried out other than between the hours of 0730 and 1800 Monday to Friday and 0730 and 1800 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

8. The access road shall be constructed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained for the access and turning of vehicles and for no other purpose.

Reason: In order to protect the amenities of the locality.

9. The site shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory provision of foul and surface water drainage.

10. There shall be a maximum of three caravans or mobile homes occupied for residential purposes on each pitch. Any additional touring caravans used by the travelling showpeople may be stored within the defined storage areas but may not be occupied for residential purposes at any time.

Reason: To control the number of residential mobile homes and caravans on the site in the interest of the amenity of the area.

11. There shall be no more than 9 family pitches on the site and the pitches may not be sub-divided at any time.

Reason: To control the use of the site and to prevent the sub-division of pitches in the interests of local amenity.

12. There shall be no open storage within the pitches other than within the approved storage areas. The defined storage areas shall not exceed 50% of the area of each pitch.

Reason: In order to protect the amenities of the locality.

13. In the event that the site ceases to be used for the purposes of travelling showpeople, it shall be restored to its former condition. All structures, hardstandings, equipment, vehicles and materials brought onto the site in connection with the use shall be permanently removed from the land within 12 months of the use ceasing.

Reason: To protect the local environment from unnecessary development should the use cease in the future, in an area of countryside where development is only permitted for exceptional reasons.

14. The bunds and ditches shall be constructed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The works shall be completed before the site is first occupied.

Reason: In the interests of the visual amenity of the area.

15. No more than 50 people shall occupy the site at any time.

Reason: To control the number of people occupying the site in the interest of the amenity of the area.

Informatives:

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, C2, T5, E6, E8

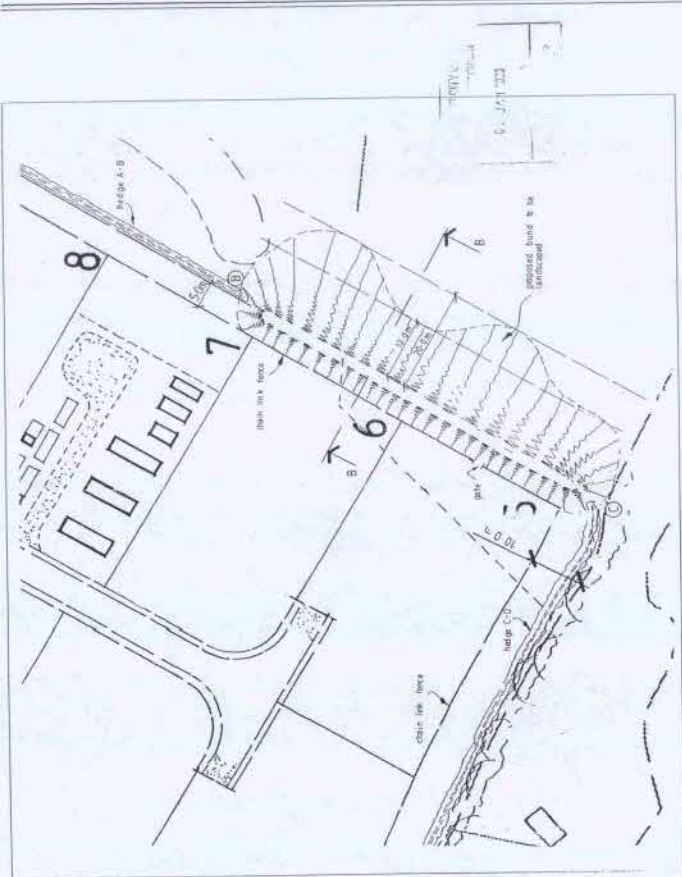
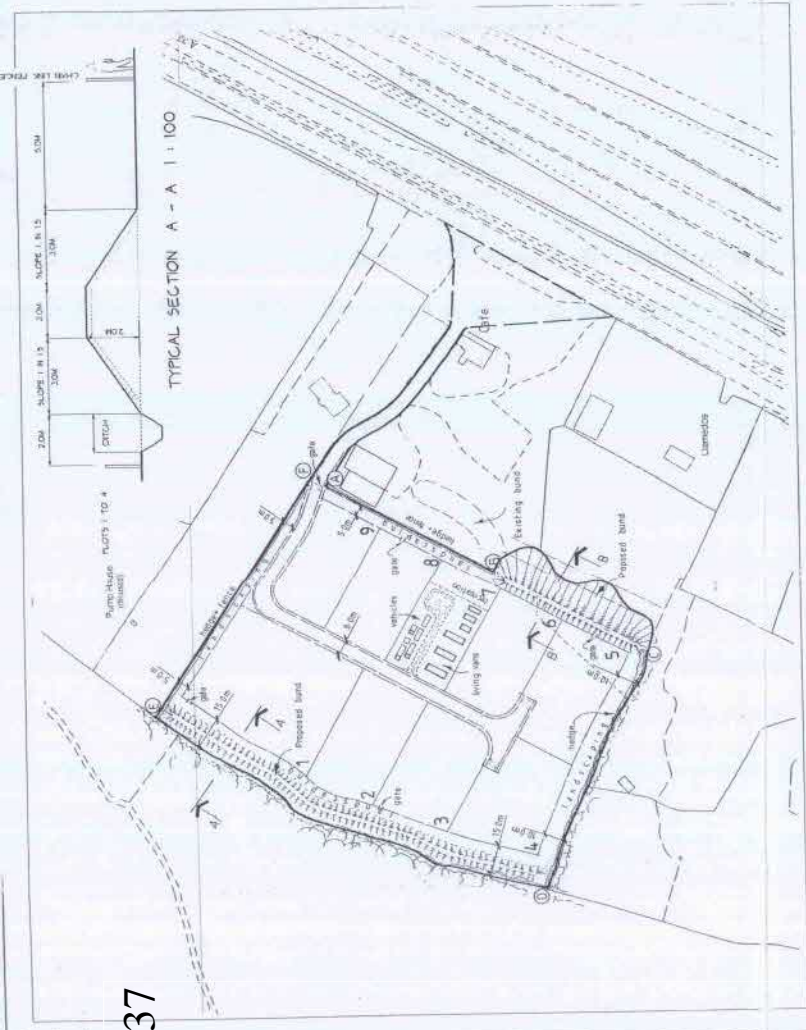
Winchester District Local Plan Proposals: C1, C2, C7, C16, C23, EN4, EN5, EN7, EN15, T8, T9

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, DP5, DP6, DP14, C1, C6, C9, C26, T2, T4



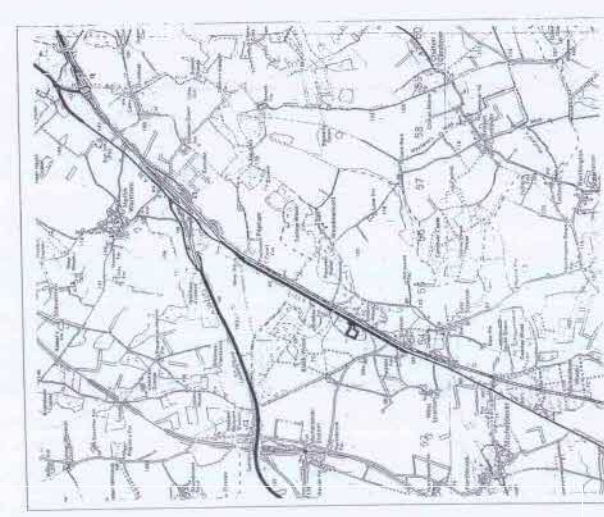
Director of Development Services
2 October 2003

**PLANS WERE
HERE IN THIS
DOCUMENT.
THEY HAVE BEEN
SCANNED AND
INDEXED AS
'PLANS'.**



BLOCK PLAN 1:500 BUND DETAILS ADJACENT PLOTS 5 AND 6
BASED ON SURVEY OF SU 244

BLOCK PLAN 1:1250
THE PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR THE CONTROL OF A HIGHWAY OR BRIDGE
CROWN COPYRIGHT RESERVED



LOCATION PLAN 1:50000
THE PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR THE CONTROL OF A HIGHWAY OR BRIDGE
CROWN COPYRIGHT RESERVED

- LANDSCAPING**
1. SITE DESIGNER PLANTED ALONG THE NORTH EASTERN BOUNDARY AND WEST SIDE OF THE BUND WITH THE FOLLOWING SPECIFICATIONS:

PLANT	SIZE
WILD MAIZE	0.45 - 0.6M BARE ROOT
SPRING BLOSSOM	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
 2. BOUNDARY EDGE MAY BE EITHER RECESSED AND FINISHED WITH CONCRETE OR WITH A DOUBLE STRIPPED FENCE.

PLANT	SIZE
WILD MAIZE	0.45 - 0.6M BARE ROOT
SPRING BLOSSOM	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
 3. BUNDING IS TO BE 1.5M HIGH TO THE TOP OF THE BUND WITH A DOUBLE STRIPPED FENCE.

PLANT	SIZE
WILD MAIZE	0.45 - 0.6M BARE ROOT
SPRING BLOSSOM	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
 4. 1.5M / 1.0M WIDE LANDSCAPING AREAS AND BUND PLANTING.

PLANT	SIZE
WILD MAIZE	0.45 - 0.6M BARE ROOT
SPRING BLOSSOM	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
 5. BUNDING IS TO BE 1.5M HIGH TO THE TOP OF THE BUND WITH A DOUBLE STRIPPED FENCE.

PLANT	SIZE
WILD MAIZE	0.45 - 0.6M BARE ROOT
SPRING BLOSSOM	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
WINDMILL	0.45 - 0.6M BARE ROOT
 6. PLOTS 1, 2, 3 AND 4 SHALL HAVE A RECESSED GATE FINISHED WITH THE CHAIN LINK FENCE TO ALLOW ACCESS FOR THE UNLOADING OF THE UNLOADING PLATFORM.

- REVISIONS**
- A. PROPOSED BUND SITE LAYOUT
 - B. PROPOSED BUNDING AND LANDSCAPING
 - C. BUNDING AND LANDSCAPING REQUIREMENTS

SCANNED
27 MAR 2008

BRIMBLE, LEA & PARTNERS

Client Details:
Brimble, Lea & Partners

Project:
CHANGE OF USE OF LAND TO
HARVESTING DISCIPLED SITE
AND LAND TO
DISCIPLED SITE
HARVESTING

Drawing:
LOCATION AND BLOCK PLAN

Scale:
1:500

Date:
02-11-07

Author:
C

TYPICAL SECTION B - B 1:100

1. BUND TO BE 1.5M HIGH TO THE TOP OF THE BUND WITH A DOUBLE STRIPPED FENCE. PLANTING TO BE PLANTED ALONG THE NORTH EASTERN BOUNDARY AND WEST SIDE OF THE BUND WITH THE FOLLOWING SPECIFICATIONS:

2. BOUNDARY EDGE MAY BE EITHER RECESSED AND FINISHED WITH CONCRETE OR WITH A DOUBLE STRIPPED FENCE.

3. BUNDING IS TO BE 1.5M HIGH TO THE TOP OF THE BUND WITH A DOUBLE STRIPPED FENCE.

4. 1.5M / 1.0M WIDE LANDSCAPING AREAS AND BUND PLANTING.

5. BUNDING IS TO BE 1.5M HIGH TO THE TOP OF THE BUND WITH A DOUBLE STRIPPED FENCE.

6. PLOTS 1, 2, 3 AND 4 SHALL HAVE A RECESSED GATE FINISHED WITH THE CHAIN LINK FENCE TO ALLOW ACCESS FOR THE UNLOADING OF THE UNLOADING PLATFORM.



TYPICAL SECTION A - A 1 : 100

Pump House (disused)
FLOTS 1 TO 4

Liamedos

5441/4.

~~CONFIDENTIAL~~

DATED 25th September 2003

FRENNY DOE (1)

and

PATRICK BURTON (2)

and

WINCHESTER CITY COUNCIL (3)

and

LLOYDS TSB BANK PLC (4)

D E E D OF VARIATION

S.106 Town and Country Planning Act 1990
concerning Land rear of Drivers Diner
Micheldever Winchester Hampshire

Stephen Whetnall L.LB (Hons)
City Secretary and Solicitor
Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire

CT/PL1/6/623

T113092

THIS DEED OF VARIATION is made the 25th day of September Two thousand and three BETWEEN FRENNY DOE of Four Oaks Park Braydon Road Lydiard Plain Swindon Wiltshire SN5 0AL (hereinafter called "the Owner") of the first part and PATRICK BURTON of 2 The Nurseries Botley Road Shedfield Hampshire SO32 2HL (hereinafter called "the Developer") of the second part and WINCHESTER CITY COUNCIL of City Offices Colebrook Street Winchester (hereinafter called "the Council") of the third part and LLOYDS TSB BANK PLC (Company registration number 2065) of Plymouth Securities Centre P.O. Box 300, 8 Royal Parade, Plymouth PL1 1JW (hereinafter called "the Lender") of the fourth part

RECITALS

- (1) The Owner is the registered proprietor of land known as land rear of Drivers Diner Micheldever Winchester Hampshire which includes other land and is registered at HM Land Registry with freehold title absolute under Title Number HP 518980 subject to a mortgage dated 9 February 1996 in favour of the Lender but otherwise free from encumbrances
- (2) That part of the Owner's land (hereinafter called "the Land") to which the obligations set out below relate is shown on the plan annexed hereto and thereon edged in green
- (3) The Council is the Local Planning Authority for the purpose of the Town and Country Planning Act 1990 as amended ("the Act") for the area within which the Land is situate
- (4) This Deed is supplemental to a Deed dated 31 January 1995 between the Council (1) Christopher Kim Wood and Colin Richard Jennings (2) Frennie Doe Senior (3) and Barclays Bank plc (4) as varied by a Deed of Variation dated 7 December 1998 between the Council (1) Frenny Doe (2) and Lloyds Bank plc (3) (hereinafter together called "the Original Agreement As Varied")

III 3092

- (5) The parties hereto have agreed to vary the terms of the Original Agreement As Varied in manner hereinafter appearing.
- (6) This Deed is a Planning Obligation made pursuant to Section 106 of the Act (as amended by Section 12 of the Planning and Compensation Act 1991) and all other powers enabling the parties hereto
- (7) The Lender has agreed to enter into this Deed in manner hereafter appearing.

NOW WITH THIS DEED WITNESSETH as follows:

1. In this Deed:-
 - 1.1 Words importing the masculine gender include the feminine and vice versa
 - 1.2 Words importing the singular include the plural and vice versa
 - 1.3 Words importing persons include companies and corporations and vice versa
 - 1.4 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and against each individually
 - 1.5 Any reference to a clause or schedule or plan is to one in or attached to this Deed
 - 1.6 Any reference to a colour or letter is to a colour or letter on the plan attached to this Deed
 - 1.7 In the absence of contrary provision any reference to a statute includes any statutory modification or re-enactment of it and every statutory instrument direction or specification made or issued under the statute or deriving validity from it

III 3092

- 1.8 References to any party to this Deed shall include the successors in title to that party and to any deriving title through or under that party and in the case of the Council the successors to its function as local planning authority
- 1.9 "agreed" or "approved" means agreed or approved in writing and given for the purpose of this Deed
2. The Owner and the Developer hereby covenant as follows:-
 - (a) the building on the Land shown edged blue on the plan annexed hereto shall not be used other than for agricultural purposes
 - (b) that part of the Land shown edged brown on the plan annexed hereto shall be used as an access from the public highway to the land forming the subject matter of the planning application dated 16 April 2002 under Planning Reference Number WO5589/12 and such access shall hereafter remain available for use by the lawful occupiers of the said land
3. The parties hereto confirm that the covenants and conditions contained in the Original Agreement As Varied (save as varied or discharged by this Deed) shall continue in full force and effect
4. The Owner and the Developer agree with the Council to pay the Council's reasonable legal costs in connection with this Deed on the date hereof
5. The Lender hereby consents to the Owner and the Developer entering into the covenants in this Deed
- 6.1 This Agreement constitutes a Deed
- 6.2 This Deed and the planning obligations in it are enforceable by the Council
- 6.3 This Deed shall be registered as a Local Land Charge by the Council pursuant to the provisions of the Local Land Charges Act 1975 and Section 106 (11) of the Act
- 6.4 No person shall be liable for breach of a covenant contained in this Deed after he shall have parted with all interest in the Land or the part in respect

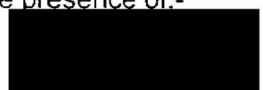
III 3092

of which such breach occurs but without prejudice to liability for any subsisting breach of covenant prior to parting with such interest

7. Nothing in this Deed shall be construed as restricting the exercise by the Council of any powers exercisable by it under the Act or under any other Act PROVIDED ALWAYS that this Agreement shall remain in full force and effect notwithstanding the terms and conditions of any planning permission which may or has been at any time issued by the Council or any other appropriate person or Authority pursuant to the provisions of that Act or any statutory amendment or re-enactment thereof

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

SIGNED as his Deed by the said)
FRENNY DOE)
in the presence of:-)



TJGARDNER
4 High Street
Brims Waltham
Surrey SM5 2 1AB
Chartered Surveyor

SIGNED as his Deed by the said)
PATRICK BURTON)
in the presence of:-)



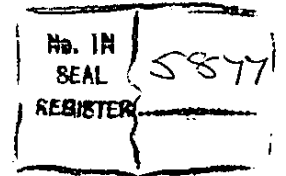
TJGARDNER
4 High Street
Brims Waltham
Surrey SM5 2 1AB
Chartered Surveyor

III 3092

THE COMMON SEAL of WINCHESTER)
CITY COUNCIL was hereunto affixed)
in the presence of:-)



City Secretary and Solicitor



THE COMMON SEAL of)
LLOYDS TSB BANK PLC)
was hereunto affixed in the)
presence of:-)

Signed	Robin Bari er	
as Auth	er Lloyds TSB Bank plc	plc
in the	ure of witness).	
<p><i>Handwritten signature</i></p>		
<p>Bank Office PLYMOUTH SECURITIES CENTRE Dept. 9085, P.O. Box 300, Royal Parade, Plymouth, Devon, PL1 1JW.</p>		

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE (EN1)

**ISSUED BY: WINCHESTER CITY COUNCIL
("the Council")**

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21 3BW shown edged in bold black on the attached plan ("the Land").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the material change of use of the Land to a residential caravan site, including the stationing of approximately 100 caravans for residential use ("the Unauthorised Use").

4. REASONS FOR ISSUING THIS NOTICE

The Council considers it expedient to issue this notice because:

The above breach of planning control occurred within the last 10 years.

The use of the Land as a residential caravan site is contrary to policy TR3 of the Winchester Gypsy and Traveller DPD 2019 ("the DPD") - the Land is allocated for travelling showpersons' use and should be occupied by people meeting the definition of travelling showpeople in order to meet an identified need. (W020).

There are approximately 100 caravans, static caravans, or park homes on the site, which is outside any defined settlement and subject to policy MTRA4 of the Winchester District Local Plan Part 1 which resists residential development

unless there is an operational need for a countryside location. The site is safeguarded for travelling showpersons' plots (policies TR1 and TR3) and it has not been demonstrated that there is a need for additional provision in accordance with the requirements of policy TR5. The breach is detrimental to the protection of the countryside and the amenities of occupiers of the site.

The visual impact of the site on the adjacent Black Wood SINC and its locality is not contained through the provision and retention of a suitable bund and landscaping around the whole site boundary contrary to policies TR3 and TR7 of the DPD and policies DM1, DM16, and DM23 of the Local Plan Part 2.

Due to its layout and density the site does not provide sufficient vehicle turning space or minimise conflict between pedestrians and vehicles contrary to policies TR7 of the DPD and DM18 of the Local Plan Part 2.

The density of the site does not allow for mixed-use yards that would accommodate space for the storage of equipment associated with the needs of travelling showpeople contrary to policy TR7 of the DPD and Policy F paragraph 19 of DCLG Planning Policy for Traveller sites 2015.

The site lacks an adequate area of open space for safe children's play contrary to policies TR7 of the DPD and DM17 of the Local Plan Part 2.

Details of wastewater infrastructure, including a foul drainage assessment and surface water drainage have not been provided contrary to policy TR7 of the DPD.

Adequate and appropriate provision for the safe storage of waste and recycling is not provided contrary to policies TR7 of the DPD and DM17 of the Local Plan Part 2.

Commercial activities take place on the land contrary to policy TR7 of the DPD.

The site is away from existing settlements, is outside areas allocated in the development plan, and is not well planned or soft landscaped in such a way that positively enhances the environment, increases openness, and promotes healthy lifestyles contrary to Policy H paragraph 25 and 26 of DCLG Planning Policy for Traveller sites 2015.

5. WHAT YOU ARE REQUIRED TO DO TO REMEDY THE BREACH OF PLANNING CONTROL

1. Cease the use of the Land as a residential caravan site;
2. Remove all caravans, park homes, mobile homes, hardstanding, hard surfacing, fencing, walls, gates, services, storage containers, sheds, porta-

loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, lighting, and any other items associated with the Unauthorised Use from the Land;

3. Restore the Land to its condition before the breach of planning control took place.

6. TIME FOR COMPLIANCE

6 Months after this Notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 April 2022 unless an appeal is made against it beforehand.

Dated: 1 March 2022

Signed:



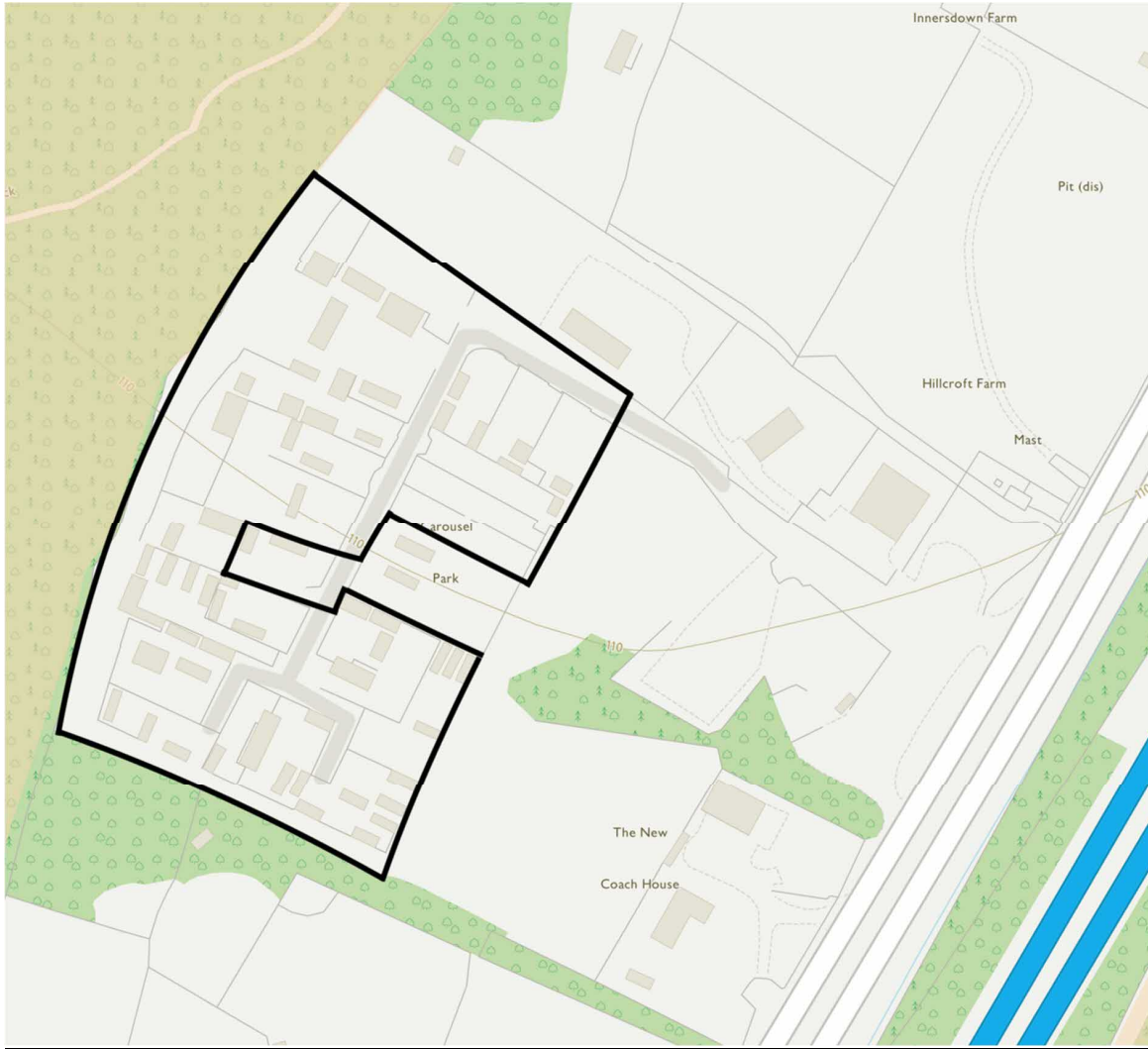
Service Lead – Legal on behalf of Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ

Nominated Officer: Julie Pinnock

Telephone Number: 01962 848439

PLAN

Land at Carousel Park shown edged in bold black below.



ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

One copy of the enforcement notice is enclosed for your own records.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal. **Please see the enclosed information sheet at the end of the explanatory notes from The Planning Inspectorate which tells you how to make an appeal (alternatively please follow the below link).**

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**TOWN AND COUNTRY PLANNING ACT 1990**

(As amended by the Planning and Compensation Act 1991)

**ENFORCEMENT NOTICE
(EN2)**

**ISSUED BY: WINCHESTER CITY COUNCIL
("the Council")**

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (b) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21 3BW shown edged in bold black on the attached plan ("the Land").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the breach of conditions 10, 11, and 15 of planning permission 02/01022/FUL of 2 October 2003 being:

10. There shall be a maximum of three caravans or mobile homes occupied for residential purposes on each pitch. Any additional touring caravans used by the travelling showpeople may be stored within the defined storage areas but may not be occupied for residential purposes at any time.

11. There shall be no more than 9 family pitches on the site and the pitches may not be sub-divided at any time.

15. No more than 50 people shall occupy the site at any time.

4. REASONS FOR ISSUING THIS NOTICE

The Council considers it expedient to issue this notice because:

The above breach of planning control occurred within the last 10 years.

The use of the Land as a residential caravan site is contrary to policy TR3 of the Winchester Gypsy and Traveller DPD 2019 ("the DPD") - the Land is allocated for travelling showpersons' use and should be occupied by people meeting the definition of travelling showpeople in order to meet an identified need. (W020).

There are approximately 100 caravans, static caravans, or park homes on the site, which is outside any defined settlement and subject to policy MTRA4 of the Winchester District Local Plan Part 1 which resists residential development unless there is an operational need for a countryside location. The site is safeguarded for travelling showpersons' plots (policies TR1 and TR3) and it has not been demonstrated that there is a need for additional provision in accordance with the requirements of policy TR5. The breach is detrimental to the protection of the countryside and the amenities of occupiers of the site.

The visual impact of the site on the adjacent Black Wood SINC and its locality is not contained through the provision and retention of a suitable bund and landscaping around the whole site boundary contrary to policies TR3 and TR7 of the DPD and policies DM1, DM16, and DM23 of the Local Plan Part 2.

Due to its layout and density the site does not provide sufficient vehicle turning space or minimise conflict between pedestrians and vehicles contrary to policies TR7 of the DPD and DM18 of the Local Plan Part 2.

The density of the site does not allow for mixed-use yards that would accommodate space for the storage of equipment associated with the needs of travelling showpeople contrary to policy TR7 of the DPD and Policy F paragraph 19 of DCLG Planning Policy for Traveller sites 2015.

The site lacks an adequate area of open space for safe children's play contrary to policies TR7 of the DPD and DM17 of the Local Plan Part 2.

Details of wastewater infrastructure, including a foul drainage assessment and surface water drainage have not been provided contrary to policy TR7 of the DPD.

Adequate and appropriate provision for the safe storage of waste and recycling is not provided contrary to policies TR7 of the DPD and DM17 of the Local Plan Part 2.

Commercial activities take place on the land contrary to policy TR7 of the DPD.

The site is away from existing settlements, is outside areas allocated in the development plan, and is not well planned or soft landscaped in such a way that positively enhances the environment, increases openness, and promotes healthy lifestyles contrary to Policy H paragraph 25 and 26 of DCLG Planning Policy for Traveller sites 2015.

5. WHAT YOU ARE REQUIRED TO DO TO REMEDY THE BREACH OF PLANNING CONTROL

1. Cease the use of the Land for siting more than three caravans or mobile homes per pitch occupied for residential purposes (condition 10);
2. Cease the use of the Land for occupation by more than 50 people (condition 15);
3. Restore the layout of the Land to comprise no more than 9 family pitches as shown on the attached plan 02-44-01 of December 2002 (condition 11).

6. TIME FOR COMPLIANCE

6 Months after this Notices takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 April 2022 unless an appeal is made against it beforehand.

Dated: 1 March 2022

Signed:



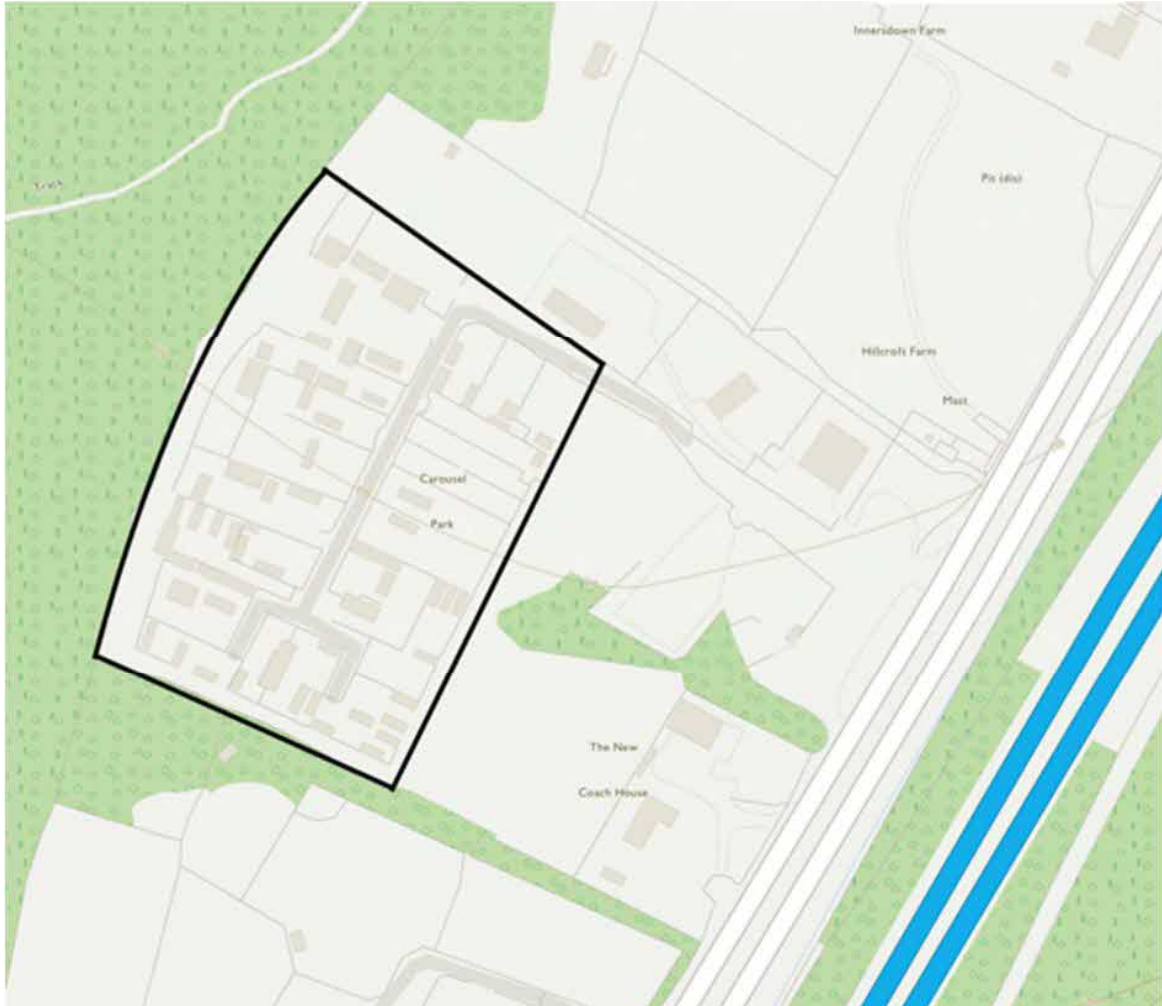
Service Lead – Legal on behalf of Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ

Nominated Officer: Julie Pinnock

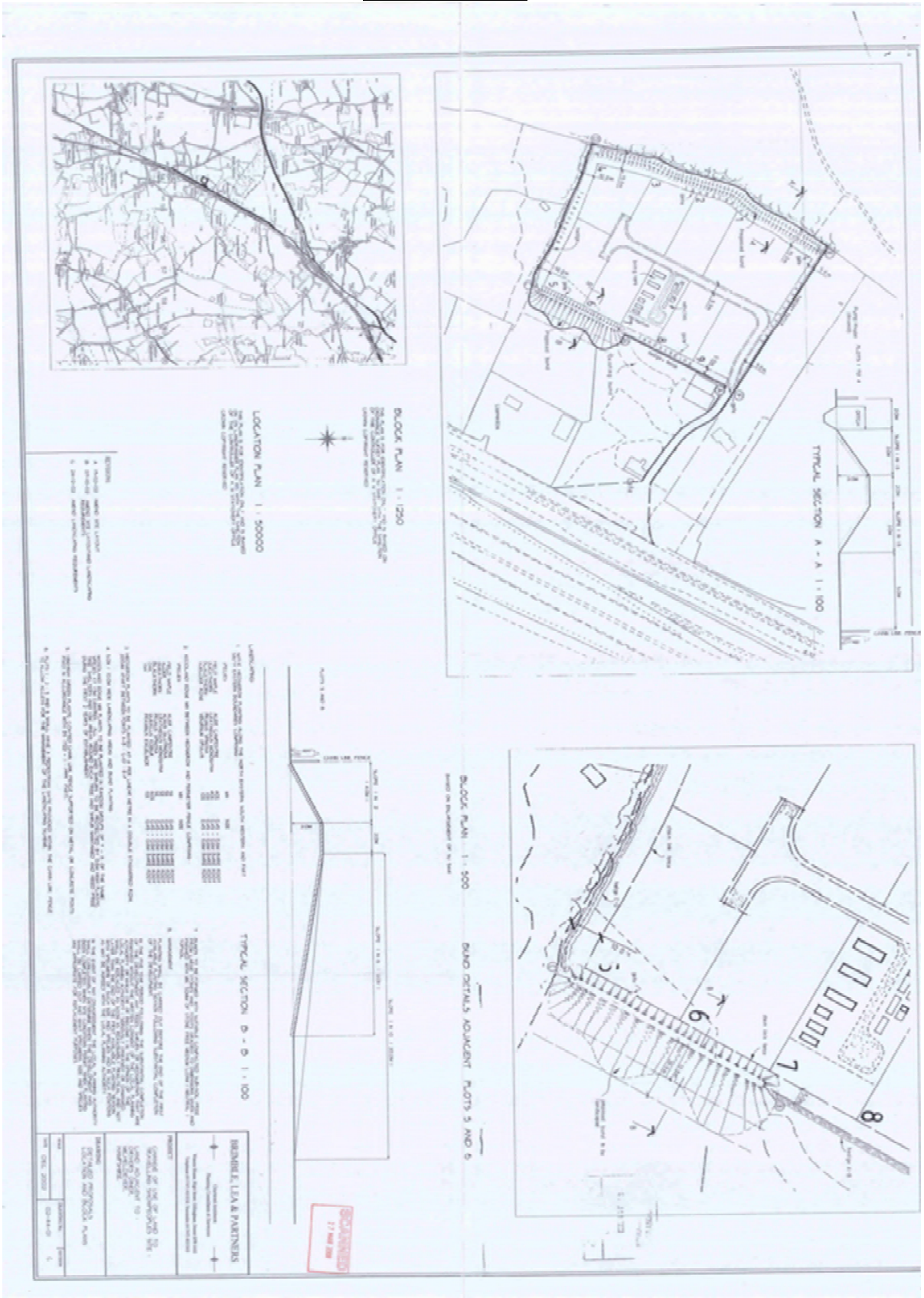
Telephone Number: 01962 848439

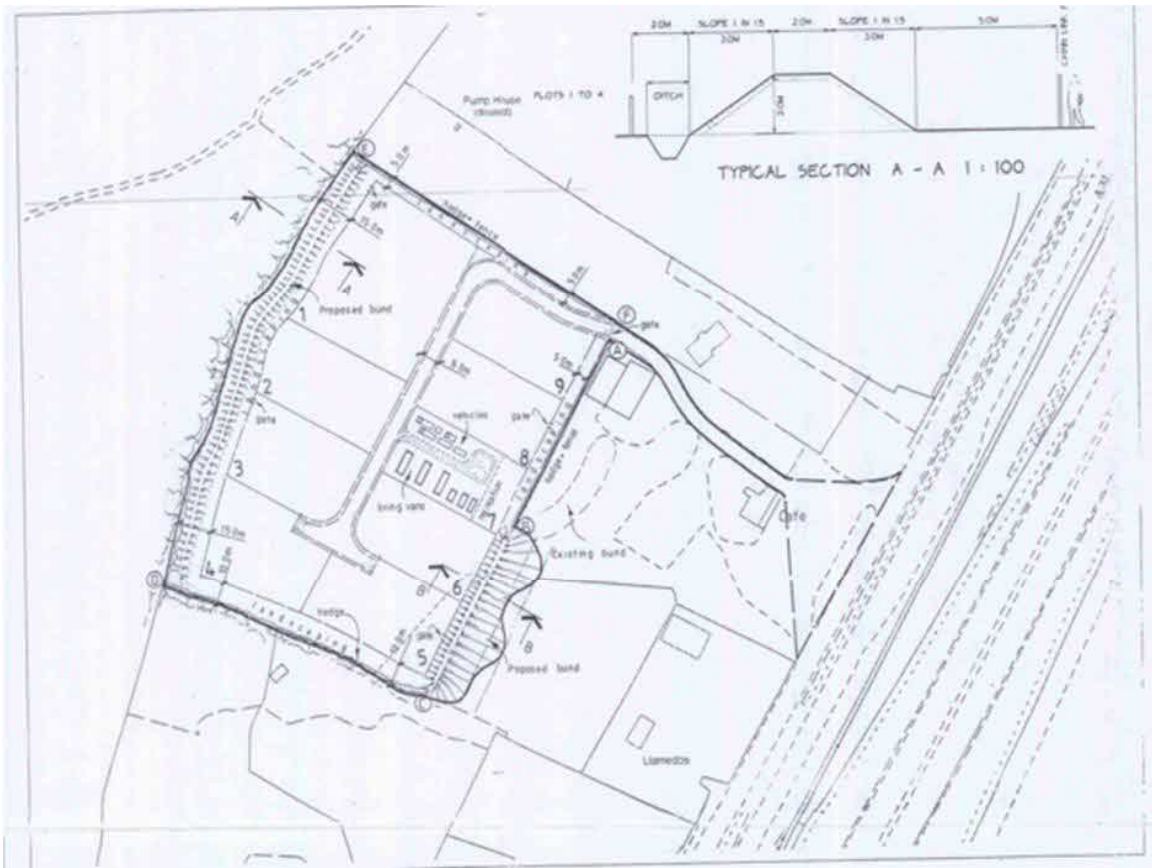
PLAN

Land at Carousel Park shown edged in bold black below.



02-44-01 PLAN





ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

One copy of the enforcement notice is enclosed for your own records.

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[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

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IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

**ENFORCEMENT NOTICE
(EN3)**

**ISSUED BY: WINCHESTER CITY COUNCIL
("the Council")**

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21 3BW shown edged in bold black on the attached plan ("the Land").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the material change of use of the Land to a residential caravan site for 10 caravans ("the Unauthorised Use").

4. REASONS FOR ISSUING THIS NOTICE

The Council considers it expedient to issue this notice because:

The above breach of planning control occurred within the last 10 years.

The use of the Land as a residential caravan site is contrary to policy MTRA4 of the Local Plan part 1. The Land is allocated for travelling showpersons' use and should be occupied by people meeting the definition of travelling showpeople in order to meet an identified need. (W020).

There are 10 caravans / static caravans on the Land. The number of caravans or other forms of accommodation is overly intensive and results in a lack adequate private outdoor amenity and recreational space, storage, or provision for parking

and turning which is detrimental to the occupiers of the Land and contrary to policy DM17 of the Local Plan Part 2 2017.

The development is outside of defined settlement boundaries and has an unacceptable effect on the rural character of the area through visual intrusion and incongruous features contrary to policy DM1 and DM23 of the Local Plan Part 2 2017.

The site does not provide boundary treatments that respond positively to the local context contrary to policy DM16 of the Local Plan Part 2 2017.

The site does not make adequate provision for refuse and recycling, provide amenity and recreational space for users, contrary to policy DM17 of the Local Plan Part 2 2017.

There is no identified need for a residential caravan site in the countryside, the site is not essential for operational reasons, and no landscape scheme has been provided contrary to policy DM10 of the Local Plan Part 2 2017.

The site does not provide adequate parking, or allow adequate access and movement within the site contrary to policy DM18 of the Local Plan Part 2 2017.

5. WHAT YOU ARE REQUIRED TO DO TO REMEDY THE BREACH OF PLANNING CONTROL

1. Cease the use of the Land as a residential caravan site;
2. Remove all caravans, mobile homes, park homes, hardstanding / hard surfacing, fencing, services, storage containers, sheds, porta-loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, and any other items associated with the Unauthorised Use from the Land;
3. Restore the Land to its condition before the breach of planning control took place.

6. TIME FOR COMPLIANCE

6 Months after this Notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 April 2022 unless an appeal is made against it beforehand.

Dated: 1 March 2022



Signed:

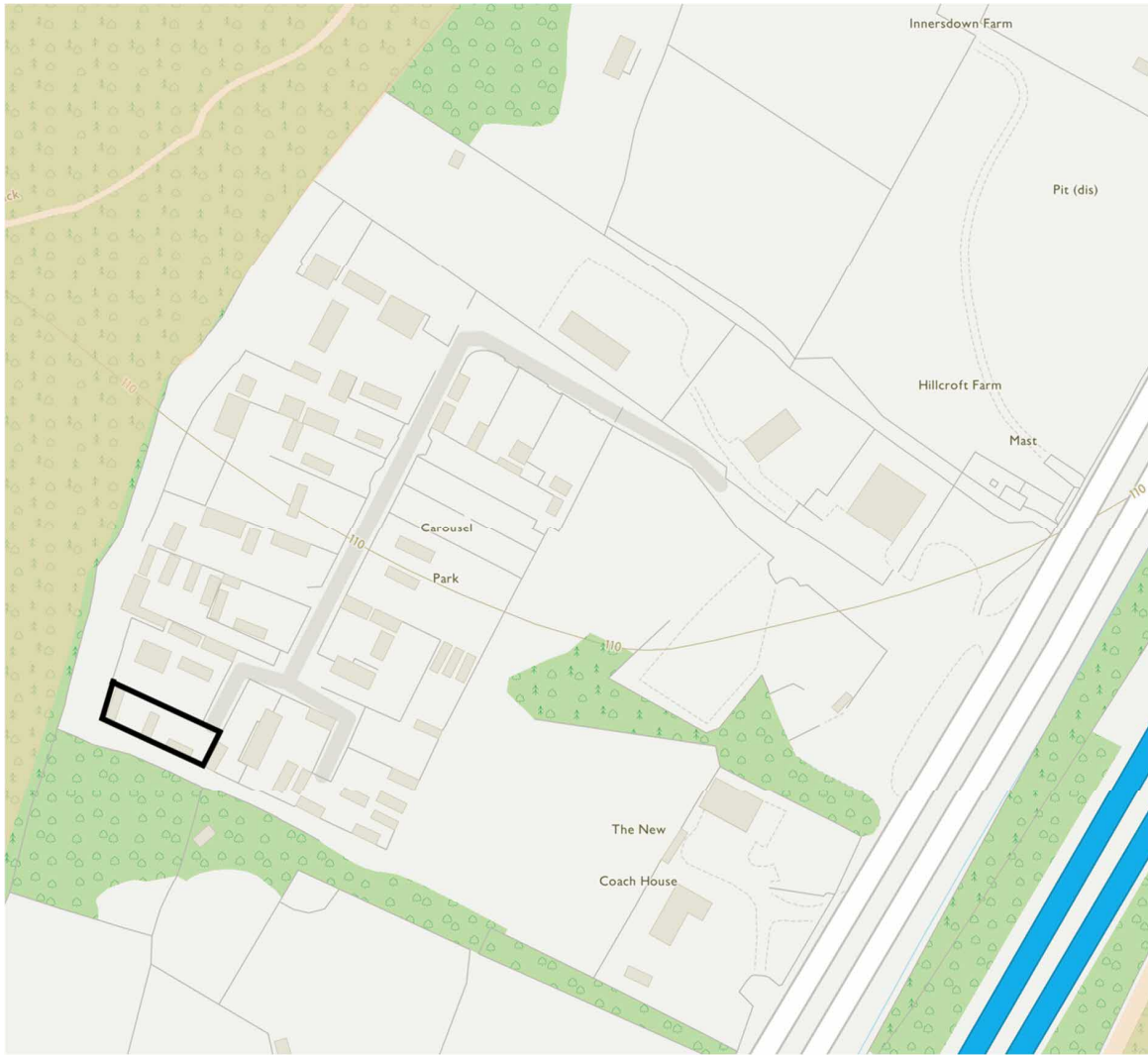
Service Lead – Legal on behalf of Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ

Nominated Officer: Julie Pinnock

Telephone Number: 01962 848439

PLAN

Land at Carousel Park shown edged in bold black.



ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

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WHAT HAPPENS IF YOU DO NOT APPEAL

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IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

**ENFORCEMENT NOTICE
(EN4)**

**ISSUED BY: WINCHESTER CITY COUNCIL
("the Council")**

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire, SO21 3BW shown edged in bold black on the attached plan ("the Land").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the material change of use of the Land to a residential caravan site for 10 caravans ("the Unauthorised Use").

4. REASONS FOR ISSUING THIS NOTICE

The Council considers it expedient to issue this notice because:

The above breach of planning control occurred within the last 10 years.

The use of the Land as a residential caravan site is contrary to policy MTRA4 of the Local Plan part 1. The Land is allocated for travelling showpersons' use and should be occupied by people meeting the definition of travelling showpeople in order to meet an identified need. (W020).

There are 10 caravans / static caravans on the Land. The number of caravans or other forms of accommodation is overly intensive and results in a lack adequate private outdoor amenity and recreational space, storage, or provision for parking

and turning which is detrimental to the occupiers of the Land and contrary to policy DM17 of the Local Plan Part 2 2017.

The development is outside of defined settlement boundaries and has an unacceptable effect on the rural character of the area through visual intrusion and incongruous features contrary to policy DM1 and DM23 of the Local Plan Part 2 2017.

The site does not provide boundary treatments that respond positively to the local context contrary to policy DM16 of the Local Plan Part 2 2017.

The site does not make adequate provision for refuse and recycling, provide amenity and recreational space for users, contrary to policy DM17 of the Local Plan Part 2 2017.

There is no identified need for a residential caravan site in the countryside, the site is not essential for operational reasons, and no landscape scheme has been provided contrary to policy DM10 of the Local Plan Part 2 2017.

The site does not provide adequate parking, or allow adequate access and movement within the site contrary to policy DM18 of the Local Plan Part 2 2017.

5. WHAT YOU ARE REQUIRED TO DO TO REMEDY THE BREACH OF PLANNING CONTROL

1. Cease the use of the Land as a residential caravan site;
2. Remove all caravans, mobile homes, park homes, hardstanding / hard surfacing, fencing, services, storage containers, sheds, porta-loos, animal enclosures, vehicles, machinery, trailers, waste, construction materials, buildings, structures, and any other items associated with the Unauthorised Use from the Land;
3. Restore the Land to its condition before the breach of planning control took place.

6. TIME FOR COMPLIANCE

6 Months after this Notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 April 2022 unless an appeal is made against it beforehand.

Dated: 1 March 2022

Signed:



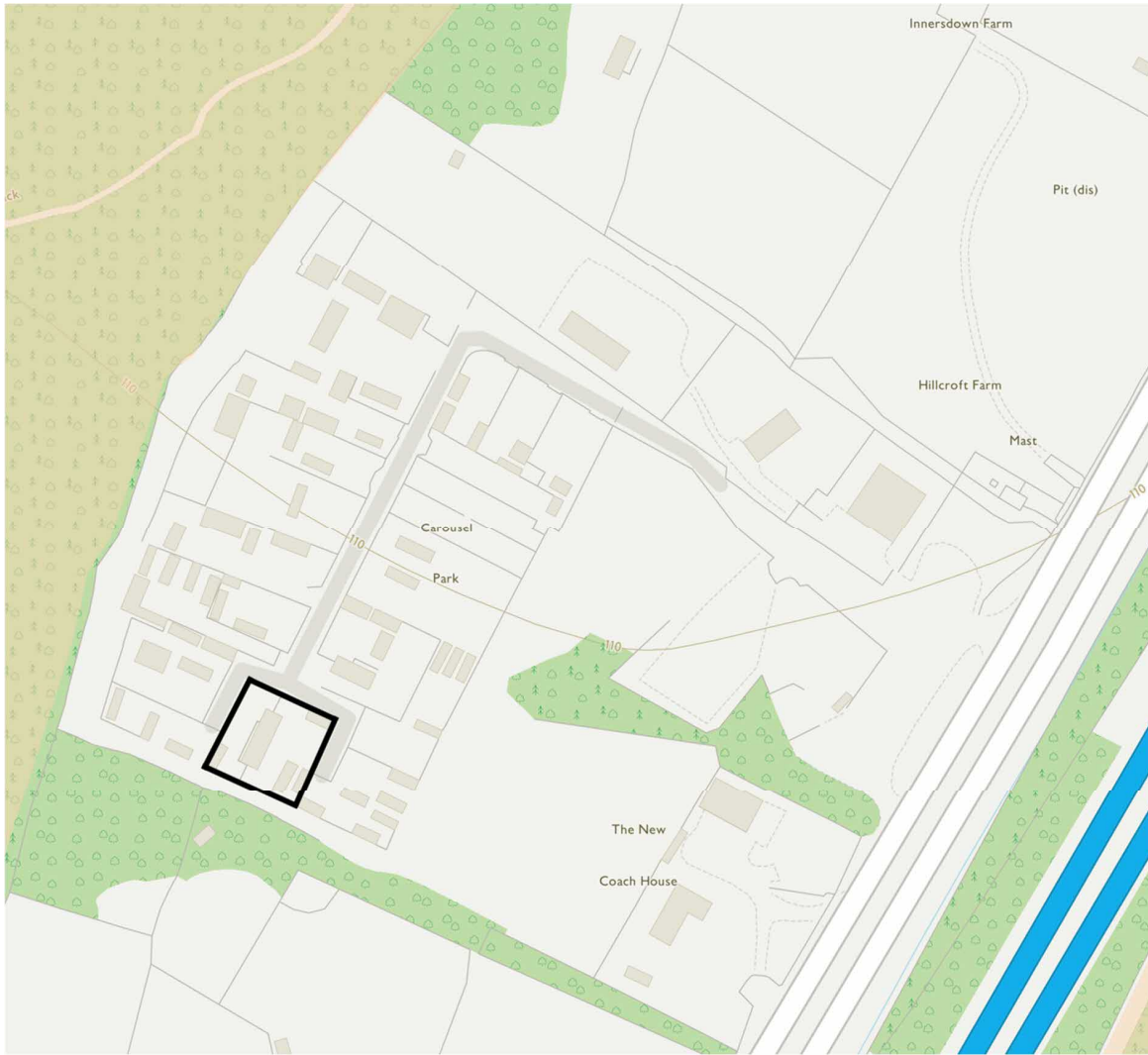
Service Lead – Legal on behalf of Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ

Nominated Officer: Julie Pinnock

Telephone Number: 01962 848439

PLAN

Land at Carousel Park shown edged in bold black.



ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

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[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Title Number : HP722336

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 1 MAR 2022 at 09:00:50 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP722336
Address of Property	: Plot 1, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW)
Price Stated	: £10,000
Registered Owner(s)	: DARREN LOVERIDGE of 18 Brunner Court, Ottershaw, Surrey KT16 0RG.
Lender(s)	: None

Title number HP722336

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:00:50. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Plot 1, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW).
- 2 (21.03.2005) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 7 March 2005 made between (1) Frenny Doe and (2) James Patrick Burton.

NOTE 1: The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980

NOTE 2: Copy filed under HP655638.

- 3 (21.03.2005) The Transfer dated 7 March 2005 referred to above contains provisions as to light or air and boundary structures.
- 4 (10.12.2009) The Transfer dated 5 November 2009 referred to in the Charges Register contains a provision as to light or air.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.12.2009) PROPRIETOR: DARREN LOVERIDGE of 18 Brunner Court, Ottershaw, Surrey KT16 0RG.
- 2 (10.12.2009) The price stated to have been paid on 5 November 2009 was £10,000.

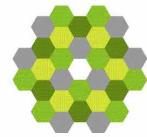
C: Charges Register

This register contains any charges and other matters that affect the land.

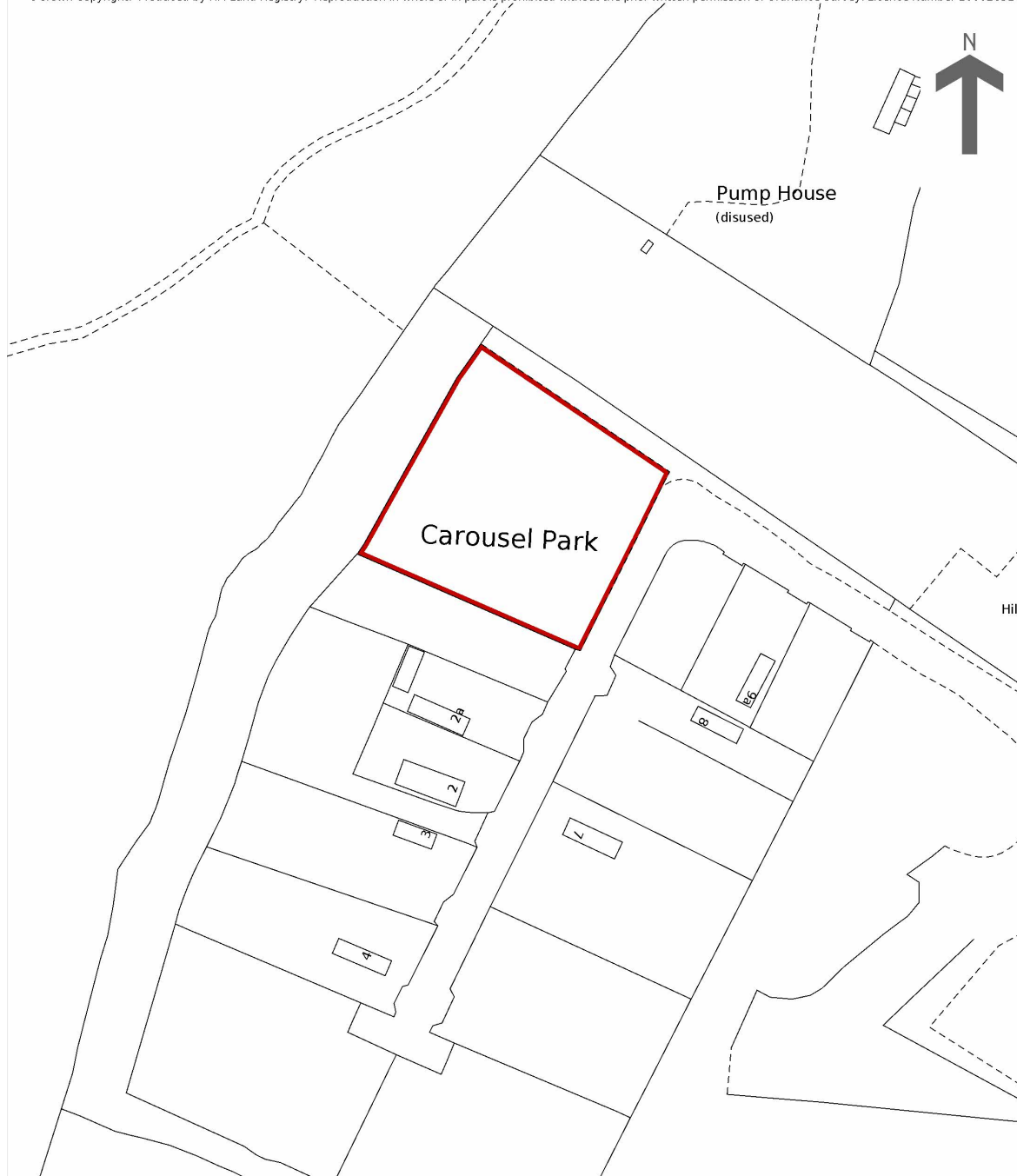
- 1 (10.12.2009) The land is subject to the rights reserved by a Transfer of the land in this title dated 5 November 2009 made between (1) James Patrick Burton and (2) Darren Loveridge.

NOTE: Copy filed.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP655638

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:02:40 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP655638
Address of Property	: land on the South West side of Plot 1, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW)
Price Stated	: £1,500
Registered Owner(s)	: BEVERLEY BLACK of Plot 2, Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW.
Lender(s)	: None

Title number HP655638

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:02:40. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the South West side of Plot 1, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW).
- 2 (21.03.2005) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 7 March 2005 made between (1) Frenny Doe and (2) James Patrick Burton.

NOTE 1: The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980

NOTE 2: Copy filed.

- 3 (21.03.2005) The Transfer dated 7 March 2005 referred to above contains provisions as to light or air and boundary structures.
- 4 (10.12.2009) The land has the benefit of the rights granted by a Transfer of the land edged and numbered HP722336 in green on the title plan dated 5 November 2009 made between (1) James Patrick Burton and (2) Darren Loveridge.

NOTE: Copy filed under HP 722336.

- 5 (10.12.2009) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been altered to reflect the land remaining in the title.

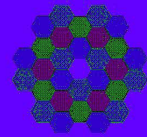
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (04.04.2011) PROPRIETOR: BEVERLEY BLACK of Plot 2, Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW.
- 2 (04.04.2011) The price stated to have been paid on 29 March 2011 was £1,500.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP648953

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:05:29 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP648953
Address of Property	: Plot 2 Drivers Diner, Old Basingstoke Road, Micheldever
Price Stated	: £56,000
Registered Owner(s)	: LINDA BLACK of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading.
Lender(s)	: None

Title number HP648953

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:05:29. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (30.09.2004) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 2 Drivers Diner, Old Basingstoke Road, Micheldever
- 2 (30.09.2004) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 21 May 2004 made between (1) Frenny Doe and (2) Linda Black.

NOTE 1:-The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980.

NOTE 2:-Copy filed.

- 3 (30.09.2004) The Transfer dated 21 May 2004 referred to above contains provisions as to light or air and boundary structures.

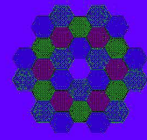
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (30.09.2004) PROPRIETOR: LINDA BLACK of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading.
- 2 (30.09.2004) The price stated to have been paid on 21 May 2004 was £56,000.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP648947

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:09:11 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP648947
Address of Property	: Plot 3 Drivers Diner, Old Basingstoke Road, Micheldever
Price Stated	: £45,000
Registered Owner(s)	: SUZANNE WALL of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading.
Lender(s)	: None

Title number HP648947

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:09:11. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 3 Drivers Diner, Old Basingstoke Road, Micheldever
- 2 (30.09.2004) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 21 May 2004 made between (1) Frenny Doe and (2) Suzanne Wall.

NOTE 1:-The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980.

NOTE 2:-Copy filed.

- 3 (30.09.2004) The Transfer dated 21 May 2004 referred to above contains provisions as to light or air and boundary structures.

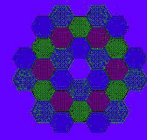
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

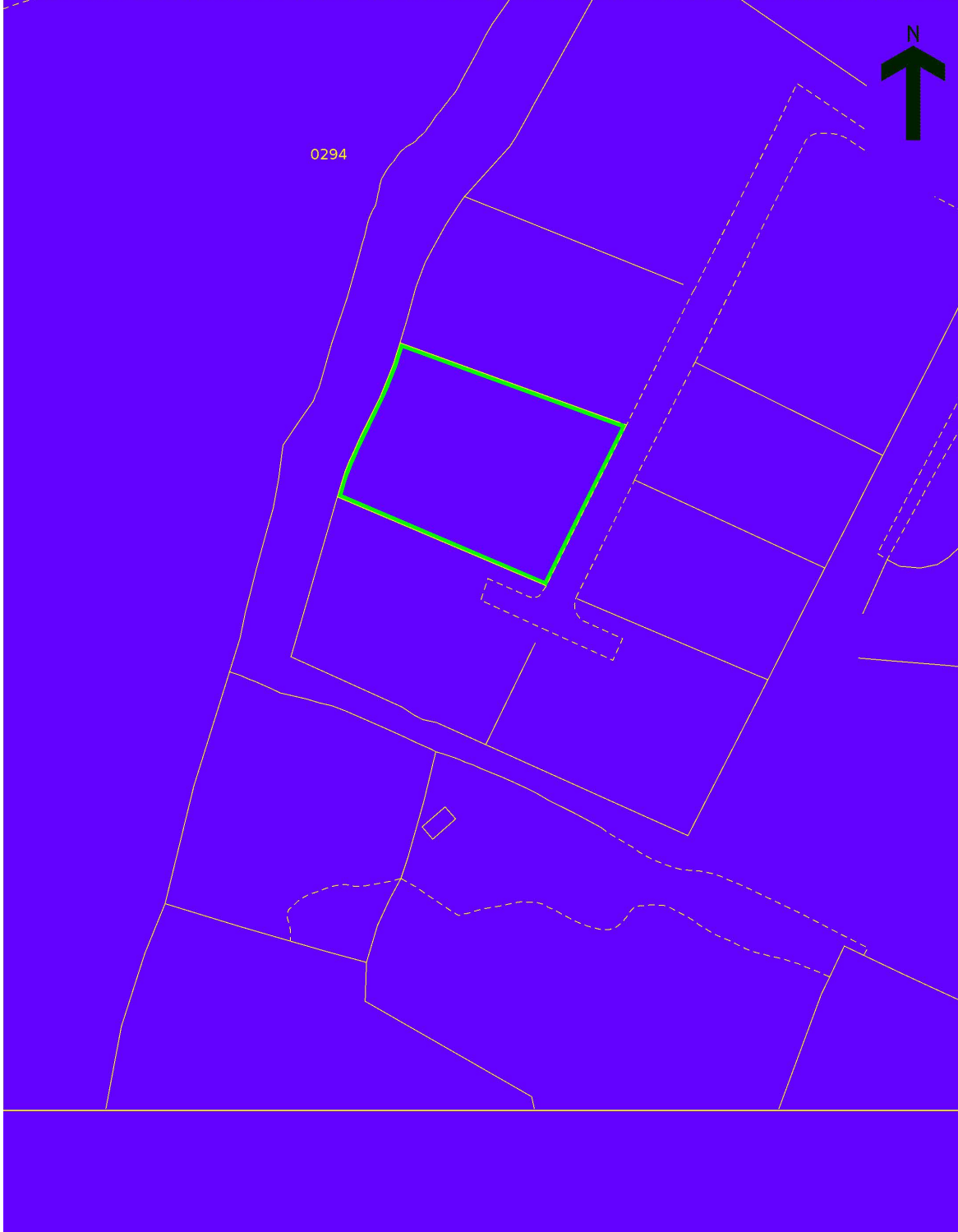
Title absolute

- 1 (30.09.2004) PROPRIETOR: SUZANNE WALL of 2 Old Stocks Farm, Paices Hill, Aldermaston, Reading.
- 2 (30.09.2004) The price stated to have been paid on 21 May 2004 was £45,000.

End of register



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This is a copy of the title plan on 1 MAR 2022 at 09:09:12. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP648948

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:10:59 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP648948
Address of Property	: 4 Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW)
Price Stated	: £10,000
Registered Owner(s)	: MICHAEL STOKES and FRANCIS ANTHONY CASEY of 4 Carousel Park, Basingstoke Road, Micheldever, Winchester SO21 3BW.
Lender(s)	: None

Title number HP648948

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:10:59. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 4 Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW).
- 2 (30.09.2004) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 21 May 2004 made between (1) Frenny Doe and (2) Johnny Lee.

NOTE 1: The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980

NOTE 2: Copy filed.
- 3 (30.09.2004) The Transfer dated 21 May 2004 referred to above contains provisions as to light or air and boundary structures.

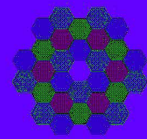
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.11.2015) PROPRIETOR: MICHAEL STOKES and FRANCIS ANTHONY CASEY of 4 Carousel Park, Basingstoke Road, Micheldever, Winchester SO21 3BW.
- 2 (10.11.2015) The price stated to have been paid on 21 October 2015 was £10,000.
- 3 (10.11.2015) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP648956

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:13:08 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP648956
Address of Property	: Plot 5 Drivers Diner, Old Basingstoke Road, Micheldever
Price Stated	: £45,000
Registered Owner(s)	: MAURICE COLE of 19 Lawford Crescent, Yateley, Hants GU46 6JX.
Lender(s)	: None

Title number HP648956

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:13:08. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 5 Drivers Diner, Old Basingstoke Road, Micheldever
- 2 (30.09.2004) The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer dated 21 May 2004 made between (1) Frenny Doe and (2) Maurice Cole.

NOTE :-Copy filed.

- 3 (30.09.2004) The Transfer dated 21 May 2004 referred to above contains provisions as to light or air and boundary structures.

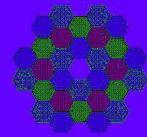
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (30.09.2004) PROPRIETOR: MAURICE COLE of 19 Lawford Crescent, Yateley, Hants GU46 6JX.
- 2 (30.09.2004) The price stated to have been paid on 21 May 2004 was £45,000.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP665606

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:14:58 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP665606
Address of Property	: Plot 6 Drivers Diner, Old Basingstoke Road, Micheldever (SO21 3BW)
Price Stated	: £40,000
Registered Owner(s)	: ANNA LEE of Plot 6 Drivers Diner, Old Basingstoke Road, Micheldever, Winchester, Hants SO21 3BW.
Lender(s)	: None

Title number HP665606

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:14:58. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 6 Drivers Diner, Old Basingstoke Road, Micheldever (SO21 3BW).

2 (02.12.2005) The land has the benefit (qualified as in the Note below) of the rights granted by but is subject to the rights reserved by a Transfer dated 30 March 2005 made between (1) Frenny Doe and (2) Anna Lee.

NOTE 1: The right of way over the private Driveway is excluded from this registration in so far as it falls outside title number HP518980.

NOTE 2:-Copy filed.

3 (02.12.2005) The Transfer dated 30 March 2005 referred to above contains provisions as to light or air and boundary structures.

B: Proprietorship Register

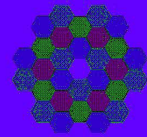
This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (02.12.2005) PROPRIETOR: ANNA LEE of Plot 6 Drivers Diner, Old Basingstoke Road, Micheldever, Winchester, Hants SO21 3BW.

2 (02.12.2005) The price stated to have been paid on 30 March 2005 was £40,000.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP655142

This title is dealt with by HM Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 1 MAR 2022 at 09:16:59 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP655142
Address of Property	: Plot 7 Drivers Diner, Old Basingstoke Road, Micheldever, (SO21 3BW)
Price Stated	: £40,000
Registered Owner(s)	: DEREK GEORGE BIRCH, DEREK WILLIAM BIRCH and VALERIE ANN BIRCH care of 1 Firgrove Lane, North Boarhunt, Wickham, Hants PO17 6JS.
Lender(s)	: None

Title number HP655142

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:16:59. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 7 Drivers Diner, Old Basingstoke Road, Micheldever, (SO21 3BW).
- 2 (04.03.2005) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 28 January 2005 made between (1) Frenny Doe and (2) Derek George Birch, Derek William Birch and Valerie Ann Birch.

NOTE 1:-The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980.

NOTE 2:-Copy filed.

- 3 (04.03.2005) The Transfer dated 28 January 2005 referred to above contains provisions as to light or air and boundary structures.

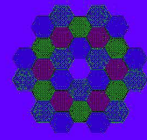
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (04.03.2005) PROPRIETOR: DEREK GEORGE BIRCH, DEREK WILLIAM BIRCH and VALERIE ANN BIRCH care of 1 Firgrove Lane, North Boarhunt, Wickham, Hants PO17 6JS.
- 2 (04.03.2005) The price stated to have been paid on 28 January 2005 was £40,000.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP654472

This title is dealt with by HM Land Registry, Weymouth Office.

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This extract shows information current on 1 MAR 2022 at 09:19:00 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP654472
Address of Property	: Plot 8 Drivers Diner, Old Basingstoke Road, Micheldever, Hampshire (SO21 3BW)
Price Stated	: £42,000
Registered Owner(s)	: DANNY CARTER, JOE RIPLEY and JIMMY RIPLEY of Plot 8, Drivers Diner, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW.
Lender(s)	: None

Title number HP654472

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 8 Drivers Diner, Old Basingstoke Road, Micheldever, Hampshire (SO21 3BW).
- 2 (14.02.2005) The land has the benefit qualified as in the Note below of the rights granted by but is subject to the rights reserved by a Transfer dated 23 November 2004 made between (1) Frenny Doe and (2) Linda Lamb.

NOTE 1: The right of way over the private driveway is excluded from this registration in so far as it falls outside title number HP518980

NOTE 2: Copy filed.

- 3 (14.02.2005) The Transfer dated 23 November 2004 referred to above contains provisions as to light or air and boundary structures.

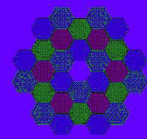
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (25.10.2007) PROPRIETOR: DANNY CARTER, JOE RIPLEY and JIMMY RIPLEY of Plot 8, Drivers Diner, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW.
- 2 (25.10.2007) The price stated to have been paid on 13 August 2007 was £42,000.
- 3 (25.10.2007) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.

Title Number : HP681655

This title is dealt with by HM Land Registry, Weymouth Office.

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This extract shows information current on 1 MAR 2022 at 09:22:18 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: HP681655
Address of Property	: Plot 9, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW)
Price Stated	: £40,000
Registered Owner(s)	: VALERIE CARTER, SHANNON MARIE MCDONAGH and CAROLINE STEVENS of Plot 9, Drivers Diner, Old Basingstoke Road, Micheldever, Hampshire SO21 3BW.
Lender(s)	: None

Title number HP681655

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 1 MAR 2022 at 09:22:18. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : WINCHESTER

- 1 (02.07.1996) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Plot 9, Carousel Park, Basingstoke Road, Micheldever, Winchester (SO21 3BW).
- 2 (15.01.1999) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Transfer of the land adjoining the northern boundary of the land in this title dated 18 December 1998 made between (1) Frenny Doe (Transferor) and (2) Waltet Materials Limited (Transferee):-

"together with the benefits of the rights in the First Schedule and subject to the rights in the Second Schedule

THE FIRST SCHEDULE

Rights granted to the Transferee

.....
..

2. The right to use the Service Channels now serving the Property or any part of it and passing through or over the Retained Property of the Transferor subject to the Transferee paying the joint and equal expense of the repair maintenance and renewal of any of the Service Channels.

3. The right to enter with or without workmen on the Retained Property for the purpose of inspecting renewing repairing and maintaining any of the Service Channels subject to the person exercising such right making good any damage occasioned thereby.

THE SECOND SCHEDULE

Rights reserved to the Transferor

The right for the Transferor and his successors in title at all times and for all purposes to use all of the Service Channels now in or on the Property or on any part of it and the right to enter on to the Property at any time within 80 years from the date of this Transfer for the purpose of laying repairing renewing or cleansing any of the Service Channels on condition that all such Service Channels shall be repaired and maintained at the joint and equal expense of the respective owners from time to time of the Properties entitled to use them.

NOTE : Copy plan filed under HP564790.

- 3 (19.12.2006) The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer of the land in this title dated 20 September 2006 made between (1) Frenny Doe and (2) James Ridgeley.

NOTE : Copy filed.

- 4 (19.12.2006) The Transfer dated 20 September 2006 referred to above contains a provision as to light or air and boundary structures.

Title number HP681655

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (02.10.2018) PROPRIETOR: VALERIE CARTER, SHANNON MARIE MCDONAGH and CAROLINE STEVENS of Plot 9, Drivers Diner, Old Basingstoke Road, Micheldever, Hampshire SO21 3BW.
- 2 (05.01.2017) The price stated to have been paid on 18 May 2016 was £40,000.
- 3 (05.01.2017) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

C: Charges Register

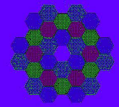
This register contains any charges and other matters that affect the land.

- 1 (30.12.2004) The land in this title and other land is subject to the rights granted by a Deed dated 13 December 2004 made between (1) Frenny Doe and (2) Southern Electric Power Distribution Plc.

The said Deed also contains restrictive covenants by the grantor.

NOTE : Copy filed under HP518980.

End of register



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This title is dealt with by HM Land Registry, Weymouth Office.



Mr Maurice Black
2/3 Carousel Park
Basingstoke Road
Micheldever
Winchester
Hampshire
SO21 3BW

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Case No: 05/01605/FUL
W Ref No: W05589/15
Grid Ref: 454108 141899

Erection of fences (RETROSPECTIVE)

Carousel Park Basingstoke Road Micheldever Winchester Hampshire

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority, hereby GRANTS permission for the above development(s) in accordance with the plans and particulars submitted with your application received on 28 June 2005 and subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The two separate pitches which are the subject of this application shall only be occupied by one family each.

Reason: To control the use of the site and to prevent the sub-division of pitches in the interests of local amenity.

Informatives:

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

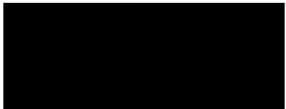


2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, C2

Winchester District Local Plan Proposals: C1, C2, C7, C16, C23, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3 DP6, C1, C6, C9, C26



Director of Development
10 October 2005

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 20 September 2005

*Winchester
City Council*
Planning
Department
Development
Control

Delegated Decision

TEAM MANGER
SIGN OFF SHEET

Case No:	05/01605/FUL	Valid Date	26 July 2005
W No:	05589/15	Recommendation Date	20 September 2005
Case Officer:	Mr Simon Avery	8 Week Date	20 September 2005
Recommendation:	Application Permitted	Decision:	Delegated Decision

Proposal:	Erection of fences (RETROSPECTIVE)
Site:	Carousel Park Basingstoke Road Micheldever Winchester Hampshire

Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
N	N	N	N	N	N	Y

DELEGATED ITEM SIGN OFF	
<p>Approve Subject to the condition(s) listed</p>	
Signed & Date:	

Site Factors: Site for Nature Conservation

Site Description

- The site is located to the northwest side of the A33 set back behind Drivers Diner
- It consists of two pitches out of 9 which have been provided for travelling showpeople
- The whole site is very well screened from wider views by tall planting
- The pitches are enclosed by timber fencing of 1.8 metre height
- Pitch 3 contains four caravans (one not allegedly for residential use) on a gravel hardstanding and has a lower section of fencing dividing the pitch into two

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 20 September 2005

- Pitch 2 contains two mobile homes with grassed areas and brick paving
- It also has a lower section of fencing sub-dividing the pitch
- The pitches also contain small outbuildings and domestic paraphernalia

Relevant Planning History

- W05589/12: Change of use of agricultural land to travelling showpeoples' site – Permitted - 02.10.2003

Proposal

- As per Proposal Description
- The proposal was worded as: 'relief of a condition on the original permission which seeks to ensure that the pitches will not be subdivided'
- However, this does not reflect the actual development which is not the subdivision of the pitches in that one family unit still remains in each pitch
- Rather the development is the erection of fences
- These are for practical purposes to keep children and animals away from equipment

Consultations

Enforcement

- Application submitted following investigations by enforcement team

Representations:

Micheldever Parish Council

- No comments received 20/09/2005

Neighbour Representation

- No representations received

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2

Winchester District Local Plan

- C1, C2, C7, C16, C23, EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- DP3 DP6, C1, C6, C9, C26

National Planning Policy Guidance/Statements:

- PPS7 Sustainable Development in Rural Areas

Principle of development

- The application has arisen due to the erection by the owners of low timber fences
- These are to keep children and animals away from equipment
- They are NOT to sub-divide the two plots which both still contain one single family each
- The fences in themselves have no impact visually or upon residential amenity
- Therefore, having discussed the issue with the enforcement manager, it seems reasonable to approve the application and apply a condition to restrict each pitch to the use of one family
- This is considered to be enforceable and reasonable

Recommendation

APPROVE – subject to the following refusal reason(s):

Conditions/Reasons

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL DELEGATED OFFICER REPORT
DATE OF RECOMMENDATION 20 September 2005

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 The two separate pitches which are the subject of this application shall only be occupied by one family each.

02 Reason: To control the use of the site and to prevent the sub-division of pitches in the interests of local amenity.

Informatives

01. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, C2

Winchester District Local Plan Proposals: C1, C2, C7, C16, C23, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3 DP6, C1, C6, C9, C26

Carousel Park,

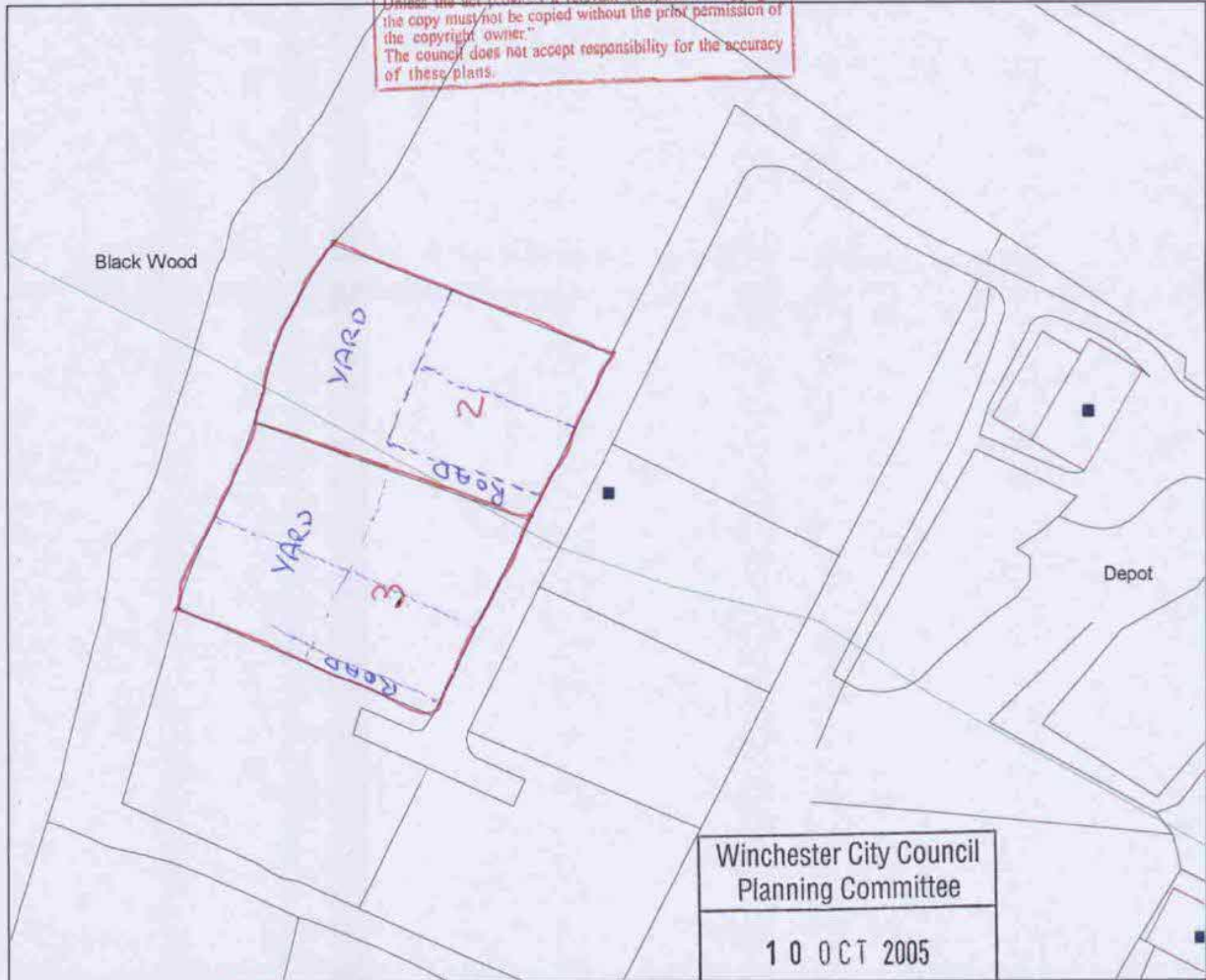
Basingstoke Road, Micheldever

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Winchester
City Council

W05589/15



Winchester City Council
 Planning Committee
10 OCT 2005
 PERMISSION GRANTED
 SUBJECT TO CONDITIONS

Legend

SCANNED
02 AUG 2005

Scale: 1:1250

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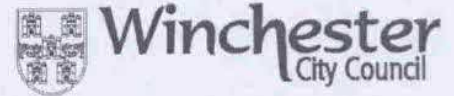
Organisation	Winchester City Council
Department	Development Services
Comments	UPRN: 010000028754
Date	14 July 2005
SLA Number	00018301

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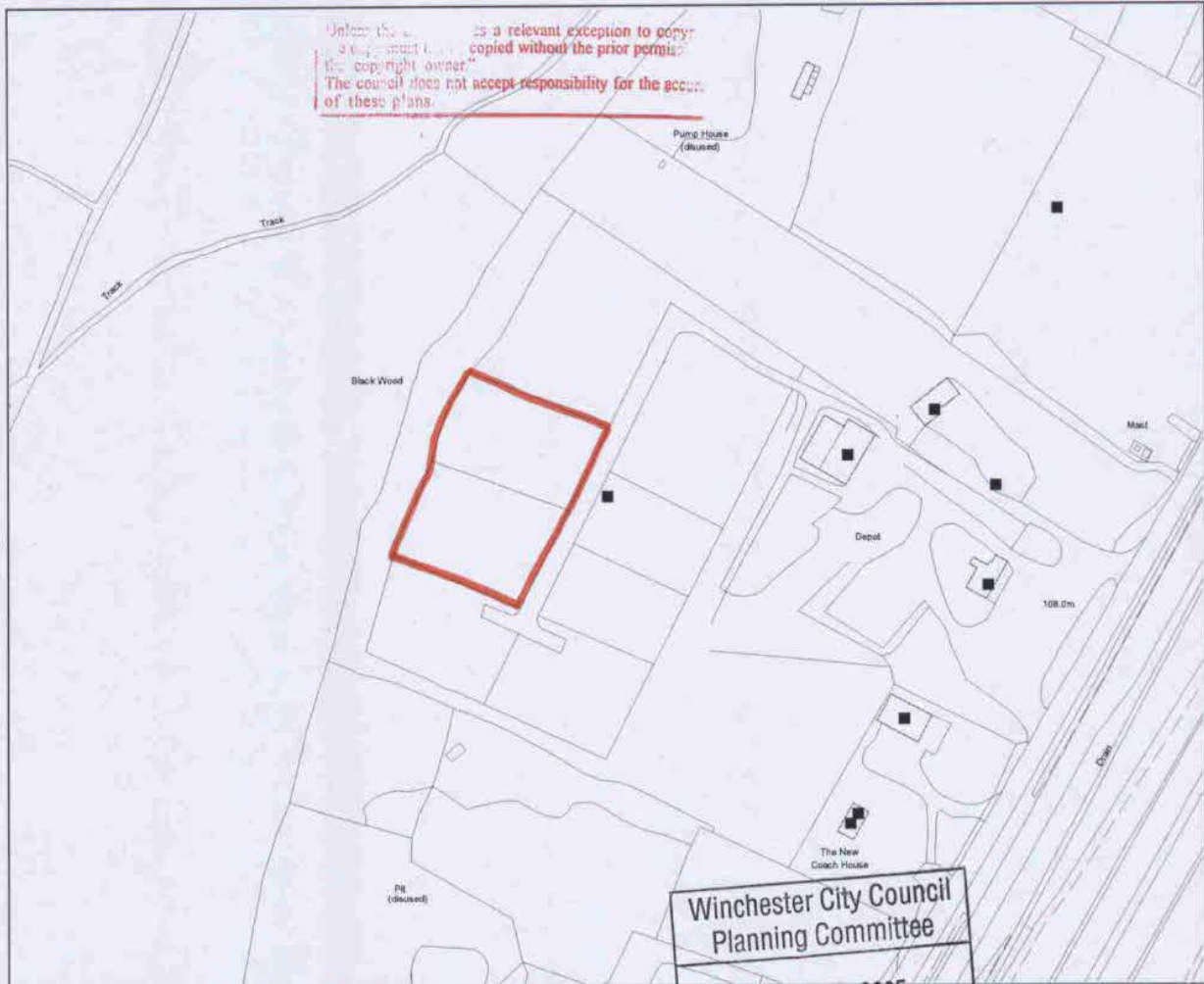
Carousel Park,

Basingstoke Road, Micheldever 26 JUL 2005

WINCHESTER CITY COUNCIL
 PLANNING DEPARTMENT
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W05589/15



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Winchester City Council
 Planning Committee
 10 OCT 2005
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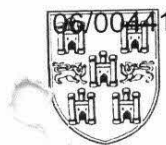
Legend

SCANNED
02 AUG 2005

Scale: 1:2500

Organisation	Winchester City Council
Department	Development Services
Comments	UPRN: 010000028754
Date	26 July 2005
SLA Number	00018301

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Mr M Black
C/o R Harwood
Sunnyside
62 Reading Road
Blackwater
GU17 0BD

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Case No: 06/00441/FUL
W Ref No: W05589/19
Grid Ref: 454108 141899

Construct a garage workshop for the servicing and repair of travelling showman vehicles and equipment

Carousel Park Basingstoke Road Micheldever Winchester Hampshire

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority, hereby GRANTS permission for the above development(s) in accordance with the plans and particulars submitted with your application received on 13 February 2006 and subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The garage workshop hereby approved shall be used for the servicing and repair of travelling showman vehicles and equipment and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification). It shall not, at any time, be used for living accommodation.

Reason: To accord with the terms of the application since the site lies within an area where additional commercial or residential buildings would not normally be permitted and to prevent the creation, by conversion, of such inappropriate units, possibly leading to over intensive use of the site.

3. No maintenance, repairs or testing of equipment or vehicles shall be carried out other than between the hours of 0730 and 1800 Monday to Friday and 0730 and 1800 Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of nearby properties.



Informatives:

1. The development is not in accordance with the Policies and Proposals of the Development Plan set out below but there are other material considerations in regard to planning permission W05589/12 which allowed the use of the site for travelling showpeople which indicate that the determination should be made other than in accordance with Development Plan as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, C2

Winchester District Local Plan Proposals: C1, C2, C7, C16, C23, EN5

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP3 DP6, C1, C6, C9, C26



Head of Planning Control
10 April 2006

Winchester City Council
Planning Department
13 FEB 2006

RECEIVED

Read guidance note 2 to help you fill in this form. Your application will be delayed if you don't fill in the form correctly and enclose all the plans we ask for. If you need more help, please phone Planning Development Services on 01483 444609. Please use CAPITAL LETTERS to fill in the form.

1 Applicant's details

Name MR MAURICE BLACK

Address and postcode 2, CAROUSEL PARK
MICHELDEVER
WINCHESTER
SO21 3BW

Phone number

Fax number

E-mail

2 Agent's details (if you have one)

Name R. HARWARD

Address and postcode R.H DESIGN SERVICES
SUNNYSIDE,
62, READING ROAD
BLACKWATER, GUI70BD

Phone number

Fax number

E-mail

3 Address and size of the site

Address and size (in hectares) of the site your application is for 0.52 acre ha

4 What type of planning permission are you applying for?

Full planning permission for **building work**

Full planning permission for **change of use**

Outline planning permission for
 position design outside appearance access route landscaping

Reserved matters approval
 Outline permission number Permission date

Permission to remove or change conditions made on a previous approval
 Planning approval number Approval date

The number of the condition or conditions you want to remove or change

Apply for or renew a temporary permission Length of temporary permission

Planning permission number Permission date

5 Have you started the work yet? No Yes

6 About the work

What is the land or building used for now? RESIDENTIAL

Will any buildings be demolished as part of the work? (If so, give details.) NO

Total floor area (in square metres) of the buildings m²

Describe the work you want to do.
CONSTRUCT A GARAGE/WORKSHOP FOR THE SERVICING AND REPAIR
 OF 'TRAVELLING SHOWMAN' VEHICLES AND EQUIPMENT

7 Residential developments (only answer these questions if they apply to your development)

What type of building do you want to build (for example, a house or block of flats)?

GARAGE / WORKSHOP

Total floor area (in square metres)

72 m²

How many of each of the following will your building or buildings have?

Homes Storeys Rooms that will be lived in Garages Parking spaces

How will you remove:

surface water from the site?

HARDCORES SOAKAWAY

sewage from the site?

SEPTIC TANK

8 Access to the site

Will the work involve creating a new access to a public road for:

vehicles? No Yes If 'Yes', give details on all plans.

pedestrians? No Yes If 'Yes', give details on all plans.

Will the work involve changing access to a public road for:

vehicles? No Yes If 'Yes', give details on all plans.

pedestrians? No Yes If 'Yes', give details on all plans.

9 Trees

Will the work involve cutting down or trimming any trees?

No Yes

If 'Yes', give details on the block plan.

10 Building materials to be used on the outside of the building

Are you giving us some sample materials to consider with your application? No Yes

If 'Yes', list and describe these materials.

11 Listed buildings and conservation areas

Are there any buildings on the site that are going to be demolished or changed that are:

listed? No Yes in a conservation area but not listed? No Yes

12 Interest in WINCHESTER CITY COUNCIL

Are you (the applicant):

- a current employee or a councillor of Guildford Borough Council? No Yes
- related to a current employee or councillor of Guildford Borough Council? No Yes

If you ticked 'Yes', give the employee's name or the councillor's name.

13 Signature

Your signature:

Date: 12 / 07 / 2006

I am: the applicant.

the agent applying on behalf of the applicant.

W05589/101

CERTIFICATES UNDER ARTICLE 7

of the Town and Country Planning (General Development Procedure) Order 1995

OFFICE USE ONLY	Winchester City Council Planning Department
-----------------	--

13 FEB 2006

RECEIVED

ONE copy of the appropriate Certificate (A, B, C or D) **MUST BE COMPLETED AND SIGNED** and accompany the application (see 'Notes for Applicants')

NOTE: Complete one certificate only and delete certificates which do not apply
† Delete as appropriate on completed Certificate ‡ Use separate sheet if insufficient space

CERTIFICATE 'A' For Owners only (Owner means a person with freehold interest or holding a lease of not less than 7 years)

I HEREBY CERTIFY THAT:-

At the beginning of the period of 21 days ending with the date of the application, no person (other than the applicant) was the owner of any of the land to which the application relates.

I FURTHER CERTIFY THAT: † EITHER

1. None of the land to which the application relates constitutes or forms part of an Agricultural holding; **OR**
2. † I have/The applicant has given the requisite notice to every person other than † myself/himself/herself who 21 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which this application relates.

‡ Names & Addresses of Agricultural Tenants
.....
.....
.....
.....
.....

Date of Notice:

Signed:

Date: 12th Jan 2006

On behalf of: W.R. MAURICE BLACK
(Insert applicants name if signed by an agent)

CERTIFICATE 'B' For prospective purchaser or tenant (or his agent) able to ascertain ALL the owners of the land

I HEREBY CERTIFY THAT:-

† I have/The applicant has given the requisite notice to all persons who, 21 days before the date of the accompanying application, were owners of any of the land to which the application relates.

Date of Notice:

‡ Names & Addresses of Owners
.....
.....
.....
.....

I FURTHER CERTIFY THAT:- † EITHER

1. None of the land to which the application relates constitutes or forms part of an Agricultural holding; **OR**
2. † I have/The applicant has given the requisite notice to every person other than † myself/himself/herself who 21 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which this application relates.

Date of Notice:

Signed:

Dated:

‡ Names & Addresses of Agricultural Tenants
.....
.....
.....
.....

On behalf of: 109
(Insert applicants name if signed by an agent)



Hampshire and Isle of Wight Team
1 Southampton Road Lyndhurst Hants SO43 7BU
Tel +44(0)23 8028 6410 Fax +44(0)23 8028 3834
www.english-nature.org.uk

Mr M Black
Planning Control Department
Winchester City Council
Avalon House
Chesil Street
WINCHESTER
SO23 0HU



Your Ref: W05589/19 – 06/00441/FUL

Our Ref: WCC/GEN

02 March 2006

Simon

Dear Mr Black

Construction of garage/workshop – Carousal Park, Basingstoke Rd, Micheldever, Winchester

Thank you for your letter dated 23 February 2006, requesting English Nature’s comments on the above application.

It is English Nature’s advice that the proposed works are not near any Site of Special Scientific Interest (SSSI) and English Nature has not been made aware of any protected species at this site. Therefore, we confirm that English Nature has no objection to the above proposal.

However, the application site is near to a Site of Importance for Nature Conservation (SINC) and we would recommend that you seek the views of Hampshire County Council’s Ecologist prior to determining the above application.

Please do not hesitate to contact me if you wish to discuss this response.

Yours sincerely



Paul Richardson
Assistant Conservation Officer
Direct Tel: [Redacted]
Email: [Redacted]