

ENF Notification letter

Enq To: Appeals Officer  
Direct Dial: 01962 848 599

19 October 2022

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

<b>Site Address:</b>	<b>Stratton Highways Road Compton Winchester Hampshire SO21 2DF</b>
<b>Alleged breach:</b>	<b>Without planning permission, operational development consisting of the construction of a new roof at an increased height and two storey side, rear and front extensions to the dwelling house known as Stratton.</b>
<b>Appellant's name:</b>	<b>Michael John Field</b>
<b>Appeal reference:</b>	<b>APP/L1765/C/22/3307930</b>
<b>Appeal start date:</b>	<b>17.10.2022</b>

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Winchester City Council on 01.09.2022

The enforcement notice was issued for the following reasons:

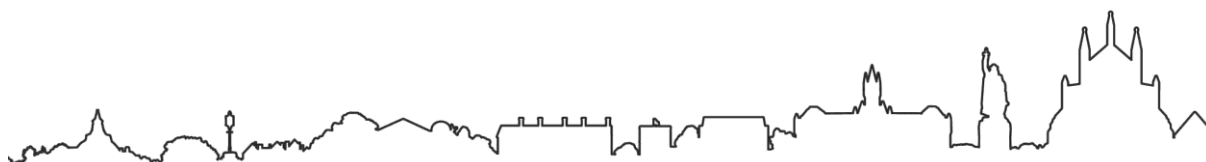
It appears to the Council that the above breach of planning control has occurred within the last four years.

The proposed extensions and alterations, by virtue of their size, scale, height and resultant massing, materials and appearance do not respond positively to the character and appearance of the host dwelling or local area thereby having an incongruous and intrusive visual impact as seen from the public and private realm. The proposal is therefore contrary to Policy CP13, DS1 and MTRA3 of Winchester District Local Plan Part 1, DM15 and DM16 of Winchester District Local Plan Part 2 and The High Quality Places SPD (Part 6, 7 and 8) and the Compton & Shawford Village Design Statement November 2011 and the requirements of the NPPF 2021.

The Council do not consider that planning permission should be given because planning conditions could not overcome these objections to the development.

The enforcement notice requires the following steps to be taken:

- (i) Demolish the unauthorised operational development (roof and



extensions) described in 3. above (“the Unauthorised Operational Development”);

(ii) Upon demolition reinstate the walls and roof of the dwellinghouse to those prior to the carrying out of the Unauthorised Operational Development either:

(a) as shown in the photos attached as appendix A to this Notice;  
or

(b) as shown outlined in red in their approximate position shown on the attached plans at appendix B to this Notice those being plans submitted with a previous planning application for Stratton;

(iii) Remove from the land all materials, rubble, rubbish and debris arising from steps (i) to (ii).

TIME FOR COMPLIANCE - 12 months after this notice takes effect.

The appellant has appealed against the notice on the following grounds:

- a) ~~That planning permission should be granted for what is alleged in the notice.~~
- b) ~~That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.~~
- c) ~~That there has not been a breach of planning control.~~
- d) ~~That, at the time that the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.~~
- e) ~~The notice was not properly served on everyone with an interest in the land.~~
- f) **The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.**
- g) **The time given to comply with the notice is too short.**

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

Opirim Agala  
The Planning Inspectorate  
Room 3B Eagle Wing  
Temple Quay House

2 The Square  
Bristol  
BS1 6PN

**All representations must be received by 28 November 2022.** Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference APP/L1765/C/22/3307930.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

The appeal documents are available to view on our website [www.winchester.gov.uk](http://www.winchester.gov.uk) using the following link [www.winchester.gov.uk/enforcement-appeal](http://www.winchester.gov.uk/enforcement-appeal)  
Online access is also available by visiting our offices in Colebrook Street, Winchester SO23 9LJ.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours faithfully

**Julie Pinnock BA (Hons) MTP MRTPI**  
Service Lead - Built Environment