

Issued: 17th October 2022

WINCHESTER CITY COUNCIL

ENFORCEMENT NOTICE

relating to land

to the north of Dradfield Lane, Soberton, Hampshire.

Neil McArthur, Interim Head of Legal, Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: WINCHESTER CITY COUNCIL

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) 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 AFFECTED**

Land to the north of Dradfield Lane, Soberton, Hampshire shown edged red on the attached plan ("the Land").

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the unauthorised erection of a Polytunnel (which is shown marked with an "X" in the approximate position on the attached plan).

4. **REASONS FOR ISSUING THIS NOTICE**

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

The development (polytunnel) fails to accord with policy CP17 of the Winchester District Local Plan Part 1 – Joint Core Strategy and policy DM17 (iii) of the Local Plan Part 2 and Paragraph 167 of the NPPF in that it has resulted in additional surface water exacerbating the cumulative impact of flooding in the local area.

Planning conditions would not overcome these objections and therefore, the Council does not consider that planning permission should be granted.

5. **WHAT YOU ARE REQUIRED TO DO**

- 1) Remove the unauthorised polytunnel from the site including any fixtures and footings used for the siting of the polytunnel.

6. **TIME FOR COMPLIANCE**

- i) Step 1 at paragraph 5 above: **6 months**

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 22nd November 2022 unless an appeal is made against it beforehand.

Date: 17th October 2022

Signed: 

Neil McArthur, Interim Head of Legal
on behalf of:
Winchester City Council, City Offices, Colebrook Street, Winchester, Hampshire
SO23 9LJ

ANNEX

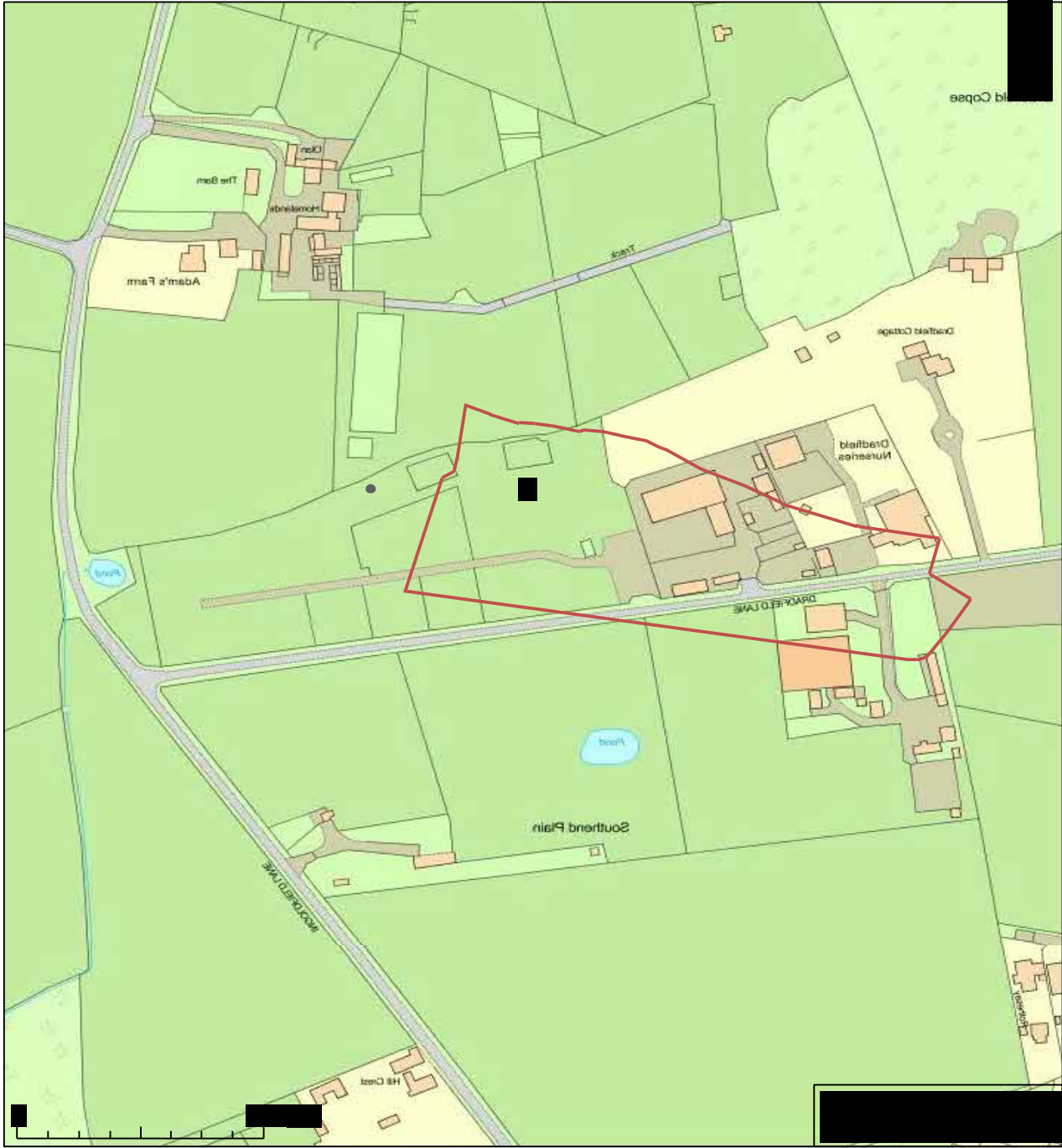
YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received or posted in time to be received by the Planning Inspectorate before the date specified in paragraph 7 of the Notice. The enclosed leaflet from the Planning Inspectorate explains what you need to do if you wish to appeal.

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

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.



Scale:1:2,500

Author:

Notes:

X Approximate Position of Polytunnel
 — The Land