The Planning Inspectorate

QUESTIONNAIRE (s174) ENFORCEMENT NOTICE (Online Version)

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

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

Appeal Reference	APP/L1765/C/22/3311622
Appeal By	MR NICK BUTLER
Site Address	Land to the North of Dradfield Lane Soberton Hampshire SO32 3QD

PART 1

1.a. Do you agree to the written representation procedure?	Yes	🗹 No	
<i>Note: If the written procedure is agreed, the Inspector will visit the site</i> unaccompanied <i>by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.</i>			
2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?	Yes	🗆 No	ø
2.b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?		🗹 No	
Can see the gates clearly from the road but the polytunnel whilst viewable from inspection from within the site is advantageous for the Inspector.	the road	d a closer	
2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?	Yes	🗆 No	ø
Please describe:			
2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself?	Yes	🗆 No	Z
PART 2			
3. Are there any related appeals currently before the Secretary of State, e.g. under s.78, 174 or 195 of the Town and Country Planning Act 1990, s20 or 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or orders under s102 of the Town and Country Planning Act 1990? If yes please provide reference number(s) Please provide our reference numbers:	Yes	🗹 No	
APP/L1765/W/22/3307421, APP/L1765/C/22/3311632, not linked APP/L1765/C/22/3411642, not linked APP/L1765/C/22/240142, not linked APP/L1765/C/22/2404444444444	21/3286	5358	

4.a. Has the local planning authority received the correct fee payable for the deemed planning application/ground (a) to be considered?			No 🗆
5.a. Is the appeal site within a conservation area?		s 🗆 N	No 🗹
5.b. Is the appeal site adjacent to a conservation area?	Ye	s 🗆 N	No 🗹
PART 3			
PARI 3			
6.a. Does the notice relate to building, engineering, mining or other operati	ons? Ye	s 🗹 N	No 🗆
If YES, please state the area of the site shown in the notice plan, in hectares.	1.5 hectar	e(s)	
6.b. Is the area of the alleged breach different from the above?	Ye	s 🗆 N	No 🗹
6.c. Does the alleged breach create any floor space?	Ye	s 🗆 N	No 🗹
Does the enforcement notice relate to a change of use of land to use for:			
7.a. the disposal of refuse or waste materials?	Ye	s 🗆 N	No 🗹
7.b. the deposit of materials remaining after mineral extraction?	Ye	s 🗆 N	No 🗹
7.c. the storage of minerals in the open?	Ye	s 🗆 N	No 🗹
8. If the enforcement notice relates to the erection of a building or buildings, is it accepted that their use is for purposes of agriculture on land used for agricultural purposes (not necessarily an agricultural unit as defined in the Agriculture Act (1947))?		s 🗆 N	No 🗹
9. Does the enforcement notice relate to the erection/change of use of a building which is a single private dwellinghouse, as defined in Regulation 2(1) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012?			No 🗹
PART 4			
10. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) in relation to the application site?		s 🗆 N	No 🗹
11. Has any planning permission been granted previously in respect of the development?		s 🗆 N	No 🗹
12. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?		s 🗹 N	No 🗆
If YES, please provide			
12.a. the date of the relevant application	09/07/202	21	
12.b. the date of the LPA's decision (if any) 21/03		22	
12.c. a copy of the decision (if any)			
see 'Questionnaire Documents' section			
12.d. the reference number			
21/01858/FUL			

13. Has a planning contravention notice been served?	Yes	🗆 No	
14.a. the appeal site is within 67 METRES OF A TRUNK ROAD?	Yes	🗆 No	
14.b. the appeal site is CROWN LAND (as defined in s293 of the Act)?	Yes	🗆 No	
14.c. a STOP NOTICE has been served in addition to the enforcement notice?	Yes	🗆 No	
14.d. the appeal site is in or adjacent to or likely to affect a SSSI?	Yes	🗆 No	
14.e. any protected species are likely to be affected by the alleged development?	Yes	🗆 No	
14.f. the appeal site is in a Green Belt or AONB?	Yes	🗆 No	
14.g. any part of the site is subject to a Tree Preservation Order?	Yes	🗆 No	
14.h. the appeal site is within 400m of an area of underground or surface mineral interest?	Yes	🗆 No	ø
14.i. the appeal site is within 250m of a waste landfill site?	Yes	🗆 No	
14.j. does the development affect the setting of a listed building or ancient monument?	Yes	🗆 No	Z
14.k. has importation of waste materials been involved in the development?	Yes	🗆 No	
14.I. does the appeal involve persons claiming gypsy/traveller status, whether or not this is accepted by the planning authority?	Yes	🗆 No	ø
PART 5			
			-
16.a. Is the appeal site subject to an ARTICLE 4 Direction?	Yes	🗆 No	
17. Have any development rights been restricted by means of a planning condition?	Yes	🗆 No	Z
18. Does the development relate to operational development for a disabled person, as defined by s29 of the National Assistance Act 1948?	Yes	🗆 No	ø
19. Will any consultation be carried out on the possibility of planning permission being granted if the appeal is confirmed as valid?	Yes	🗆 No	
Environmental Impact Assessment - Schedule 1			
20.a. Is the alleged development within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	🗆 No	ø
Environmental Impact Assessment - Schedule 2			
20.b.i. Is the development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Yes INO Assessment) Regulations 2011?		Ń	
Environmental Impact Assessment - Environmental Statement (ES)			
20.e. Has the appellant supplied an environmental statement?	Yes	🗆 No	
PART 6			
21.a. a copy of the letter with which you notified people about the appeal.			

Casa 'Questionnaire Decuments' section			
 <u>see 'Questionnaire Documents' section</u> 21.b. a list of the people you notified and the deadline you gave for their comments to be sent to us. 			
See 'Questionnaire Documents' section			
the deadline you gave for their comments to be sent to us.	02/02/2023		
21.c. the planning officer's report to committee or delegated report and an document/minutes. ✓ see 'Questionnaire Documents' section	y other relevant		
21.d. where ground (a) (s174) has been pleaded and any fee required has comprehensive list of conditions which you consider should be imposed if p granted. You need not attach this now, but it should reach us within 6 wee The list must be submitted separately from your appeal statement.	lanning permission is		
Policies/Planning Guidance			
22.a. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan). You must include the front page, the title and date of approval/adoption, and the status of the plan. Copies of the policies should include the relevant supporting text.		Ń	
List of policies			
LPP!: CP17, CP20; LPP2: DM15, DM16, DM17, DM23			
See 'Questionnaire Documents' section			
22.b. extracts of any relevant policies which have been 'saved' by way of a	Direction.		
22.c. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted, and if so when.			
22.d. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached.		V	
List of supplementary planning documents			
Soberton And Newtown Village Design Statement			
See 'Questionnaire Documents' section			
22.e. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;			
22.f. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;			
22.g. your Authority's CIL charging schedule is being/has been examined;			
22.h. your Authority's CIL charging schedule has been/is likely to be adopted.			
Please provide the date of adoption: 01/01/2014			

22.i. any other relevant information or correspondence you consider we should know about.			ø	
✓ see 'Questionnaire Documents' section Other relevant information				
Planning Decision 21/01858/FUL - APP/L17 received	765/W/22/3307421: Consultations and	d public o	comments	
PART 7				
 23. A true copy of the Enforcement Notice ✓ see 'Questionnaire Documents' section 25. A list of those served with the Notice ✓ see 'Questionnaire Documents' section 				
26. Do you wish to attach your statement o	f case?	Yes	🗆 No	ø
LPA Details				
I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. \checkmark				
LPA's reference	L1765			
Completed by	Alice Honan			
On behalf of	Winchester City Council			
Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.				
Name				
Phone no (including dialling code)				
Email				
Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.				

QUESTIONNAIRE DOCUMENTS

Appeal Reference	APP/L1765/C/22/3311622
Appeal By	MR NICK BUTLER
Site Address	Land to the North of Dradfield Lane Soberton Hampshire SO32 3QD

The documents listed be	The documents listed below were uploaded with this form:		
Relates to Section: Document Description: File name:	PART 4 12. A copy of the decision. 21.01858.FUL - Decision Notice.pdf		
Relates to Section: Document Description: File name: File name: File name:	PART 6 21.a. A copy of the letter with which you notified people about the appeal. Notification Letter - 3307421.pdf Notification Letter - Redacted - 3311622.pdf Notification Letter - 3311632.pdf		
Relates to Section: Document Description: File name: File name: File name:	PART 6 21.b. A list of the people you notified and the deadline you gave for their comments to be sent to us. Notification List - 3311632.pdf Notification List - 3311622.pdf Notification List - 3307421.pdf		
Relates to Section: Document Description: File name:	PART 6 21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes. 21.01858.FUL - Officer's Report.pdf		
Relates to Section: Document Description: File name: File name: File name: File name: File name: File name: File name: File name:	PART 6 22.a. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status. Policy CP20.doc Policy DM17 – Site Development Principles.docx LPP1 Front Cover.pdf Policy CP17.doc Policy DM16 – Site Design Criteria.docx Policy DM15 – Local Distinctiveness.docx Adopted Local Plan Part 2 including Policy Maps - Oct 17 - FRONT - USE.pdf Policy DM23 – Rural Character.docx		
Relates to Section: Document Description: File name:	PART 6 22.d. Extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached. Soberton and Newtown VDS.pdf		
Relates to Section: Document Description:	PART 6 22.i. Any other relevant information or correspondence you consider we		

File name:3517766-Public Comment-BARBARA AND NIGEL GRAY-OBJECTS(FULL).pdfFile name:3521060-Public Comment-MR ADRIAN GOUGH-OBJECTS(FULL).pdfFile name:3521805-Public Comment-MR ROCGER LUNN-OBJECTS(FULL).pdfFile name:3521265-Public Comment-MRS MARGARET LUNN-OBJECTS(FULL).pdfFile name:35224561-Public Comment-MRS CATRYN GREGORY-OBJECTS(FULL).pdfFile name:3522448-Public Comment-MRS CATRYN MOLONEY -OBJECTS(FULL).pdfFile name:3521458-Public Comment-MRS RACHEL HICKS-OBJECTS(FULL).pdfFile name:3523482-Public Comment-MS SACHEL HICKS-OBJECTS(FULL).pdfFile name:3523382-Public Comment-MS SACHEL NICKS-OBJECTS(FULL).pdfFile name:3523382-Public Comment-MS SACHEL NICKS-OBJECTS(FULL).pdfFile name:3523374-Public Comment-DAVID AND MARY KENNY-OBJECTS(FULL).pdfFile name:352372-Public Comment-MR NICHOLAS WALLIS-OBJECTS(FULL).pdfFile name:352372-Public Comment-MR NICHOLAS WALLIS-OBJECTS(FULL).pdfFile name:3522950-Dradfield Lane_CPRE Letter_WCC-21-01858-FUL_Aug21.docxFile name:3522950-Dradfield lane objection 11 Aug21.pdfFile name:3522950-Dradfield lane objection 11 Aug21.pdfFile name:352377-Public Comment-MS LINDA MICELI-OBJECTS(FULL).pdfFile name:352370-Public Comment-MR NICAND ANDELTS(FULL).pdfFile name:352372-Public Comment-MR SILMOA MOLELI-OBJECTS(FULL).pdfFile name:352372-Public Comment-MR SILMOA MICELI-OBJECTS(FULL).pdfFile name:3520743532075.pdfFile name:352074352076.pdfFile name:3524642-Consultee Comment-MR DARREN LEWIS.		should know about.
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