

Representation by Soberton Parish Council

Appeal reference: APP/L1765/C/22/3311622

Site Address: Field To The North Of Dradfield Lane Soberton SO32 3QD

Alleged breach: Without planning permission, the unauthorised erection of a polytunnel

Appellant's name: Mr Nick Butler

Introduction

This representation is made by Soberton Parish Council (SPC) as the local council for the Appeal Site. The Council have been following the activities on the Site and have received numerous complaints about these and have made representations to Winchester City Council (WCC).

At the same time WCC have sought to apply the necessary planning policies pertaining to this Site and SPC fully support WCC.

Context

It is recognised that in assessing this Appeal the Inspector needs to consider the planning detail with respect to legislation and policy. Nevertheless before looking at the detail, SPC believe that it is relevant to first understand the setting of the Site and the combination of activity in the recent period.

Over a number of years the Appellant has undertaken numerous activities around the Site without due regard to the planning process. This is evident by the number of retrospective applications, enforcement notices and appeals both previously submitted and ongoing. SPC consider that this continuous abuse of the planning process should be taken into account while consider the specific detail of this Appeal.

In addition, since acquiring this Site the Appellant has erected close boarded fencing around the perimeter and large gates with opaque panels (subject to Appeal Ref 22/3311622) which make it difficult for anyone passing to see what is occurring on site. This makes it impossible to fully comprehend the nature of the works on the Site and consequently limits the degree to which we and other parties can fully make accurate representations. Consequently we would request that the Inspector recognises these limitations whilst considering this Appeal.

Enforcement and Grounds for Appeal

SPC agree with WCC that drainage of the Site since the construction of the polytunnel is a serious consideration and this has been well documented by others and submitted to WCC.

Before work commenced on the Site there had been some limited occasional flooding around the south east corner of the Site and on Ingoldfield Lane. To some extent this has always been a natural occurrence, evidenced by the existence of a pond in the corner. However, since the occupation of the Site by Mr Butler the flooding has become much more significant, as evidenced by the photographs taken by a number of local residents recently, as shown below.



Dradfield Lane



Appeal Site

This can not be simply due to a single serious event, as these have occurred in previous years. Notably flooding now frequently extends onto the surrounding public highways and remains there for a significant period. Not only does this cause difficulty for local residents and workers it is a matter of highway safety which is a grave concern.

As identified above it is difficult for SPC make any further detailed comments on the nature of the actual works due to the limited accessibility and visibility of the site. Consequently we urge the Inspector to;

- examine closely the drainage problems around the Site, and on the public highway,
- satisfy himself on the details of the works undertaken on the Site, and
- take note of WCC's case, particularly if it is made on the basis of a more detailed site inspection and analysis.

Summary

1. The abuse by Mr Butler of the planning process over a number of years is a material concern with respect to this Appeal.
2. The lack of transparency and visibility at the Site is relevant in determining this Appeal as it limits the ability of SPC and others to provide sufficient evidence of the on site works.
3. The consequence of the works on Site is clearly evident around the perimeter, with severe flooding now frequently extending onto the public highway which, not only is unacceptable as a principle, is a matter of highway safety.
4. SPC requests that the Inspector dismisses this Appeal in order that any detrimental works are removed and to ensure future planning compliance of the Appellant with any future activity on the Site.