

**Issued: 29<sup>th</sup> June 2023**

**WINCHESTER CITY COUNCIL**

**ENFORCEMENT NOTICE**

relating to land at

2 Calpe Yard, St Thomas Street, Winchester, Hampshire, SO23 9HE

**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 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 AFFECTED**

Land at 2 Calpe Yard, St Thomas Street, Winchester, Hampshire, SO23 9HE shown edged in red on the attached plan ("the Land").

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

Without planning permission, the erection of a structure on the roof terrace.

**4. REASONS FOR ISSUING THIS NOTICE**

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

The development is contrary to Policy CP20 of the Winchester District Local Plan Part 1 - Joint Core Strategy, and Policy DM15, DM16, and DM27 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations as it is considered an incongruous feature, with an insubstantial 'ad-hoc' character, rather than a considered conscious design feature. By virtue of its projection above the parapet it is visible from the public realm of Winchester High Street and the surrounding area. It is therefore not considered to conserve or enhance the Winchester City Conservation Area and its special character.

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

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

- i. Demolish the structure (shown in the photographs at Appendix A)
- ii. Remove any resultant waste from the Land.

**6. TIME FOR COMPLIANCE**

Three months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 3<sup>rd</sup> August 2023 unless an appeal is made against it beforehand.

Date: 29<sup>th</sup> June 2023

Signed:

A solid black rectangular box redacting the signature of Mark Watkins.

Mark Watkins, Service Lead - 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 acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal.

### **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.



Date: 10/05/2023

Scale: 1:625

Author:

Notes: Case Reference: 22/00238/WKS

**Legend**