

REPORT TITLE: PLANNING AND ENFORCEMENT NOTICE APPEALS –
QUARTER 4 REPORT

11 APRIL 2024

REPORT OF CABINET MEMBER: Councillor Jackie Porter

Cabinet Member for Place and Local Plan

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WARD(S): ALL (EXCLUDING SOUTH DOWNS NATIONAL PARK AUTHORITY)

PURPOSE

This report provides a summary of appeal decisions received during 1 January to 31 March 2024.

Copies of each appeal decision are available on the Council's website.

RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:

1.1 COUNCIL PLAN OUTCOME

Analysis of appeal decisions ensure consistency in decision making helping the City Council to protect the Environment.

1.2 Tackling the Climate Emergency and Creating a Greener District

1.3 None

1.4 Homes for all

1.5 None

1.6 Vibrant Local Economy

1.7 None

1.8 Living Well

1.9 None

1.10 Your Services, Your Voice

1.11 None

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 None

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 None

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 PUBLIC SECTOR EQUALITY DUTY

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10 RISK MANAGEMENT

10.1 None

Risk	Mitigation	Opportunities
Financial Exposure N/A		
Exposure to challenge N/A		
Innovation N/A		
Reputation N/A		
Achievement of outcome N/A		
Property N/A		
Community Support N/A		
Timescales N/A		
Project capacity N/A		
Other N/A		

11 SUPPORTING INFORMATION:

Total Number of all Appeals 9

11.1 This report provides a summary of appeal decisions in relation to planning cases received during 1 January to 31 March 2024,

Planning Appeal Cases in Total 8

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed	3		0	0
Dismissed	4		0	0
Withdrawn	1		1	Appellant's Costs Refused – Out of Time

11.2 This report provides a summary of appeal decisions in relation to enforcement notice cases received during 1 January to 31 March 2024,

Enforcement Appeal Cases in Total 1

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed - Notice Quashed	1	100%	0	0

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 NONE

BACKGROUND DOCUMENTS: -

Previous Committee Reports:

Planning Appeals Summary Report Q3 – Oct to Dec 2023

Enforcement Notice Appeals Summary Report Q1-4 – Jan to Dec 2023

The previous Appeal Summaries were presented at the February 2024 Planning Committee Meeting.

APPENDICES

APPENDIX 1 - Planning Appeals – Summary Of Decisions

APPENDIX 2 - Enforcement Notice Appeals – Summary Of Decisions

PLANNING APPEALS – SUMMARY OF DECISIONS**REPORT FROM SERVICE LEAD: BUILT ENVIRONMENT**

A summary of planning appeal decisions received during the period 1 January to 31 March 2024.

Item No: 1			
Date of Inspector's Decision:	1st February 2024	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	19/02225/FUL		
Case Officer:	Marge Ballinger		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		
PINS Ref:	APP/L1765/W/22/3309950		

Proposal:	Demolition of existing 2 storey detached property; construction of 2 storey replacement dwelling with associated landscaping. (AMENDED PLANS)
Location:	3 King Alfred Place Winchester SO23 7DF

Item No: 2			
Date of Inspector's Decision:	3rd January 2024	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Householder	Costs	Costs Refused – Out of Time

Case No:	22/02013/HOU		
Case Officer:	Eva Bryant		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3320607		

Proposal:	The proposed works will see the demolition of an existing garage structure and construction of a new larger garage structure, the conversion of an existing outbuilding to a larger annex with a small porch extension and new pitched roof dormers and all associated works.
Location:	Mulberry House Oakmore Park Durley Hampshire SO32 2NU

Item No: 3			
Date of Inspector's Decision:	31st January 2024	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	22/02560/PNACOU		
Case Officer:	Cameron Taylor		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3321334		

Proposal:	agricultural building converted into 3 dwellings
Location:	Christmas Hill Farm Stainers Lane South Wonston Hampshire

Item No: 4			
Date of Inspector's Decision:	7th March 2024	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	22/02662/FUL		
Case Officer:	Cameron Taylor		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3322470		

Proposal:	Application Reference Number: 12/02340/FUL Date of Decision: 26/03/2013Condition Number(s): No. 5, No. 6Conditions(s) Removal:Allow the use to operate in accordance with the needs of the Applicant. To provide flexibility for foals and friends horses to visit the site. To allow for temporary field shelters for animal welfare and protection of foals from extreme weather. Refer to supporting planning statement and RAC supporting statement for full details. Allow more than 4 horses to be kept on the site and to allow 2 x mobile field shelters to be kept on the land.
Location:	Oak View Stables Sutton Wood Lane Bighton Alresford Hampshire SO24 9SG

Item No: 5			
Date of Inspector's Decision:	23rd February 2024	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Written Representation	Costs	No Application for Costs
Case No:	22/02212/PNACOU		
Case Officer:	Eva Bryant		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3324202		

Proposal:	Change of use of a building and land within its curtilage from a use as an agricultural building to a use falling within C3 (dwelling houses), together with building operations reasonably necessary to convert the building
Location:	Land Lying To The East Side Of Hundred Acres Road Wickham Hampshire

Item No: 6			
Date of Inspector's Decision:	29th February 2024	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs
Case No:	23/00430/FUL		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3325181		

Proposal:	Change of use from an ancillary outbuilding for residential storage, to a new dwelling
Location:	The Old Smithy East Stratton Hampshire

Item No: 7			
Date of Inspector's Decision:	23rd February 2024	Inspector's Decision:	Application Withdrawn
Appeal Procedure	Public Inquiry	Costs	No Application for Costs

Case No:	22/01986/FUL		
Case Officer:	Rose Chapman		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/23/3330762		

Proposal:	(Additional Information received) use of land as an extension to the existing builders yard
Location:	The Meadows, Blanchard Wells Ltd Forester Road Soberton Heath SO32 3QG

Item No: 8			
Date of Inspector's Decision:	28th March 2024	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Public Inquiry	Costs	No Application for Costs

Case No:	22/01651/LDP		
Case Officer:	Liz Young		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/X/23/3333171		

Proposal:	The existing use is as a Golf Course (F2(c)) - to confirm that the hosting of up to 120 weddings per year would remain ancillary to the use of the land as a Golf Course and Country Club
Location:	Skylark Golf And Country Club Lee Ground Titchfield Hampshire PO15 6RS

ENFORCEMENT NOTICE APPEALS – SUMMARY OF DECISIONS**REPORT FROM SERVICE LEAD: BUILT ENVIRONMENT**

A summary of enforcement notice appeal decisions received during the period 1 January to 31 March 2024.

Item No: 9			
Date of Inspector's Decision:	23rd February 2024	Inspector's Decision:	Appeal Allowed - ENF Notice Quashed
Appeal Procedure	Public Inquiry	Costs	No Application for Costs
Case No:	23/00187/COU		
Case Officer:	Madelaine Clavey		
PINS Ref:	APP/L1765/C/23/3330757		
Proposal:	Without planning permission, the material change of use of the Land to storage (B8); together with operational development which facilitates the change of use of the Land.		
Location:	Blanchard Wells Ltd The Meadows Forester Road Soberton Heath Southampton Hampshire SO32 3QG		