

REPORT TITLE: PLANNING AND ENFORCEMENT NOTICE APPEALS
QUARTERLY REPORT – 1 OCTOBER – 31 DECEMBER 2025

11 MARCH 2026

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 October 2025 to 31 December 2025.

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

RECOMMENDATIONS:

1. That the report be noted.

RESOURCE 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 Greener Faster

1.3 None

1.4 Thriving Places

1.5 None

1.6 Healthy Communities

1.7 None

1.8 Good Homes for All

1.9 None

1.10 Efficient and Effective

1.11 None

1.12 Listening and Learning

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 20

11.1 This report provides a summary of appeal decisions in relation to planning cases received during 1 October – 31 December 2025,

Planning Appeal Cases in Total 18

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed	3	16.67%	0	0
Dismissed	14	77.78%	1	Appellant's Costs Refused
Part Allowed/ Part Dismissed	0	0%	0	0
Invalid – Out of Time	0	0%	0	0
Withdrawn	1	5.55%	0	0

11.2 This report provides a summary of appeal decisions in relation to enforcement notice cases received during 1 October – 31 December 2025,

Enforcement Appeal Cases in Total 2

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed	1	50%	1	Appellant's Costs Refused
Dismissed	0	0%	0	0
Part Allowed/ Part Dismissed	0	0%	0	0
Invalid – Out of Time	0	0%	0	0
Withdrawn	1	50%	0	0

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 NONE

BACKGROUND DOCUMENTS: -

Previous Committee Reports:

Appeals Summary Report Q2 – Jul - Sept 2025

The previous Appeal Summaries were presented at the October 2025 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 October – 31 December 2025

Item No: 1			
Date of Inspector's Decision:	14th October 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Informal Hearing	Costs	No Application for Costs
Case No:	22/00281/FUL		
Case Officer:	Cameron Taylor		
Original Decision Type:			
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/24/3349262		

Proposal:	Use of an existing temporary dwelling as a permanent onsite dwelling for occupation as an equestrian manager's dwelling
Location:	Cherry Tree Stables Ltd Stoke Charity Road Kings Worthy Hampshire SO21 2RP
Summary of Appeal Decision:	The appeal was dismissed because the Inspector found that the existing livery business was not proven to be financially sound; accounts showed historic losses, only modest recent profits that could not support proper labour costs, ongoing uncertainty due to negative equity and reliance on informal cash arrangements, and a lack of long-term security over key rented land. Meaning the proposal failed Policy DM11. Additionally, with the expiry of the temporary permission, the dwelling's occupation constituted new permanent residential development requiring nutrient-neutral mitigation for impacts on the Solent SPAs, but no mitigation package or legal agreement was provided, so adverse effects on designated habitats could not be ruled out under the Habitats Regulations; with these harms and only limited benefits from one dwelling, there were no material considerations to justify departing from the development plan, and the appeal was therefore dismissed.

Item No: 2			
Date of Inspector's Decision:	29th October 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Householder	Costs	No Application for Costs
Case No:	24/01132/TPO		
Case Officer:	John Bartlett		
Original Decision Type:	Delegated Decision		

Was Decision Overturned at Committee?	No
PINS Ref:	APP/TPO/L1765/10280

Proposal:	G2 on the sketch plan are a group of ash trees on our driveway boundary - Remove due to ash dieback. We are not planning to replant due to concerns over further damage to the drive.T1- Common Beech - Reduce canopy the property by 2-3 m back to pre-cuts to suitable growth points.T3 - Common Beech. Growing on driveway boundary on the left-hand side of shared driveway.Tip-reduce two lowest limbs to the south over existing hedge line by up to 2m. Crown clean all crossing rubbing branches. Remove Ivy upon trunk and crown. Remove Major deadwood. (See original application) (Amended)
Location:	5 Norris Gardens South Wonston Winchester Hampshire SO21 3TA
Summary of Appeal Decision:	The main issue was whether a condition requiring replacement trees is both reasonable and necessary having regard to the effect on the character and appearance of the area. The group of ash trees in question grow in a very narrow strip between the parking area of 5 Norris Close and the boundary fence with the adjoining property. The trees are virtually hidden from public view from Downs Road by a large beech and the available planting area is limited. It is therefore unclear why the replacement planting condition requiring three such large trees has been imposed for such a small area. There is no substantive evidence to demonstrate that there is not already a varied age of tree stock in the area, especially within the modest size gardens of the Norris Close cul-de-sac. The condition is found to be both unnecessary and unreasonable.

Item No: 3			
Date of Inspector's Decision:	30th December 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Householder	Costs	No Application for Costs

Case No:	24/01747/TPO		
Case Officer:	John Bartlett		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/TPO/L1765/10445		

Proposal:	G1 Ash - Remove trees in later stages of Ash dieback - Significantly reduced leaf coverage/crown density. Tips of branches showing die back, brown keys evident and foliage has become 'clumpy'.G2 Sycamore - Crown lift to approximately 6m over 6 Norris Gardens and prune back remaining canopy side by side by approximately 1.5m to maintain trees distance from building.
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Location:	6 Norris Gardens South Wonston Winchester Hampshire SO21 3TA
Summary of Appeal Decision:	The appellant seeks to remove Condition 5 which requires replacement of Ash trees with 3 extra-heavy standard trees. The Ash trees have been removed and had been part of a line of trees running along the edge of the appeal site with 101 Downs Road which had a positive effect on the character and appearance of the area. Numerous mature trees of various species remain in the immediate vicinity. There is a small space available for replanting and any replacement trees would be constrained and realistically, even if three extra-heavy standard trees could be planted on the site, they would be very restricted and unlikely to grow to a size where they would have the amenity value of the removed ash trees. This requirement is therefore unnecessary and unreasonable as it would not mitigate the harm identified. The Council has suggested an alternative condition to require four standard trees of more upright species to be planted but given the very small space available it has not been demonstrated that this would either be feasible or would achieve any significant increase in amenity.

Item No: 4			
Date of Inspector's Decision:	5th December 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	Appellant's Costs Refused
Case No:	24/01343/OUT		
Case Officer:	Liz Young		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3361293		

Proposal:	Erection of 2 detached self build houses with detached garages, parking, turning and landscaping.
Location:	Land Adjacent Lodge Green Whiteley Lane Titchfield Hampshire
Summary of Appeal Decision:	<p>Most of the land within the appeal site lies within ancient woodland and priority habitat and the proposal would result in material harm to biodiversity in respect of these features.</p> <p>The site lies within open countryside outside the Whiteley settlement boundary and within a designated 'Settlement Gap'. While no harm was found to the settlement gap, having regard to previous appeals and the Council's recent Settlement Gap Review (July 2024), a scheme for 2 market homes conflicts with LPP1 policy MTRA4 which restricts development in the countryside. The Inspector also found that the proposal would materially harm the rural character and appearance of the area.</p> <p>The appellant and Council disagreed on the Council's 5 year housing land supply, but given the material harm identified to ancient woodland the Inspector concluded there was no</p>

	<p>requirement to come to a view on this matter as the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework was not engaged.</p> <p>While the Council has a shortfall in self-build housing supply in comparison to the registered need, the Inspector attached modest weight to the stated self-build nature of the scheme given the small number of units proposed and the absence of a guarantee that the proposal would be secured as self-build housing.</p>
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Item No: 5			
Date of Inspector's Decision:	24th October 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs
Case No:	24/01659/FUL		
Case Officer:	Matthew Rutledge		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3362068		

Proposal:	To vary conditions 2 (approved plans) and 3 (materials) attached to 17/02777/FUL (permitted 22.12.2017)
Location:	The Old Forge Inn Winchester Road Shedfield Southampton Hampshire SO32 2HS
Summary of Appeal Decision:	<p>The inspector found that the amended scheme has an acceptable scale and mass and is proportionate to the building, site and its setting, and therefore satisfies Policy MTRA4.</p> <p>In contrast with the consented scheme, however, glazing is no longer the principal material and the copious red brickwork used in the amended scheme was considered by the inspector to result in the development having an overtly dominant appearance. In addition, the horizontal emphasis of its windows was considered at odds with the vertical emphasis of the remainder of the Inn's fenestration. These departures from the unmistakable conservatory design of the consented scheme, make the proposed development visually jarring.</p> <p>The inspector noted that Paragraph 88 of the Framework encourages decisions which enable the sustainable growth and expansion of all types of business in order to support a prosperous rural economy, however, this was not considered sufficient to outweigh the harm to the character and appearance of the building as described above.</p>

Item No: 6			
Date of Inspector's Decision:	27th November 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/01317/FUL		
Case Officer:	Rose Chapman		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3364106		

Proposal:	Erection of 3 detached 4 bedroom dwellings with private amenity space, off-road parking, soft landscaping and associated works
Location:	Land Opposite Lockhams Hill Lockhams Road Curdridge Hampshire
Summary of Appeal Decision:	<p>The application site is located within the countryside at the corner of a prominent road. The proposal would not meet the infill requirements of MTRA3 in this regard.</p> <p>MTRA3 allows for development that would support a settlements role and function provided the need is reflected in an adopted Neighbourhood plan or equivalent. The appellant used a referendum which was organised and conducted by the appellant's planning consultant to demonstrate compliance with this. This inspector found flaws with the referendum process conducted and concluded that the opinion of Parish residents were divided and therefore the proposal did not align with policy MTRA3.</p> <p>Further concerns were raised by the Inspector in regard to housing mix and nutrient neutrality.</p> <p>The appellant and the Council did not agree on the 5 year Housing Land Supply. The Inspector highlighted the issues raised in terms of nutrient neutrality and other policy compliance and the Inspector found that the proposal would be contrary to paragraph 195 of the NPPF 2024, and as such the tilted balance was not applied.</p>

Item No: 7			
Date of Inspector's Decision:	18th November 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	23/02918/FUL		
Case Officer:	Matthew Rutledge		

Original Decision Type:	Committee Decision
Was Decision Overturned at Committee?	Yes
PINS Ref:	APP/L1765/W/25/3364235

Proposal:	Change of use of agricultural land to a sui generis use for secure dog walking, together with the instalment of stockfencing to secure the area.
Location:	Land North Of The Avenue Alresford Hampshire
Summary of Appeal Decision:	<p>The main issue was considered by the inspector to be the effect of the proposal on the living conditions of neighbours.</p> <p>Inspector found the site to be a 'tranquil countryside location'. Open relationship between the site and two adjacent residential properties. In the above context, the inspector considered the proposed dog walking/exercise paddock is likely to generate some activity and associated noise and, as such, had concerns about the potential for noise nuisance and the resulting impact on the living conditions of neighbours.</p> <p>A noise assessment was submitted to address these potential issues. The inspector noted that when the assessment was undertaken, the sports fields in the adjacent recreation ground were in use, and therefore the background noise level recorded may have been higher than is typically the case. The inspector was also unconvinced that the report appropriately considered the nature of dog barking, which can be high frequency and intermittent, two characteristics that the inspector felt contribute to 'heightened annoyance levels'. The inspector also felt this could be exacerbated by dogs being walked in groups, dogs near to the boundary with the neighbouring properties, and human behaviour of the dog walkers.</p> <p>The report suggested a solid fence could be installed to act as an acoustic barrier between the site and neighbouring dwellings, however, the inspector was unconvinced by the effectiveness of this and, since it would be subject to neighbour agreement, felt it was an unreliable mitigation strategy.</p> <p>The appellant referred to several conditions aimed at restricting the use of the site and reducing the impact on neighbours. The inspector felt that these conditions would be difficult to enforce and would likely not reflect the nature of the activity on the site.</p> <p>The inspector concluded that it has not been satisfactorily shown that noise from the proposal would not have a detrimental impact on neighbouring residents.</p>

Item No: 8			
Date of Inspector's	27th November	Inspector's	Appeal Dismissed

Decision:	2025	Decision:	
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/01816/LIS		
Case Officer:	Joe Toole		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/Y/25/3366363		

Proposal:	Change of use of Class E (b) Restaurant to 4 No 1 bed flats		
Location:	Unit D South Square Knowle Fareham Hampshire PO17 5FL		
Summary of Appeal Decision:	The Appeal site would result in harm to the designated heritage asset and result in the harmful loss of a local facility/service.		

Item No: 9			
Date of Inspector's Decision:	27th November 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/01484/FUL		
Case Officer:	Joe Toole		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3366385		

Proposal:	Change of use of Class E (b) Restaurant to 4 No 1 bed flats		
Location:	Unit D South Square Knowle Fareham Hampshire PO17 5FL		
Summary of Appeal Decision:	The Appeal site would result in harm to the designated heritage asset and result in the harmful loss of a local facility/service.		

Item No: 10			
Date of Inspector's Decision:	19th November 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Public Inquiry	Costs	No Application for Costs

Case No:	24/02803/FUL		
Case Officer:	Liz Young		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3366618		

Proposal:	Erection of 60 dwellings, access and minor alterations to Grindall Field, landscaping, parking and other associated works
Location:	Land At Southwick Road And School Road Wickham Hampshire
Summary of Appeal Decision:	<p>The appeal site is located on the edge of Wickham and is allocated for development within the emerging Local Plan. During the course of the appeal emerging policy H2, which secured the phased submission for allocations, was withdrawn by the Council. As such reason for refusal 1 was withdrawn.</p> <p>Amended plans were also submitted in regard to affordable housing which were considered acceptable to the Council and reasons for refusal 3 and 6 were withdrawn.</p> <p>A S106 was submitted as part of the appeal which addressed reasons for refusal 2,4,5 and 7 and therefore these reasons for refusal were withdrawn.</p> <p>The Inspector found no harm and allowed the appeal.</p>

Item No: 11			
Date of Inspector's Decision:	14th November 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Informal Hearing	Costs	No Application for Costs
Case No:	24/02359/OUT		
Case Officer:	Catherine Watson		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3366702		

Proposal:	Outline application for the construction of five self-build dwellings with all matters reserved apart from the proposed access.
Location:	Land Adjacent The Down House Harestock Road Winchester Hampshire
Summary of Appeal Decision:	<p>The application was for 5 self-build dwellings situated just outside the settlement boundary of Harestock so classed as being in the countryside. The application was outline and they were seeking approval for the proposed access into the site. They also submitted an indicative site plan showing the layout of the proposed site and dwellings. The applicant submitted the appeal for non-determination of the application but if the Council had determined it, we would have refused it for the main reason of it being outside the settlement boundary and the resulting landscape impact. The Inspector dismissed the appeal, stating that the proposal failed to safeguard habitats sites (the Itchen SSSI and Solent SPA in respect of nutrient mitigation).</p>

Item No: 12			
Date of Inspector's Decision:	15th December 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Public Inquiry	Costs	No Application for Costs
Case No:	24/02737/OUT		
Case Officer:	Rose Chapman		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3367467		

Proposal:	Outline planning permission for up to 188 houses including Custom and Self Build housing with all matters reserved except for access
Location:	Land West Of Lanham Lane Winchester Hampshire
Summary of Appeal Decision:	<p>The application was for a speculative development outside the Winchester settlement boundary. The Inspector agreed that the location was not suitable for development.</p> <p>The Inspector highlighted that the landscape was considered to be a valued landscape under the NPPF 2024, and found that the proposal would result in significant harm to the character and appearance of the area.</p> <p>The Inspector highlighted that many of the Highways mitigations were 'counter intuitive' but would not result in harm to the highway and its users.</p> <p>The appellant and the Council disagreed with the 5 year Housing Land Supply. The Inspector explored the Council's position and calculations at length and accepted the Council's position. The Inspector also concluded that the proposal would not deliver the full amount of housing within 5 years and what could be provided would be in the latter parts of the term.</p> <p>It was agreed that the Council was not meeting its Self and Custom Build requirements and the proposed S106 would have secured 6% of SCB units in line with emerging policy.</p> <p>The appellant proposed to install a Waste Water Treatment Works and SUDs on site to provide nutrient mitigation. The Inspector found that the additional details of the WWTW could be secured via condition and S106 however this was not covered in detail due to other reasons for refusal.</p>

Item No: 13			
Date of Inspector's Decision:	27th November 2025	Inspector's Decision:	Appeal Dismissed

Appeal Procedure	Written Representation	Costs	No Application for Costs
Case No:	24/02442/OUT		
Case Officer:	Joe Toole		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3368976		

Proposal:	Outline planning application for the construction of 2no. dwellings with all matters reserved except for access
Location:	Mount Folly Farm Southwick Road North Boarhunt Fareham Hampshire PO17 6JH
Summary of Appeal Decision:	The Appeal site would result in the loss of an important gap that would also not be within a continuously road frontage. It would therefore be incompatible with the character and appearance of the settlement. As such, the proposal would not represent a suitable location for residential development, in conflict with Policy MTRA3 of LPP1.

Item No: 14			
Date of Inspector's Decision:	29th December 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	25/00905/FUL		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	6000545		

Proposal:	The proposed installation of 1no. BT Street Hub unit and removal of associated BT payphone kiosk(s)
Location:	BT Street Hub Unit On Pavement Outside West Downs Student Village Romsey Road Winchester Hampshire
Summary of Appeal Decision:	The application was for the installation of a BT Street Hub outside the West Downs student centre on Romsey Road. The Inspector dismissed the appeal and agreed that the considerable height and box-like form of the Street Hub would introduce a visually dominant feature into the streetscape where there is presently no other items of street furniture of the pavement of comparable bulk or prominence.

Item No: 15			
Date of Inspector's	29th December	Inspector's	Appeal Dismissed

Decision:	2025	Decision:	
Appeal Procedure	Householder	Costs	No Application for Costs
Case No:	25/00906/AVC		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/Z/25/3371377		

Proposal:	Two digital 75-inch LCD display screens, one on each side of the Street Hub unit.
Location:	BT Street Hub Unit On Pavement Outside West Downs Student Village Romsey Road Winchester Hampshire
Summary of Appeal Decision:	As above however, the Inspector also agreed that the positioning and size of the Hub would affect accessibility for pedestrians, including wheelchair and pram users.

Item No: 16			
Date of Inspector's Decision:	31st December 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	25/00907/FUL		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	6000546		

Proposal:	The proposed installation of 1no. BT Street Hub unit and removal of associated BT payphone kiosk(s)
Location:	BT Street Hub Unit On Pavement Near Waitrose Waitrose Food Store Stockbridge Road Winchester Hampshire
Summary of Appeal Decision:	The application was for the installation of a BT Street Hub near the junction of Stockbridge Road and Stoney Lane in Weeke. The Inspector agreed that because the site lies in a location where the character shifts towards residential use from the commercial area, the installation would heighten the sense of intrusion into a quieter, more domestic environment which would erode the residential character.

Item No: 17			
Date of Inspector's Decision:	31st December 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Householder	Costs	No Application for Costs

Case No:	25/00908/AVC		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/Z/25/3371378		

Proposal:	Two digital 75-inch LCD display screens, one on each side of the Street Hub unit.		
Location:	BT Street Hub Unit On Pavement Near Waitrose Waitrose Food Store Stockbridge Road Winchester Hampshire		
Summary of Appeal Decision:	As above.		

Item No: 18			
Date of Inspector's Decision:	24th November 2025	Inspector's Decision:	Appeal Withdrawn
Appeal Procedure	Public Inquiry	Costs	No Application for Costs

Case No:	25/00159/OUT		
Case Officer:	Mrs Megan Osborn		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3373322		

Proposal:	Outline application with all matters reserved except access for the development of up to 65 dwellings (including affordable housing), a 70-bed residential care home (C2) and 0.24 ha of land safeguarded for a community/ health facility; accessed off Cranbourne Drive; alongside the provision of public open space, play facilities, sustainable urban drainage, ecological mitigation and supporting infrastructure.		
Location:	Fields Rear Of Cranbourne Drive Otterbourne Hampshire		
Summary of Appeal Decision:	This application with withdrawn by the applicant.		

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

A summary of enforcement notice appeal decisions received during the period 1 October – 31 December 2025.

Item No: 19			
Date of Inspector's Decision:	1st October 2025	Inspector's Decision:	Appeal Allowed - ENF Notice Quashed
Appeal Procedure	Informal Hearing	Costs	Appellant's Costs Refused
Case No:	23/00024/CARAVN		
Case Officer:	Mark Fletcher		
PINS Ref:	APP/L1765/C/23/3320989		
Proposal:	Without planning permission, the material change of use of the Land from agricultural to a mixed use for residential use of a caravan and storage of caravans and the laying of scalpings to facilitate the mixed use		
Location:	Plot 2 Pony Paddock Hipleys Road Hambleton Hampshire		
Summary of Appeal Decision:	<p>Significant unmet need: The Council currently only has a 3.2 year supply of gypsy and traveller pitches and cannot demonstrate a five year supply. The Inspector considered the updated national traveller definition (2024 PPTS) likely to increase need further.</p> <p>Policy failure: Relevant policies (CP5 and DM4) are not delivering sufficient authorised sites.</p> <p>Personal circumstances: The Doran family, including several school age children, have an established need for settled accommodation. Their welfare weighed heavily in favour of allowing the development.</p> <p>Nitrate neutrality: Mitigation was shown to be achievable via a Package Treatment Plant and nitrate offsetting credits. A management/monitoring condition will secure compliance.</p> <p>Character and appearance: The development was found to cause harm to the rural character, consistent with previous appeal findings. This harm weighed against the scheme.</p> <p>Intentional unauthorised development: Counted against the appellant but did not outweigh the overall need and personal circumstances.</p>		

	Outcome: Permission granted temporarily for five years, enabling reassessment once the new Local Plan is adopted. A suite of conditions controls the number of caravans, drainage, layout, lighting, landscaping, and requires removal of all development at expiry.
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Item No: 20			
Date of Inspector's Decision:	23rd October 2025	Inspector's Decision:	WCC withdrew ENF Notice
Appeal Procedure	Informal Hearing	Costs	No Application for Costs

Case No:	25/00122/WKS		
Case Officer:	Sandra Graham		
PINS Ref:	APP/L1765/C/25/3368433		

Proposal:	Without planning permission:i) the carrying out of operational development consisting of building and engineering operations (including but not limited to, the creation of hardstandings and laying of services or drainage) and enclosing the Land with fencing, andii) the importation onto the Land of hardcore, scalplings or other materials used for the construction of hard surfacing.
Location:	Land To The Rear Of The Chairmakers Arms Forest Road Worlds End Hambleton Hampshire
Summary of Appeal Decision:	Planning permission was granted under reference: 25/01078/FUL on the land for "Material Change of Use of Land to a 2 Pitch Gypsy/Traveller Site comprising the siting of 1 Mobile Home, 1 Touring Caravan, and 1 Utility Room per pitch. Retention of hardstanding and fencing". The enforcement notice was redundant following granting of this permission and was therefore withdrawn by WCC.