The Planning Inspectorate

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Planning Appeals Technician
Eastleigh Borough Council
Development Control
Civic Offices
Leigh Road
Eastleigh
Hampshire
SO50 9YN

Your Ref: F/13/73273

Our Ref: APP/W1715/A/14/2215139

Date: 20 March 2014

Dear Sir/Madam

Town and Country Planning Act 1990
Appeal by Mr C.A. JENMAN
Site at 39 Nightingale Avenue, Eastleigh, SO50 9JS

I have received appeal forms and documents for this site. I am the case officer, if you have any questions, please contact me.

I have checked the papers and confirm that the appeal is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant has requested the written representations procedure. We have applied the criteria and considered all representations received, including the appellant's preferred choice. We consider that the written representations procedure is suitable and we intend to determine this appeal by this procedure.

The date of this letter is the **starting date** for the appeal.

Sending documents to us and looking at the appeal

If you post your documents, please:

- send one copy of the questionnaire and its supporting documents;
- send two copies of other documents as specified below;
- put the full appeal reference number on each copy.

If you email them to the email address above, please quote the full appeal reference number. Guidance on communicating with us electronically can be found at www.planningportal.gov.uk/planning/appeals/guidance.

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

You can look at this case using the Planning Casework Service
www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
by typing in the appeal reference number and clicking on "Search for Cases".

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with this appeal promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. Inspectors will not accept any documents from you or discuss the appeal at the site visit. Also, Inspectors will not delay their decision to wait for any such documents. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

Where a new local policy has been adopted at any point following the LPA decision but before the appeal decision is issued you MUST inform PINS and outline its effect on this appeal.

By 27 March 2014

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them:-

i) that any comments they made at application stage will be sent to me and the appellant and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments, they must submit 3 copies within 5 weeks of the starting date, **by 24 April 2014**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
ii) when and where the appeal documents will be available for inspection;
iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal;
iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by written representations' either free of charge from you or on the Planning Portal (www.planningportal.gov.uk); and
v) that the decision will be published on the Planning Portal.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant and me. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 24 April 2014

Please send me 2 copies of your statement if the appeal questionnaire does not give full details of your case. Please include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments received from other interested persons or organisations and I will also send a copy of your statement to the appellant.

By 8 May 2014

The appellant may submit 2 copies of any final comments they have on your statement and both you and the appellant may also comment on any comments received from interested persons or organisations. No new evidence is allowed at this stage. I will send you a copy of any final comments received from the appellant.

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied site visit can be made you will **not** be informed in advance and the Inspector should not be approached should you happen to observe him/her whilst he/she is conducting the site visit. If you were to do so, the Inspector would of course identify him or herself, but would not be able to engage in conversation with you at that time.

Withdrawing the appeal

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Costs

The appellant has been directed to our Planning Portal for further information regarding costs - www.planningportal.gov.uk/planning/appeals/guidance. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

National Planning Policy Guidance

The National Planning Policy Guidance (NPPG) came into force on 6 March 2014. Further information regarding the NPPG can be found on the Planning Portal.

If you consider that the NPPG has relevance to this case then please ensure the following:

Appellant
Submit a supplementary annexe, under separate cover, which will be inserted into your statement of case and will be copied to the Local Planning Authority. This should be completed within 7 days of this letter; if the Planning Inspectorate does not receive any communication on this matter then the appeal will be processed on the basis that the NPPG, in your opinion, has no bearing upon your case.

LPA
If comments relating to the NPPG are received from the Appellant then these will be forwarded to you as though it were part of the statement of case.

If, in the opinion of the LPA, the case is affected by the NPPG then comments should be made at the statement stage of the process. Again, like above, if the Planning Inspectorate does not receive any communication on this matter then the appeal will be process on the basis that the NPPG, in your opinion, has no bearing upon your case.

It is important to note that whilst one or neither party may not consider it necessary for NPPG comment the Inspector may deem it necessary

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on our Planning Portal - www.planningportal.gov.uk/planning/appeals/guidance. A certified copy must be submitted to me no later than 7 weeks from the date of this letter.

Further information

Further information about the appeals process can be accessed at - www.planningportal.gov.uk/pcs. Advice on producing statements can also be found on our Planning Portal. I recommend that you read the relevant guidance.

Yours sincerely

pp Neale Oliver

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