For official use only (Date received): 28/01/2015 18:24:08

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents must reach the Inspectorate within the appeal period.

If your appeal and essential supporting documents are not received in time, we will not accept the appeal.

Appeal Ref: APP/W1715/W/15/3003651

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr O Cater
Company/Group Name	
Address	The Orchard Blind Lane Eastleigh Hants SO30 2HJ
Phone no.	
Fax no.	
Email	

I prefer to be contacted by:

Email ☑ Post ☐

B. AGENT DETAILS (if any)

Name	Mr Stephen Andrews
Company/Group Name	SDA Planning Ltd
Address	19 Well Copse Close Horndean Waterlooville Hants PO8 0HB
Phone no.	07415873657
Fax no.	
Email	stephen.andrews@sdaplanning.co.uk
Your reference	

I prefer to be contacted by:

Email ☑ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Eastleigh Borough Council
LPA reference number	F/14/74339
Date of the application	21/03/2014

Did the LPA validate and register your application? Yes ☑ No ☐

Did the LPA issue a decision? Yes ☑ No ☐

Date of LPA's decision: 28/07/2014

D. APPEAL SITE ADDRESS

Address:

The Orchard
Blind Lane
Eastleigh
Hants
SO30 2HJ
Grid Ref Easting:
Grid Ref Northing:

Is the appeal site within a Green Belt? Yes ☐ No ☑

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☑

Please describe the health and safety issues

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☐ No ☑

Please enter details of the proposed development. This should normally be taken from the planning application form.

Erection of 3 no. 4 bed dwellings with associated car barns, bin & bike stores. Creation of new access from Botley Road to serve Plot 3 and new access from Blind Lane to serve Plots 1 & 2.

Area (in hectares) of the whole appeal site [e.g. 1234.56]: 00.11

Area of floor space of proposed development (in square metres)

Does the proposal include demolition of non-listed buildings within a conservation area? Yes ☐ No ☑

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission. ☑
2. Refused permission to vary a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐
4. Granted planning permission for the development subject to conditions to which you object. ☐
5. Refused approval of the matters reserved under an outline planning permission. ☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☑

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☐ No ☑

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☑ No ☐

Please explain.

To fully assess the impact of the development

2. Hearing ☐

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

☐ the box below
☐ see 'Appeal Documents' section

(a) Preferred date

Alternative date

(b) Is there any further information relevant to the hearing which you need to tell us about?

3. Inquiry ☐

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☐ the box below
☐ see 'Appeal Documents' section

Please enter your text here

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

(c) How long do you estimate the inquiry will last?

(d) Preferred date

Alternative date

(e) Is there any further information relevant to the inquiry which you need to tell us about?

H. FULL STATEMENT OF CASE

The full statement of case is set out in

☐ the box below
☑ see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes ☑ No ☐

(b) Have you made a costs application with this appeal? Yes ☐ No ☑

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☑

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

☐ to follow

☐ see 'Appeal Documents' section

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) - None of the land to which the appeal relates is, or is part of, an agricultural holding; ☑

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant; ☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☑

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form). ☑

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☑

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☑

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☑

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☑

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). ☐

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐

07. A copy of the design and access statement sent to the LPA (if required). ☑

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☑

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application; ☐

(b) all plans sent at outline application stage; ☐

(c) the original outline planning permission. ☐

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☑ No ☐

Please give details, including our reference number(s), if known.

The Cottage, Blind Lane is to follow this submission (appeal reference currently unknown)

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledege.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature Mr Stephen Andrews

Date 28/01/2015 18:24:08

Name Mr Stephen Andrews

On behalf of (if applicable) Mr O Cater

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this

form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form.

- locating your local planning authority's email address - http://www.planningportal.gov.uk/planning/appeals/online/tutorialshelp/appeal/sendingacopytothecouncil

- attaching the saved appeal form including any supporting documents.

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 3035, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this appeal form:

File Description:	FULL STATEMENT OF CASE
File Name:	Appeal Statement The Orchard.pdf
File Description:	APPENDIX 1
File Name:	Appendix 1 Inspectors Findings Local Plan.pdf
File Description:	APPENDIX 2
File Name:	Appendix 2 - High Court Decision.pdf
File Description:	APPENDIX 3
File Name:	Appendix 3 Appeal Decision Trafalgar Rise.pdf
File Description:	APPENDIX 4A
File Name:	Appendix 4 Moorhill Appeal Decision (1).pdf
File Description:	APPENDIX 4B
File Name:	Appendix 4 Moorhill Costs Decision (2).pdf
File Description:	APPENDIX 5
File Name:	Appendix 5 Area Map.pdf
File Description:	APPENDIX 6
File Name:	Appendix 6 Site Accessibility.pdf
File Description:	APPENDIX 7
File Name:	Appendix 7 Housing Evidence Eastleigh.pdf
File Description:	APPENDIX 8
File Name:	Appendix 8 Representation.pdf
File Description:	APPLICATION FORM
File Name:	Application Form.pdf
File Description:	LPA DECISION NOTICE
File Name:	Decision Notice.pdf
File Description:	SITE PLAN
File Name:	Location Plan The Orchard.pdf
File Description:	PLANS EXISTING
File Name:	10 Ext site plan The Orchard.pdf
File Description:	PROPOSED PLANS

File Name:	11A Proposed Site Plan The Orchard.pdf
File Description:	PLANNING & DAS STATEMENT
File Name:	Planning_and_Design_and_Access_Statement The Orchard Blind Lane.pdf
File Description:	ENERGY STATEMENT
File Name:	WAT 1 Report The Orchard.pdf
File Description:	CODE ASSESSMENT
File Name:	The Orchard Code 4 Pre Assessment.pdf
File Description:	LIST OF PLANS
File Name:	List of Plans and Documents.pdf
File Description:	ARBORICULTURAL IMPACT ASSESSME
File Name:	The Orchard AIA 2014 .pdf
File Description:	TREE SURVEY
File Name:	survey schedule .pdf
File Description:	TREE PLAN
File Name:	TM-658-01 .pdf

The documents listed below were already attached elsewhere with this appeal form:

File Description:	A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
File Name:	APPLICATION FORM
File Description:	A copy of the design and access statement sent to the LPA.
File Name:	APPLICATION SUBMISSION

The documents listed below are to follow by post:

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US.

Completed by	MR STEPHEN ANDREWS
Date	28/01/2015 18:24:08