The Planning Inspectorate

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(Date received)

27-Mar-2014 16:47

QUESTIONNAIRE (Online Version)

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

Appeal Ref:	APP/W1715/A/14/2215139
Appeal By:	Mr C.A. JENMAN
Address	39 Nightingale Avenue EASTLEIGH Hampshire
Postcode	SO50 9JS
Grid Reference: Easting	4438277
Northing	1184929

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **by the date specified in our start letter**. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1 Do you consider the written representation procedure to be suitable? ☑ YES ☐ NO

Do you wish to be heard by an Inspector at;

☐ a local inquiry? or

☐ a hearing?

How long do you expect an inquiry would last? _____ days

How many witnesses do you intend to call? _____

What are the preferred Inquiry/Hearing dates you have agreed with the appellant/agent?
(2 dates should be provided, or more if possible.)

Note: If the written procedure is agreed the Inspector will visit the site <u>unaccompanied</u> by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

2 a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? ☑ YES ☐ NO

b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? ☐ YES ☑ NO

Please explain:

2 c. Are there any known health and safety issues that would affect the conduct of the site inspection? ☐ YES ☑ NO

3 Please provide the name, telephone number and e-mail address of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

Name Angela Rainger, Planning Technic Phone 02380688258

Email ebcplanningsupport@eastleigh.gov

4 Does the appeal relate to an application for approval of reserved matters? ☐ YES ☑ NO

5 Was a site ownership certificate submitted with the application? ☑ YES ☐ NO

6 Did you give publicity to the application in accordance with either Article 13 of the DMPO 2010, Section 67/73 of the Planning (Listed Buildings & Conservation Areas) act 1990 or Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990? ☐ YES ☑ NO

☐ *Document provided*

7 Is the appeal site within;

a. A Green Belt? ☐ YES ☑ NO

b. An Area of Outstanding Natural Beauty? ☐ YES ☑ NO

8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? ☐ YES ☑ NO

☐ *Document provided*

9 a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? ☐ YES ☑ NO

Please give our reference numbers and if necessary attach details:

☐ *Document provided*

b. Are there any other appeals or matters relating adjacent or close to the site still being considered by us or the Secretary of State? ☐ YES ☑ NO

Please give our reference numbers and if necessary attach details:

☐ *Document provided*

10 Would the development require the stopping up or diverting of a public right of way? ☐ YES ☑ NO

Please provide an extract from the Definitive Map and Statement for the area, and any other details.

☐ *Document provided*

11 a. Is the site in a Conservation Area? ☐ YES ☑ NO

Please attach a plan of the Conservation Area

☐ *Document provided*

b. Does the appeal relate to an application for conservation area consent? ☐ YES ☑ NO

c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? ☐ YES ☑ NO

12 a. Does the proposed development involve the demolition, alteration or extension of a listed building? ☐ YES ☑ NO

Date of listing: ☐ I ☐ II* ☐ II

b. Would the proposed development affect the setting of a listed building? ☐ YES ☑ NO

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historical Interest. ☐ *Document provided*

c. If YES to (a) or (b), was English Heritage consulted? ☐ YES ☐ NO

Please attach a copy of any comments. ☐ *Document provided*

13 Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? ☐ YES ☑ NO

14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)? ☐ YES ☑ NO

b. Was English Heritage consulted? ☐ YES ☐ NO
Please send a copy of any comments. ☐ *Document provided*

15 Is any part of the site subject to a Tree Preservation Order? ☐ YES ☑ NO

Please send a plan showing the extent of the Order and any relevant details. ☐ *Document provided*

16 Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning and Compulsory Purchase Act 2004) relating to the application site? ☐ YES ☑ NO

Please attach a copy of the relevant order. ☐ *Document provided*

17 Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? ☐ YES ☑ NO

18 a. Is the appeal site in or adjacent to or likely to affect an SSSI or an Internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)? ☐ YES ☑ NO
Please attach the comments of Natural England ☐ *Document provided*

b. Are any protected species likely to be affected by the proposals? ☐ YES ☑ NO
Please attach details. ☐ *Document provided*

19 **Environmental Impact Assessment**

Environmental Statement (ES)

Schedule 1

a. (i) Is the proposed development Schedule 1 development as described in Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO

(ii) Under which description of development? (ie Nos 1-21)

Schedule 2

b. (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO

(ii) Under which description of development in Column 1? (ie Nos 1-13)

(iii) Is the applicable threshold/criteria in Column 2 exceeded/met? ☐ YES ☑ NO

c. Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? ☐ YES ☑ NO
☐ *Document provided*
Please provide details in the box below:

Screening

d. (i) Have you issued a screening opinion (SO)? ☐ YES ☑ NO
Please attach a copy of the SO that was placed on the planning register, and any other related correspondence.
☐ *Document provided*

(ii) Did the SO state that the proposed development is EIA development as defined by the EIA Regulations? ☐ YES ☑ NO
If you decided that the proposed development is not EIA development as defined by EIA Regulations, please attach brief descriptions for your opinion.
☐ *Document provided*

Environmental Statement (ES)

e. Has the appellant supplied an environmental statement? ☐ YES ☑ NO
Please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 and Circular 2/99.
☐ *Document provided*

Publicity

f. If applicable, please supply a copy of the site notice and local advertisement published under Article 13 of the DMPO 2010, as required for EIA development.
☐ *Document provided*

20 Have all the notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? ☑ YES ☐ NO
Please attach copies of any comments that you received in response.
☑ *Document provided*

21 **Copies of the following documents must, if appropriate, be attached to this questionnaire;**
Tick the 'Applies' checkbox to the right of each applicable document, then select whether you intend to send it by post or attach it now.

a. a copy of the letter with which you notified people about the appeal; ☑ Applies

b. a list of the people you notified and the deadline you have for their comments to be sent to us; ☑ Applies

Deadline: 24 Apr 2014

c. all representations received from interested parties about the original application; ☑ Applies

d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes; ☑ Applies

e. any representations received as a result of a DMPO 2010 Article 12 (or Regulation 6) notice; ☐ Applies

f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan) You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination; ☐ Applies

List of Policies:

g. extracts of any relevant policies which have been 'saved' by way of a Direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004, that you consider necessary. Please attach a copy of the Direction and a copy of the letter from the Government Office which accompanied the Direction. ☑ Applies

List of Policies: Eastleigh Borough Local Plan Review 2001-2011 policies

Continued...

h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when; ☐ Applies

i. extracts from any supplementary planning document, that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached; ☑ Applies

j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us by the date your statement is due. The list must be submitted separately from your appeal statement; ☑ Applies

k. any other relevant information or correspondence you consider we should know about; ☐ Applies

22 **For appeals dealt with by written representations only.**

Do you intend to send a statement about this appeal? ☑ YES ☐ NO

a. a full list of the plans submitted with the application; ☐ *Applies*

b. the relevant planning history; ☐ *Applies*

c. any supplementary reasons for the decision on the application or what the decision notice would have said; ☐ *Applies*

d. matters which you want the Inspector to note at the site visit; ☐ *Applies*

e. how the relevant development plan policies relate to the issues of this appeal; ☐ *Applies*

23 **For the Mayor of London cases only**

a. Was it necessary to notify the Mayor of London about the application? ☐ YES ☑ NO
Please attach a copy of that notification ☐ *Document provided*

b. Did the Mayor of London issue a direction to refuse planning permission? ☐ YES ☑ NO
Please attach a copy of that notification ☐ *Document provided*

Council's Reference: F/13/73273

☑ I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

Completed by Angela Rainger, Planning Technician (name)

On behalf of Eastleigh Borough Council council.

STATEMENT
Do you wish to attach your statement of case? ☐ YES ☑ NO
☐ *Document provided*

Appeal Ref:	APP/W1715/A/14/2215139
Appeal by:	Mr C.A. JENMAN
Site Address:	39 Nightingale Avenue EASTLEIGH Hampshire SO50 9JS

The following documents should be sent to us within 2 weeks of the 'starting date' (***unless otherwise specified***)

Description	No. Sent

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************************************************************************
* The Documents Listed Below Were Uploaded With The Questionnaire Form *
************************************************************************
TITLE:       21a. A copy of the letter with which you notified people about the appeal
DESCRIPTION: Appeal notification letter
FILENAME:    appeal notification letter 21a.pdf

TITLE:       21b. A list of the people you notified and the deadline you gave for their
             comments
DESCRIPTION: Appeal notification list
FILENAME:    Appeal notification list 21 b.pdf

TITLE:       21c. All representations received from interested parties.
DESCRIPTION: Neighbour Responses
FILENAME:    Neighbour responses.pdf

TITLE:       21c. All representations received from interested parties.
DESCRIPTION: Env Health Response
FILENAME:    Env Health response.pdf

TITLE:       21c. All representations received from interested parties.
DESCRIPTION: Transport & Engineers Response
FILENAME:    Engineers response.pdf

TITLE:       21d. The planning officers report on the application and any other relevant
             documents.
DESCRIPTION: Officer Report
FILENAME:    Officer Report.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
             a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 28.ES
FILENAME:    28.ES EBLPR 2001-2011.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
             a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 59.BE
FILENAME:    59BE.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
             a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 72.H
FILENAME:    72.H.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
             a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 100.T
FILENAME:    100.T EBLPR 2001-2011.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
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Continued...

Completed By	Angela Rainger, Planning Technician	**Date**	27 March 2014
LPA	Eastleigh Borough Council		

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

SUPPLEMENTARY SHEET

Question 21g (Continued)

28.ES,59.BE,72.H,100.T,101.T,104.T,147.OS,183.LB,191.IN and Eastleigh Borough Local Plan 2011-2029 Revised draft October 2013 policies DM1,DM2,DM23,DM24,DM25,DM29,DM32,DM35,DM37

SUPPLEMENTARY SHEET

Questionnaire Documents (continued)

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            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 101.T
FILENAME:    101T EBLPR (2001-2011).pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 104.T
FILENAME:    104.T EBLPR 2001-2011.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 147.OS
FILENAME:    147OS EBLPR (2001-2011).pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 183.LB
FILENAME:    183LB EBLPR (2001-2011).pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: 191.IN
FILENAME:    191IN EBLPR (2001-2011).pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: Direction Letter saved policy
FILENAME:    Direction letter and saved policies.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM1
FILENAME:    DM1 rev draft oct 2013.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM2
FILENAME:    DM2 rev draft oct 13.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM23
FILENAME:    DM23 rev draft oct 13.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM24
FILENAME:    DM24 rev draft oct 2013.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM25
FILENAME:    DM25 rev draft oct 13.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM29
FILENAME:    DM29 rev draft oct 13.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM32
FILENAME:    DM32 rev draft oct 13.pdf
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SUPPLEMENTARY SHEET

Questionnaire Documents (continued)

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TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM35
FILENAME:    DM35 rev draft oct 13.pdf

TITLE:       21g. Extracts from any relevant policies which have been 'saved' by way of
            a Direction under paragraph 1(3) of Schedule 8
DESCRIPTION: DM37
FILENAME:    DM37 rev draft oct 13.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Planning Obligations SPD
FILENAME:    SPD Planning Obligations.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Residential Parking SPD
FILENAME:    SPD Residential Parking Standards.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Env Sustainable Dev
FILENAME:    Environmentally Sustainable Development SPD.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Quality Places SPD Part 1
FILENAME:    QualityPlaces SPD pages 1-25.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Quality Places SPD Part 2
FILENAME:    QualityPlaces spd pages 26-35.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Quality Places SPD Part 3
FILENAME:    QualityPlaces spd pages 36-50.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Quality Places SPD Part 4
FILENAME:    QualityPlaces spd pages 51-76.pdf

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Relevant parts of Qual Pla SPD
FILENAME:    Quality Places SPD most relevant sections.doc

TITLE:       21i. Extracts from any supplementary planning document
DESCRIPTION: Character Area Appraisal SPD
FILENAME:    Character area appraisal ELAC 24.pdf

**********************************************************************
* The Documents Listed Below Will Follow By Post                     *
**********************************************************************
** 21j. A list of comprehensive conditions which you consider should be imposed if
  planning permission is granted.

**********************************************************************
* The Documents Listed Below Are Already Enclosed                    *
**********************************************************************
** 20.  attached at 21 c below
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