The Planning Inspectorate

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HOUSEHOLDER PLANNING APPEAL (Online) FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372. **To help you fill in this form correctly please refer to the guidance leaflet "How to complete your householder planning appeal form"**.

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 REFERENCE: APP/W1715/D/14/2218393

A. APPELLANT DETAILS

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

Name	Mr Matthew Stillwell
Organisation name (if applicable)	

B. AGENT DETAILS

Name	
Organisation name (if applicable)	
Your reference	

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA	Eastleigh Borough Council
LPA reference number	F/14/73876
Date of application to LPA	06 Jan 2014
Date of the LPA's decision	21 Feb 2014

D. APPEAL SITE ADDRESS

Address
1 Hiltingbury Close
Chandler's Ford
EASTLEIGH
Hampshire

Postcode SO53 5NY Grid Reference: Easting 04437519 Northing 01221634

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

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

3. 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? If so please describe them below Yes ☐ No ☑

E. DESCRIPTION OF THE DEVELOPMENT

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

Retention of 1.8m boundary fence to side and rear of amenity space of 1 Hiltingbury Close

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

F. REASON FOR THE APPEAL

This reason for this appeal is that the LPA has (please tick which applies)

1 Refused planning permission ☑

2 Refused permission to vary a condition(s) ☐

3 Refused prior approval of permitted development rights ☐

G. GROUNDS OF APPEAL

Do you intend to submit a costs application with this appeal? Yes ☐ No ☑

The refusal for the retention of the fence was due to two key factors. Firstly it was judged that the fence was an unsympathetic and dominant feature to the street scene due to its height, material, inappropriate form and prominent siting. Secondly it was deemed that the fence impeded upon sight lines hindering the safe movement of vehicles. I have outlined my appeal to each individual point below.

Height - The height of the fence is 1.8m which is the same as a number of fences on the Hiltingbury Road, please see attached photos. I am appealing against this point due to the number of other fences/walls in very close vicinity are of the same height or higher.

Materials - The fence is constructed from softwood boards which have been stained with a light oak color, to this end the majority of fences in the local vicinity have also been constructed from softwood. I understand that the color was fairly vibrant when first installed however has since mellowed. If required I will be more than willing to re-stain the fence to a darker brown to further blend to its surroundings. In addition to this point the property opposite has a 1.8m brick built wall adjacent to the road and thus built of a far harsher material than softwood.

Inappropriate form - The fence was built using horizontal boarding rather than vertical boarding to allow for a hedge to be planted behind and once mature and to a suitable height the fence would be lowered but the security and privacy to the back garden maintained.

Prominent siting - The fence purely follows the side perimeter of the property and cannot be of prominent sitting as it does not exceed the height or length of many other fences and hedges along the same road.

I am appealing to the decision that the fence cannot be unsympathetic to the area due to the fact of the number of other fences in the close vicinity that are of the same height, prominence and of timber construction. I am merely requesting that the properties rear and side garden can maintain suitable privacy and security in line with a number of other fences that have been installed along Hiltingbury Road and feel that the refusal is unjust due to the number of fences in existence at a height of 1.8m in the vicinity.
Safe movement of traffic - On further investigation of this point I found that the planning officer was merely concerned that when exiting the drive way adjacent to the fence vision was impaired to the right. I can understand the concern therefore I am willing to cut the corner of the fence back by 1m in each direction at the corner. This will then give suitable vision when exiting the driveway.
In Summary the fence was installed in-line with other fences around it to provide suitable protection and privacy to the rear garden and main amenity space to 1 Hiltingbury Close, without it is very easy for members of the public to gain access to the rear of the property.

CHOICE OF PROCEDURE

There are 3 possible choices:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE ✔

This is normally the simplest, quickest and most straightforward way of making an appeal. The 'Householder Appeals Service' written procedure is particularly suited to small-scale developments.

2. THE HEARING PROCEDURE ☐

This procedure is likely to be suited to more complicated cases which require detailed **discussion** about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Although you may indicate a preference for a hearing, the Inspectorate will consider whether your appeal is suitable for this procedure against the criteria. You must give detailed reasons below or in a separate document why you think a hearing is necessary.

Please answer the question below.

a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES ☐ NO ☐

3. THE INQUIRY PROCEDURE _____

This is the most formal of procedures. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure against the criteria. You must give detailed reasons below or on a separate sheet why you think an inquiry is necessary.

Please answer the questions below.

a) How long do you estimate the inquiry will last? (Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.) No. of days

b) How many witnesses do you intend to call? No. of witnesses

c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. YES NO

H. (part one) SITE OWNERSHIP CERTIFICATES

We need to know who owns the appeal site. If you do not own the appeal site or if you own only part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal.

You must tick below which of the 'certificates' applies.

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A 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:

OR

CERTIFICATE B B ☐

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance leaflet*) to every one 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:

Owner's name	Date the notice was served (this must be within the last 21 days)

CERTIFICATES C & D C/D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the *Guidance leaflet* and attach it to the appeal form.

H. (part two) AGRICULTURAL HOLDINGS CERTIFICATES

We need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b).

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: A ✔

OR

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

(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: B(ii) ☐

Tenant's name	Date the notice was served (this must be within the last 21 days)

Details of additional tenants ☐

I. ESSENTIAL SUPPORTING DOCUMENTS

If we do not receive both your appeal documents by the end of the appeal period, we will not accept your appeal.

You must send the documents listed below with your appeal form. Please tick the boxes to confirm the documents are enclosed.

1 A copy of the original **planning application** sent to the LPA. ✔

2 A copy of the **LPA's decision notice.** ✔

J. OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

K. NOW SEND…

● **1 COPY to the LPA** Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.	● **You may wish to keep a copy of the completed appeal form for your records**

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.

L. 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 **householderappealform@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, 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:

APP/W1715/D/14/2218393

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

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* The Documents Listed Below Were Uploaded With The Appeal Form *
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==========  ESSENTIAL SUPPORTING DOCUMENTS  ==========
TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Block Plan
FILENAME:    1 Hiltingbury Close Block Plan.jpg

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Site Plan
FILENAME:    1 Hiltingbury Close Block-Site Plan 1-500.pdf

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Images
FILENAME:    1 Hiltingbury Close Current Rear and Side Elevations.pdf

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Location Plan
FILENAME:    1 Hiltingbury Close Site Location Plan.pdf

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Precedents
FILENAME:    Appendix A - Local Precedents.pdf

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Application
FILENAME:    Fence Application 1 Hiltingbury Close.pdf

TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Justifications
FILENAME:    Fence Justifications 1 Hiltingbury Close.pdf

TITLE:       02. A copy of the LPA's decision notice.
DESCRIPTION: Descision Notice
FILENAME:    Decision Notice-1302261.pdf
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