



BY EMAIL

Application	EA/22/94361
Please ask for	Ian Myers
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Wednesday 21 December 2022

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 174**

Address of site to which the appeal relates: 7 LYNTON ROAD SO30 4EY

Alleged breach: Enforcement Appeal

Application Reference: EA/22/94361

Appellant's name: Mr Anwar Hmimssa

Planning Inspectorate appeal reference: APP/W1715/C/22/3311550

Appeal start date: Wednesday 7 December 2022

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Eastleigh Borough Council on Thursday 20 October 2022

The enforcement notice was issued for the following reasons:

Without planning permission, the erection of a fence in excess of 1 metre in height above ground level and adjacent to the highway.

The enforcement notice requires the following steps to be taken:

Remove from the land the unauthorised fence and fence posts.

or

Reduce the unauthorised fencing and fence posts so that it does not exceed 1 metre from ground level.

Remove any waste items that result from the works to an authorised place of disposal.

The appellant has appealed against the notice on the following grounds:

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, or modify/withdraw your previous representation you can do so online at <https://acp.planninginspectorate.gov.uk> If you do not have access to the internet, you can send or email your comments to teame3@planninginspectorate.gov.uk Libby Hay, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN

All representations must be received by Wednesday 18 January 2023. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and the Council and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by Wednesday 18 January 2023.

Details of this appeal can be found on our website at <https://planning.eastleigh.gov.uk/s/public-register>. The appeal documents are available for inspection at Eastleigh House. The Council's statement should be available within a month of the date of this letter. Should you wish to see the documents please contact Ian Myers on the above number.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours faithfully



Andy Grandfield
Executive Head for Planning and Economy