

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 Reference: APP/W1715/W/24/3350858

A. APPELLANT DETAILS

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

Name

Company/Group Name

Address

Email

Preferred contact method Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☒ No ☐

Name

Company/Group Name

Address

Phone number

Email

Preferred contact method Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number	O/23/96432
Date of the application	04/12/2023
Did the LPA validate and register your application?	Yes ☒ No ☐
Did the LPA issue a decision?	Yes ☒ No ☐
Date of LPA's decision	01/03/2024

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☐ No ☒

Does the appeal relate to an existing property? Yes ☒ No ☐

Address

Land to the west of Cobbett Wau
Land off Cobbett Way
Botley
Hampshire
SO30 2ET

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 ☒

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.

Outline application for residential development of up to 34 dwellings and associated infrastructure (access only to be considered)

Area (in hectares) of the whole appeal site [e.g. 1234.56] 2.81 hectare(s)

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 for the development. ☒
2. Refused permission to vary or remove 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 ☐

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

1) This appeal involves detailed consideration of the Council's Five Year Housing Land Supply which requires the consideration at a Hearing of individual sites and their deliverability. The Council will need to respond to the Assessment by the Appellant. The Inspector is likely to have detailed queries in respect of this topic which will require a Roundtable discussion.

2) The landscape and visual impact issues relating to the Settlement Gap need to be assessed at a Hearing and considered at a Roundtable discussion.

3. Inquiry ☐

H. FULL STATEMENT OF CASE

☒ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes ☐ No ☒

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) 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. ☐

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 (if these did not form 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. ☒
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision. ☒
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☐
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 ☒

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 knowledge.

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 Andrew Burgess

Date 28/08/2024 13:57:03

Name Mr Andrew Burgess

On behalf of Mr Samuel Doswell

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 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

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:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- 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. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	R002a_2229 Botley Landscape and Visual Hearing Statement 130824.pdf
File name:	Cobbett Way Statement of Case Andrew Burgess Planning Final 28 08 24 .pdf
File name:	Appendix 1 Cobbett Way, Botley - Ecological Support Summary Report FINAL 160824.pdf
File name:	Appendix 2 24247-JUBB-XX-XX-RP-C-001_P1 Broad Oak Appeal Drainage Technical Note FINAL.pdf
File name:	4.25.24.BS.HA5072PS 5YHLS Report_with appendices.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	Application Form Redacted.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	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.
File name:	O_23_96432 PL_Final Decision.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	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.
File name:	CB_63_311_PARAM_000 Site Location Plan - Rev C.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	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.
File name:	CB_63_311_PARAM_000 Site Location Plan - Rev C.pdf
File name:	CB_63_311_PARAM_001 Illustrative Masterplan - Rev C.pdf
File name:	CB_63_311_PARAM_002 Land Use Plan - Rev C.pdf
File name:	CB_63_311_PARAM_003 Open Space Plan - Rev C.pdf
File name:	CB_63_311_PARAM_004 Building Heights Plan - Rev C.pdf
File name:	CB_63_311_PARAM_005 Access and Movement Plan - Rev C.pdf
File name:	187.0012HRN2 Land off Cobbett Way Botley - Highways Response Note (BOUND).pdf
File name:	Preliminary Ecological Appraisal - Broad oak - January 2024.pdf
File name:	Reptile Survey Report - Broad Oak January 2024.pdf
File name:	Letter in response to comments 15.01 V3.pdf
File name:	CB_63_311_901 Constraints Plan - Rev E_Overlay.pdf
File name:	GWPR5806 Phase I Report - compressed.pdf
File name:	23233_FRA01_Broad Oak, Botley FRA_V3.0.pdf

File name:	CB_63_311_PARAM_000 Site Location Plan - Rev D.pdf
File name:	H3802 - Broad Oak Botley - Air Quality Assessment - v3.pdf
File name:	KCC2132 ALC&C Nov 23 Final.pdf
File name:	23233_FRA01_Broad Oak, Botley FRA_V2.1.pdf
File name:	Preliminary Ecological Appraisal - Land off Cobbett Way - November 2023.pdf
File name:	Reptile Survey Report - Land off Cobbett Way - November 2023.pdf
File name:	GLS_090_104_1001 LVIA_RevA Main Report.pdf
File name:	GLS_090_104_1001 LVIA Appendix 1 - Plans_Part1.pdf
File name:	GLS_090_104_1001 LVIA Appendix 1 - Plans_Part2.pdf
File name:	GLS_090_104_1001 LVIA Appendix 2A - Annotated viewpoints.pdf
File name:	GLS_090_104_1001 LVIA Appendix 2B - Annotated viewpoints.pdf
File name:	GLS_090_104_1000 LVIA Appendix 5 - Scoping Letter.pdf
File name:	12976.230413.RA Rev.A - signed.pdf
File name:	GLS_090_104_1200_RevB Landscape Strategy.pdf
File name:	GLS_090_104_1200_RevB Illustrative Masterplan.pdf
File name:	Outline Design and Access Statement compressed.pdf
File name:	Transport Statement (BOUND).pdf
File name:	Tree Protection Plan.pdf
File name:	Photo-Illustrations compressed.pdf
File name:	Housing Report in Borough.pdf
File name:	SGN Tree Manual V3.pdf
File name:	23233-SK-500 Drainage Assumptions.pdf
File name:	CB_63_311_XXX Base Plan.pdf
File name:	BOB23-132txtreportrev.pdf
File name:	Topographical Plan CB_63_311_XXX.pdf
File name:	23088-AA2-PB.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	Plans and Documents that formed part of application submission.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	Plans and Documents the LPA based their decision on.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	Outline Design and Access Statement compressed.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	08.13.24.HA5072PS 5YHLS Draft SoCG.docx
File name:	SoCG First Draft Planning Appeal Land to the west of Cobbett Way Botley 28 08 24.doc
Completed by	MR ANDREW BURGESS
Date	28/08/2024 13:57:03