

APPEAL AGAINST ENFORCEMENT NOTICE

Peach Cottage, Durley Street

Durley

SO32 2AA

Enforcement Reference : 16/00192/WKS

Date issued : 10th June 2019

Date Effective : 11th July 2019

FACTS TO SUPPORT GROUND C

The alleged breach of planning control focuses on the material change of use from equestrian to a mixed use for equestrian, residential garden and the open storage of two containers and other building materials.

Boundary

May we point out that the plan used by the council to demonstrate the alleged breach in their letter dated 10th June 2019 is a historic excerpt being incorrectly used for this purpose taken from the 2008 planning application, showing two containers amateurly scribbled on and being ten times the actual size of the containers.

Planning permission for equestrian use was granted in February 2009 (under application reference 08/02295/FUL). At that time a boundary fence between the residential garden and horse field, and neighbouring Alem House has been erected and therefore the land that the council allege to be equestrian is in fact domestic and has been for in excess of ten years. This is not on land considered to be countryside and Alem House was constructed within the previous demise of the Robin Hood Public House car park. The area of land to the rear was retained for Peach Cottage.

Containers

Turning to the use of the two containers. Consent was given in the above mentioned 2008 application for a stable/tack room and a hay store for equestrian use. One of the containers mentioned in the alleged breach is being used on equestrian land for the storage of hay and is therefore complying with the consent given in 2009.

The second container is on domestic land (as detailed in the 'boundary' paragraph above) and is clearly in the demise of Peach Cottage. This container is temporarily being used to store the building materials required for an extension to Peach Cottage for which permission was approved in application reference 19/00990/HOU. Shortly construction will commence and following that all materials for the long-awaited build will be used or removed along with the container.

We trust you will agree that the alleged breach has not taken place.

Knight Architectural Design Ltd