

Issued: 19 June 2020

**WINCHESTER CITY COUNCIL**

**ENFORCEMENT NOTICE**

relating to land at

Dradfield Lane, Soberton, Hampshire

Catherine Knight, Service Lead - Legal Services, Winchester City Council, City Offices,  
Colebrook Street, Winchester, Hampshire, SO23 9LJ

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY: WINCHESTER CITY COUNCIL**

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land at Dradfield Lane, Soberton, Hampshire, shown edged red on the attached plan ("the Land").

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission:

- i) the material change of use of the Land from agriculture to use for the storage/parking of trailer unit(s)/mobile unit(s) and vehicles, and the siting of containers/ trailer units for the storage of items that are not associated with the lawful use of the Land for agriculture; and
- ii) the construction of a hardstanding and drainage runs/ pipes associated with the material change of use of the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

On 27 May 2020 a Temporary Stop Notice was served on the owner of the Land requiring that he cease activities related to the change of use of the Land.

The Temporary Stop Notice which expires on 23 June 2020 was served because engineering works had taken place consisting of the creation of a hardstanding and the introduction of a trailer unit to the site. The owner had stated his intention

to bring one or more trailer units onto the Land and convert them to residential accommodation.

The unauthorised development is located in the countryside contrary to policy MRTA4 of the Winchester Local Plan where there is a general presumption against non agricultural use of the land and associated engineering operations and where there is no justification for it. This is supported by paragraph 79 of the NPPF and subsequently the development is harmful to the character and appearance of this countryside location.

Planning conditions would not overcome these objections.

**5. WHAT YOU ARE REQUIRED TO DO**

1. Cease the use of the Land for the storage/parking of trailer unit(s)/mobile unit(s) and vehicles, and for the siting of containers/trailer unit(s) not associated with the agricultural use of the Land;
2. Remove all trailer unit(s)/mobile unit(s), vehicles, containers and all items stored within that are not associated with the agricultural use of the Land;
3. Remove the hardstanding and drainage runs/ pipes from the Land ;
4. Remove any resultant waste and restore the Land to its former condition prior to the breach of planning control.

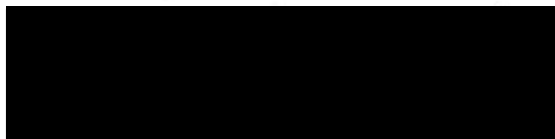
**6. TIME FOR COMPLIANCE**

3 months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **24 July 2020** unless an appeal is made against it beforehand.

Date 19 June 2020

  
Signed .....  
Catherine Knight, Service Lead - Legal

on behalf of: Winchester City Council, City Offices, Colebrook Street,  
Winchester, Hampshire SO23 9LJ

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

You can appeal against this notice, but any appeal must be received or posted in time to be received by the Planning Inspectorate before the date specified in paragraph 7 of the Notice. The enclosed leaflet from the Planning Inspectorate explains what you need to do if you wish to appeal.

One copy of the enforcement notice is enclosed for your own records.

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



Date: 27/05/2020

Scale: 1:2,000

Author: Winchester City Council

Notes:

**Legend**

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