

Case no. 20/00104/WKS

Land at Dradfield Lane, Soberton, Hampshire SO32 3QD

Site visit Julie Pinnock 27th May 2020 – 4.45p.m.

I visited the site to serve a Temporary Stop Notice (TSN) on the land owner Mr Butler. I was accompanied on my visit by Richard Botham, Corporate Director.

I advised Mr Butler that we would observe social distancing guidelines during out site visit.

Mr Butler confirmed he was the new land owner and had owned the site for 4 weeks and invited us onto the site to look around. Since the Enforcement Officers visit on 26th May a large trailer had been brought onto the site.

I served Mr Butler with the TSN and advised him not to do any further works that would be in breach of the terms set out in the TSN. I recommended he seek legal advice. He advised that he was in the process of commissioning a planning agent but could not recall his name, but advised that it was someone based in Havant – an ex Local Authority Planner.

During the site visit Mr Butler advised the following:

- 1. His clear intention to live on the site. He had purchased this land to live on. He would be converting the trailer for residential occupation. He showed Richard Botham and I a photograph (from his mobile phone) of a converted trailer, which was timber clad, with window and door openings and advised that was what he intended to do with the trailer that had been delivered to site.**

I advised Mr Butler that the site was situated in the countryside and residential use would be contrary to Local Plan policy (MTRA4). Mr Butler said that he was of no fixed abode and would in 3 weeks be homeless and he would live at the site. I advised Mr Butler that if it was his intention to live at the site he would require planning consent and should submit a planning application. I explained that if the Council did refused planning permission, he would have a right of appeal and could pursue the matter through the application route available.

- 2. Pigs – Mr Butler advised he was going to bring pigs onto the land. I confirmed that this would be within the authorised use of the land for agricultural purposes. I advised Mr Butler that the keeping of pigs on the site would not in my opinion amount to an agricultural justification for an agricultural workers dwelling.**
- 3. Prior approval – Mr Butler advised that he would submit a 28 day notification for an agricultural building. I advised Mr Butler that the size of his site (under 5 hectares) means that this route was not open to him and**

that any building whether for agricultural purposes or otherwise would require planning permission.

4. **Weddings** – Mr Butler advised that in the future he intended to use the site for about 6 weddings per year. Mr Butler believed that he could do this without the need for any planning consent. I advised that there is provision in the legislation for temporary uses, but he should investigate this fully to confirm he was eligible for this.
5. **Container** - Mr Butler advised that he had a container coming onto site the following day and it would not be possible for him to cancel. I strongly advised him against receiving it onto the site as he was now in receipt of the TSN.

Conclusion of site visit

I observed works that had previously been undertaken to widen the entrance and gates, and a new concrete apron, with close boarded fence either side.

I also observed the remains of a fire with burnt out trees and scrub and asked Mr Butler about that. He said the adjoining land owner had lit a fire on this site.

I also reminded Mr Butler that he should not remove any Hedgerow without first checking the Hedgerow Regulations. He said he had only undertaken some limited clearance and bramble was holding the hedgerow up.

I displayed 2 copies of the TSN and site notice on the close boarded fence either side of the entrance.

Mr Butler asked what the worst that could happen to him if he breached the TSN. I confirmed that if he breaches the TSN we would seek to prosecute in the courts. He speculated that if it resulted in a prosecution and jail so be it as he had nowhere to live. He would pursue the matter all the way and would live at the site.

He believed he was entitled to live on land he owns (if he has nowhere else to live) and cited legislation dating back to 1867.

Upon leaving I reminded Mr Butler not to breach the TSN, however he advised that he would and re-iterated that it was too late to cancel the arrival of the container and that he would live at the site.

He also alleged he was aware of a friend's case where a Councillor was 'bunged' £50,000 to get a planning consent for a large dwelling. I advised Mr Butler that I had worked at WCC for nearly 30 years and was not aware of any such behaviour – this was confirmed by Richard Botham. He then suggested it was elsewhere and not at the City Council.

Site visit – Julie Pinnock 28th May 2020 – 5.15p.m.

I delivered a copy of a letter to the site from legal dated 28th May. Attached.

Mr Butler was not present at the site. The gates were locked. I was able to take photographs above the fence, which showed that a storage container had been delivered to the site. The storage container was positioned along the western boundary, and the trailer, that was already on the site on 27th May 2020 had been moved and was adjacent o the storage container. The site notices and TSN that were displayed at the site had been removed.

Photos
27th May



Photos
29th May

