

Issued: 4 October 2021

WINCHESTER CITY COUNCIL

ENFORCEMENT NOTICE 01

relating to land at

The Old Piggery, Firgrove Lane, North Boarhunt, 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 01

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 The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire shown edged red on the attached plan ("the Land").

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

Without planning permission, the material change of use of the Land to use as a residential caravan site; together with the construction of associated areas of hardstanding, buildings and fencing which facilitate the change of use of the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Local Planning Authority that the aforementioned breach of planning control occurred within the last ten years.

Planning permission was refused on 22 July 2021 for "Continued use of land for the stationing of residential caravans" for the following reasons:

The proposal would represent new dwellings in the countryside for which there is no justification and would therefore be contrary to Policies MTRA3, MTRA4 and CP5 of Local Plan Part 1 - Joint Core Strategy, Policies DM1 and DM4 of Local Plan Part 2 – Development Management and Site Allocations, Winchester District Gypsy, Traveller and Travelling Show People Development Plan Document, and Government Planning Policy for Traveller Sites.

The proposal would be contrary to Policy CP5 of Winchester Local Plan Part 1 and Policy TR7 of the Winchester District Gypsy, Traveller and Travelling Show People Development Plan Document in that insufficient information has been

provided in respect of the provision of facilities, particularly in terms of wastewater infrastructure and safe play spaces. As such it is not possible to ensure that facilities appropriate to the scale of the site can be adequately provided without adverse impact on the occupants of the site, neighbouring properties or the surrounding area.

The Council does not consider that planning permission should be granted. Planning conditions would not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the residential use of the Land.
2. Remove all caravans (and mobile homes) from the Land and disconnect all services (water, gas, electricity, waste).
3. Remove the hardstandings, drainage runs/pipes, tanks and all buildings and fencing associated with the use of the Land as a residential caravan site.
4. Remove any resultant waste and restore the Land to its former condition prior to the breach of planning control by laying topsoil and re-seeding to grass.

6. TIME FOR COMPLIANCE

9 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **5 November 2021** unless an appeal is made against it beforehand.

Date 4 October 2021



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.