

Representation by Soberton Parish Council

Appeal reference: APP/L1765/C/21/3286358

Site Address: Field To The North Of Dradfield Lane Soberton Hampshire

Alleged breach: Without planning permission, the material change of use of the Land from agriculture to a mixed use of agriculture and use for siting of a residential unit (namely a converted lorry trailer) including the construction of hardstanding to facilitate the residential use.

Appellant's name: Mr Nick Butler

Introduction

This representation is made by Soberton Parish Council (SPC) as the local council for the Appeal Site. The Council have been following the activities on the Site and have received numerous complaints about these and have made representations to Winchester City Council (WCC).

At the same time WCC have sought to apply the necessary planning policies pertaining to this Site and SPC fully support WCC. Consequently SPC agree with WCC on the enforcement notice and the position taken for this Appeal.

Context

It is recognised that in assessing this Appeal the Inspector needs to consider the planning detail with respect to legislation and policy. Nevertheless before looking at the detail SPC believe that it is relevant to first understand the setting of the Site and the combination of activity in the recent period.

All parties agree that Policy MTRA4 applies to the Site. Hence the key issue is the degree to which the Site is being used for agriculture use and the necessity for the ancillary works. SPC do not consider that the works undertaken to date are appropriate with the agriculture use on the Site.

SPC would therefore request that in making a determination the Inspector should be satisfied that first there is a viable agriculture business at the Site and second the activities associated with this Appeal are essential for this business.

Enforcement and Grounds for Appeal

SPC agree with WCC that the trailer is being used for overnight accommodation and is not associated with the agricultural use. The grounds for appeal suggest that the trailer is to be used simply as a day base, yet there is no supporting information provided to demonstrate the need for such a significant structure with associated works. SPC therefore consider that this justification should be rejected.

It follows that trailer and all associated works should be removed and the area returned to its previous use and appearance.

SPC support the timetable set out by WCC in their enforcement notice. To date the Appellant has been very slow in undertaking any of the procedures requested by both WCC and resulting from the previous Appeal.

Summary

1. SPC consider that the Appeal Site should be considered as a whole and it should be determined whether the agricultural activity on site is a viable business. If this is not the case then the Appeal should be dismissed.
2. If the Inspector is satisfied that there is a viable business then the Inspector should ensure that only the works necessary to support the level of agricultural activity on the Site is permitted and any other work should be reinstated to its former state.

Soberton Parish Council - 7 January 2022