

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**(As amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE 05**

**ISSUED BY: WINCHESTER CITY COUNCIL**

**1. THIS IS A FORMAL NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) 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 Shedfield Equestrian Centre, Botley Road, Shedfield shown edged in 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 class B2 (general industrial) (known as Homestead Concrete Pumping & Southern Blast and Paint Limited); together with operational development which facilitates 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.

The development is contrary to policies MTRA3 and MTRA4 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it results in inappropriate development within the countryside with no justification.

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 use class B2 (general industrial) use of the Land.
2. Demolish the building on the Land shown in the approximate position hatched in red on the attached plan.
3. Remove the containers and any fixings shown in the approximate position hatched green on the attached plan from the Land.
4. Remove the fencing and gates shown in the approximate positions outlined in blue on the attached plan from the Land.
5. Disconnect all services (water, gas, electricity, waste) from the Land.
6. Break up and remove any hardstanding and/or foundations from the Land.
7. Remove any resultant waste.

8. Lay topsoil and seed with grass on the Land and reinstate the Land to its former level and condition.

**6. TIME FOR COMPLIANCE**

6 (six) months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **10 June 2022** unless an appeal is made against it beforehand.

Date: 6 May 2022



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 acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal [link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>].

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.