

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL REFERENCE : APP/L1765/C/22/3300697

RE: LAND AT SHEDFIELD EQUESTRIAN CENTRE, BOTLEY ROAD, SHEDFIELD, HAMPSHIRE,
SO32 2HN

SECTION 174 APPEAL BY: CHRISTOPHER IAN COLLINS

STATEMENT OF CHRISTOPHER IAN COLLINS

I, **CHRISTOPHER IAN COLLINS** of Ivy Cottage, Wickham Road, Curdridge, Southampton, SO32 2HG state as follows:-

1. The facts to which I refer in this statement are within my own knowledge except where I indicate otherwise. Where facts are within my own knowledge, I know they are true. Where I am informed of facts by others, I believe them to be true.
2. I am the registered owner of the land which is the subject of this appeal under freehold title number HP766012 which I purchased in 1985. I own this title and the freehold titles of adjoining land. I have operated several commercial activities on the land within this title and neighbouring land.
3. This statement is in support of my above appeal concerning the use of land at Shedfield Equestrian Centre shown edged red on the Enforcement Notice plan (**Site**).

Ground (a) Appeal – planning permission should be granted

4. There is an acute shortage of small general industrial premises with yards in South Hampshire which are affordable to small businesses. Many such premises were previously available as

former agricultural buildings but many of these have been lost to higher value uses eg through conversion to residential uses as a result of changes to "permitted development" rights or through redevelopment such as occurred at Bury Farm, Curbridge, Hampshire where a number of small industrial businesses were displaced locally due to the construction of the North Whiteley Strategic Development Area. Southern Blast and Paint Ltd (Homestead Concrete Pumping has merged into Southern Blast and Paint Ltd) have operational requirements to be located in Shedfield because of the location of the majority of its customer base and the lack of alternative premises for its business being the shot blasting and re-painting of agricultural vehicles and equipment, commercial vehicles, construction plant and machinery, gates and other metal structures. The business employs two permanent employees with others being contracted to work from time to time to meet customer demands.

5. These small local businesses cannot afford the cost of premises within industrial estates in urban areas because rental costs are considerably higher Southern Blast and Paint Ltd is paying £1,312 per month for the premises at Shedfield. If comparable premises could be found on a south Hampshire urban industrial estate the monthly rent would be in excess of £4,000.
6. Winchester City Council's development plan is demonstrably out of date. Its Local Plan Part 1: Joint Core Strategy which includes the spatial strategy for guiding new development was adopted in 2013, and the Local Plan Part 2: Development Management and Allocations, which allocates land for development in accordance with the spatial strategy, was adopted in 2017.
7. The National Planning Policy Framework (2021) sets out a "presumption in favour of sustainable development". At Paragraph 11, it states:

"For decision-taking, this means:

(inter alia)

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or;
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

8. In my submission, neither of these exceptions relate to the appeal development, such that the tilted balance provided by the "presumption in favour" in Paragraph 11 d) should apply in this case. The Council's adopted Core Strategy, Chapter 8 – Prosperous Economy - sets out that the local plan creates "a framework for encouraging economic prosperity and generating economic growth" over a 20 year period, but that strategy focusses on five "key sectors" (being "public administration and business services, land based industries, tourism and recreation, knowledge and creative industries, and retail"). Policy CP8 states that:
"The Local Planning Authority will support development within the District's five key economic sectors....This will be achieved through the retention of appropriate premises and, where feasible and consistent with the spatial strategy, new development to ensure that there is an adequate supply of land and premises, suitable to maintain a diverse and successful local economy." This focus on five key sectors has been at the expense of other sectors of the local economy including general industrial businesses but, in any event, the spatial strategy on which the development plan's policies are predicated is out of date.
9. Local Plan Part 2 Policy MTRA4 – Development in the Countryside – describes the types of development which will be permitted in the countryside. This includes "development which has an operational need for a countryside location". Such an operational need applies in this case, as described above.

Ground (f) – Steps required exceeding what is necessary to remedy any breach

10. The Site has commercial uses in the immediate locality. It is not reasonably necessary to remove any hardstanding or lay top soil and seed with grass since the removal of the buildings will be sufficient to achieve the purpose of the Enforcement Notice.

Ground (g) - compliance period

11. Southern Blast and Paint Ltd will need to find alternative premises in order for them to relocate from the Site. The nature of the current business, shot blasting and spray painting, requires the business owners to find a location which would permit such activities. Most industrial estates in Hampshire prohibit such commercial activities. Even if the business owners found suitable premises within 9 months, the compliance period should allow 3 to 4 months for the new lease of the alternative premises to be processed to completion and then there will need to be time

for the business owners to relocate their substantial equipment. Only after the business has entirely vacated the Site, will I be able to enter the Site and start to carry out the works described at paragraph 2 to 8 of Section 5 of the Enforcement Notice. For these reasons I submit that a reasonable period for compliance with the Enforcement Notice works should be 18 months.



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Christopher Ian Collins

Dated: 8 August 2022