

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL REFERENCE : APP/L1765/C/22/3300720

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

SECTION 174 APPEAL BY: CHRISTOPHER IAN COLLINS

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STATEMENT OF CHRISTOPHER IAN COLLINS

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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 title and on my 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 (d) – Immunity**

3. For many years I operated a civil engineering company which traded as Swanwick Construction Group Limited, and another company known as Swanwick Construction Group Limited. I used the site which is the subject of this appeal (**Site**) for the repair and maintenance of plant and machinery and storage since before 2012. For such repair, maintenance and storage I compacted the surface of the Site followed by the laying of hardcore

to create a hard standing for such activities. In about 2014 buildings were erected on the land for commercial use. However, following a fire the buildings were destroyed. Such buildings were replaced by the current buildings. The buildings can be seen on the photograph labelled WCC 2017 provided by the Winchester City Council at paragraph 3.225 of the Enforcement Report dated 20 January 2022. With regards to that Report, the Inspector will have noted that only paragraphs 3.221 to 3.225 are relevant to this appeal. This is the only evidence that the Winchester City Council has provided.

4. I do not claim that there have been buildings on the Site since before 2012 and I acknowledge that the buildings do not have the 10 year immunity. However, storage and repair has been carried out on the Site for over 10 years. As previously stated when I began using the Site before 2012 the surface was compacted, followed by hardcore and hard standing laid on the surface to the Site.

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

5. Since the Site has been used for commercial activities for over 10 years, it is not necessary to:-
  - a) Break up and remove any hardstanding from the Site; and
  - b) Lay topsoil and seed the Site with grass to reinstate the Site to its former level and condition.


I rely upon appeal ground (f) and submit that the works required by the enforcement notice should exclude the works described at a) and b) above.

**Ground (g) - Time for compliance – what should reasonably be allowed**

6. The business occupying the Site is IT Autos which carries out motor car repairs and restorations. The business moved to the Site in April 2019. Previously IT Autos occupied converted farm buildings at Berry Farm Business Units at Curbridge, Hampshire, just 4 miles away. Berry Farm had 65 business units employing over 380 employees. The local planning authority granted planning consent for residential development at Berry Farm. The residential developer gave IT Autos up to 9 months to find alternative premises. The local planning authority suggested to IT Autos that they speak with me with regards to suitable premises that I

could provide to IT Autos. I welcomed the referral and IT Autos was able to relocate from Berry Farm to Shedfield Equestrian Centre and now occupies the Site.

7. It is very difficult for a car repair business to find a property at which the landlord or the planning position permits car repairs. IT Autos is a modest business owned by Ian Tuffs and he informs me that he cannot afford the annual rents of the urban industrial estates, even if they would accept his type of business activities.
8. Like last time, IT Autos should be allowed 9 months to find suitable alternative premises. Next, it would take approximately 3 to 4 months for any new lease of new premises to be processed through to completion. After the completion of the lease IT Autos would need time to lift and shift its considerable machinery and equipment.
9. IT Autos has long term historic car restoration projects and the statement by Ian Tuffs which accompanies this appeal provides more information.
10. Only after IT Autos has entirely vacated will I be able to start to carry out the works listed at 2 to 6 in Section 5 of the Enforcement Notice which includes the demolition of the building. I shall need 3-4 months to complete these works. For these reasons I submit that the compliance period in the Enforcement Notice should be 18 months.

  
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Christopher Ian Collins

Dated: 8 August 2022