

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL REFERENCE : APP/L1765/C/22/3300722

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

SECTION 174 APPEAL BY: CHRISTOPHER IAN COLLINS

**STATEMENT OF CHRISTOPHER IAN COLLINS – RESPONSE TO
REPRESENTATIONS FROM THE LOCAL PLANNING AUTHORITY AND THIRD PARTIES**

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. This statement is my response to the statement made by the Winchester City Council and the third parties comments concerning this Enforcement Notice appeal.
3. In this statement I refer to paragraphs numbered in the Winchester City Council (**Council**) Statement of Case dated August 2022 (**Statement**).
4. I refer to clause 1.5 of the Statement and I confirm that the other two relevant appeals are those with appeal reference numbers:-

APP/L1765/C/22/3300697

APP/L1765/C/22/3300720

Ground (d) - immunity

5. The Council relies upon an aerial photograph shown in the Council's Enforcement Report dated 20 January 2022 at Section 3.212. I repeat my previous statement that the red line shown on

the two photographs at that section are not in the correct place. The storing of wood is more to the right hand side of each photograph where storage is not clear by reason of the tree cover.

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

6. The Site has not been “open countryside” for at least 10 years. The requirement to return the Site to grass is exceeding the requirements that are necessary to remedy the alleged breach. If this appeal is unsuccessful, I acknowledge that the building will need to be removed but I do not consider it is necessary to remove the hard standing; to lay top soil; and then seed with grass.

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

7. I acknowledge the Tree Protection Order shown at Appendix F of the Statement. The Site is predominantly beyond the boundary of the TPO plan. No trees are being harmed or threatened to be harmed by the continued use of the storage of wood on the Site.
8. At paragraph 4.3 of the Statement the Council refers to a Priority Habitat which is located more than 200 metres away from the Site. Also, there is reference to a SINC which is approximately 185 metres from the Site. The simple storage of wood in the building does not create any threat or harm to the Priority Habitat or the SINC. A period of 12 months is required for the removal of the stock of wood and to carry out the required works with there being no continuing or threatened harm to the trees or the Priority Habitat or SINC during that period.
9. Referring to paragraph 4.4 of the Statement, the reference to trees having already been removed/damaged in the locality does not mean that the continued use of the wood store for a further 12 months is going to cause or likely to cause any further damage to trees.
10. Referring to paragraph 4.5 of the Statement, there is no evidence that any water run off from the wood store is going to cause any further damage or likely to cause damage to trees in the vicinity. It is acknowledged by the Council that the Barrell Tree Consultancy report dated 22 October 2020 covers the entire site of Shedfield Equestrian Centre and is not specifically relevant to the Site.

Third Party Representations

11. The third party representations refer to traffic and noise. The noise created by the wood store is only the cutting and splitting of logs. There are very few vehicle movements created by the wood store. The stock of logs is moved within the entire Shedfield site from the wood store to the Equestrian shop for sale to customers of the shop. Vehicle movements from the public highway will only be the delivery of wood to the Site which is probably around 8 to 10 deliveries per month.

12. Ms J Harvey alleges that there has been wood burning on the site. I have not and there is no evidence of any burning of wood on the Site. There is no damage to the environment. The wood that is delivered is being recycled so that it can be used for wood burning stoves.



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Christopher Ian Collins

Dated: 25 August 2022