

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/L1765/C/22/3306531

A. APPELLANT DETAILS

Name	Mr Kevin Hall
Address	Southfield Nurseries Dradfield Lane Southampton Hants SO32 3QD
Phone number	07900930696
Email	janefoster45@hotmail.com
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice? Yes No

Additional Appellant: Ms Claire Slater
Appeal Reference: APP/L1765/C/22/3306532

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes No

Name	mr richard stone
Company/Group Name	stone planning
Address	1 sunnybank gravel hill southampton hampshire SO32 2JQ
Phone number	01329833451

Email

janefoster45@hotmail.com

Preferred contact method

Email



Post



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Winchester City Council

LPA reference number (if applicable)

FSENF

Date of issue of enforcement notice

22/08/2022

Effective date of enforcement notice

23/09/2022

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes



No



Address

Southfield Nurseries
Dradfield Lane
Southampton
Hants
SO32 3QD

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes



No



What is your/the appellant's interest in the land/building?

Owner



Tenant



Mortgagee



None of the above



E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

Yes



No



(a) That planning permission should be granted for what is alleged in the notice.



The facts are set out in

the box below

The site has a lawful mixed use of equestrian and agricultural. The appellant purchased the land with a temporary mobile home permission to be occupied by an agricultural worker. It was never the intention to farm the land but to set up a commercial equine business. During the last years the appellants partner has set up such a business. Details of the functional need viability and availability of local property will be submitted at a later date. This application conforms to both local and national policies relating to commercial enterprises and the need for residential occupation onsite.

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.



(c) That there has not been a breach of planning control (for example because permission has



already been granted, or it is "permitted development").

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

(e) The notice was not properly served on everyone with an interest in the land.

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

The facts are set out in

the box below

The steps required are excessive in that the caravan could be left on site as a welfare unit (Wealden) in relation to any future use of the mixed enterprise. The required steps need only be to remove beds and bedding within.

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why.

The facts are set out in

the box below

A commercial equine business has been established with mares foaling, stallions stabled and horses at livery. It is essential for on site attendance at all times so not only would it be necessary to find other residential accommodation but arrangements would have to be made for the mares to be moved and more importantly stabling for the stallions. It is almost impossible to find livery for stallions. Therefore, a period of a least 1 year is required.

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

the box below

It is considered an informal hearing will be beneficial to both parties as it will help the Inspector to hear an explore oral evidence relating to technicalities within the application. It is anticipated the LPA will seek professional advice and evidence which needs to be discussed and persued.

Is there any further information relevant to the hearing which you need to tell us about? Yes No

A full appraisal will be submitted on receipt of the proposed time table.

3. Inquiry

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes No

2. Are there any planning reasons why a fee should not be paid for this appeal? Yes No

If no, and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee shown in the explanatory note accompanying your Enforcement Notice.

H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

No



I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

[see 'Appeal Documents' section](#)

02. Plan (if applicable and not already attached)

[see 'Appeal Documents' section](#)

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

mr richard stone

Date

07/09/2022 14:03:36

Name

mr richard stone

On behalf of

Mr Kevin Hall

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form

- locating your local planning authority's email address:

<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: Hall enforcement .pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.
File name: Hall plan.pdf

Completed by MR RICHARD STONE

Date 07/09/2022 14:03:36