

**Madelaine Clavey**  
Principal Enforcement Officer  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

Our Ref: 415161.8  
Your Ref: 21/00168/COU  
Date: 25 August 2021

**BY EMAIL:**

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Sirs

**Officer:** Madelaine Clavey  
**Subject Matter:** Town & Country Planning Act 1990 – Section 171C  
Planning Contravention Notice (“PCN”)  
**Owner:** Christopher Collins  
**Site:** Shedfield Equestrian Centre, Botley Road, Hampshire

We write further to your letter of 7 July 2021, addressed to the Owner, enclosing a PCN relating to the Site. We act for the Owner in connection with his property and legal affairs, and have been assisting with this matter.

As per our subsequent email exchange, the Owner was afforded a brief extension of time to respond to the PCN, given that we are in holiday season and there are some 177 enquiries.

In response to the PCN, the Owner responds as follows:

1. Noted
2. Noted and understood.
3. As detailed below, the Owner does not believe there to be any outstanding breaches of planning control, but wishes to continue to co-operate and work with Winchester City Council to address any concerns that it does have, and to regularise any possible breaches that are revealed as part of this process.

4.

4.1 Ownership and occupation of the Site.

Christopher Ian Collins

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Tel: [REDACTED]  
[REDACTED]

Email: [REDACTED]

4.2 Not applicable.

The Owner's wife, Sandy Collins, has a beneficial interest in the Site but Christopher is sole legal owner.

4.3 Please find attached a series of Filed Plans, at Appendix 1, comprising:

- (a) Shedfield Equestrian Centre; and
- (b) Red House.

4.4 The Owner does not know the exact date these were constructed. The buildings were in situ prior to the acquisition of the Site by Mr Collins in the early 1990s.

We have files dating back to 1999 for occupation of the units.

4.5 The base and foundations for 1a were originally constructed at the time that the greenhouses on 1b and 1c were constructed, in 1994.

The current construction was built in 2018, and used for various uses, including storage, retail (raw pet food) and latterly a fitness studio.

Watermark used the land for storage for many years prior to the re-construction of the unit, and the raw pet food occupier used the land for the storage and retention of freezers for some years.

4.6 Unit 1b was constructed as a greenhouse in 1994. When the greenhouse became dangerous in circa 2010, it was re-constructed and the existing structure was refurbished and used as drying stores for the shop.

Please see retrospective Planning Permission 11/02392/FUL dated 12 December 2011.

The unit was converted from drying stores to the current offices in 2014, and has been used as such ever since.

- 4.7 Unit 1c was constructed as a greenhouse in 1994. When the greenhouse became dangerous in circa 2010, it was re-constructed and the existing structure was refurbished and used as a nursery for the retail sale of flowers and compost.

Please see retrospective Planning Permission 11/02392/FUL dated 12 December 2011.

In December 2016, the unit was used for retail sale of wedding dresses, occupied by a seamstress, and subsequently has been used as a raw pet food retailer.

- 4.8 This is a freezer used by the occupier of the raw pet food retailer for keeping the product sold in the raw pet food store.

This freezer was previously located on the footings and foundations of 1a, set out above.

- 4.9 These were originally constructed as agricultural storage buildings.

Since 1999, these have been refurbished and rented out as retail units for local small businesses, and have been fully occupied since.

The sizes of the units can be amended and revised, and all units have had multiple uses during the last 20 years.

The Owner holds records of rental income dating back to 1999.

- 4.10 These were originally built as a pole barn, for agricultural use and equestrian storage some 20 years ago. During those 20 years, they have been used for multiple uses.

We hold records showing rental income for the various units dating back for some eight (8) years.

Units 20, 23 and 25 are all residential units, and have been for more than ten years. These are all independently rated for Council Tax purposes.

These units were subject to Private Sector Housing Improvement Notices from John Easey of Private Sector Housing in 2018 (please see copy documentation at Appendix 2).

The Notices were complied with and the Orders were subsequently revoked, as per the attached documentation marked Appendix 2.

- 4.11 There was already a building in situ, forming part of the pole barn complex set out in 4.10 above.

The Owner undertook a recent refurbishment for use as storage, with offices above.

- 4.12 These units are currently being used as storage for the equestrian shop, with the potential (if required) for further retail use by small local businesses.

Originally, this was open storage with a yard base, but the nature and type of food and materials being sold required a roof to be put on the sheds.

This roof was put on at least 10 years ago, and the units have been used ever since.

- 4.13 As above in 4.12, this was a large yard area used for scaffolding storage, and the parking of vehicles by Swanwick Construction.

There is an Operator Licence Record for this.

As above, the units were completed with a hard roof and sides some 10 years ago.

- 4.14 There has been a shop on site for many years, prior to the Owner's ownership of the Property. This has been used for many years, since 1978. Regional Landscapes had the shop in the early 1980s.

The existing equestrian shop was allowed at Appeal on 11 July 2001 (Appeal Ref. No. APP/L1765/A/01/1060266), following refusal of the related planning application by Winchester City Council on 22 September 2000 (Application Ref. No. W13947/01). The approved development was for *"the sale of equine feed and requisites from the existing farm shop."*

A small extension was added to the front elevation, that was completed some 5 years ago. A planning application proposing the refurbishment of the shop building, which is at the end of its life, including the addition of a first floor for staff welfare facilities and ancillary offices is currently before Winchester City Council. As this application proposes the upgrading of an existing building for a continuation of its existing use – both of which already benefit from planning permission - it is anticipated that planning permission will be granted.

- 4.15 The Office was originally a shed, used as storage for the Conifers.

This was subsequently converted in to an office and latterly converted in to residential use.

The residential use has been used continuously for more than 7 years, and John Easey signed off and approved the conversion work.

We hold records evidencing the residential rental of the office, which is marketed and managed through third party agents, Beales (and latterly) Clarke Mews.

- 4.16 Residential use, as per above.

One such set of tenants were local authority funded, paid by Winchester City Council.

- 4.17 Residential use, as per above, for more than 7 years, having been signed off and approved by John Easey, Private Sector Housing.

4.18 Yes, there is a separate Council Tax paid for this building.

4.19 Yes, the Office is rented.

We can easily supply a copy of the Tenancy Agreement, as our client holds these for all residential units, but have material concerns as to whether this is permissible and compliant with GDPR.

Please can we advise that you check your Council Tax records for up to date details of the current occupiers. We can make a copy of the Tenancy available on site, should this still be required.

4.20 The Garage carries formal planning consent, obtained in 2010.

Please see Planning Permission Number 09/02321/FUL dated 19 February 2010.

4.21 Residential use – it was used as a residential premises from completion of the build.

We hold records evidencing residential rental use since build complete, which was rented out through Beales from the outset..

4.22 Since 2011, following completion of the build of the garage.

4.23 Yes, fully paid Council Tax.

4.24 We can easily supply a copy of the Tenancy Agreement, as our client holds these for all residential units, but have material concerns as to whether this is permissible and compliant with GDPR.

Please can we advise that you check your Council Tax records for up to date details of the current occupiers. We can make a copy of the Tenancy available on site, should this still be required.

4.25 So far as the Owner is aware, and the building received the appropriate Building Regulation Approval.

4.26 Approximately 2011.

4.27 No, the Garage was never used ancillary to the main dwelling. It was used exclusively for residential purposes from the outset.

4.28 The area is currently used as open car storage and lorry parking.

We hold records going back to 2004 of small local businesses using the site for the storage and parking of plant, machinery and vehicles.

Richard Burbridge had this for some years, from May 2014, storing a considerable number of vehicles. The parcels are now let to Peter Coopers, who use the land for storage of new Volkswagon vehicles.

Between the two uses, it was used as a builders yard for the storage and parking of substantial plant and equipment, and materials.

There have also been further uses including storage and parking of equestrian plant and machinery.

- 4.29 At least 2004. We hold records from 2004 onwards.
- 4.30 They are either independently driven, or are transported on to site.
- 4.31 As and when necessary – there are car movements most days.
- 4.32 The Owner has no information – as and when sold presumably.
- 4.33 There is no-one specifically employed and engaged in this role, but the Owner does provide CCTV and security services for the Site, and his staff employed by Shedfield Equestrian Centre provide these services.
- 4.34 Yes
- 4.35 This is a civil engineering and construction yard.
- 4.36 Walton Engineering moved into the premises in around 2018, but prior to that, we hold records dating back to 2004 evidencing the usage of the land for parking and storage of plant, machinery, materials and vehicles for local businesses.
- 4.37 Storage and office, used by Walton, for oversight of their operations and security arrangements from the site.
- This was brought on to site when they took occupation, although there were containers in the same location prior to that date.
- 4.38 This will remain on site for all the time it is needed. We anticipate that Walton may remove the container if and when they come to vacate.
- It is not a permanent structure, and forms part of their storage and security requirements.
- 4.39 Yes
- 4.40 This is for the storage of suction and extraction plant and machinery.
- 4.41 Conroy took occupation in around April 2018.
- This parcel has been used for the storage and parking of plant, machinery, materials and vehicles prior to Conroy taking occupation.
- As above, these records date back to 2004.
- 4.42 Storage and office, used by Conroy, for oversight of their operations and security from the site. This was brought on to site when they took occupation, although there were containers in the same location prior to that date.
- 4.43 This will remain on site for all the time it is needed. We anticipate that Conroy may remove the container if and when they come to vacate.

It is not a permanent structure, and forms part of their storage requirements.

4.44 Yes

4.45 This is a civil engineering, concrete and construction yard.

As above, we hold records dating back to 2004 evidencing the use of the land as storage and parking of plant, machinery, materials and vehicles.

4.46 This has only been used by 2 Brothers since 2020, but the land has always been used for the storage of plant and machinery, heavy goods vehicles, containers and materials.

4.47 Secure storage and offices.

4.48 These will remain on site for all the time it is needed. We anticipate that 2 Brothers may remove the container if and when they come to vacate.

It is not a permanent structure, and forms part of their storage requirements.

4.49 Yes

4.50 The extension of the yard is currently used for storage, and use of primary and recycled use and aggregate. This is also the area that the lorries and plant are parked and stored.

There is also security and office space.

It was previously used as open storage land, used by Richmond Motors for the storage of cars and vehicles.

4.51 Within the last 12 months. Richmonds occupied the site until November 2020.

4.52 This is used by the occupier, for office and welfare facilities and activities.

4.53 The container will remain on the site for as long as needed. We anticipate that the container will be removed when the tenant vacates after completion of the recycling contract.

4.54 Yes, but in strict compliance with the planning consent.

4.55 Lorry and plant parking.

4.56 We have records dating back many years, in excess of 20 years.

4.57 CCN

4.58 This was laid many years ago, dating back to 2004, and has been used for parking and storage of vehicles and plant.

4.59 31 metres x 27 metres – Approximately 837 square metres.

4.60 Please can you advise as to how you have come to this assumption?

This had planning permission and was duly approved and signed off by your building control and planning team.

This latest structure has been in situ for some 6 years in any case, pursuant to the Planning Permission, but was the replacement of previous stables and buildings in any case.

4.61 Please see the Planning Permission and Building Regulation Certificates.

4.62 Riding School, pursuant to the planning permission and associated and ancillary uses thereto.

4.63 The function room is used as a function and entertainment area by the Riding Schools and for external hire.

It is primarily intended for use as disabled welfare accommodation in conjunction with the Riding School.

We have applied for a Premises Licence to Winchester City Council, which has been held in abeyance, pending the outcome of the building control sign off for the recent construction of the function room and three flats above.

Patrick Barry of Nova Planning has been involved in securing planning permission and building regulation control for the land, which has been held up prior to signing off of building control.

4.64 Not at this current time. The Owner is not able to hire out the function room until such time as the ongoing planning position has been resolved.

4.65 1 and 2 These have been continuously used as residential premises for some 12+ years.

These have long user authorisation and building regulation control was recently approved by Rosemary Pye in accordance with the building regulations requirements.

12 and 13 Flat 12 has been used as residential premises for some 25 years. This is the upstairs flat.

Unit 13 is a tack room, on the ground floor, and not used for residential purposes.

John Easey of Winchester City Council has been involved at various stages and all remediation works required have been completed to his satisfaction.



- 25, 26 & 27 These are the residential units that form part of the ongoing planning application for riding for the disabled, as above. These units are not currently occupied, pending the resolution of the planning matters.
- 29 This flat has been in situ for some 25 years, and has been occupied as residential accommodation ever since.
- 31 This unit has accommodation above the storage and workshop area, and has had a tenant in situ for some 20 years.
- We have records dating back beyond 2009 evidencing the use and occupation of the unit.
- 34 This is not residential accommodation. There is a two-storey workshop and office.
- 4.66 Yes, as per above.
- All residential units are on tenancies.
- 4.67 25 years ago, and recently signed off from a building regulation perspective by Rosemary Pye.
- 4.68 Ground Floor - Agricultural (storage of hay, animal feed and plant and machinery on the ground floor.)
- First Floor - Grooms quarters.
- 4.69 The buildings were refurbished and used as residential use more than 12 years ago.
- Recently, Building Control has been secured evidencing the continued use of the properties as residential.
- 4.70 Not since it turned residential some 12 years ago.
- 4.71 Please see the Building Control paperwork lodged and held by Rosemary Pye.
- Please also find enclosed the floorplans at Appendix 3.
- 4.72 Authorised long user.
- 4.73 There is a flat upstairs, and a tack room downstairs. There is only one flat.
- Unit 11 is not applicable – this is a landscapers store.
- Unit 12 is the residential unit.
- Unit 13 is the tack room on the ground floor.
- 4.74 You have answered your own question. This relates to Flat 12 as per above.
- 4.75 Not applicable.

- 4.76 As above – flat upstairs, with tack room on the ground floor.
- 4.77 Please find enclosed, at Appendix 3.
- 4.78 As above – you have already identified the long use certificate of lawful development for Flat 12, subsequently passed for building control purposes by John Easey.
- No other authorisations are required.
- 4.79 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.80 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.81 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.82 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.83 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.84 Please see above. These buildings have been in situ for more than 25 years, and have not been materially altered.
- 4.85 5 – 7 These are multi-use rental units
- 10 This is currently a landscape gardener's store.
- Previously, this was used by a kitchen fitter for more than 10 years.
- 4.86 Various tenants. We can make the tenancy agreements available on site, as above.
- 4.87 So far as the Owner can recall, these have been in situ for more than 20 years.
- These were constructed for agricultural, storage and multi-use purposes.
- 4.88 As above
- 4.89 15 - 20 years ago. The Owner used them for storage initially.
- 4.90 This was originally a hay barn and workshop.
- This was used as a blacksmith forge.
- The current use is as a workshop and storage by Mountstone Applications.
- 4.91 Our records confirm that the forge use commenced in 2009.

- 4.92 This is a car parking area for use by the owners, occupiers and visitors to the site. This use includes horse boxes, car parking, horse trailer storage, tenant car parking, visitor car parking and show days and event parking.
- 4.93 Frequently. This is only used for horse grazing and equestrian use when not used as a car park.
- 4.94 Container storage, plant and equipment, trailer parking and touring caravan parking.  
This is also used for temporary living accommodation by the tenants of the travelling circus between shows.  
The current occupiers took possession on 1 July 2017.
- 4.95 This use has been ongoing for a considerable period of time, and has been continuous.
- 4.96 Not currently.
- 4.97 Storage.
- 4.98 Long user.
- 4.99 Open storage and containers.  
You have actually omitted an additional parcel of land, to the north of the land hatched green, which is open land and storage occupied by Landacre. Once again, this open storage and container use has been continuous for many years.
- 4.100 Part of this land was acquired in July 2017, to increase the size of the parcels owned and let by the Owner.  
Prior to July 2017, the Owner rented the land from a third party for five years.  
Prior to that, the land was used for landfill by J&W Limited as per the approved planning consents documenting this permission. The land was used for various uses, including storage of containers, caravans, site offices and plant and machinery.
- 4.101 RGCS Civil Engineering and Utilities are occupying the land hatched green.  
Landacre occupies the parcel of land adjacent to the land hatched green.
- 4.102 By the tenants of the land.
- 4.103 For so long as the tenants remain in situ under their tenancy.
- 4.104 Yes
- 4.105 There appears to be no black hatching. Please can you qualify and clarify.
- 4.106 As above.
- 4.107 As above.

- 4.108 The current use is open storage and containers, plant and machinery.
- 4.109 As above, the Owner was renting the rear part of this site for some five years prior to acquisition in July 2017.

Since acquisition by the Owner in 2017, the land has been let for the uses set out above.

4.110 Test Valley Environmental

4.111 Yes

4.112 No so far as the Owner is aware.

4.113 Loading and unloading of material, so far as the Owner is aware.

4.114 Building 1 - Shed for the storage of hay.

This was recently refurbished, but was a hay barn for many years previously.

Building 2 - Involved in the destruction of the previous buildings by fire, and reconstructed as part of the reconstruction work.

This is a woodshed, for commercial logging.

There was a building in situ previously, which was replaced following the extensive fire damage in June 2018.

4.115 As above

4.116 As above

4.117 These are all metal storage containers, which hold plant and equipment for the tenants on site. These act as secure storage.

The open sided structures are used as storage facilities and shelters, with the potential for these to be commercial let.

4.118 Please can you confirm which container you are referring to?

4.119 Please can you clarify which open sided structure

4.120 Yes they are.

4.121 There is an additional static caravan located within the Dog Training Facility, and you have already referred to this later in your enquiries.

Other than these, there are no other static mobile homes on the site.

There are several motorhomes and touring caravans located on the site, which form part of the business of trading of the Owner. These are not occupied, and are located on various parts of the open storage within the Site.

4.122 Yes, all four are occupied.

All four are under tenancy agreements. As previously noted, we can provide copies of the tenancies should these be required.

4.123 We have records for caravan rental on the Site, dating back to 2004.

4.124 Yes, all four.

4.125 Technically, they are capable of being moved, but the most recent locations have boundaries and hedging around them.

4.126 No, they are all single units that came on to site.

4.127 Caravan 3 - 3.2 metres x 10.5 metres x 2.0 metres

Caravan A - 3.0 metres x 10.5 metres x 2.0 metres

Caravan B - 3.0 metres x 11.0 metres x 2.0 metres

Caravan C - 3.0 metres x 8.0 metres x 2.0 metres

4.128 This was the reconstruction of the buildings on site, after the fire in June 2018.

The tenant has been in situ since April 2019.

This formed part of the relocation package offered to previous tenants of the Bury Farm ("**North Whiteley**") development in Curbridge and Burr ridge, in which Winchester City Council asked the Owner to improve the facilities to encourage IT Autos and other former tenants of Bury Farm to the Site.

4.129 Agricultural and vehicle repair and garage

4.130 Shortly after the reconstruction, following the fire in June 2018.

4.131 These were originally quarantine stables.

These were destroyed in the fire, and rebuilt as part of the reconstruction work.

4.132 Spares and repairs, and retailer of Hot Tubs

4.133 2019 – following the reconstruction of the units.

4.134 This was a continuation of the quarantine stables, destroyed in the fire.

This was reconstructed, and now houses Driver Direct since August 2020 for storage and offices.

4.135 Storage and offices

4.136 2018, following the fire.

- 4.137 This was originally destroyed in the fire, and reconstructed as part of the site reconstruction works.
- 4.138 Storage of plant and equipment for Authorn Limited.
- 4.139 2019, following the reconstruction of the buildings after the fire.
- 4.140 Lorry parking
- 4.141 Multiple use parking area by individual users.
- 4.142 The lorry parking use goes back many years, as part of the open storage uses on the site.
- 4.143 This forms part of the yard used by Homestead Concrete.  
This is secure storage and office for their ongoing operations.
- 4.144 Homestead Concrete.
- 4.145 The Owner brought them on to site for the storage of materials for the fire reconstruction works.  
The tenant has taken on the rental as part of their tenancy.
- 4.146 This is an open pole barn erected within the past couple of years.  
This was previously open storage and used as plant and lorry parking.
- 4.147 As above
- 4.148 As above
- 4.149 Yes – 24/7
- 4.150 Please see above – this is the same yard
- 4.151 As above, together with agricultural
- 4.152 As above
- 4.153 Yes – 24/7
- 4.154 This use is currently the subject of licencing and planning application processes with Hampshire County Council and the Environment Agency. We suggest that these exercises are concluded before any outstanding enquiries are dealt with.
- 4.155 As above
- 4.156 As above
- 4.157 As above
- 4.158 As above

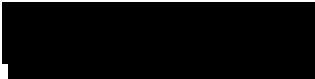
- 4.159 As above
- 4.160 As above
- 4.161 As above
- 4.162 As above
- 4.163 This was a bird avery, and was recently converted.
- This was originally a pole barn and avery. It was partly enclosed some two years ago.
- It was all constructed circa four years ago.
- 4.164 Partly an avery, and partly vacant. County Installation are no longer in occupation.
- 4.165 Four years ago.
- 4.166 The Owner operates the avery, the remainder is vacant. It is also used for storage.
- 4.167 Yes – 24/7.
- 4.168 Offices and welfare facilities.
- 4.169 It came on to Site some 12 years ago, and has been located and relocated on multiple occasions. This is the current site and location, rented to the Dog Training company as part of their tenancy.
- 4.170 The Dog Training Facility.
- 4.171 Yes, but not used for residential uses.
- 4.172 Yes
- 4.173 No, it is a single unit.
- 4.174 3.0 metres x 11.6 metres x 2.0 metres.
- 4.175 Yes, please see previous.
- There are live applications and discussions relating to several areas, including:
- (a) The shop;
  - (b) The Riding School and ancillary accommodation;
  - (c) Hampshire Waste;
  - (d) Former Raglington Field Landfill Site
- 4.176 Please see previous supplied.

4.177 The Owner remains totally committed to dealing with any enquiries or concerns of Winchester City Council, with a view to regularising any uses considered to not be compliant with planning.

The Owner has co-operated throughout these enquiries and will continue to assist.

Should you have any further issues or queries, please do let us know.

Yours faithfully



**Clarke Willmott LLP**

Peter Swinburn  
Managing Director  
Clarke Willmott LLP

t:   
m:   
e: 