

Issued: 15th November 2022

WINCHESTER CITY COUNCIL

ENFORCEMENT NOTICE

Relating to land and premises
Greenclose also known as Lower Parklands, Wangfield Lane, Curdridge, Southampton,
Hampshire, SO32 2DA

Neil McArthur, Service Lead- Legal, Winchester City Council, City Offices, Colebrook
Street, Winchester, Hampshire, SO23 9LJ

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: WINCHESTER CITY COUNCIL

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (b) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land at Greenclose also known as Lower Parklands, Wangfield Lane, Curdridge, Southampton, Hampshire, SO32 2DA shown edged red on the attached plan ("the Land").

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission the occupation of the dwelling Greenclose by a person who does not meet the requirements of condition 3 of application 86/01902/OLD which states;

“The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 290(1) of the Town and County Planning Act 1971, or in forestry (including any dependents of such persons residing with him) or a widow or widower of such a person.”

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The dwelling was approved with a condition limiting occupation in order to overcome policy objections to ensure the dwelling would be used for an agricultural residency. The use of the dwelling for non-agricultural purposes is therefore contrary to policies MTRA 4 Development in the Countryside of the Winchester Local Plan Part 1 and policies DM11 Housing for Essential Rural Workers Winchester Local Plan Part 2.

The Council do not consider that planning permission should be granted because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

- i) Cease the occupation of the property by persons not complying with condition 3 of application 86/01902/OLD which states;

“The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 290(1) of the Town and County Planning Act 1971, or in forestry (including any dependents of such persons residing with him) or a widow or widower of such a person.”

6. TIME FOR COMPLIANCE

For step i) above: **12** months from the date the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **20th December 2022** unless an appeal is made against it beforehand.

Date: 15th November 2022

Signed 

Name: Neil McArthur. Service Lead - Legal

on behalf of: Winchester City Council, City Offices, Colebrook Street,
Winchester, Hampshire SO23 9LJ

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

