

Case ref: 21/00168/COU


Issued: **1st August 2023**

WINCHESTER CITY COUNCIL

ENFORCEMENT NOTICE 08

relating to land at

Shedfield Equestrian Centre, Botley Road, Shedfield, Southampton, Hampshire

 Public Law Manager, 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 – Number 08

ISSUED BY: WINCHESTER CITY COUNCIL

1. THIS IS A FORMAL NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) 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 Shedfield Equestrian Centre, Botley Road, Shedfield shown edged in red in the approximate position on the attached plan at Appendix A (“the Land”).

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of the Land to B2 general industrial (known as [REDACTED]); together with operational development which facilitates the change of use of the Land.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Local Planning Authority that the aforementioned breach of planning control occurred within the last ten years.

The development is contrary to policies MTRA3 and MTRA4 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it results in inappropriate development within the countryside with no justification.

The Council does not consider that planning permission should be granted. Planning conditions would not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the B2 general industrial use of the Land.
2. Remove all containers and any associated fixings from the Land.
3. Demolish and remove all fencing, walls, gates, and enclosures as well as any foundations for the same from the Land.
4. Remove all equipment and material related to and facilitating the B2 general industrial use from the Land.
5. Disconnect all services (water, gas, electricity, waste) from the Land.
6. Break up and remove any hardstanding and/or foundations from the Land.
7. Remove any resultant waste.

8. Lay topsoil and seed with grass on the Land to reinstate the Land to its former level and condition.

NOTE: The Land is in close proximity to protected trees protected by Tree Preservation Order 0061-2003 ("TPO") and remedial works must not contravene the TPO and provisions for the protection of trees pursuant to national legislation.

6. TIME FOR COMPLIANCE


8 months after notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **5th September 2023** unless an appeal is made against it beforehand.

Date: 1st August 2023

Signed:



 Public Law Manager

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 [link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>].

One copy of the enforcement notice is enclosed for your own records.

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.

