



The Occupier
SPRINGFIELD
SHOP LANE
BURSLEDON
SOUTHAMPTON
SO19 0QS

Application	EA/23/96447
Please ask for	John Saunders
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Working hours	
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Wednesday 22 November 2023

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 174**

Address of site to which the appeal relates: SHOP LANE (KNOWN AS WILLWOODS YARD), BURSLEDON, HAMPSHIRE

Alleged breach: Without planning permission, the unauthorised material change of use of the land at Shop Lane, known as Willwoods Yard, to B8 storage, siting of a caravan, unauthorised erection of gates, fencing in excess of 1 metre adjacent to the highway, hardstanding and placement of shipping containers.

Application Reference: EA/23/96447

Appellant's name: Mr Andrew Johns and Mrs Elena Johns

Planning Inspectorate appeal reference: APP/W1715/C/23/3329845 & APP/W1715/C/23/3329846

Appeal start date: Tuesday 14 November 2023

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by Eastleigh Borough Council on Monday 4 September 2023

The enforcement notice was issued for the following reasons:

It appears to the Council that the unauthorised use of the land has occurred within the last 10 years and the laying of hardstanding and placement of shipping containers has occurred within the last 4 years.

The unauthorised material change of use of the land at Shop Lane, known as Willwoods Yard for B8 storage, siting of a caravan, unauthorised erection of gates, fencing in excess of 1 metre adjacent to the highway, hardstanding and placement of shipping containers does not benefit from planning consent. The owners of the site have been advised that the development is unauthorised and planning permission is required however a retrospective application has not been submitted. The development is also contrary to saved policies S5 and DM1 of the adopted Eastleigh

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(4.1) The development, by virtue of its siting, massing, design and layout, results in an unduly prominent and visually intrusive built form, which would be detrimental to and out of keeping with the character of the surrounding area and designated countryside.

(4.2) The development of the hardstanding does not benefit from planning consent.

(4.3) The siting of storage containers on the land does not benefit from planning consent and is out of keeping with the character of the surrounding area and designated countryside.

(4.4) The siting of the caravan on the land does not benefit from planning consent and is out of keeping with the character of the surrounding area and designated countryside.

(4.5) The erection of fencing on the land does not benefit from planning consent, does not fall within schedule 2, Part 2, Class A of the Town and Country Planning Act General Permitted Development Order and is out of keeping with the character of the surrounding area and designated countryside.

The enforcement notice requires the following steps to be taken:

Permanently and in their entirety, demolish the unauthorised gates and fencing (as shown in the approximate position marked blue on the attached plan).

Permanently and in its entirety, remove the hardstanding area (as shown in the approximate position marked green on the attached plan).

Remove all storage containers from the land (as shown in the approximate position marked black on the attached plan).

Permanently remove the caravan from the site land (as shown in the approximate position marked yellow on the attached plan)

Remove all materials relating to Hot Tub Recovery, building works, vehicles and any other associated items related to the B8 use stored on the land at Shop Lane (known as Willwoods Yard) as shown edged in red on the plan attached to this Notice ("the Plan")

Remove all waste, materials, equipment and debris resulting from the demolition of the gates, fencing and hardstanding when complying with the requirements of this notice.

The appellant has appealed against the notice on the following grounds:

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

(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 appeal will be determined on the basis of written representations. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, or modify/withdraw your previous representation you can do so online at <https://acp.planninginspectorate.gov.uk> If you do not have access to the internet, you can send or email your comments to teame3@planninginspectorate.gov.uk Ben White, Room 3B, Temple Quay House, 2 The Square, Bristol, BS1 6PN

All representations must be received by Wednesday 27 December 2023. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and the Council and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by Wednesday 27 December 2023.

Details of this appeal can be found on our website at <https://planning.eastleigh.gov.uk/s/public-register>. The appeal documents are available for inspection at Eastleigh House. The Council's statement should be available within a month of the date of this letter. Should you wish to see the documents please contact John Saunders on the above number.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

Yours faithfully



Nicholas Parker
Planning Manager