

Appeal 6012568

Submitted on 9 July 2026.

Before you start

Local planning authority	Eastleigh
Appeal type	Enforcement notice
Is your enforcement notice about a listed building?	No
What is the issue date on your enforcement notice?	1 June 2026
What is the effective date on your enforcement notice?	10 July 2026
What is the reference number on the enforcement notice?	ENF/2025/471

Prepare appeal

Who is appealing against the enforcement notice?	An organisation
What is the name of the organisation?	B Harris Surfacing Ltd
Contact details	Mark Sennitt Sennitt Planning
What is your phone number?	
What is the address of the appeal site?	Land at 2 Bridge Cottages Shamblehurst Lane North Hedge End SO32 2BY
Is the appeal site address your contact address?	No
What is your contact address?	The Newport Newport Lane, Braishfield Braishfield Hampshire SO51 9BT
What is B Harris Surfacing Ltd's interest in the land?	Owner

Will an inspector need to access the land or property?	Yes To view entirety of site
Are there any health and safety issues on the appeal site?	No
Enter the description of the alleged breach	Without planning permission, the material change of use of the land for the storage of vehicles, plant machinery and equipment, materials and scaffolding with ancillary office(s), fencing and hardsurfacing
Choose your grounds of appeal	Ground (a) Ground (b) Ground (c) Ground (d) Ground (e) Ground (f)
Did anyone submit a retrospective planning application?	Yes
Was the application for all or part of the development?	All of the development
What is the application reference number?	F/24/96940
What date did you submit your application?	23 February 2024
Enter the description of development	Retrospective: Change of use of land from field / woodland to storage area for vehicles and plant (Use Class B8) with new enlarged entrance to highway and gates and fencing.
Did the local planning authority change the description of development?	No
Was the application granted or refused?	Refused
What is the date on the decision letter from the local planning authority?	28 January 2025
Did anyone appeal the decision?	No
Did you pay the ground (a) fee?	No
Facts for ground (a)	Consent has been granted by reason of a Lawful Development Certificate on part of the site - this mitigates visual impact and issues of noise and disturbance. The appeal will be supported by a Landscape and Visual Impact Assessment and a noise report Alleged harm in respect of drainage and ecology can be mitigated There are no trees on site - off-site trees have been damaged by third parties and not the appellants. Policy issues can be addressed

Do you have any documents to support your ground (a) facts?	No
Facts for ground (b)	The EN alleges harm to trees - there are no trees on site and the appellant has not harmed off-site trees
Do you have any documents to support your ground (b) facts?	No
Facts for ground (c)	Part of the site has a lawful development certificate confirming use for B8 purposes - the use of this part of the site is lawful
Do you have any documents to support your ground (c) facts?	Yes
Ground (c) supporting documents	Exhibit 1 - OS.pdf (/document/b7570ed1-ae7c-4908-8b5c-18793877d9e0) ApplicationFormNoPersonalData.pdf (/document/3a9c7f30-03e4-43d7-9102-1e24a01fdeba) Decision Notice.pdf (/document/139f0fb0-8953-4f77-ad84-f7b47e883937)
Facts for ground (d)	No enforcement action can be taken in respect of the use of part of the site for B8 purposes by reason of the fact that it has been used for B8 purposes for more than 10 years
Do you have any documents to support your ground (d) facts?	Yes
Ground (d) supporting documents	Decision Notice.pdf (/document/747e4322-00ea-44fb-ac13-131c38ea1822) ApplicationFormNoPersonalData.pdf (/document/b3162b13-c0f1-4862-8d4b-17399f677bbf) Exhibit 1 - OS.pdf (/document/6c30a712-fed0-4aa6-966a-6398ebccf415)
Facts for ground (e)	The EN refers damage to off-site trees - the owner of the trees has not served a copy of the EN
Do you have any documents to support your ground (e) facts?	No
Facts for ground (f)	The EN is seeking to restrict/remove a lawful activity a, namely the eastern portion of the site that has an authorised use for (B8) Storage and Distribution purposes.
Do you have any documents to support your ground (f) facts?	No

How would you prefer us to decide your appeal?

Hearing

Why would you prefer a hearing?

There are a number of grounds of appeal to be considered to include the fact that the EN refers to land that already has a consent for B8 purposes (lawful development certificate). Full consideration of this issue is required in a hearing so as not to prejudice a legitimate and well established business. The EN also alleges works that have not been carried out by the appellant and on neighbouring land. The short time to submit required reports demonstrating mitigation has meant that they have to follow

Are there other appeals linked to your development?

No

Upload documents

Enforcement notice

[EN.PDF \(/document/f1585957-52d0-4ed4-b7d7-08eb79d44208\)](/document/f1585957-52d0-4ed4-b7d7-08eb79d44208)

Enforcement notice plan

[EN plan.PDF \(/document/5b1ddb14-f743-412f-a3ed-2c66f8bb05aa\)](/document/5b1ddb14-f743-412f-a3ed-2c66f8bb05aa)

Application form

[Application Form.pdf \(/document/c08e4a98-7f4c-4f86-915f-4202a4dc6418\)](/document/c08e4a98-7f4c-4f86-915f-4202a4dc6418)

Decision letter

[F 24 96940 PL Final Decision \(2\).pdf \(/document/e57d6cd4-2542-4c49-ab30-6b35b7fed11f\)](/document/e57d6cd4-2542-4c49-ab30-6b35b7fed11f)

Do you plan to submit a planning obligation to support your appeal?

No

Do you want to apply for an award of appeal costs?

No

Do you have any other new documents that support your appeal?

Yes

Other new supporting documents

[Tree report Bridge Cottages.pdf \(/document/2a6a4f2b-03e0-4342-bb48-acac7629089e\)](/document/2a6a4f2b-03e0-4342-bb48-acac7629089e)
[Appeal statement.pdf \(/document/d90aaf68-902e-4874-a423-ef107be26788\)](/document/d90aaf68-902e-4874-a423-ef107be26788)
[Bridge Cottages Noise Impact Assessment.pdf \(/document/b2f0750f-297b-447a-ac57-f258cbec4b4f\)](/document/b2f0750f-297b-447a-ac57-f258cbec4b4f)