

ANNEX

THE RIGHT OF APPEAL

There is a right of appeal for anyone who has a legal or equitable interest in the land to which this Notice relates or who is a relevant occupier, whether or not they have been served with a copy of the notice. Any appeal must be in writing and received (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be received) by the Planning Inspectorate acting on behalf of the Secretary of State before 10 July 2026. The enclosed information sheet published by the Planning Inspectorate provides details of how to make an appeal.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal against this enforcement notice is not received, it will take effect on 10 July 2026 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 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.

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 are attached for your information.

GROUND OF APPEAL

The grounds of appeal are set out in section 174 of the TCPA 1990. You may appeal on one or more of the following grounds that:

- a) In respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- b) Those matters have not occurred;
- c) Those matters (if they have occurred) do not constitute a breach of planning control;
- d) At the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- e) Copies of the Enforcement Notice were not served as required by section 172 of the TCPA 1990;
- f) The steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach;

- g) Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

PLANNING APPLICATION FEE

If you wish to appeal on ground (a) – that planning permission should be granted for the unauthorised development or use – a fee of £1402 is payable to the Council when the appeal is lodged. If this fee is not paid, that ground of appeal will not be valid and will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

RECIPIENTS OF THIS NOTICE

The names and addresses of all the persons on whom this Notice has been served are:

1. B Harris Surfacing Ltd
181 Manor Farm Road
Southampton
Hampshire
SO18 1NY
2. Lee Millington
L & M Access Scaffolding
Land at 2 Bridge Cottages
Shamblehurst Lane North
Hedge End
SO32 2BY
3. Angela Margaret Pelleschi
Jasper Vincent Segensworth
9 Manor Court
2 Barnes Wallis Road
Fareham
PO15 5TH
4. Glen Harris
181 Manor Farm Road
Southampton
Hampshire
SO18 1NY
5. Kim Harris
55 Cornwall Road
Midanbury
Southampton
SO18 2AW

6. Mark Stewart
2 Bridge Cottages
Shamblehurst Lane North
Hedge End
SO32 2BY