



The Occupier
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SO18 2AW

Application EA/26/101744
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hours
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Wednesday 23 September 2026

Dear Sir/Madam

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

Address of site to which the appeal relates: Land at 2 Bridge Cottages,
Shamblehurst Lane North SO32 2BY

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 hardstanding at Land at 2 Bridge Cottages, Shamblehurst Lane North, Hedge End, SO32 2BY.

Application Reference: EA/26/101744

Appellant's name: B Harris Surfacing Ltd

Planning Inspectorate appeal reference: APP/W1715/C/26/3378866

Appeal start date: Wednesday 16 September 2026

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 1 June 2026

The enforcement notice was issued for the following reasons:

- (1) It appears to the Council that the material change of use of the Land has occurred within the last 10 years.
- (2) The use of the Land and ancillary development represents an unjustified form of development in an area of designated countryside and settlement gap which, owing to its layout, extent and design, has an unacceptably harmful and detrimentally urbanising impact upon the character of the site and that of the immediate surrounding area. The use has a detrimental impact upon arboricultural features in the proximity of the site which provide significant amenity value and contribute positively to the character of the area.

(3) The use and ancillary development is therefore contrary to the requirements of Policies S5, S6 and DM11 of the Eastleigh Borough Local Plan 2016-2036, Paragraphs 135, 136 and 187 of the National Planning Policy Framework and the Council's adopted Trees and Development Supplementary Planning Document.

(4) The use and ancillary development, owing to its proximity to sensitive receptors in the form of the residential dwellings at Nos. 1 and 2 Bridge Cottages, as well as the nature of the operations and activities associated with the use for which permission is not granted, have an unacceptably adverse impact upon the amenity of the occupiers of these properties by way of noise, dust and disturbance. The development is therefore in conflict with the requirements of Policies DM1 and DM8 of the Eastleigh Borough Council Local Plan 2016-2036, as well as Paragraphs 135 and 198 of the National Planning Policy Framework.

(5) The use of the Land causes adverse harm to the ecology within the vicinity, with run-off water from the site not being filtered through any drainage system or any mitigation for land contamination or pollution. The use is therefore contrary to Policies DM6, DM8 and DM11 of the Eastleigh Borough Local Plan 2016-2036 and Paragraphs 182 and 187 of the National Planning Policy Framework.

The enforcement notice requires the following steps to be taken:

- i. Cease the use of the Land for the storage of vehicles, plant machinery and equipment, materials and scaffolding.
- ii. Cease the use of the brick-built building(s), marked in green on the attached plan, as offices associated with the storage activities on the Land.
- iii. Remove the ancillary fencing and gates from the Land.
- iv. Remove the storage containers and scaffolding storage racks from the Land.
- v. Remove the sub base, hardcore and any other materials related to the laying of the hardstanding from the Land.
- vi. Once the hardstanding, sub base and all other materials have been removed, reinstate the grassed surface.

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

Ground (b) – that those matters have not occurred.

Ground (c) – that those matters (if they occurred) do not constitute a breach of planning control.

Ground (d) – that, at the date when the notice was issued, no enforcement action could be taken in respect any breach of planning control which may be constituted by those matters.

Ground (e) – copies of the Enforcement Notice were not served as required by section 172 of the TCPA 1990.

Ground (f) – that 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 any such breach.

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 you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

All representations must be received by Wednesday 28 October 2026. 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 28 October 2026.

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

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive style with a horizontal line underneath the name.

Nicholas Parker
Planning Manager