

Company Secretary
B Harris Surfacing Ltd
181 Manor Farm Road
Southampton
SO18 1NY

Legal Services

Our Ref: ENF/2025/471
Contact: Claire Dinnage
Direct Dial: 023 8068 8498
Email: claire.dinnage@eastleigh.gov.uk

9 June 2026

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Company Secretary,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991) – 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

I write to inform you, since I understand you have an interest in the aforementioned property, that I have been asked to serve a formal Enforcement Notice upon you which was authorised by the Planning Manager on 11 November 2025. The Notice concerns 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. A copy of the notice has also been served on others understood to have an interest in the property as detailed in the notice itself.

The Enforcement Notice will take effect on 10 July 2026 unless an appeal is lodged with the Planning Inspectorate before that date. Once the Enforcement Notice has taken effect, you must ensure that the steps required for compliance, specified in Paragraph 5 of the notice, are undertaken within the 6 months allowed for compliance. Failure to comply with the requirements of an Enforcement Notice, once it has taken effect, can result in a prosecution and/or remedial action being taken by the Council.

If you wish to appeal the enforcement notice, you are advised to visit the Planning Inspectorate Website at www.gov.uk/appeal-enforcement-notice. Information relating to the enforcement appeal process and procedures can be found here, as well as contact details should you wish to appeal by post. If you have any queries or questions, you can contact the Customer Service Team by phone at 0303 444 5000 or online via their website at <https://www.gov.uk/government/organisations/planning-inspectorate>.

You can submit your enforcement appeal online through the Appeals Casework Portal or by post. The online service gives you wider and easier access to the planning system and allows you to track the progress of your appeal. You can find this service at <https://acp.planninginspectorate.gov.uk/>. The Planning Inspectorate will publish details of your appeal on the internet. A copy of the appeal should be sent to the Council, and you are advised to keep a further copy of your own records.

If you would like to appeal by post, you will need to contact the Planning Inspectorate by phone to request an appeal form.

It is important to note that your appeal must be received, in the ordinary course of the post, by the Secretary of State before the date on which the notice takes effect, in this case the 10 July 2026. In calculating the dates to send your appeal so as to arrive in time in the ordinary course of the post, you must allow for two clear working days for first class post and four clear working days for second class post. Weekends and Bank Holidays do not count in any calculation you make. For example, if you post your appeal on a Monday by second class post it will be deemed to have been delivered the following Monday.

In the context of an appeal, I would like to draw your attention to the enclosed sections 171A to 177 of the 1990 Town and Country Planning Act and would inform you that any such appeal to the Secretary of State

should be made in writing supported by a statement of the grounds of the appeal and the facts on which it is based.

Section 174 sets out the grounds of appeal. You may appeal on any one or more of the following grounds:-

- (a) that, in respect of any breach of planning control which may be constituted by 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;

Please note, if you are appealing under this ground you will need to pay £1402 for the deemed application for planning permission when submitting your appeal.

- (b) that those matters have not occurred;
- (c) that those matters (if they have occurred) do not constitute a breach of planning control;
- (d) that, 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;
- (d) that copies of the enforcement notice were not served as required by section 172;
- (e) 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;
- (f) that any period for compliance specified in the notice falls short of what should reasonably be allowed.

The enclosed guidance sheet gives more information in respect of making an appeal.

Yours faithfully,



Claire Dinnage
Legal Specialist – Solicitor
for the Head of Legal Services (Deputy Monitoring Officer)

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 ("TCPA 1990")

(As amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

SERVED BY: Eastleigh Borough Council ("the Council")

To: Company Secretary
B Harris Surfacing Ltd (Co. No. 13647180)
181 Manor Farm Road
Southampton
Hampshire
SO18 1NY

1. THIS NOTICE

THIS NOTICE ("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. The Council considers 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 to this Notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at 2 Bridge Cottages, Shamblehurst Lane North, Hedge End, SO32 2BY ("the Land") as shown edged in red on the plan attached to this Notice ("the Plan").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

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.

4. REASONS FOR ISSUING THIS NOTICE

- (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.

5. WHAT YOU ARE REQUIRED TO DO

- 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.

6. TIME FOR COMPLIANCE

6 months after this notice takes effect.

You must comply with steps (i) to (vi) above in full by the end of a period of 6 months following the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 10 July 2026 unless an appeal is made against it beforehand.

Date of Issue: 1 June 2026

Signed: 

Head of Legal Services (Deputy Monitoring Officer)

On behalf of: Eastleigh Borough Council, Eastleigh House, Upper Market Street, Eastleigh, Hampshire, SO50 9YN

Nominated Officer: John Saunders

Telephone Number: 02380 688 038