



Application	EA/25/99032
Please ask for	John Saunders
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Thursday 27 March 2025

Dear Sir/Madam

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

Address of site to which the appeal relates: BROADWAY FARM, BROAD OAK
Alleged breach: Without planning permission, the unauthorised material change of use of land at Broadway Farm, Broad Oak, Botley, SO30 2EU to parking and storage B8 with associated unauthorised tarmac hardstanding, unauthorised drainage and unauthorised lighting.
Application Reference: EA/25/99032
Appellant's name: CCW Services Limited, Mrs Louisa Jane Doe
Planning Inspectorate appeal reference: APP/W1715/C/25/3361911 and APP/W1715/C/25/3361912
Appeal start date: Thursday 13 March 2025

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 3 February 2025

The enforcement notice was issued for the following reasons:

It appears to the Council that the authorised change of use of land at Broadway Farm, Broad Oak, Botley, SO30 2EU to parking and storage B8 with associated tarmac hardstanding, drainage and lighting has occurred within the last 10 years.

The unauthorised material change of use of the land at Broadway Farm, Broad Oak, Botley, SO30 2EU for parking, storage B8 and the laying of hardstanding with associated drainage and lighting does not benefit from planning consent. The owners of the site have been advised that the development is unauthorised and planning permission is required; a retrospective application was submitted and refused. A

lawful development certificate was submitted under LDC/23/95111 for an existing use or operation: Building operation by laying of sub-base hardcore (type one crushed concrete) with concrete based cellular 'grasscrete', together with the parking of motorised vehicles to include heavy vehicles and trailers in accordance with an Operator's Licence to regularise the use and development, which was refused by Eastleigh Borough Council. A subsequent appeal was raised with the Planning Inspectorate who examined the evidence and determined at a public enquiry that the land had not been used for the parking of vehicles for a period in excess of 10 years and there was no evidence to support the claim that grasscrete had been laid at the site.

The use and development at the site are considered contrary to saved Policies S5, S6, DM1 and DM11 of the adopted Eastleigh Borough Local Plan 2016-2036 and the National Planning Policy Framework.

(4.1) The tarmac hardstanding, by virtue of its siting, massing, design and layout, results in an unduly prominent and visually intrusive built form, which is detrimental to and out of keeping with the character of the surrounding area, designated countryside and strategic gap, and therefore considered to be contrary to Policies DM1, S5 and S6 of the adopted Eastleigh Borough Local Plan 2016-2036, and the Council's Supplementary Planning Document 'Quality Places'.

(4.2) The tarmac hardstanding is adjacent to a Site of Importance for Nature Conservation and there is no agreed drainage strategy to protect the woodland from run off and contamination from the site, nor is there an agreed lighting strategy to ensure compliance with conservation and planning legislation which is therefore contrary to policy DM11 of the Eastleigh Borough Local Plan 2016-2036, and the Council's Supplementary Planning Document 'Biodiversity'.

(4.3) The use of the land for parking and storage has mostly consisted of the storage of a variety of vehicles including trucks, trailers and ambulances as well as pallets and other items associated with the business operating from Broadway Farm. This is out of keeping with the character of the surrounding woodland, designated countryside and strategic gap and is considered to be contrary to Policies DM1, S5 and S6 of the adopted Eastleigh Borough Local Plan 2016-2036, and the Council's Supplementary Planning Document 'Quality Places'.

The enforcement notice requires the following steps to be taken:

- *Remove the tarmac hardstanding from the land.
- *Remove the sub base hardcore and any other materials associated with the laying of the tarmac hardstanding from the land.
- *Once the tarmac hardstanding, sub base and all other materials have been removed, reinstate the grassed surface.
- *Remove all drainage and drainage infrastructure from the land.
- *Remove all lighting from the land.
- *Remove all vehicles, rubber matting, materials and other items associated with the B8 storage and parking use from the land.

*Cease the parking and storage (B8) use of the land.

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

- (a) That planning permission should be granted for what is alleged in the notice.
- (b) That the breach of control alleged in the enforcement notice has 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.
- (g) The time given to comply with the notice is too short.

The appeal will be determined on the basis of an inquiry and you will be notified of the date in due course. The procedure to be followed is set out in the Town and Country Planning Appeals (Determination by Inspectors) (Inquiry Procedure) (England) Rules 2000, as amended.

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:

Faiza Kanwal, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN

All representations must be received by Thursday 24 April 2025. 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 Thursday 24 April 2025.

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, appearing to read 'N Parker', with a horizontal line underneath the name.

Nicholas Parker
Planning Manager