

Issued: 17th November 2023

**WINCHESTER CITY COUNCIL
ON BEHALF OF
SOUTHDOWN NATIONAL PARK**

ENFORCEMENT NOTICE

relating to land and premises at
Land adjoining Whiteflood Farmhouse, Owslebury, Winchester also known as Stables,
Whiteflood meadows, Belmore Lane, Owslebury, Hampshire, SO21 1JW

Fiona Sutherland, Public Law Manager, Winchester City Council, City Offices,
Colebrook Street, Winchester, Hampshire, SO23 9LJ

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: WINCHESTER CITY COUNCIL

1. THIS NOTICE is issued by the Winchester City Council on behalf of South Downs National Park because it appears to them that there has been a breach of planning control, within paragraph (b) of section 171A(1) of the above Act, at the land described below. They consider 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 at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND AFFECTED

Land adjoining Whiteflood Farmhouse, Owslebury, Winchester also known as Stables, Whiteflood meadows, Belmore Lane, Owslebury, Hampshire, SO21 1JW as shown edged red on the attached plan (“the Land”).

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission:

- (i) The material change of use of the land to equestrian;
- (ii) The erection on the land of buildings to facilitate the unauthorised use in (i).

REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The change of use of land to equestrian including associated operational development comprising the siting of two stables and one field shelter would result in unnecessary harm to the landscape and ecology of the local area which is contrary to policies SD2, SD4, SD5, SD6 and SD9 of the South Downs Local Plan (2014-33).

The change of use of land to equestrian including associated operational development would not be considered to be protecting or enhancing the landscape setting or public realm, which is contrary to policies SD6 and SD20 of the South Downs Local Plan (2014-33).

The change of use of land to equestrian including associated operational development does not have site access from the public highway (Belmore Lane), other than by foot. As such the development is contrary to the Town and Country Planning Act (1990), or the NPPF (2021), in particular, paragraphs 100 (Protect and enhance PROW and access) and 104 (considering transport issues at the earliest stages).

The change of use of land to equestrian including associated operational development is not considered to demonstrate that the PROW network is protected and enhanced by the proposed development which is contrary to Policy SD20 of the South Downs Local Plan (2014-33).

The change of use of land to equestrian including associated operational development does not have the required adequate visibility splays for the junction of the access with the highway which would cause danger and inconvenience to users of the adjoining highway, contrary to Policy SD21 of the South Downs Local Plan (2014-33).

The Council do not consider that planning permission should be given because planning conditions could not overcome the objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land for equestrian purposes;
- (ii) Remove from the land all operational development facilitating the change of use outlined in (i) including the two stables and one field shelter (approximate location shown hatched blue on the attached plan);
- (iii) Reseed the land to grass.
- (iv) Remove from the Land all materials, rubble, rubbish and debris arising from steps (i) to (ii).

6. TIME FOR COMPLIANCE

For all steps (i) to (iv); 3 months after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **22nd December 2023** unless an appeal is made against it beforehand.

Date: 17th November 2023



Signed

Name: Fiona Sutherland, Public Law Manager

On behalf of: Winchester City Council , City Offices, Colebrook Street,
Winchester, Hampshire SO23 9LJ

ANNEX

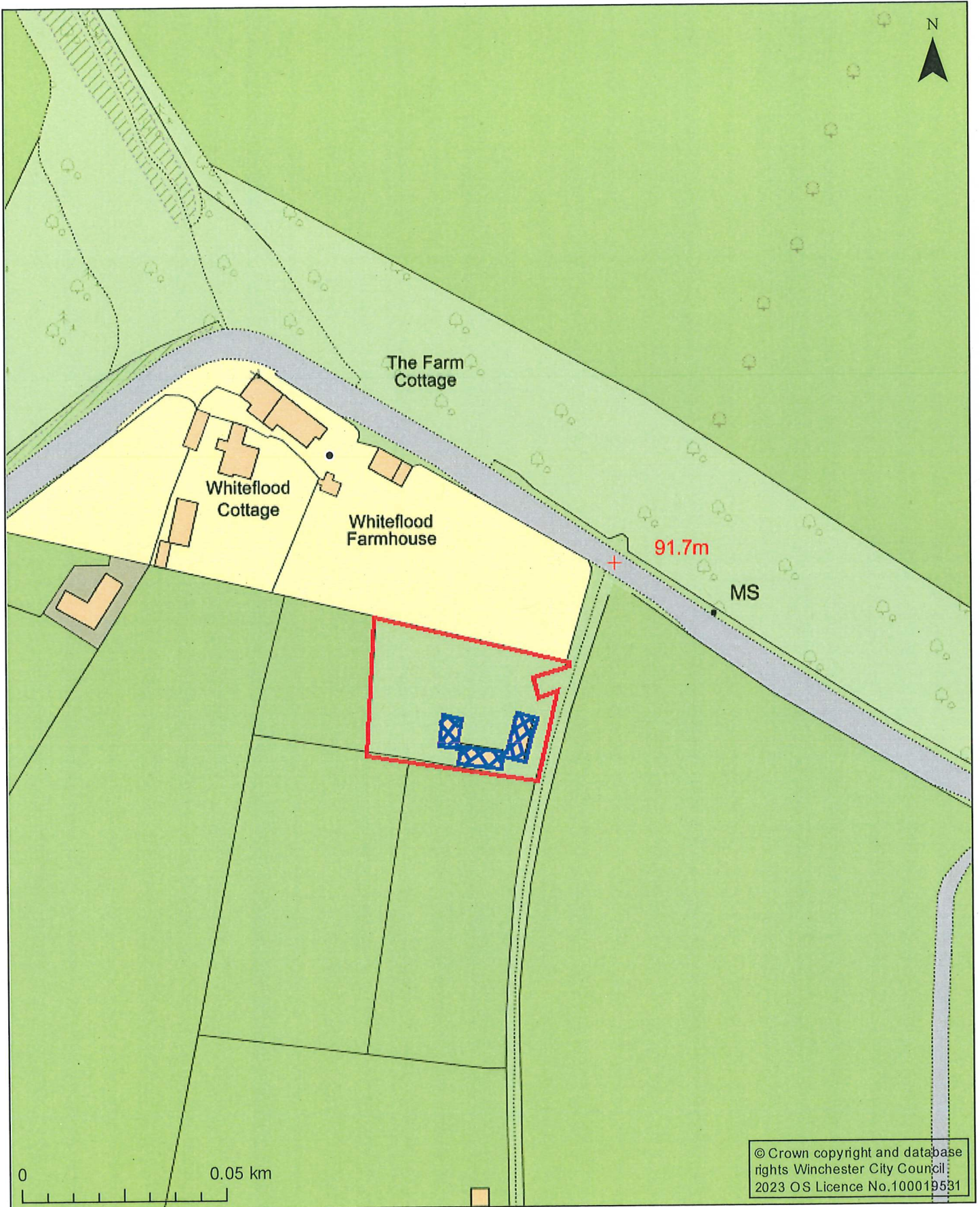
YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice 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[s] 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.



Date: 08/03/2023

Scale: 1:1,250

Author:

Notes:

Legend