

IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (“the 1990 Act”)

ENFORCEMENT NOTICE – BREACH OF CONDITION

Issued by: EAST HAMPSHIRE DISTRICT COUNCIL (“the Council”) on behalf of the South Downs National Park Authority

1. ENFORCEMENT NOTICE

THIS NOTICE is issued by the Council because it appears that there has been a breach of planning control, within paragraph (b) of section 171A(1) of the 1990 Act, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all 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 TO WHICH THE NOTICE RELATES

Land at Quin Hay Farm, Petersfield Road, Froxfield, Petersfield, GU32 1BZ shown edged red on the attached plan (“the Land”).

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

Within the last 10 years, the use of the land for tanker storage, sales and repair in breach of Condition 3 of SDNP/17/003617/FUL.

- SDNP/17/003617/FUL - Condition 3

Notwithstanding the changes of use permitted within Part 3 of Schedule 2 Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting, or modifying that Order), the development hereby permitted shall be used for purposes as set out within the supporting information, as that of a vehicle repair yard, servicing, and online sales centre for classic cars only, and for no other purpose.

Reason - In order to maintain control over future use of the premises in the interests of the general amenity of the area, neighbouring amenity and highway safety.

4. REASONS FOR ISSUING THIS NOTICE

The use of the yard for the storage, preparation, repair and sale of tankers in breach of Condition 3 of SDNP/17/003617/FUL results in an unacceptable detrimental effect on the amenities of nearby residential occupants by way of noise and odour and general disturbance in contravention of policies SD5 and SD54 of the South Downs Local Plan (2019).

The development fails to provide adequate parking for staff and visitors to the site, resulting in displacement parking elsewhere. The unauthorised use therefore results in harm to the local highway and increased danger and inconvenience to highway users. The development is contrary to policy SD19 of the South Downs Local Plan (2019).

5. WHAT YOU ARE REQUIRED TO DO

You must:

1. Cease the use of the Land for the storage, sales and repair of any vehicles other than classic cars, as per Condition 3 of SDNP/17/003617/FUL;
2. Remove all tanker vehicles, HGVs, and lorries from the Land;
3. Remove from the Land all equipment, paraphernalia, any other associated item connected to tanker lorry storage, sales and repairs; and
4. Remove from the Land all mobile offices, marquees, welfare rooms, and any other buildings or mobile structures connected to tanker lorry storage, sales and repairs.

6. TIME FOR COMPLIANCE

The period for compliance with the steps set out in paragraph 5 is **six months** from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22 August 2025 unless an appeal is made against it beforehand.

Dated: 22 July 2025 (**Date of issue**)

Signed by:



Sean Baldock – Planning Enforcement Manager, East Hampshire District Council
On behalf of: South Downs National Park Authority



Quin Hay Enforcement Notice



N Scale: 1:2500

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ANNEX

East Hampshire District Council (on behalf of the South Downs National Park Authority) has issued an enforcement notice relating to Land at Quin Hay Farm, Petersfield Road, Froxfield, Petersfield, GU32 1BZ. You are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this Annex.

THE RIGHT OF APPEAL

If you own, rent or lawfully occupy the Land you can appeal against this enforcement notice, but any appeal must be received by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) 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.

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.

PLANNING APPLICATION FEE

In these circumstances there is no right to a Ground A appeal under Section 174 of the Town & Country Planning Act, since changes brought in under Section 118 of the Levelling-up and Regeneration Act 2023 -

Planning application SDNP/23/03125/FUL was refused and no appeal brought, and the enforcement notice is issued within a period of two years after the day on which the application ceased to be under consideration.

As such there is no right to a Ground A appeal and the Planning Application Fee is not relevant.

STATUTORY PROVISIONS

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

WHAT HAPPENS IF THE ENFORCEMENT NOTICE IS NOT APPEALED

Unless an appeal is made against this enforcement notice, it will take effect on the 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 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.

Persons served with a copy of this enforcement notice are as follows:

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