



Appeal Decisions

Site visit made on 15 December 2025

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal A Ref: APP/L1765/C/23/3328885

Land at Shedfield Equestrian Centre (known as Saxton Scaffolding), Botley Road, Shedfield, Hampshire

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Christopher Collins of Shedfield Equestrian Centre against an enforcement notice issued by Winchester City Council.
 - The notice was issued on 1 August 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission the material change of use of the Land to B8 storage; together with operational development which facilitates the change of use of the Land.
 - The requirements of the notice are: i. Cease the B8 storage use of the Land. ii. Remove all containers and any associated fixings from the Land. iii. Remove all stored materials and equipment, related to and facilitating the B8 storage use, from the Land. iv. Remove all fencing and gates from the Land. v. Break up and remove any hardstanding, and other materials used to raise the height of the Land. vi. Re-level with top soil to match the level and profile of the adjacent land to the west and re-seed with grass. vii. Remove any resultant waste from the Land.
 - The period for compliance with the requirements is 8 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended).
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Appeal B Ref: APP/L1765/C/23/3328886

Land at Shedfield Equestrian Centre (known as CS Utility Contractors), Botley Road, Shedfield, Hampshire

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Christopher Collins of Shedfield Equestrian Centre against an enforcement notice issued by Winchester City Council.
 - The notice was issued on 1 August 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission the material change of use of the Land to B8 storage; together with operational development which facilitates the change of use of the Land.
 - The requirements of the notice are: 1. Cease the B8 storage use of the Land. 2. Remove all containers and any associated fixings from the Land. 3. Remove all stored materials and equipment related to and facilitating the B8 storage use from the Land. 4. Remove any resultant waste from the Land.
 - The period for compliance with the requirement is 8 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended).
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Appeal C Ref: APP/L1765/C/23/3331896

Land at Shedfield Equestrian Centre, Botley Road, Shedfield

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Christopher Collins of Shedfield Equestrian Centre against an enforcement notice issued by Winchester City Council.
- The notice was issued on 21 September 2023.
- The breach of planning control as alleged in the notice is: Without planning permission, the material change of use of the Land to B8 (known as 2 Brothers Concrete Pumping); together with operational development which facilitates the change of use of the Land.

- The requirements of the notice are: 1. Cease the B8 use of the Land. 2. Remove all containers and any associated fixings from the Land. 3. Demolish and remove all fencing, walls, gates, and enclosures as well as any foundations for the same from the Land. 4. Remove all equipment and material related to and facilitating the B8 use from the Land. 5. Disconnect all services (water, gas, electricity, waste) from the Land. 6. Break up and remove any hardstanding and/or foundations from the Land. 7. Remove any resultant waste. 8. Lay topsoil and seed with grass on the Land to reinstate the Land to its former level and condition.
 - The period for compliance with the requirements is 8 months
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended).
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Appeals A, B and C – Summary of Decisions

1. The appeals are dismissed and the enforcement notices are upheld.

Preliminary Matter

2. There has been a revised National Planning Policy Framework (the Framework) published by Government since the enforcement notices were issued. It however does not raise new issues that are determinative for the purposes of my assessment and therefore injustice to the parties does not arise.

Appeals A, B and C – The ground (a) appeals

Main Issue

3. The main issue is whether the sites are in a suitable location for storage uses.

Reasons

4. The appeal sites relate to 3 separate parcels of land albeit in close proximity. The deemed planning applications relate to the use of those 3 parcels of land by 3 different businesses for open storage purposes as well as the respective facilitative operational development.
5. For planning policy purposes, the parcels of land are located in the open countryside. Policy MTRA 4 of the adopted Winchester District Local Plan Part 1 – Joint Core Strategy, March 2013 (the LP) states that development in the countryside will only be permitted where: there is an operational need for a countryside location, such as agriculture; reuse of existing rural buildings for employment, tourist accommodation, community use or affordable housing; expansion or redevelopment of existing buildings to facilitate the expansion on-site of established businesses; or, small scale sites for low key tourist accommodation appropriate to the site.
6. Policy MTRA 3 of the LP is then concerned with settlements. In settlements with no defined boundaries, such as Shedfield, new development or redevelopment consisting of infilling of a small site within a continuously developed road frontage may be supported. Other development may also be supported to reinforce a settlement's role and function to meet a community need or aspirations, but these should be identified through a Neighbourhood Plan or otherwise with clear community support. Additionally, all development should be appropriate in scale and design.
7. These policies are therefore broadly consistent with the Framework.

8. Whilst the parcels of land may form part of the wider Shedfield Equestrian Centre, and which may comprise a mixed use, there is little compelling evidence that the 3 parcels of land that have been subdivided for open storage have been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land. Indeed, the photographic evidence is that the 3 parcels of land appeared as part of larger fields, as opposed a curtilage. It has therefore not been demonstrated on the balance of probabilities that the parcels of land constitute previously developed land for the purposes of the Framework.
9. Similarly, there is little evidence to suggest that the sites formed part of an established business, being that principally of the equestrian centre. Rather, the evidence is that the storage uses have arisen from 3 separate businesses having occupied the parcels of land. Furthermore, the uses do not relate to the expansion or redevelopment of existing buildings.
10. It is then evident that the use of the parcels of land for open storage do not satisfy the other policy requirements which I have summarised above. That the business operations are said to be small and not requiring large buildings does not make the location suitable. Some other businesses in close proximity are then said to be unauthorised in planning terms. Even if this is wrong, other businesses or the mixed use of the wider site does little to evidence why the location of the parcels of land concerned, which are within the open countryside, are suitable for open storage uses.
11. I conclude the sites are in an unacceptably harmful location for storage uses in contravention of Policies MTRA 3 and MTRA 4 of the LP. This is a planning harm to which I attach substantial weight.

Other Considerations

12. The appellant provides evidence that there is currently a shortage of affordable open storage opportunities for small businesses in the district and also contends the sites are in an accessible location. I generally accept this in that a lack of supply may encourage operators to relocate out of the district and thereby impact on local jobs and the economy. There is however little evidence as to how many jobs would directly be lost. I afford such considerations moderate weight.
13. Proposals for commercial developments in different locations have also been brought to my attention. However, it would appear these related to part of an existing commercial site as well as previously developed land. Even if I am wrong, these other decisions attract only neutral weight.
14. The parties have also raised other planning policies and considerations and there is common ground that there is no policy conflict or planning harm in respect of some of these considerations. The absence of other planning harms however only attracts neutral weight. The Council has also raised other potential planning harms, but in light of my findings on the main issue, and that these were not raised as specific reasons for issuing the notices, I need not consider these further.

Planning Balance

15. The parcels of land are in an unacceptably harmful location which is a planning harm that attracts substantial weight. The other considerations then only attract moderate and neutral weights and so do not outweigh this harm.

Conclusion

16. There are not material considerations that indicate the appeals should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeals should be dismissed.

Appeals A, B and C – Overall Conclusion

17. For the reasons given above I conclude that the appeals should not succeed. I shall uphold the enforcement notices and refuse to grant planning permission on the deemed applications.

Appeals A, B and C – Formal Decisions

18. The appeals are dismissed and the enforcement notices are upheld. Planning permission is refused on the applications deemed to have been made under section 177(5) of the 1990 Act as amended.

Paul T Hocking

INSPECTOR