

ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT AND MATERIAL CHANGE OF USE



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: Rother District Council

1. THIS 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. 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 TO WHICH THE NOTICE RELATES

Land at Castle Farm Estate Winchelsea Beach, East Sussex shown edged red on the attached plan ("the Land").

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

Without planning permission –

- i) Operational development comprising of erection of sheds and storage containers.

4. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL – MATERIAL CHANGE OF USE

Without planning permission the change of use of the land from agriculture to a mixed use comprising of agriculture and stationing of caravans for residential occupation and other domestic paraphernalia.

5. REASONS FOR ISSUING THIS NOTICE

- i) It appears to the Council that the above breach of planning control has occurred within the last four years in respect to 3 (Operational Development) above and ten years in respect of 4 (Material Change of Use) above.
- ii) This development does not benefit from planning permission and is inappropriate within this location. The development has caused significant harm to the character and appearance of the countryside. The site is outside any defined town or village Development Boundary as identified in the Rother District Local Plan 2006. The use of the land for the stationing of residential caravans, transit vans, and associated domestic paraphernalia as well as the

operational development consisting of sheds and storage containers, with the residential use, has a harmful effect on the rural character of the area and a designated Site of Special Scientific Interest (SSSI). The use is contrary to the relevant planning policies – Rother District Local Plan 2006 Policy DS3, Local Plan Core Strategy 2014, Policy OSS2, Policy OSS4 (ii) & (iii), Policy RA2 (iii), Policy RA3 and Policy EN1 and EN5.

6. WHAT YOU ARE REQUIRED TO DO

- i) Cease the use of the land for the stationing of caravans for residential purposes,
- ii) Remove the caravans, vehicles and trailers from the land,
- iii) Remove all sheds, and storage containers, from the land,
- iv) Remove all material, rubble, rubbish, debris, domestic paraphernalia, tools and equipment from the land arising from compliance with steps i), ii) and III) above.
- v) Return the land to its previous condition.

7. TIME FOR COMPLIANCE

One Month after this notice takes effect.

8. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20th November 2018 unless an appeal is made against it beforehand.

Dated: 8th October 2018

Signed:

Solicitor to the Council
on behalf of Rother District Council,
Town Hall,
Bexhill-on-Sea,
East Sussex TN39 3JX

Ref: MKN268

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 before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

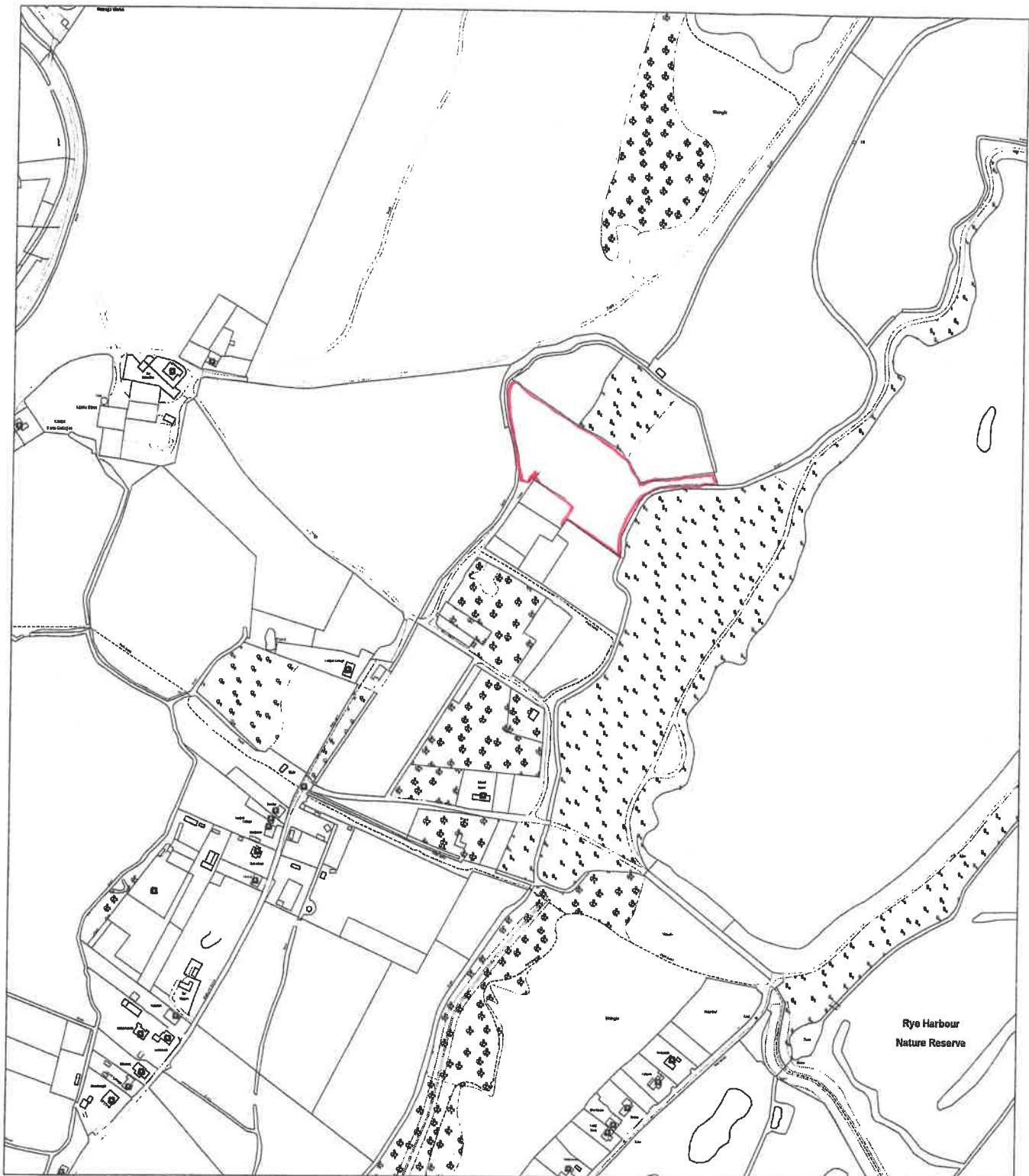
If you want to appeal you can do it:

- online at the Planning Casework Service area of the Planning Portal <https://acp.planninginspectorate.gov.uk>, or
- by getting enforcement appeal forms by phoning on 0303 444 5000 or by emailing enquiries@pins.gsi.gov.uk

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 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.

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Plan: Enforcement

File: ENF/106/18/ICK CAS

Scale: 1:5000

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