

ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT



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 THIS NOTICE RELATES

Land at Great Goteley wood, Northiam, East Sussex shown edged red on the attached plan.

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

Without planning permission the erection of a barn on the land.

4. 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.
- ii) The building has been erected without the benefit of planning permission. It is not considered that there is a need for a building to accommodate the applicant's forestry activity on the site.
- iii) The development represents an unnecessary and unjustified encroachment into the countryside and High Weald Area of Outstanding Natural Beauty (AONB). The retention of the building would result in the permanent loss of ancient woodland, an important ecological habitat and feature of the High Weald AONB landscape. The development of harmful to the intrinsic rural character and appearance of the locality and the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty, contrary to Policies OSS4 (iii), RA2 (viii), RA3 (i) and EN1 (i) of the Rother Local Plan Core Strategy and paragraphs 17 and 15 of the National Planning Policy Framework.
- iv) The proposal results in the permanent loss of ancient woodland and its irreplaceable ecological habitats and as such is contrary to Policy EN5 of the Rother Local Plan Core Strategy and Paragraph 118 of the National Planning Policy Framework.
- v) The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

- i) Dismantle, demolish and remove from the land the unauthorised barn shown in the approximate position marked A on the plan.
- ii) Remove from the land all materials, debris, rubble, rubbish, tools, equipment arising from complying with step i) above.

6. TIME FOR COMPLIANCE

Two months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22 June 2018 unless an appeal is made against it beforehand.

Dated: 9th May 2018

Signed:

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

Ref: MKN240

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.

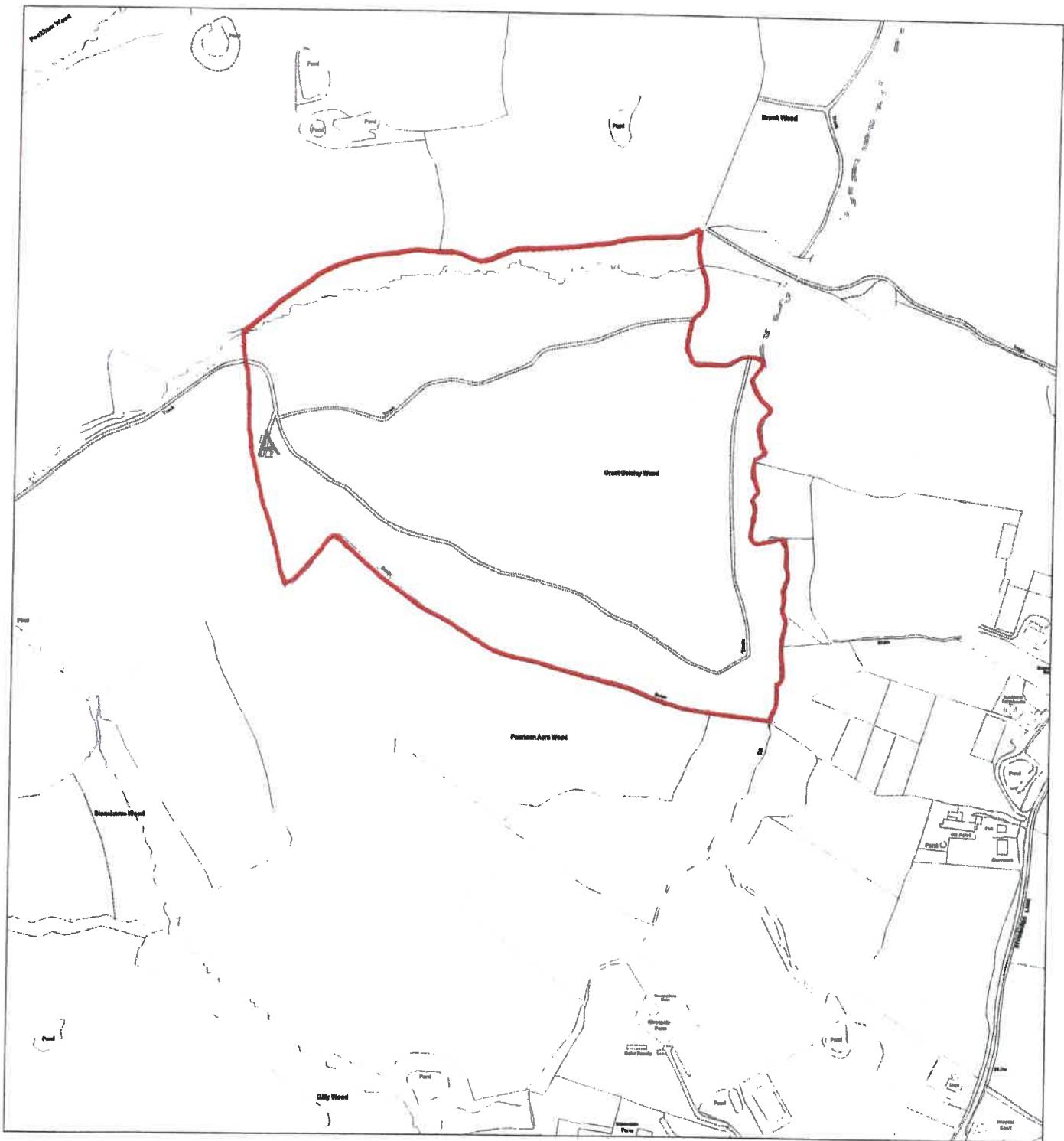
If you want to appeal you can do it:

- 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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Great Gately Wood, Northiam

Plan: Enforcement

File: ENF/117/17/NOR

Scale: 1:5000

N.G. Ref: TQ8424

Services Directorate, Town Hall, Bexhill on Sea, East Sussex TN39 3JX