

**ENFORCEMENT NOTICE - MATERIAL CHANGE OF USE AND
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 THE NOTICE RELATES

Land at Glottenham Farm, Bishops Lane, Mountfield, East Sussex shown edged red excluding the blue hatched land on the attached plan.

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

Without planning permission the material change of use of the land from agricultural to a camping site in excess of 28 days in a calendar year.

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

Without planning permission erection of various structures, including Yurts, a shower block and compost toilets in connection with the unauthorised camping use, shown in the approximate positions by XX on the attached plan.

5. REASONS FOR ISSUING THIS NOTICE

- i) It appears to the Council that the above breach of planning control has occurred within the last ten years in respect of 3 (Material Change of Use) above and four years in respect to 4 (Operational Development) above.
- ii) The change of use of the land from agriculture to a camping site beyond the authorised temporary period together with the erection of ancillary buildings and structures has caused significant harm to the tranquil nature and rural amenity of the area and to the detriment of local residents living close to the site, contrary to policy OSS4 (ii) of the Rother Local Plan Core Strategy.
- iii) The development does not preserve the character or natural beauty of the High

Weald Area of Outstanding Natural Beauty where 'great weight' is afforded to conserving its landscape and scenic beauty. The site is located in the countryside where new development is strictly controlled and new buildings and change of uses of land are only permitted in extremely limited circumstances. The extended camping use and ancillary building operations appear as alien features in the attractive AONB countryside and fail to respect the character and appearance of the locality or the landscape and scenic beauty of the AONB which are contrary to Paragraph 17 109 and 115 of the National Planning Policy Framework and Policy OSS4 (ii) and (iii) RA3 (v) and EN1(i) of the Rother Local Plan Core Strategy. There is no policy justification to support the use beyond the authorised temporary period of 28 days in any calendar year.

- iv) The Council does not consider that planning permission should be given for the developments and changes of use, because planning conditions could not overcome these objections and as such it is considered expedient to take enforcement action.

6. WHAT YOU ARE REQUIRED TO DO

- i) Cease the use of the land for camping.
- ii) Dismantle the existing camping equipment, including the tents and remove from the land.
- iii) Remove all buildings and other operational development associated with the unauthorised camping use including yurts, shower building and compost toilets connected to water and electricity services
- iv) Remove from the land all materials, rubble, rubbish, debris, waste, tools and equipment from the land arising from compliance with steps i) to iii) above,

7. TIME FOR COMPLIANCE

14 (fourteen) days after this notice takes effect.

8. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30th October 2017 unless an appeal is made against it beforehand.

Dated: 25th September 2017

Signed:

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

Ref: MKN230

YOUR RIGHT OF APPEAL

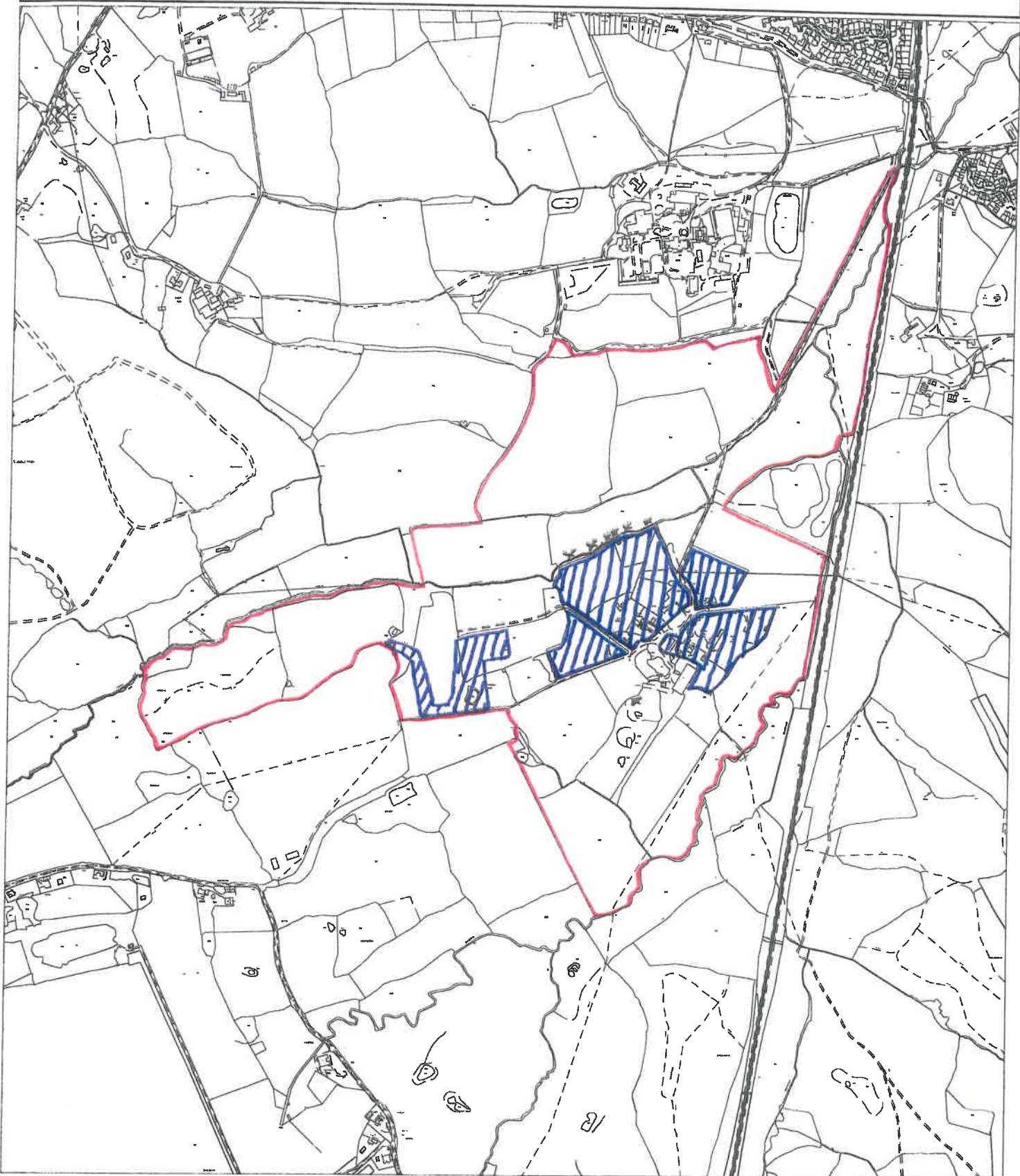
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 8 of the notice. The attached leaflet details how an appeal can be made.

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 8 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 7 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.



Plan

File: ENF/146/17/MOU

Address: Glotteham Lane, Bishops Lane, Robertsbridge

Tim Hickling MRTPI MCMI, Head of Planning, Town Hall, Bexhill on Sea, East Sussex TN39 3JX

Scale: 1:10000

N.G. Ref: TQ7222