

## 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 THE NOTICE RELATES**

Land at Edlins Farm, Mountfield Lane, Mountfield, East Sussex shown edged red on the attached plan

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

Without planning permission operational development comprising the insertion of 9 windows and 3 doors in the eastern, southern, and western elevations of the barn located in the approximate position shown edged blue on the attached plan, the relevant windows and doors being shown on the attached drawings ref: Drawing 1: East Elevation, Drawing 2: South Elevation and Drawing 3: West Elevation, to facilitate the use of the southern part of the barn as a guest house within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

#### **4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years.

The newly installed windows and doors are overly domestic in appearance, in contrast with the barn, which is of a utilitarian agricultural design. These domestic features appear out of place and are harmful to the rural character of the locality. The building is in a remote, rural location of particular landscape value and the alterations are visible from the public highway (Mountfield Lane). As such the development causes localised harm to the landscape within the High Weald Area of Outstanding Natural Beauty, contrary to Policies OSS4 (iii), RA3 (iv) and EN1 (i) of the Rother Local Plan Core Strategy and paragraph 115 of the National Planning Policy Framework



The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the 9 windows and 3 doors installed on the eastern, southern, and western elevations of the barn together with the brickwork around the openings and windows on the southern elevation.
- (ii) Following removal of the windows and doors in i) above, return the elevations to their condition prior to when the works were carried out, including blocking up and filling in the openings with materials to match the existing barn in terms of colour, profile and material and installing or reinstalling the large barn door in the southern elevation to match that existing in that elevation prior to when the breach of planning control took place.

## 6. TIME FOR COMPLIANCE

Four months after this notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29<sup>th</sup> June 2016 unless an appeal is made against it beforehand.

Dated: 18<sup>th</sup> May 2016

Signed: .....

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

Ref: MKN073

## 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](mailto: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.



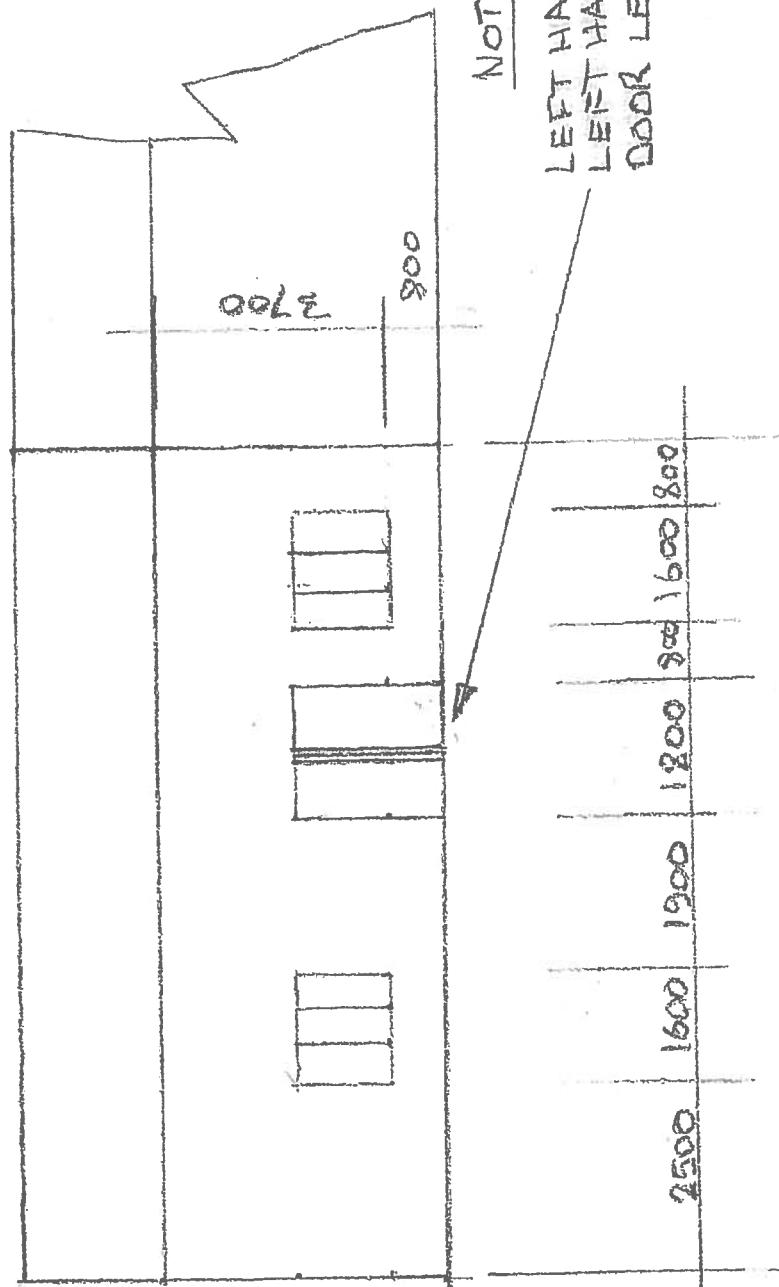
Plan: Enforcement

File: ENF/171/15/MOU

Scale: 1:2500

N.G. Ref: TQ7121SW

10974



DRAWING 1: EAST ELEVATION

Amended. Rec'd  
1/3/16

TAYLOR

EDLINS FARM

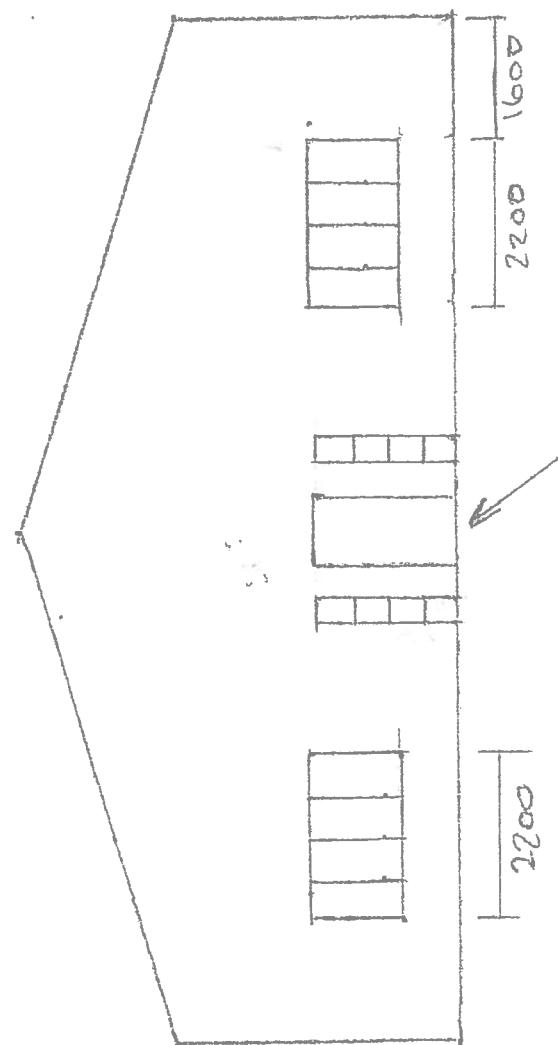
25-1-2016

4-1-2016

6

SCALE 1:100 DIMS IN METRES

Amended. Rec'd 1/3/16



MAIN ENTRANCE 900 mm wide with 550mm wide  
GLAZED PANES EACH SIDE.

F.TAYLOR.

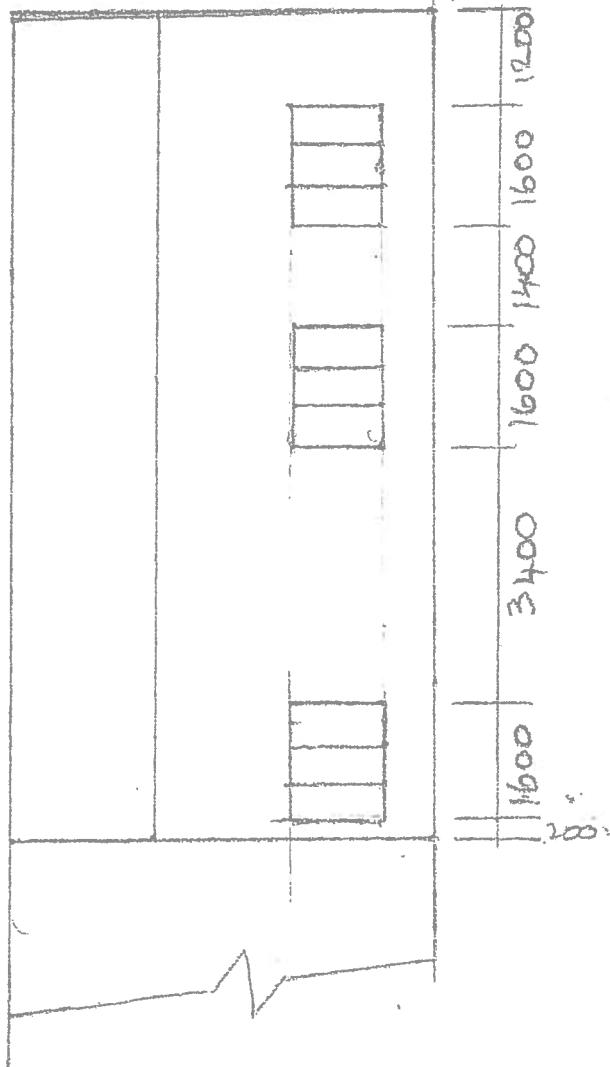
SOUTH BARN GUEST HOUSE ENTRANCE

29-1-2016.

DRG No 2.

DRAWING 2: SOUTH ELEVATION

Amended Rec'd 1/3/16



EDLINS FARM BARN LOOKING WEST

F-TAYLOR  
EDLINS FARM  
19-2-2016

SCALE 1:100 METRIC DRG. NO 1

DRAWING 3 : WEST ELEVATION