

# **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 ("the 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 Boundary Farm, London Road, Hurst Green, East Sussex shown edged red on the attached plan ("the Land").

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

Without planning permission:

- i) , the construction of a hardstanding ('the Hardstanding') on the Land and shown in the approximate position edged blue on the attached plan; and
- ii) the installation of lighting columns ('the Lighting Columns') surrounding the Hardstanding

together hereinafter referred to as 'the Unauthorised Development'.

#### **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 Unauthorised Development does not benefit from planning permission and is inappropriate within this location. The Unauthorised Development has caused significant harm to the character and appearance of the countryside within the High Weald Area of Outstanding Natural Beauty.
- (iii) It does not protect or enhance the Land contrary to Policies OSS4, RA2, RA3 and EN1 of the Rother District Local Plan Core Strategy 2014 and Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan Proposed Submission – October 2018 and paragraphs 170, 172 and 180 of the National Planning Policy Framework.
- (iv) The Council do not consider that planning permission should be given,

because planning conditions could not overcome these objections to the Unauthorised Development.

## **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Remove the Hardstanding from the Land.
- (ii) Remove from the Land all the Lighting Columns
- (iii) Restore the area shown of the Land shown in the approximate position edged in blue on the attached plan to its former condition by the reseeded with grass.

## **6. TIME FOR COMPLIANCE**

Twelve months after this notice takes effect.

## **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 10<sup>th</sup> August 2019 unless an appeal is made against it beforehand.

Dated: 1<sup>st</sup> July 2019

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

Ref: KEN/9/8/1211

## **ANNEXE**

### **THE RIGHT OF APPEAL**

An appeal can be made 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 and covering letter details how an appeal can be made.

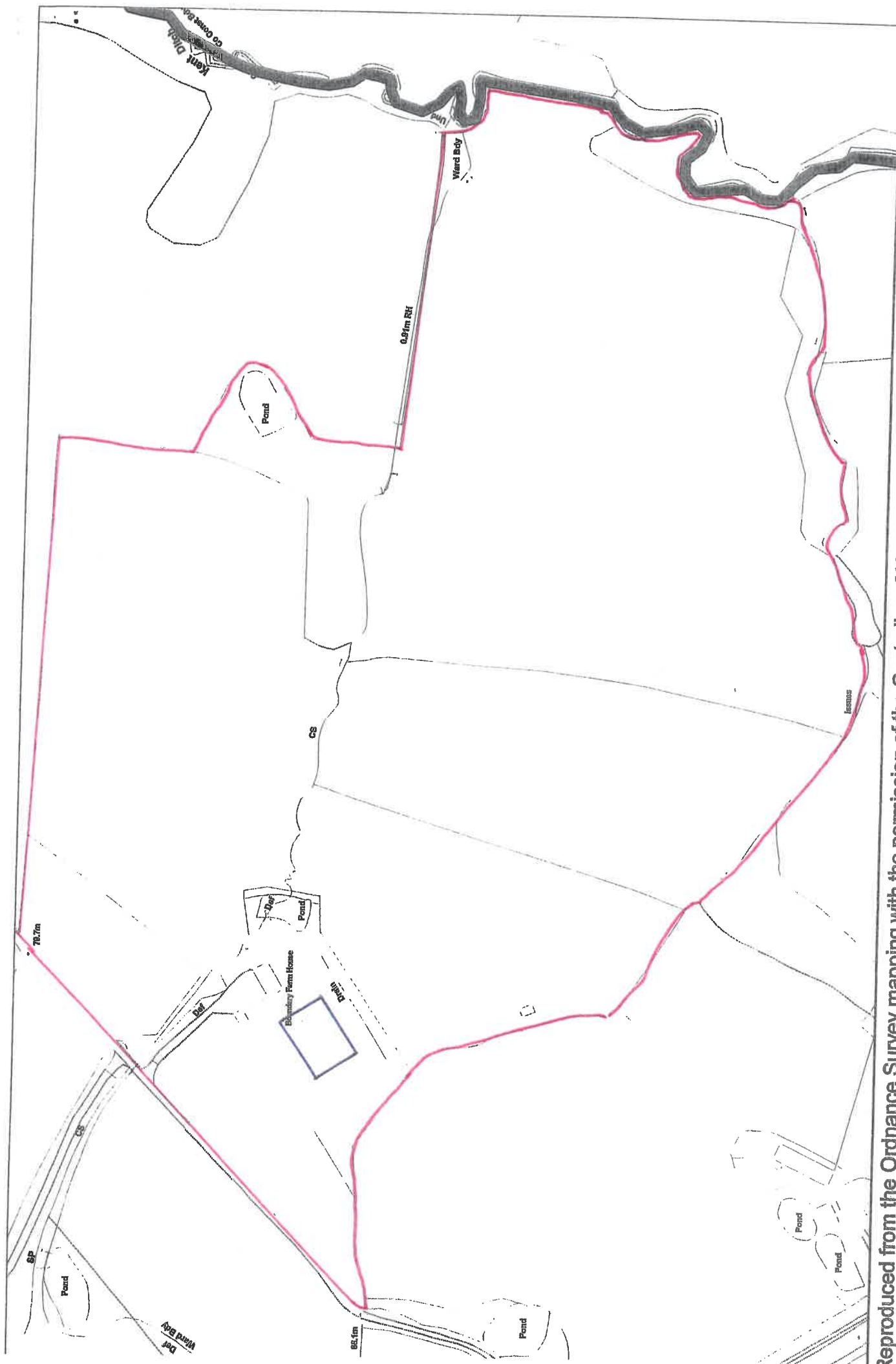
If you want to appeal you can do it:

- 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 an appeal is not lodged 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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