

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)

ROTHER DISTRICT COUNCIL
PLANNING DEPT.

ENFORCEMENT NOTICE

ISSUED BY: Rother District Council

REC'D	19 NOV 2015
REFERRED TO:	
REPLY REQUIRED:	
DATE SENT:	

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 Cherry Tree Inn, Dale Hill, Ticehurst, 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 the erection of two timber and concrete buildings and adjoining fence.

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 buildings and fencing, because of their construction and design, sited within an area of countryside and the High Weald Area of Outstanding Natural Beauty and within the curtilage of a Grade II Listed Building harm the setting of the listed building and its significance as a designated heritage asset and the particular landscape character of the area. For these reasons the development is contrary to Policies OSS4 (iii) EN1 (i), EN2 (iii) and EN3 (i) of the Rother District Local Plan – Core Strategy and paragraphs 115, 129 and 132 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) Dismantle and remove both of the unauthorised timber and concrete buildings within area B on the attached plan
- ii) Remove the unauthorised fence which adjoins the larger of the 2 unauthorised buildings within area B on the attached plan.

- iii) Remove all fixtures, wooden posts and concrete posts used in the erection of the 2 unauthorised buildings and fence.
- iv) Remove all materials, rubble and waste arising from complying with steps i, ii and iii above, from the land.

6. TIME FOR COMPLIANCE

Two months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 21 December 2015 unless an appeal is made against it beforehand.

Dated: 17 November 2015

Signed:

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

Ref: MKN127

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 www.planningportal.gov.uk/pcs), 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.



Plan: Enforcement
File: The Cherry Tree Inn
Scale: 1:1000
N.G. Ref: TQ6930SE