

ENFORCEMENT NOTICE - MATERIAL CHANGE OF USE**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 Dens Wood, Kent Lane, Brightling, East Sussex shown edged red on the attached plan

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

Without planning permission a material change of use of the land from agriculture to the keeping of horses and storage of animal feed.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The use of the land for the keeping of horses and storage of animal feed has given rise to structures, hard-standing and fencing associated with the unauthorised use. Because of their prominent location in open countryside unrelated to any other buildings their retention will cause continuing harm to the particular landscape character of the AONB and would not be in keeping with the character or appearance of the locality contrary to Policy CF5 (i, ii, iii) of the Rother District Local Plan (2006) and Policies OSS3 (vi) OSS4 (iii) and EN1 (i) of the Rother District Local Plan – Core Strategy.

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) Cease the use of the land for the keeping of horses
- ii) Cease the use of the land for the storage of animal feed
- iii) Return the land to its former condition as undeveloped agricultural land.

7. TIME FOR COMPLIANCE

Four months after this notice takes effect.

8. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1 January 2015 unless an appeal is made against it beforehand.

Dated: 17 November 2014

Signed:

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

Ref: MKN076

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: Land at Dens Wood
Scale: 1:1250
N.G. Ref: TQ6921SE