

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 Rosebud Farm, Quickbourne Lane, Northiam, East Sussex shown edged red on the attached plan

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

Without planning permission a material change of use of the land from agriculture to a mixed use comprising agriculture and use of the land for the stationing and human habitation of a mobile home.

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 development introduced a new residential use on the countryside contrary to Policy HG10 of the Rother District Local Plan which contains a strong presumption against residential use unless it meets one of the exemptions described. Permission was refused in December 2012 for a residential mobile home because it had not been demonstrated that it was essential for the running of an agricultural enterprise or that the business is financially sound. On this basis, the continued stationing of a mobile home for human habitation is contrary to this policy.

It is also contrary to Policy HG5 which advises that residential caravans will not be permitted outside of the development boundaries unless the proposal accords within Policy HG10.

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

Discontinue the use of the land for human habitation and remove the mobile home from the land.

6. TIME FOR COMPLIANCE

Six months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 August 2013 unless an appeal is made against it beforehand.

Dated: 26th June 2013

Signed:

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

Ref: MKN010

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 0117 372 6372 or by emailing enquiries@pins.gsi.gov.uk

WHAT HAPPENS IF YOU DO NOT APPEAL

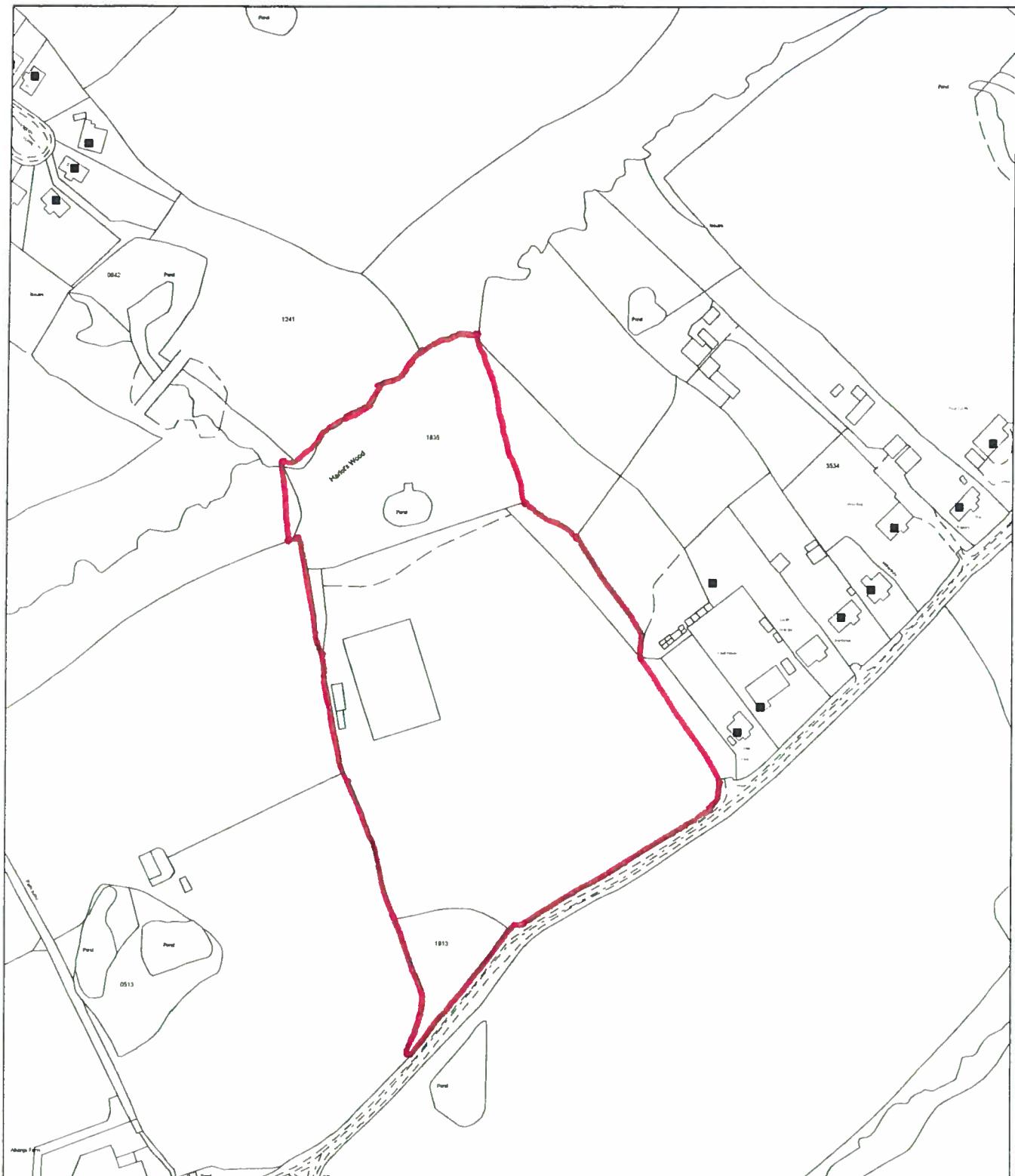
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

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Plan: Enforcement

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