

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 The Old Reservoir, High Park Close, 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 change of use of dwelling incorporating a swimming pool from domestic use ancillary to the residential use of the land to a mixed use for educational and recreational purposes.

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 site is within the High Weald Area of Outstanding Natural Beauty outside of any development boundary as defined in the Rother District Local Plan. The use has an adverse impact on the amenity of adjoining residential properties and is contrary to Policy GD1 (ii), (iii) & (iv) of the Rother District Local Plan.

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 swimming pool for educational and recreational purposes and return the use back to use ancillary to residential use.

6. **TIME FOR COMPLIANCE**

One month 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.

8. WITHDRAWAL OF ENFORCEMENT NOTICE

The Enforcement Notice dated 1 July 2013 is hereby withdrawn pursuant to Section 173(9) of the above Act.

Dated: 2 July 2013

Signed:

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

Ref: MKN012

ANNEX

YOUR RIGHT OF APPEAL

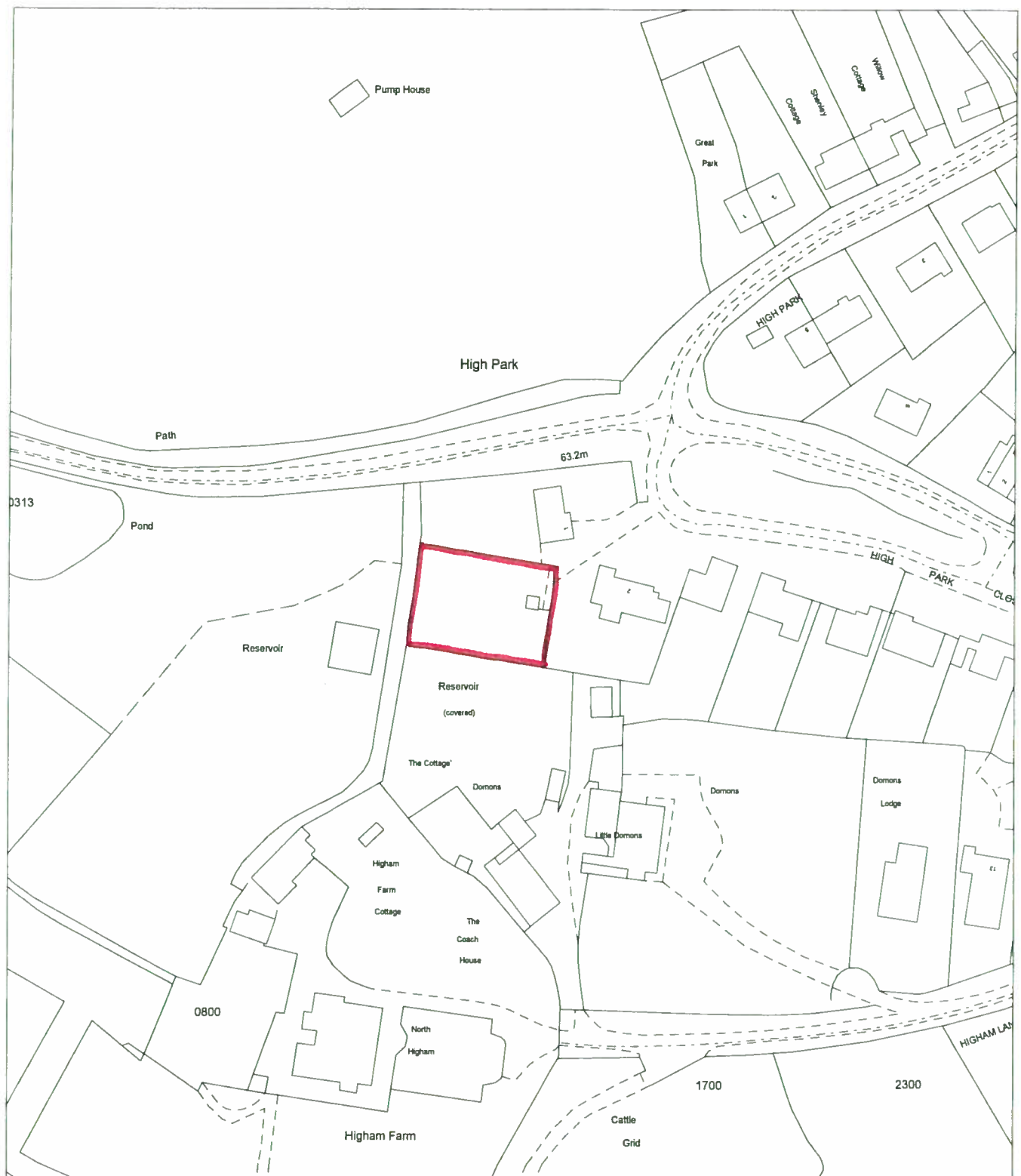
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

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.



Plan: Enforcement
File: ENF/NOR/2013/30
Scale: 1:1250
N.G. Ref: TQ8225SW