

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: East Hampshire District Council on behalf of the South Downs National Park Authority

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(2) of the above Act, at the land described below. The Council 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

Caravan North of General Purpose Agricultural Building, Hartley Mauditt Estate, Hartley Lane, Oakhanger, Hampshire GU35 9JW shown edged red on attached plan ("the Land").

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

Without planning permission, and within the last 10 years, the change of use of the Land for the siting of a caravan for residential purposes.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The development comprises an intrusion of residential development in this rural area of the South Downs National Park outside of the settlement boundary, for which there is no overriding justification and which erodes the visual amenity and rural character of the locality and results in an unjustified additional unit of accommodation within the countryside contrary to Policies CP1, CP2, CP6, CP10, CP14, CP19 and CP29 of the East Hampshire District Local Plan; Joint Core Strategy and Saved Policy H14 of the East Hampshire District Local Plan; Second Review, the National Planning Policy Framework when read as a whole and the South Downs National Park Management Plan MP1.

The development involves the use of the land for residential purposes incorporating the permanent siting of a caravan. The site is outside of the settlement boundary within the South Downs National Park and within the

countryside beyond any area identified in the East Hampshire District Local Plan: Joint Core Strategy for further development for which no overriding justification has been made on grounds of agricultural/rural enterprise need; the proposal is contrary to the National Planning Policy Framework and Policies outlined in the reason above.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- i. To cease the use of the Land for residential purposes.
- ii. Remove the caravan from the land in the approximate position marked green on the attached plan and all associated residential paraphernalia including (but not exclusive to) shed, trellis archway, tables, chairs, potting benches, plant trolleys and buckets.

6. TIME FOR COMPLIANCE: 3 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT


This notice takes effect on the 6th September 2016 unless an appeal is made against it beforehand.

8. TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999

The Authority considers that the development EIA development. If the development subject of this Notice were to be granted planning permission, an Environmental Statement would not be required.

Dated: 2nd August 2016

Signed:


Alexander Kirk
Solicitor

On behalf of: **South Downs National Park Authority**
C/O East Hampshire District Council
Penns Place
Petersfield
Hants
GU31 4EX

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 Secretary of State before the date specified in paragraph 7 of the Notice. Please read the enclosed Planning Inspectorate advice note on how to appeal.

If you appeal and are pleading ground (a) and asking for the deemed planning application to be considered as part of your appeal you must pay a fee of £770.00 to the Council (made payable to "East Hampshire District Council") and this should be sent with a copy of the appeal form.

Your attention is drawn to the attached extracts of the Town & Country Planning Act 1990.

WHAT HAPPENS IF YOU DO NOT APPEAL

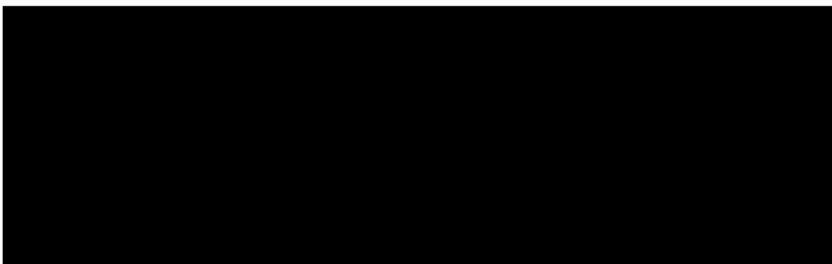
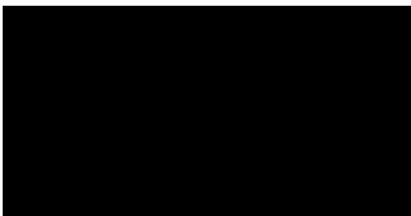
If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice.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

SUBMISSION TO SECRETARY OF STATE

If you appeal against this Notice you must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends you a notice so requiring you, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

PERSONS SERVED

The following persons have been served with copies of this Enforcement Notice:





To site.

DataMap v4.1 Map

