

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

BREACH OF CONDITION NOTICE

SERVED BY:

EAST HAMPSHIRE DISTRICT COUNCIL ON BEHALF OF THE SOUTH DOWNS
NATIONAL PARK AUTHORITY

TO:

Mr David Bridger, Downlands Farm, Priors Dean, Petersfield, Hampshire GU32 1BP

1. THIS NOTICE is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Downlands Farm, Priors Dean, Petersfield, Hampshire GU32 1BP ("the Land").

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 18 March 2014, SDNP13/05088/FUL.

4. THE BREACH OF CONDITION

The following condition of planning permission SDNP/13/05088/FUL has not been complied with:

Condition 2:

The units of accommodation shown on the approved plan no. 1467/P/10D shall not be used at any time for any purpose other than as holiday accommodation including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Instrument revoking and re-enacting that Order with or without modification.

Reason – The site is located in an unsustainable location in the open countryside, remote from any designated Settlement Policy Boundary, and is poorly accessible in respect of its relationship with local facilities, or public transport. The occupation of dwellings as unrestricted residential dwellings would represent a sporadic and unwarranted form of residential development in the countryside and would be contrary to policy C14 of the East Hampshire Local Plan: Second Review 2006 and policies CP1, CP2, CP6 and CP9 of the East Hampshire District Local Plan; joint core strategy.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in Paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps.

1. The site is located in an unsustainable location in the open countryside, remote from any designated Settlement Policy Boundary, and is poorly accessible in respect of its relationship with local facilities, or public transport. The occupation of dwellings as unrestricted residential dwellings would represent a sporadic and unwarranted form of residential development in the countryside and would be contrary to policy C14 of the East Hampshire Local Plan: Second Review 2006 and policies CP1, CP2, CP6 and CP9 of the East Hampshire District Local Plan; joint core strategy.

Period for compliance: Requirements 1; two months beginning with the day on which this notice is served on you.

Dated:

Signed:

Alexander Kirk
Solicitor to the Council

On behalf of: East Hampshire District Council
Penns Place
Petersfield
Hants GU31 4EX

ANNEX

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Dane Swallow, telephone 01730 234239.

If you need independent advice about this notice you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.