

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**ENFORCEMENT NOTICE**

**Issued by:** Horsham District Council (“the Council”) on behalf of the South Downs National Park Authority (“the SDNPA”)

**Reference number: SDNP/20/00291/OPDEV**

1. **THIS NOTICE** is issued by the Council on behalf of the SDNPA 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 Bellows, Bramlands Lane Woodmancote, Henfield, West Sussex, BN5 9TG, shown edged red on the attached plan (“the Land”).

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

Without planning permission, the retention of an all-weather playing surface with fence surround, shown hatched in green on the attached plan.

4. **REASONS FOR ISSUING THIS NOTICE**

- (1) The construction of an all-weather playing pitch located outside any settlement boundary, for private use in conjunction with the residential dwelling, Bellows, would not meet any of the exceptions listed in policy SD25 of the South Downs Local Plan 2019. The proposal therefore conflicts with the Development Strategy set out in policy SD25 of the South Downs Local Plan 2019.
- (2) The playing pitch, associated Astro-turf finish and 1.8 metre high mesh fencing enclosure appears highly urban and residential in appearance and does not reflect the rural character or appearance of the area. The development fails to conserve and enhance the landscape character of the South Downs National Park and conflicts with policies SD4, SD5 and SD11 of the South Downs Local Plan 2019.

5. **WHAT YOU ARE REQUIRED TO DO**

- (1) Remove the all-weather playing surface and fence surround.
- (2) Remove from the land all materials and debris resulting from the compliance of the above steps.
- (3) Restore the Land to its condition before the breach took place.

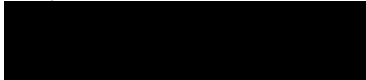
**6. TIME FOR COMPLIANCE**

Steps 1 - 3 - Six months from the date of this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **9 August 2023** unless an appeal is made against it beforehand.

Dated: 5 July 2023

Signed: 

Lauren Kelly

Head of Legal and Democratic Services, Horsham District Council, Parkside, Chart Way, Horsham,  
West Sussex RH12 1RL

Nominated officer Jennifer Baxter

Telephone number 01403 215280

## 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 acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal. You can also find the information sheet at the following link:

<https://www.gov.uk/government/publications/enforcement-appeals-appeal-information-sheet-for-local-planning-authorities>

### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against the enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must 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.

## EXPLANATORY NOTE

Horsham District Council has issued an enforcement notice relating to land at Bellows, Bramlands Lane Woodmancote, Henfield, West Sussex, BN5 9TG and you are served with a copy of the notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this explanatory note.

### YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice but any appeal must be received by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be received by the Planning Inspectorate before the date specified in paragraph 6 of the notice).

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal.

### GROUNDS OF APPEAL

The grounds of appeal are set out in section 174 of the Act. You may appeal on one or more of the following grounds:

- In respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged (ground a);
- Those matters have not occurred (ground b);
- Those matters (if they have occurred) do not constitute a breach of planning control (ground c);
- At the date when the notice was issued no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters (ground d);
- Copies of the enforcement notice were not served as required by section 172 of the Act (ground e);
- The steps required the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach (ground f);
- Any period specified in the notice accordance with section 173(9) of the Act falls short of what should reasonably be allowed (ground g).

Not all of these grounds may be relevant to you.

### PLANNING APPLICATION FEE

If you wish to appeal on ground a of section 174(2) of the Act, this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of **£924.00**. You should pay the fee to South Downs National Park Authority. If the fee is not paid that ground of appeal is not valid.

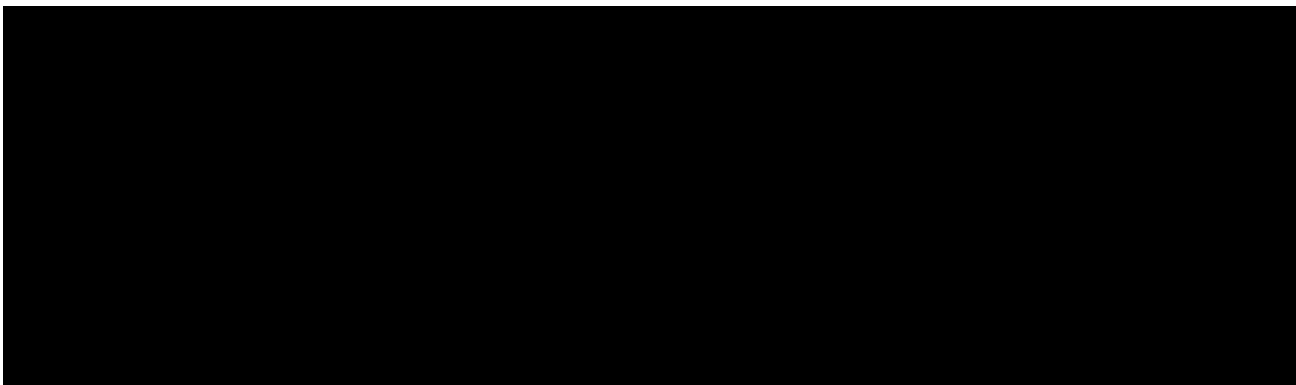
### STATEMENT ON GROUNDS OF APPEAL

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal, the Secretary of State will send you a notice requiring you to do so within 14 days.

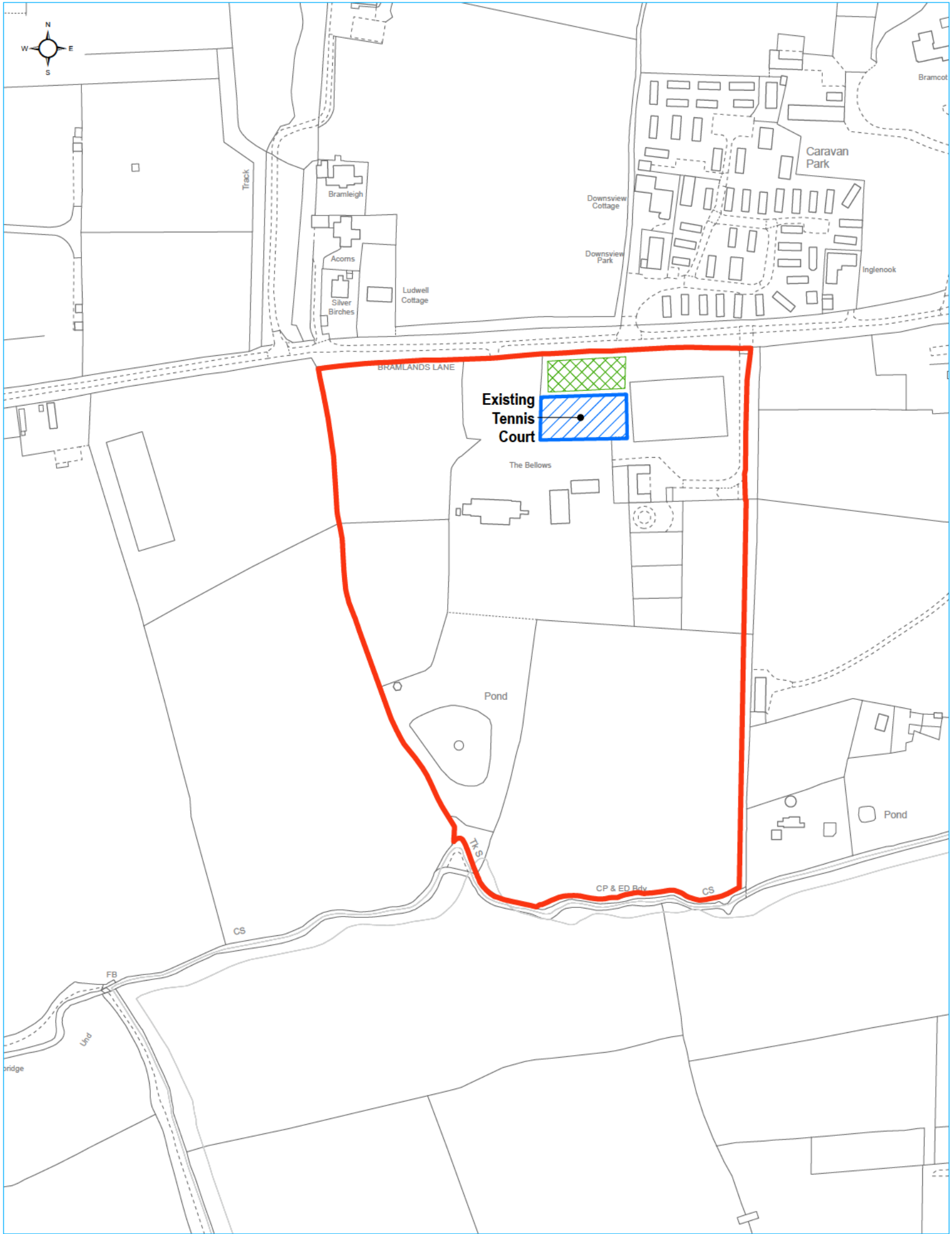
**STATUTORY PROVISIONS**

A copy of sections 171A, 171B and 172 – 177 of the Act is attached for your information.

**PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE:**



## THE PLAN



Reference:		Scale:	1:2,500 (at A4)
Date:	25/01/2023	Revision:	.