

IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (“the 1990 Act”)

ENFORCEMENT NOTICE

Issued by: EAST HAMPSHIRE DISTRICT COUNCIL (“the Council”) **on behalf of the South Downs National Park Authority**

1. ENFORCEMENT NOTICE

THIS NOTICE is issued by the Council because it appears that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the 1990 Act, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all 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 Studio Cottage, 23 Pulens Lane, Petersfield, Hampshire, GU31 4BZ shown edged red on the attached plan (“the Land”).

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

Without planning permission and within the last 4 years, a material change of use of land to create a new planning unit consisting of an independent residential dwelling house comprising of a conversion of a vehicular garage.

4. REASONS FOR ISSUING THIS NOTICE

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

By reason of its scale and design, it is considered that the dwelling results in an unduly cramped form of development, which is detrimental to the character, appearance, and amenity of the surrounding residential area and is harmful. The harm is not outweighed by any overriding public interest, or special or exceptional personal needs or circumstances which have not been demonstrated. In addition, it is considered an unsustainable form of development which has an impact on parking and does not address climate change policies and is considered inappropriate in its locality. The development conflicts policies SD1, SD5, SD8, SD25, and SD48 of the South Downs Local Plan 2014-33, contrary to the first purpose of designation of the South Downs National Park and paragraphs 131, 132 of the 2023 NPPF.

5. WHAT YOU ARE REQUIRED TO DO

You must:

- (i) Cease the use of the building on the Land (edged red) as an independent residential dwellinghouse
- (ii) Permanently remove the hard surfaced car park area cross hatched black in the approximate position on the attached plan, and all resulting materials from the Land.
- (iii) Remove all internal fixtures and fittings including all white goods, washing machines, fridge freezers, internal walls, toilet, sinks, shower, that facilitate the use of the site as a residential dwellinghouse.

6. TIME FOR COMPLIANCE

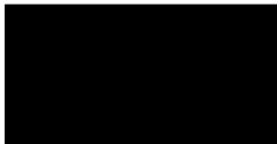
The period for compliance with the steps set out in paragraph 5 is **nine months** from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 18 May 2024 unless an appeal is made against it beforehand.

Dated: 18 April 2024 (**Date of issue**)

Signed by:



Natalie Meagher – Director of Regulation and Enforcement

On behalf of:

East Hampshire District Council
Penns Place, Petersfield, Hants, GU31 4EX

ANNEX

East Hampshire District Council (on behalf of the South Downs National Park Authority) has issued an enforcement notice relating to Land at Studio Cottage, 23 Pulens Lane, Petersfield, Hampshire GU31 4BZ. You are served with a copy of that 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 Annex.

THE RIGHT OF APPEAL

If you own, rent or lawfully occupy the Land 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 delivered to the Planning Inspectorate) **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.

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 should 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.

PLANNING APPLICATION FEE

If you wish to appeal on ground (a) of section 174(2) of the 1990 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 £1,156.00. You should pay the fee to East Hampshire District Council. If the fee is not paid then that ground of appeal will not be valid.

STATUTORY PROVISIONS

A copy of sections 171A, 171B and 172 to 177 of the 1990 Act are attached for your information.

WHAT HAPPENS IF THE ENFORCEMENT NOTICE IS NOT APPEALED

Unless an appeal is made against this enforcement notice, it will take effect on the 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

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.

Persons served with a copy of this enforcement notice are as follows:

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