

**IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT NOTICE – BREACH OF CONDITION**

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 (b) 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 Horse Chestnut Farm, The Causeway, Petersfield GU31 4LR shown edged red on the attached plan (“the Land”).

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

Within the last 10 years, the commercial use of the site in Breach of Condition 3 of SDNP/15/03090/FUL and Condition 2 of SDNP/16/05326/FUL

- SDNP/15/03090/FUL - Condition 3 :

The development hereby permitted shall be used only for private, non-commercial, stabling and equestrian use and shall at no time be used for any trade or business including livery stabling.

Reason - To prevent the stables and land from being used for commercial purposes since the increased use of the premises and generation of additional traffic would be detrimental to the amenities of the area.

- SDNP/16/05326/FUL - Condition 2 :

The development hereby permitted shall be used only for private, non-commercial, stabling and equestrian use and shall at no time be used for any trade or business including livery stabling.

Reason - To prevent the stables and land from being used for commercial purposes since the increased use of the premises and generation of additional traffic would be detrimental to the amenities of the area.

#### **4. REASONS FOR ISSUING THIS NOTICE**

The site is accessed through a residential setting, where it is considered that the trade use of the equestrian site is detrimental to the character of the area, and as such be contrary to Policies SD21, SD24 and SD54 of the Local Plan.

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

You must:

- (i) Cease the use of the Land for the commercial stabling and selling of horses

#### **6. TIME FOR COMPLIANCE**

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

#### **7. WHEN THIS NOTICE TAKES EFFECT**

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

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

Signed by:



Natalie Meagher – Director of Regulation and Enforcement  
East Hampshire District Council

On behalf of: South Downs National Park Authority



**Horse Chestnut Farm**



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## **ANNEX**

East Hampshire District Council (on behalf of the South Downs National Park Authority) has issued an enforcement notice relating to Land at Horse Chestnut Farm, The Causeway, Petersfield GU31 4LR. 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 £1156.00. You should pay the fee to South Downs National Park Authority. 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:**

