

IMPORTANT—THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

ISSUED BY UTTLESFORD DISTRICT COUNCIL

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control under Section 171A(1)(a) 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 considerations.

2. **THE LAND AFFECTED**

Land and buildings to the south side of Brick End, Broxted, Dunmow in the District of Uttlesford, shown edged red on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without the benefit of planning permission:

- a. Change of use of the Land from agricultural use to use for open storage;
- b. depositing hard core on the Land;
- c. storage of 'Herris' type fencing on the Land;
- d. storage of trailers on the Land;
- e. storage of vehicles on the Land;
- f. construction of an earth bund on the southern boundary of the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years in respect of b. and c. and four years in respect of a. and d. The Land is within the Countryside Protection Zone around Stansted Airport where there is strict control on new development, planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. In particular development would not be

permitted if it would affect the open characteristics of the zone. Change of use of the Land from Agricultural use to use for open storage, storage of the 'Herris' type fencing, vehicles and trailers, the laying of hard core and the construction of the earth bund is not essential development in this area and by its nature has a harmful effect on this countryside location contrary to Uttlesford Local Plan adopted 2005 Policy S8 (Countryside Protection Zone) and the National Planning Policy Framework.

5. WHAT YOU ARE REQUIRED TO DO

- a. Cease using the Land for outside storage;
- b. Remove the 'Herris' type fencing from the Land.
- c. Remove the vehicles and trailers from the Land.
- d. Remove the hard core from the Land.
- e. Re-grade the earth bund into the Land.

Time for compliance: **8 weeks** from the date this notice takes effect

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **9 August 2013**, unless an appeal is made against it beforehand.



Dated: **2 June 2013**

Signed:

**Head of Legal Services on
behalf of Uttlesford District
Council**

Address to which all communications should be sent:-

Head of Legal Services, Council Offices, London Road, Saffron Walden, Essex,
CB11 4ER

IMPORTANT – SEE BELOW

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice to The Planning Inspectorate, but you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before the date this notice takes effect. The enclosed information sheet from The Planning Inspectorate tells you how to make an appeal.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- (a) that, 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;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, 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;
- (e) that copies of the enforcement notice were not served as required by section 172;
- (f) that the steps required by 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 any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

FEE PAYABLE FOR THE DEEMED APPLICATION

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 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 **£670.00** to Uttlesford District Council (made payable to Uttlesford District Council).

Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, 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.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

Melvin Lee Bass

Bardox

Stansted Road

Elsenham,

Bishop's Stortford

CM22 6EH

And

12 Pulford Place

Stebbing

Essex

CM6 3RL

And

Land to the south of Brick End

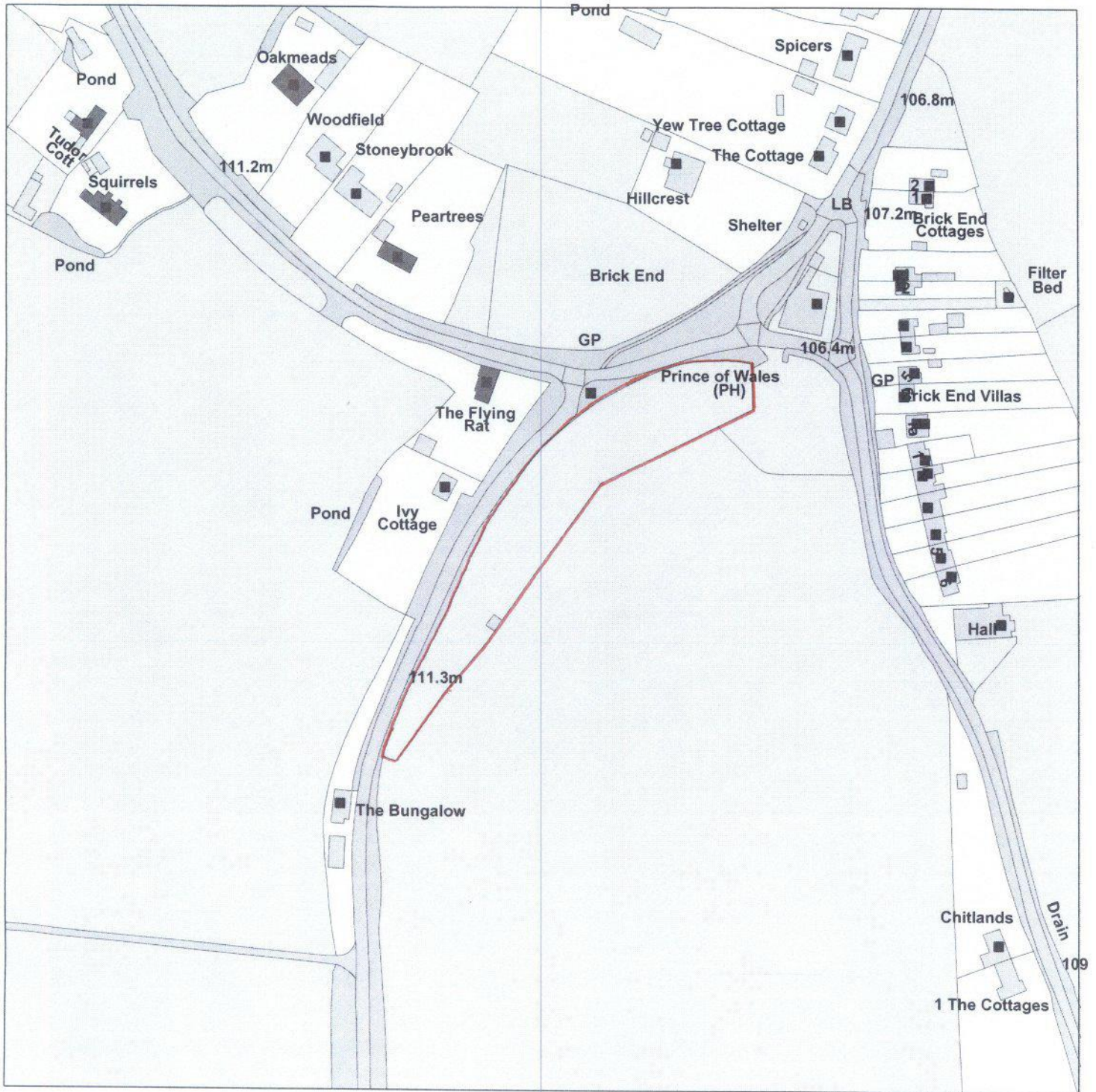
Broxted

Great Dunmow

Location Plan



GIS by ESRI (UK)



Scale : 1:2171

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Organisation	Not Set
Department	Not Set
Comments	
Date	26 June 2013
SLA Number	Not Set