

**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 on the south side of Brick End, Broxton, Dunmow in the District of Uttlesford, shown edged red on the attached plan.

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

The Land is within the Countryside Protection Zone around Stansted Airport and the lawful use of the Land is agricultural use. Without the benefit of planning permission:

- a. the erection of a building on the Land in the position hatched in blue on the plan not connected with agricultural use;
- b. the siting of a caravan on the Land inside the building erected on the Land hatched in blue on the plan;
- c. the installation of fence panels 1.8 metres in height on the Land adjacent to the highway marked in green on the plan.

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 as regards the erection of a building and the installation of fence panels 1.8 metres in height on the Land adjacent to the highway and ten years as regards the siting of a caravan inside the building erected on the Land.

The erection of a building and the siting of a caravan inside the building and the erection of fence panels 1.8 metres in height adjacent to the highway are not development required for agriculture and they have a harmful effect on this location inside the Countryside Protection Zone and is therefore contrary to Policy S8 (Countryside Protection Zone) of the Uttlesford Local Plan adopted 2005 and paragraph 28 of the National Planning Policy Framework.

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

- a. Remove the building in the position hatched in blue on the plan from the Land.
- b. Remove the resulting materials and debris from the removal of the building at a. above from the Land.
- c. Remove the caravan sited inside the building in the position hatched in blue on the plan from the Land.
- d. Remove the 1.8 metre high fencing from the boundary of the Land marked in green

OR

Reduce the 1.8 metre high fencing to not more than 1 metre in height.

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

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **13 March 2014**, unless an appeal is made against it beforehand.

Dated: **30 January 2014**

Signed: .....



**Assistant Chief Executive on  
behalf of Uttlesford District  
Council**

Address to which all communications should be sent:-

Assistant Chief Executive, 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 **£770.00** 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  
12 Pulford Place  
Stebbing  
Essex  
CM6 3RL  
and  
Land at Brick End  
Broxted

Ms Lesley Milczarek  
46 Glebe End  
Elsenham  
Bishop's Stortford  
CM22 6EL  
and  
Land at Brick End  
Broxted

Mr Bass  
(brother of Melvin Lee Bass)  
Land at Brick End  
Broxted



