

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

ENFORCEMENT NOTICE

ISSUED BY THE SEVENOAKS DISTRICT COUNCIL

1. THIS IS A FORMAL NOTICE which 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 planning considerations.

2. THE LAND AFFECTED

Land at North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent shown edged with a bold black line on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the making of a material change of the use of the land from the keeping of horses to residential caravan site for touring caravans.

4. REASONS FOR THIS NOTICE

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

- 1 The land lies within the Metropolitan Green Belt and AONB where strict policies of restraint apply as set out in PPG2, Policy SP5 of the South East Plan and Policy EN4 and EN6 of the Sevenoaks District Plan. The use is inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

Within three (3) months of the date on which this notice takes effect:

- 1) Permanently cease the use of the Land as a residential caravan site.
- 2) Remove all mobile homes and touring caravans from the Land.
- 3) Remove all hardstandings and cesspit from the Land.
- 4) Restore the land to its former condition before the development took place.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2nd April 2010 unless an appeal is made against it beforehand.

Date 1st March 2010

Kristen Paterson
Community and Planning Services Director
Head of Development Services
On behalf of Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
Kent TN13 1HG

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Town and Country Planning Act 1990 as amended.

Enforcement Notice relating to Land at North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent.

This local planning authority, (Sevenoaks District Council), has issued an enforcement notice relating to the above land and I now serve on you a copy of that notice as you have an interest in the land. Copies of the notice are also being served on the parties listed at the end of this letter who, it is understood, also have an interest in the land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on 2nd April 2010 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the enforcement notice 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 2nd April 2010.

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.

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. You should pay half of the fee (£335) to the Sevenoaks District Council (made payable to Sevenoaks District Council]) and the other half of the fee to the Planning Inspectorate (made payable to the Department for Communities and Local Government). 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.

Parties on whom the enforcement notice has been served

Mr Miles Cash, Land North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mrs Margaret Cash, Land North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mr Mylie Cash, North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mrs Alison Cash, Land North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mr Patrick Cash, North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mrs Angela Cash, Land North East of Westwood Farm West of M25 and South of Redmans Lane, Rock Hill, Orpington, Kent

Mr Miles Cash, 1 Turpington Lane, Bromley, Kent, BR2 8JA