

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

Issued to:

Issued by: East Staffordshire Borough Council, Town Hall, King Edward Place, Burton upon Trent, Staffordshire DE14 2EB

1. **This is a formal notice** which is issued by the Council, because it appears to it that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the Town & Country Planning Act ("Act"), at the land described below. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of this notice contains important additional information.

2. **The land to which this notice relates:**

The Swan Inn, Main Road, Draycott in the Clay, Staffordshire DE6 5GZ shown edged in red on the attached plan ("the Land").

3. **The matters which appear to constitute the breach of planning control:**

1. Erection and construction of a general purpose agricultural building and partial concrete skirting which is not in accordance with the approved plans.

4. **Reasons for issuing this notice**

The Council considers it expedient to issue this notice for the following reasons:

- (1) It appears to the Council that the above breach of planning control has occurred within the last four years.
- (2) The erection of the general purpose agricultural building and concrete skirting is development pursuant to S55 of the Act.
- (3) This council granted planning permission number P/2016/00536 ("Permission") for the erection of a general purpose agricultural building.
- (4) The erected building does not accord with the approved plans of the Permission and as such constitutes unlawful development.
- (5) The lawful use of the building pursuant to the Permission is agricultural, the building is not used for agriculture but used to hold functions ancillary to the public house and as such constitutes and unlawful use
- (6) The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections.

5. What you are required to do

- (a) Dismantle the unauthorised building.
- (b) Remove the concrete skirt to the South and East of the building.
- (c) Remove the resulting materials of (a) and (b) from the land.
- (d) Return the land to its condition immediately prior to the erection of the building, to the satisfaction of the Local Planning Authority.

6. Time for compliance

- (i) With regard to requirement 5 (a) and (b) above, 30 days beginning with the day on which this notice takes effect.
- (ii) With regard to requirement 5 (c) and (d) above, 40 days beginning with the day on which this notice takes effect.

7. When this notice takes effect

This notice takes effect on 10th May 2019 unless an appeal is made against it beforehand.

Dated:

10th April 2019
epw

Signed:

Solicitor to the Council/Monitoring Officer
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, Town Hall, King Edward Place, Burton upon Trent, Staffordshire DE14 2EB

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THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- On-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- By getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- The name of the local planning authority;
- The site address;
- Your address; and
- The effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.



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