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# **IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)

## **ENFORCEMENT NOTICE – CHANGE OF USE**

**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 above Act, at the land described below. It considers that it is 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 land known as Frostfields, Silver Lane, Marchington, Uttoxeter, Staffordshire ST14 8LL shown edged in red on the attached plan ("the Land").

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

Without planning permission, the material change of use of the Land from residential to a mixed use comprising of residential and a business for storage of cars for sale, recovery and repair (Sui Generous)

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 ten years.
- (2) It is considered expedient to issue this notice in the interests of the amenity of the area.
- (3) NPPF states that effective enforcement is important as a means of maintaining confidence in the planning system
- (4) The development is contrary to the National Planning Policy Framework.
- (5) East Staffordshire Local Plan Strategic Policy 8 (SP8) indicates that development outside settlement boundaries will not be permitted unless it is: - essential to the support and viability of an existing lawful business or the creation of a new business appropriate in the countryside; or - providing facilities for the general public or local community which are reasonably accessible on foot or by public transport; or - in accordance with a 'Made' Neighbourhood Plan; or - is

development under the Rural Exceptions Sites policy; or - is appropriate reuse of Rural Buildings; or - is infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or - development necessary to secure a significant improvement to the landscape or the conservation of features of acknowledged importance; or - provides renewable energy generation of an appropriate scale and design; or - is otherwise appropriate in the countryside. The use of the land for the storage of cars for sale, recovery and repair is not considered to be an appropriate form of development which falls within any of the listed types of development in Policy SP8 which are permitted outside settlement boundaries. Furthermore, East Staffordshire Local Plan Policies SP1, SP8, SP24 and DP1 indicate that outside settlement boundaries, development within the countryside should not adversely affect landscape character by the intrusion of urban features. The Council does not consider that planning permission should be given, because planning conditions could not overcome the above objections.

**5. What you are required to do**

- a) Permanently cease the use of the Land for the storage of motor vehicles for sale, recovery or repair.
- b) Remove all of the motor vehicles which are not incidental, or ancillary, to the domestic residential use of the dwelling.

**6. Time for compliance**

28 days beginning with the day on which this notice takes effect.

**7. When this notice takes effect**

This notice takes effect on 15<sup>th</sup> April 2021 unless an appeal is made against it beforehand.

Dated: 11<sup>th</sup> March 2021

Signed:

.....  
Senior Solicitor to the Council & Deputy 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 Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk>); or
- Sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

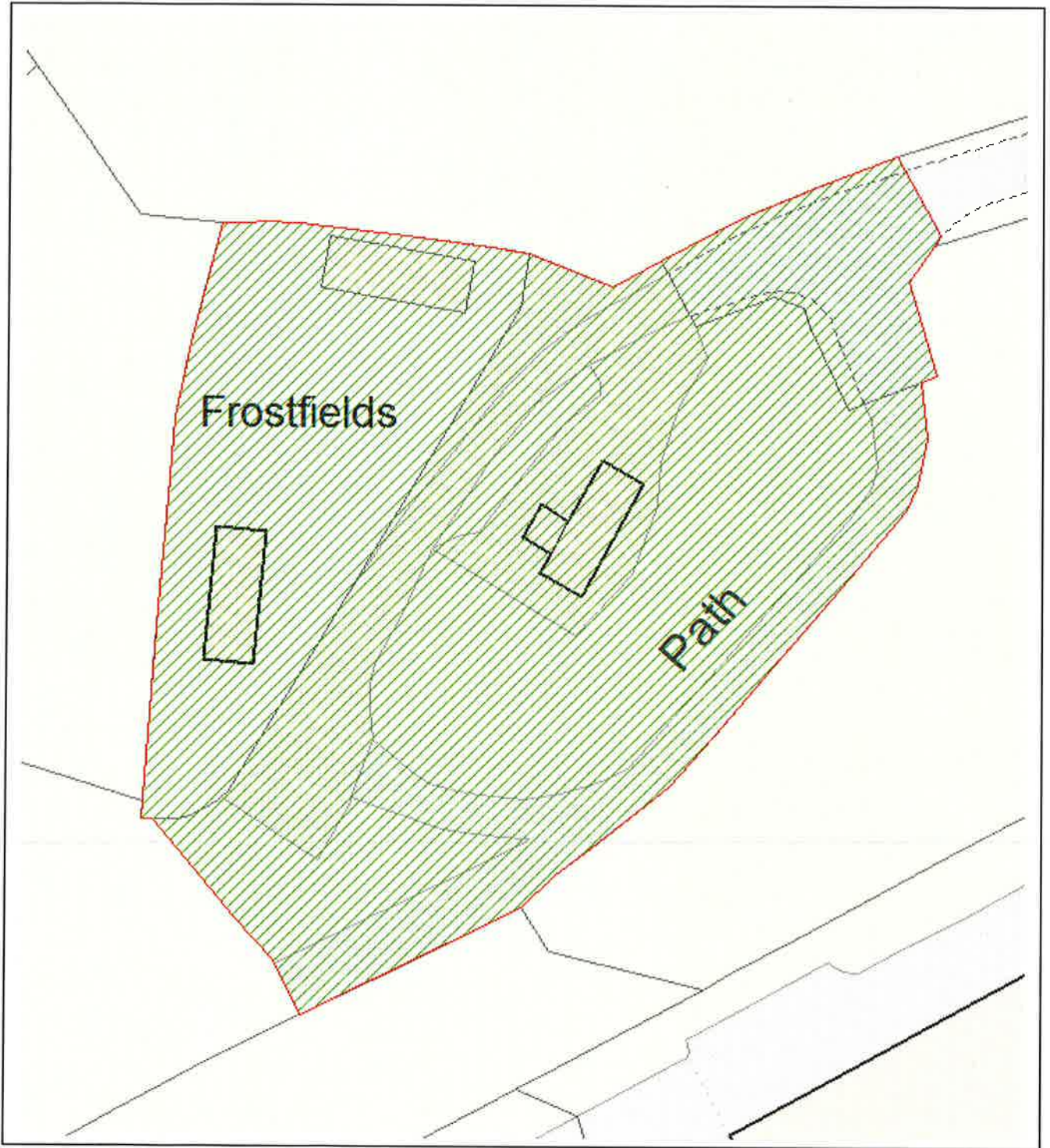
In exceptional circumstances you may give written notice of appeal by letter or email. You should include:-

- 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.



# NORTHGATE SE GIS Print Template



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