IMPORTANT – THIS NOTICE AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

ISSUED BY: **Craven District Council** *[Planning Enforcement Ref 863/10]*

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of s171A(1) 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. The explanatory note at the end of this notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land adjacent to Long Syke Edge Farmhouse, Cowling, Keighley BD22 0LL shown edged red on the attached plan ("the land").

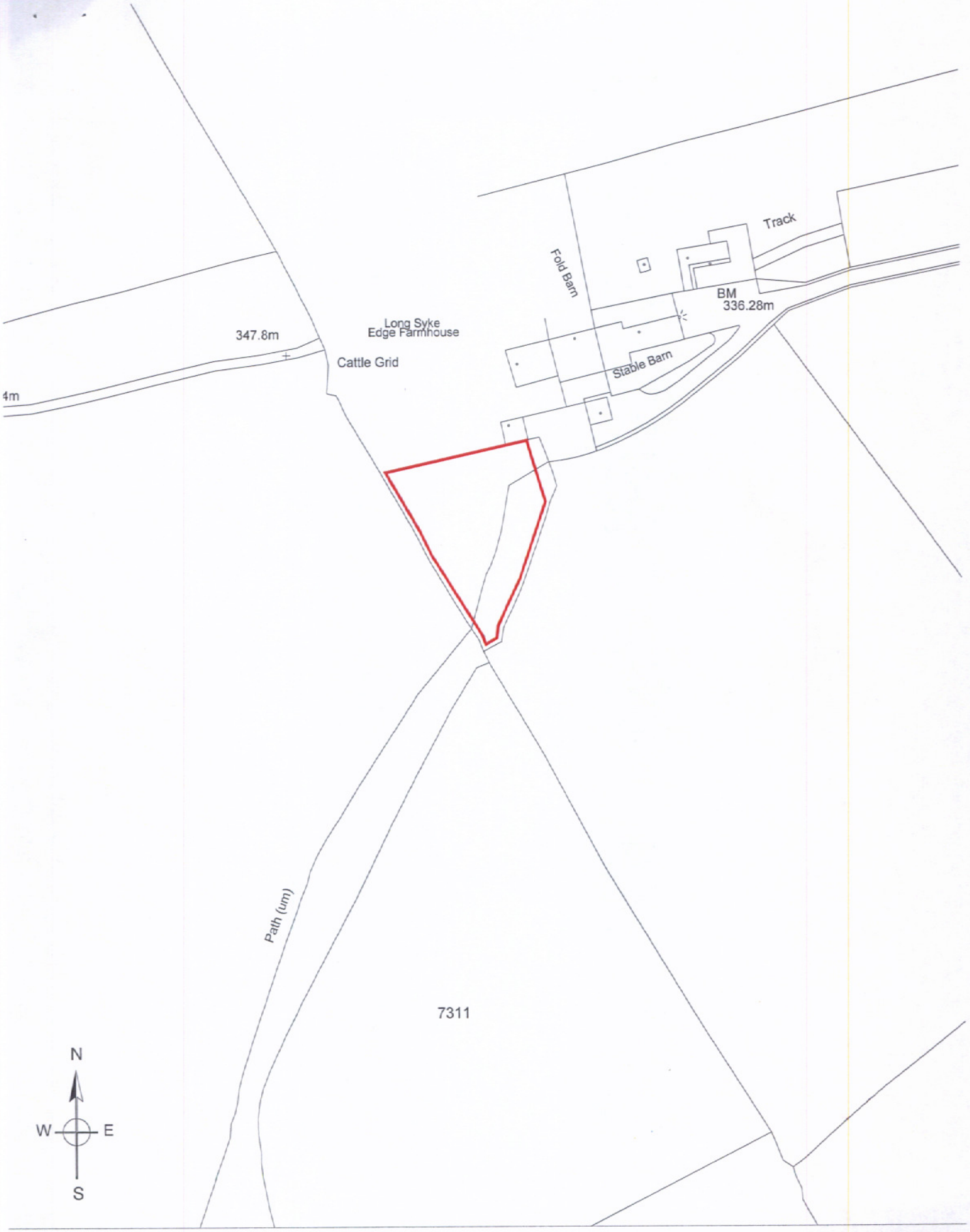
3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the change of use of the land from agricultural to a domestic garden area.

4. THE REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

This site is in an open countryside location outside Development Limits identified by the Proposals Map from the 1999 Craven District (Outside the Yorkshire Dales National Park) Local Plan. The extension of the garden area and its resulting size is



SCALE: 1:1250
DRAWING ISSUED BY: WF
DATE ISSUED: 30th September 2010

863/10

Long Syke Edge Farm House, Cowling hill, Cowling BD22 0LL

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Craven District Council 100024694

unacceptable in principle in such a location and causes harm to the character and appearance of the area.

5. POLICIES AND PROPOSALS IN THE DEVELOPMENT PLAN RELEVANT TO THE DECISION TO ISSUE THIS NOTICE

Development Plan policies of relevance include: -

SAVED POLICIES FROM THE CRAVEN DISTRICT LOCAL PLAN 1999

ENV1: Development in the Open Countryside.
ENV2: Requirements for Development in the Open Countryside.

6. WHAT YOUR ARE REQUIRED TO DO

You are required to take the following steps within the time limits stated:

Within the period of 3 months from the date on which this Notice takes effect:

I. Permanently remove from the land all play equipment and other items of a domestic or non-agricultural nature;
II. Cease the use of the land as a domestic garden;
III. Restore the land to agricultural use;

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 18th April 2011, unless an appeal is made against it beforehand.

Dated: 3rd March 2011

Signed:

Gill Cooper
Strategic Manager Legal & Democratic Services
Craven District Council
Council Offices
Granville Street
SKIPTON
BD23 1PS

EXPLANATORY NOTE

Craven District Council has issued an enforcement notice relating to land adjacent to Long Syke Edge Farmhouse, Cowling, and a copy of that notice is served on you as you occupy and/or have an interest in the land. Copies of the notice are also being served on the parties listed at the end of this Note who, it is understood, also occupy and/or 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 the 18th April 2011 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period specified in the notice.

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

If you decide that you do want to appeal against the enforcement notice you must ensure that you send your appeal so that it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before the 18th April 2011.

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 it 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 (as amended) 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 Craven District Council and the other half of the fee to The Planning Inspectorate (made payable to the Department of 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 also 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.

Also enclosed is a copy of sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended).

Parties on whom a copy of the enforcement notice has been served:

1. Mr Paul Christopher Drake
Long Syke Edge Farmhouse
Cowling
KEIGHLEY
BD22 0LL

2. Mrs Angela May Drake
Long Syke Edge Farmhouse
Cowling
KEIGHLEY
BD22 0LL