

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: SOUTH LAKELAND DISTRICT COUNCIL

1. **THIS NOTICE** is issued by the South Lakeland District Council ("the Council") because it appears to them 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. 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 Annex at the end of the notice and the enclosures to which it refers contain important additional information.
2. **THE LAND TO WHICH THE NOTICE RELATES:-**
Land at Moss End, Crooklands, Near Milnthorpe, Cumbria LA7 7NU as shown edged red on attached plan ("the Land").
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**
Without planning permission, material change of use of the land from agricultural use to a mixed use for agriculture and use for siting and storage of a caravan used for residential purposes.
4. **REASONS FOR ISSUING THIS NOTICE**
It appears to the Council that the above breach of planning control has occurred within the last ten years.
The caravan is an intrusive visual feature that has an adverse impact on this rural area which is a main route into the Lake District. The use of the caravan is also having an adverse impact on the neighbouring commercial units.
The unauthorised development is contrary to Policy H5 and T6 of the adopted South Lakeland Local Plan, Policy E37 of the Cumbria and Lake District Joint Structure Plan and National Planning Policy Statement 7.
The Council do not consider that planning permission should be given because planning conditions could not overcome these objections.
5. **WHAT YOU ARE REQUIRED TO DO**
 1. Cease using the Land for the siting and storage of a caravan used for residential purposes; and
 2. Remove the caravan from the Land.


6. **TIME FOR COMPLIANCE**

30 days after this Notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 12 August 2010 unless an appeal is made against it beforehand.

Dated 24 June 2010

Signed 

Matthew Neal

Solicitor to the Council

On behalf of:-

South Lakeland District Council
South Lakeland House
Lowther Street
KENDAL
Cumbria
LA9 4UQ

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the notice.

You must submit to the Secretary of State either when giving notice of appeal or within 14 days of the Secretary of State giving notice so requiring a written statement specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you are proposing to rely in support of each of those grounds.

FEES PAYABLE ON APPEAL

Pursuant to Regulation 10 of the Town and Country Planning Act (Fees for Applications and Deemed Applications) Regulations 1989 the following fees must be paid to the local planning authority and the planning Inspectorate respectively upon submission of an appeal;

Local Planning Authority £335.00

Planning Inspectorate £335.00

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, and for which you may be held responsible are taken within the period specified in paragraph 6 of the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

In accordance with the legislation this enforcement notice has been served on the following individual;

1. George W Robinson
Moss End
Crooklands
Near Milnthorpe
Cumbria
LA7 7NU
2. Harry Brocklebank
The Caravan
Moss End
Crooklands
Near Milnthorpe
Cumbria
LA7 7NU



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Development Control Group
South Lakeland District Council
South Lakeland House
Lowther Street
KENDAL, Cumbria LA9 4DL

**PLAN REFERRED TO: Moss End
Crooklands, LA7 7NU**

Site Geocode: E 353550 N 482008

Scale 1:5000