

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 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 Cherry Hill Hincaster Milnthorpe LA7 7ND (the Land”) as shown edged red on the plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**
Without planning permission, operational development consisting of the erection and attachment of a tree house (“the Structure”) on a tree protected by Tree Preservation Order (No158)

4. **REASONS FOR ISSUING THIS NOTICE**
It appears to the Council that the above breach of planning control has occurred within the last four years.
It is considered expedient to issue a notice because the tree is protected by a Tree Preservation Order and it is the opinion of the Council that as a result of the operational development damage has occurred to the tree and there is potential for further long term damage.
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) Remove from the Land all of the Structure including associated material attached to the tree
 - (2) Remove from the Land all materials associated with compliance with 5 (1) above

6. **TIME FOR COMPLIANCE**
6 Months after this Notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 1 August 2011 unless an appeal is made against it beforehand.

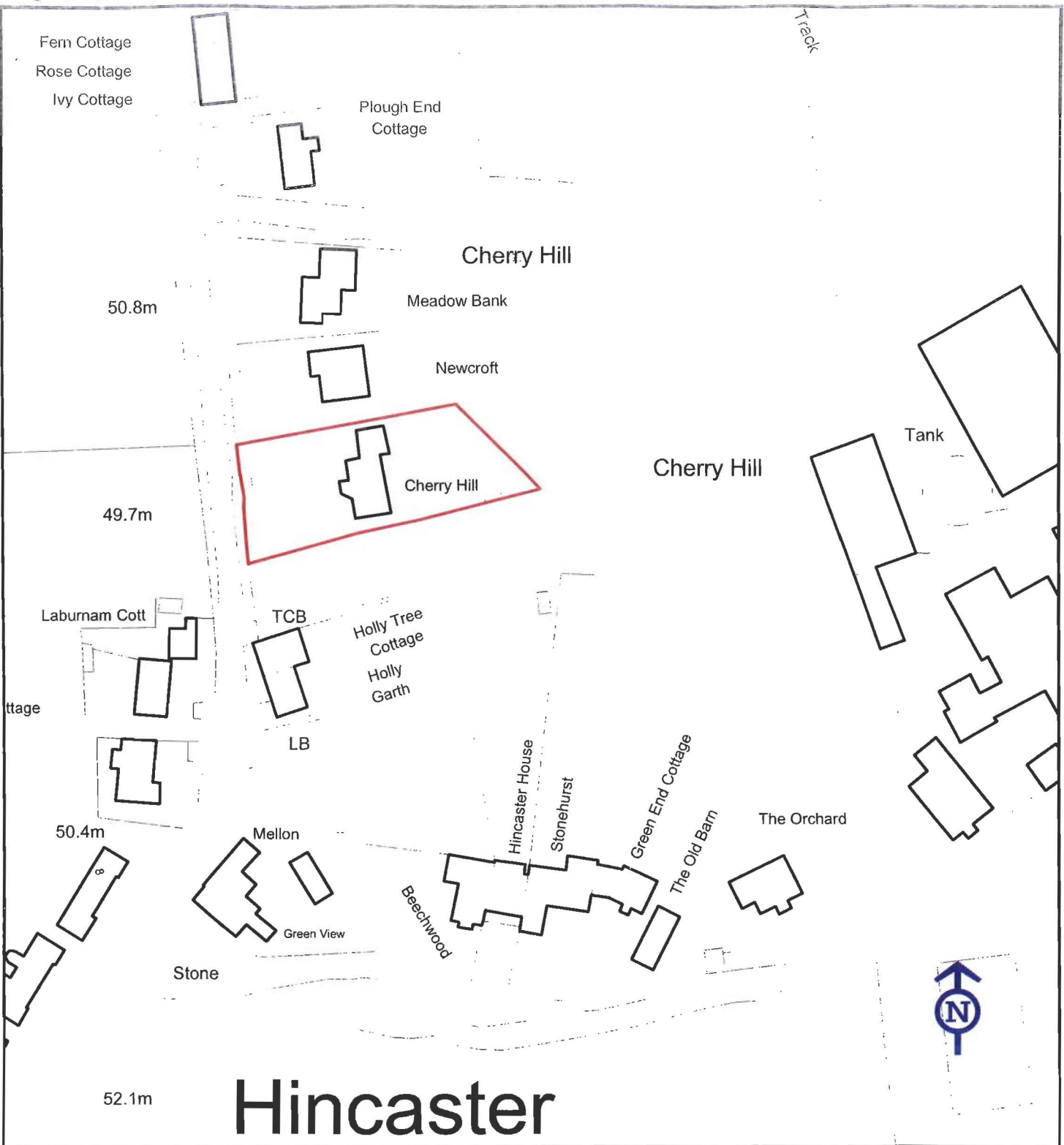
Dated 17 June 2011

Signed 

Matthew Neal
Solicitor to the Council

On behalf of:-

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



Hincaster

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

PLAN REFERRED TO:
Cherry Hill
Hincaster
Milnthorpe
LA7 7ND

Site Geocode: E350949 N 484784

Scale 1:1250 Enforcement ref: 11061