

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(as amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004)

Temporary Stop Notice

SERVED BY: East Staffordshire Borough Council herein after referred to as “the Council”.

To:

On 12th October 2021, the Council has issued this Temporary Stop Notice alleging that there has been a breach of planning control on the land described in paragraph 3 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

1. This Temporary Stop Notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

2. THE REASONS FOR ISSUING THE NOTICE

The land does not have planning permission for the development of altering the land levels to create a level area, the creation of earth bunds that border the level area and to lay hard-core on the level area to create an area of hard-standing. Material continue to be brought onto the land to increase the land level. It is considered that the development is likely to cause serious harm to the character and appearance of the area. The land is within Flood Zone 3 which is susceptible to surface water flooding. Caravans have been brought onto the land and used for permanent residency which constitutes a material change of use of the land for which planning permission has not been given.

3. THE LAND TO WHICH THIS NOTICE RELATES

Land West side of Ashbourne Road, Spath, Uttoxeter, Staffordshire ST14 5AD shown edged red on the attached plan.

4. THE ACTIVITY TO WHICH THIS NOTICE RELATES

Unauthorised operational development, including engineering works, a significant amount of material have been brought onto the land for the additional increase of the land levels and drainage ditches have been dug on the land leading to the alteration of the flood plains.

5. WHAT YOU ARE REQUIRED TO DO

- a) Stop any further unauthorised development on the land
- b) Stop the importation, deposition and movement around on the site of any soils, hard-core, rubble and any other material.
- c) Stop any further laying of hard-core on the land.
- d) Stop increasing the land levels of the land.
- e) Stop any further engineering works on the land including the digging of drainage ditches.
- f) Stop using the land for the stationing of any more than 3 touring caravans and the stationing of any residential static caravans
- g) Stop the development resulting in the installation of utility services i.e. water electricity and gas

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12th October 2021 when all the activity specified in this notice shall cease. This notice will cease to have effect 9th November 2021.

Dated: 12th October 2021.

Signed:

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

Nominated Officer: David Ward, Planning Enforcement (Consultant)

Telephone Number: 01283 508782

Notices served on;

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 6.

THERE IS NO RIGHT OF APPEAL TO THE FIRST SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with temporary stop notice you will be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with David Ward, Planning Enforcement (Consultant), East Staffordshire Borough Council, The Town Hall, King Edward Place, Burton upon Trent, Staffordshire, DE14 2EB telephone number 01283 508782.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.



**Sal Khan CPFA, MSc
Head of Service (Section 151 Officer)**

Date: 12 October 2021

Direct Line: 01283 508782
Email: david.ward@eaststaffsbc.gov.uk
Reply to: D. Ward
Our ref: ENF/2021/00059
(please quote this reference on all correspondence with us)

land on the west side of Ashbourne Road,
Spath,
Uttoxeter
Staffordshire
ST14 5AD

BY Hand Delivery

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir,

**RE: Town and Country Planning Act 1990 – Section 171E Temporary Stop Notice
Land to the West of Ashbourne Road, Spath, Stramshall, Staffordshire ST14 5AD**

This Council has issued a Temporary Stop Notice and I now serve on you a copy of that notice in view of your interest in the land.

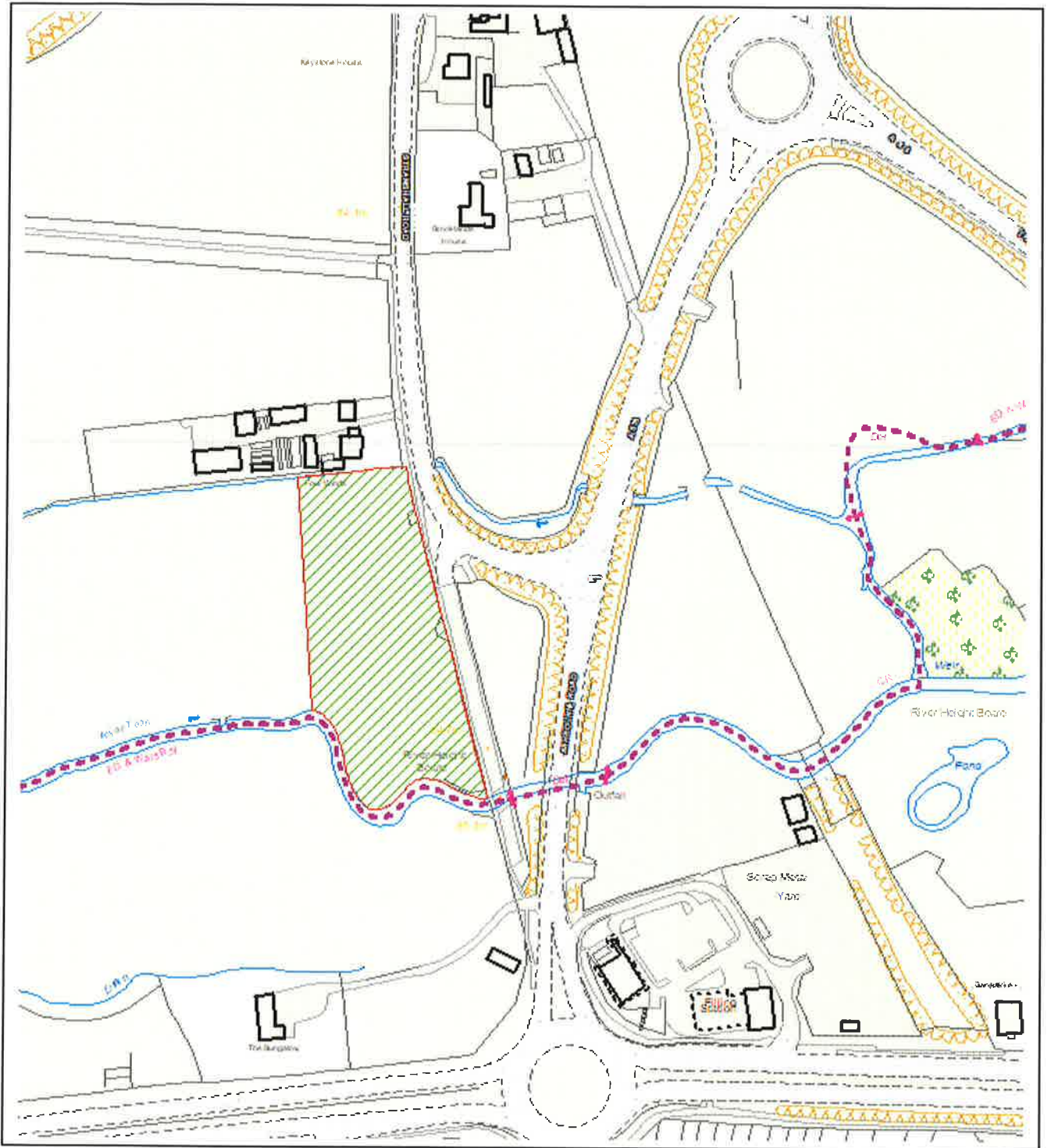
I must warn you that failure to comply with the Notice is a criminal offence for which you may be prosecuted.

Yours Sincerely

D. Ward

Planning Enforcement (Consultant)

NORTHGATE SE GIS Print Template



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