

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 to:

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 51, Rosliston Road, Stapenhill, Staffordshire DE15 9RQ 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 commercial business for storage of cars for sale.

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) The use of the land for commercial storage and sale of vehicles conflicts with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP7 as it results in a level of activity which is inappropriate in a residential area and is detrimental to the residential amenity of neighbouring occupiers in relation to noise and disturbance. 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 or repair.
- b) Remove all of the motor vehicles from the Land which are not incidental, or ancillary, to the domestic residential use of the dwelling.

6. Time for compliance

For both 5 a) and b), 14 days beginning with the day on which this notice takes effect.

7. When this notice takes effect

This notice takes effect on 17th May 2021 unless an appeal is made against it beforehand.

Dated: 15 April 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.

