

Sharon Chumbley

From: Enforcement Team
Subject: FW: Automatic reply: Reference 20/00223/RURAL
Attachments: BNN COND 5 20-0223-RURAL_signed.pdf

From: Heather Nesbitt [REDACTED]
Sent: 28 May 2025 09:06
To: dean Aggett [REDACTED] Legal Services [REDACTED]
Cc: Enforcement Team [REDACTED]
Subject: RE: Automatic reply: Reference 20/00223/RURAL

Dear Mr Aggett

Thank you for your email and attached letter.

I re-iterate again what I wrote in my previous email.

Compliance with the attached notice is now due today. As per my previous email, this notice was served some 2 months ago which is sufficient time to seek professional advice. This was pointed out to you in the Annex attached to the notice.

I did visit the site unannounced and spent over an hour with you discussing matters. I do not accept that you have not had any engagement with the LPA and this is evidenced.

Until now, when the first notice is due for compliance, you have not sought to make any contact with me specifically on the notices served on you.

The date of the notice will not be extended and I remind you if it is not complied with by today, 28th May 2025. It is an offence to contravene the requirements stated in paragraph 5 of the attached notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence.

You should also note under Section 70C of the Town and Country Planning Act 1990 (as amended), the following applies;

70C Power to decline to determine retrospective application

(1) A local planning authority in England may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control.

(2) For the purposes of the operation of this section in relation to any particular application for planning permission, a "pre-existing enforcement notice" is an enforcement notice issued before the application was received by the local planning authority.

A site visit will take place shortly to ensure that compliance with the notice has been achieved.

Yours Sincerely

Heather