

## **IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

### **TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning & Compensation Act 1991)**

#### **ENFORCEMENT NOTICE**

#### **ISSUED BY: The Borough Council of Gateshead**

1. **THIS NOTICE** is issued by 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 it 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 lying to the North West of The Cottage, Banesley Lane, Old Ravensworth, Lamesley, Gateshead, Tyne and Wear NE11 shown edged red on the attached plan.

#### **3. THE BREACH OF PLANNING CONTROL**

Without planning permission the unauthorised construction of a timber animal (horse) shelter and fenced enclosures within the site forming dog runs and the creation of a hardstanding.

#### **4. REASONS FOR THIS NOTICE**

It appears to the Council that the breaches of planning control have occurred within the last four years.

The dog runs by virtue of their inappropriate nature (not small scale and essential for the purpose of outdoor recreation) and unacceptable siting are considered both individually and cumulatively to have a detrimental impact on the openness of the Green Belt. In the absence of any very special circumstances the development is therefore considered contrary to policy ENV37 of the Unitary Development Plan (UDP), policy 9 of the Regional Spatial Strategy (RSS) and national Planning Policy Guidance Note 2 (PPG2) and Planning Policy Statement 7 (PPS7).

The timber animal shelter which is considered to exceed the meaning of essential and small scale in context with the size of the plot, it is also considered to be inappropriate development, which individually and cumulatively impinges on the openness of the Green Belt. Therefore without any very special circumstances demonstrated the development is contrary to

policy ENV37 of the UDP, policy 9 of the RSS and national planning policy PPG2 and PPS7 which aim to safeguard the countryside from encroachment.

The introduction of this inappropriate development on a segregated plot is considered damaging to the current open post-enclosure landscape, characterised by much larger field sizes, old hedgerows, hedgerow trees and open pasture land. The proposal is considered to have a detrimental impact on the visual amenities of this area of Highest Landscape Quality, which when considered individually and cumulatively with the sub-division of the field into smaller plots and the associated development is contrary to policy ENV39 of the UDP.

The existing stable block by virtue of its inappropriate and prominent siting is considered both individually and cumulatively, in the context of the other sub-divided plots and associated development, to have an adverse impact on the open character of the area and is therefore considered contrary to policy ENV43 of the UDP which aims to promote acceptable development associated with horsiculture.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

## **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Remove from the land the timber animal (horse) shelter.
- (ii) Remove from the land the fencing within the site.
- (iii) Remove from the land the hardstanding associated with the timber shelter.
- (iv) Remove from the land any debris resulting from compliance with (i), (ii) and (iii).

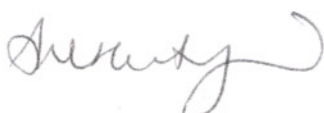
## **6. TIME FOR COMPLIANCE**

- (i) Two calendar months after this notice takes effect

## **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 3<sup>rd</sup> April 2009, unless an appeal is made against it beforehand.

Dated: 3<sup>rd</sup> March 2009



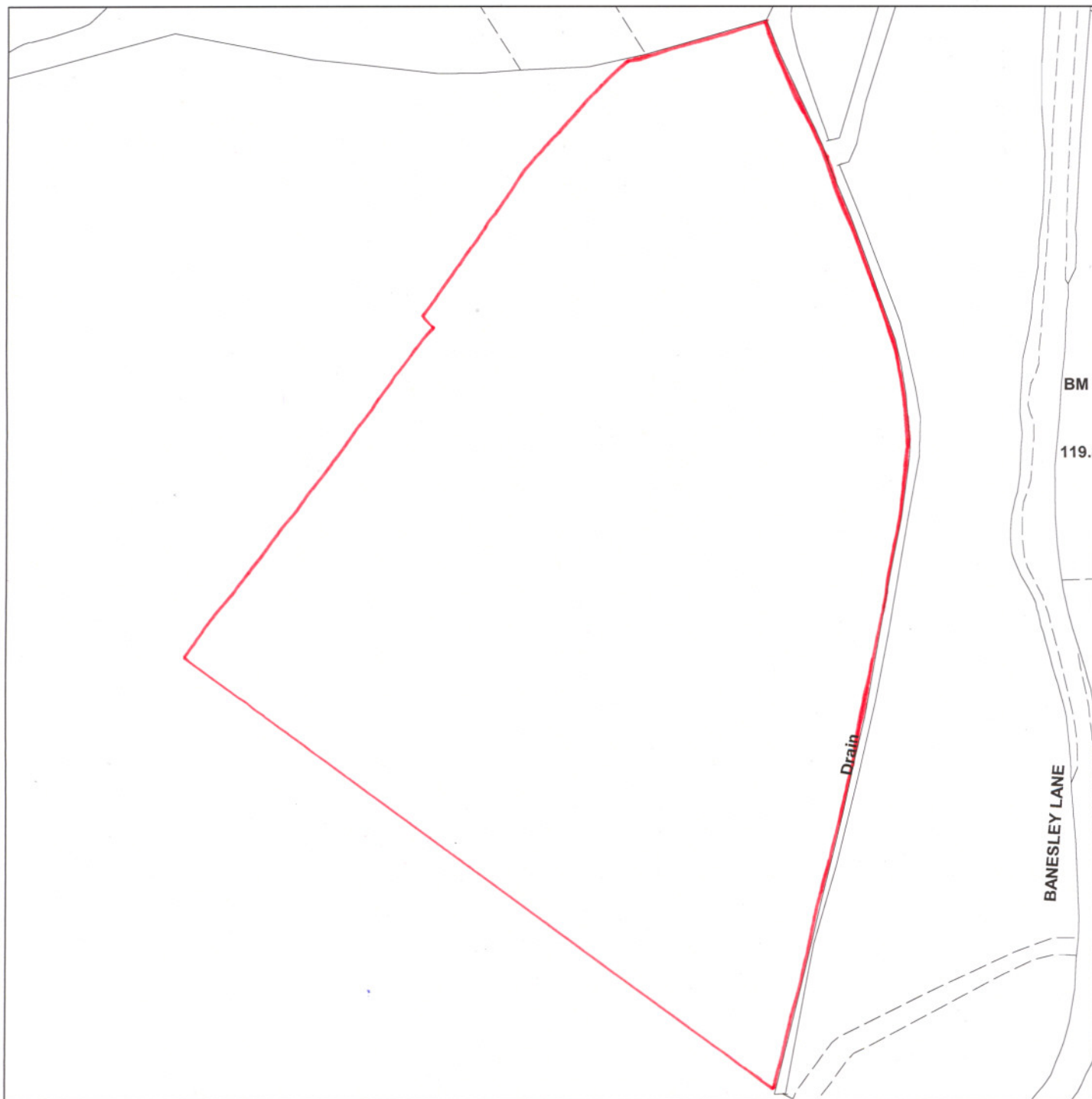
Signed: Anneliese Hutchinson  
Head of Regulatory Services  
For and on behalf of the Borough Council of Gateshead.

**PERSONS ON WHOM THIS NOTICE HAS BEEN SERVED**

Mr James Watson  
9 Kyle Road  
Teams  
Gateshead  
Tyne and Wear  
NE8 2YE



GIS by ESRI (UK)



Scale : 1:1250

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<b>Organisation</b>	Gateshead Council
<b>Department</b>	Regulatory Services
<b>Comments</b>	
<b>Date</b>	02 March 2009
<b>SLA Number</b>	Not Set