

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Babergh District Council

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by The Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: Babergh District Council ("the Council")

THIS NOTICE is issued by Babergh District Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) 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.

1. THE LAND TO WHICH THE NOTICE RELATES

Land and premises known as: Land on the east side of Dedham Road, Stratford St Mary, Suffolk, and shown edged in red on the attached plan.

2. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of agricultural land for vehicle parking and commercial activities for more than 28 days within a calendar year.

3. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years.

The use of the land for vehicle parking and commercial activities has taken place for more than 28 days within a calendar year. This exceeds the temporary use allowance granted under Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council considers the exceedance to give rise to a material change in the use of the land.

The development is contrary to Joint Local Plan Policies SP09 (Enhancement and Management of the Environment), SP10 (Climate Change), LP16 (Biodiversity and Geodiversity), LP18 (Area of Outstanding Natural Beauty), LP27 (Flood Risk and Vulnerability) of the Babergh and Mid Suffolk Joint Local Plan, Part 1 (2023).

Furthermore, the development on the land is contrary to Paragraphs 135 (Achieving well-designed places), 170, 176 (Planning and Flood risk), 187, 189, 190 (Conserving and enhancing the natural environment) and 193 (Habitats and biodiversity) of the National Planning Policy Framework published in December 2024.

The material change of use of the land does not benefit from planning permission, and results in unacceptable harm to the character and nature of the surrounding area and the Dedham Vale National Landscape.

4. WHAT YOU ARE REQUIRED TO DO

- a) Cease the use of the Land for vehicle parking and commercial activities.
- b) Remove from the land all associated paraphernalia brought onto the Land in connection with the unauthorised use.
- c) Restore the Land to its former condition.

5. TIME FOR COMPLIANCE

The requirements detailed in Section 4 of this Notice must be complied with within **1 month** from the date this Notice comes into effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22nd July 2026 unless an appeal is made against it beforehand.

Dated: 24th June 2026

Signed: *CDriscoll*

Carmel Driscoll, Principal Planning Enforcement Officer

On behalf of: Babergh District Council
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

Supplementary Information relating to Enforcement Notice

Location: Land on the east side of Dedham Road, Stratford St Mary, Suffolk,

This local planning authority, Babergh District Council, has issued an Enforcement Notice relating to the above land and a copy of that notice has been served on you as you have an interest in the land. Copies of the Notice are also being served on the parties listed at the end of this document who, it is understood, also have an interest in the land.

YOUR RIGHT OF APPEAL

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the Notice. Unless an appeal is made, as described below, the Notice will take effect on **22nd July 2026** and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the Enforcement Notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before **22nd July 2026**.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the Notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the Notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the Enforcement Notice were not served as required by section 172;
- (f) that the steps required to be taken by the Notice, or the activities required by the Notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the Notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 the appeal is considered to constitute an application for planning permission for the development alleged

in the notice and you will have to pay a fee of **£1220**. You should pay the whole amount to the Council (made payable to Babergh District Council). Joint appellants need only pay one set of fees.

- Please note that if ground (a) is not pleaded at the very beginning the Inspectorate will not delay the processing of the appeal.

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the Enforcement Notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring, you to do so within 14 days.

- It is important that if you want the planning merits of the development to be considered – known as the “deemed planning application” – you must plead ground (a) and pay the fee for that application to the local planning authority when making your appeal. If this is not done, the planning merits and any subsequent ground (a) appeal – that planning permission should be granted (or that the condition or limitation referred to in the enforcement notice should be removed) – cannot be considered by the Inspector. The appeal will only be determined on the grounds of appeal as submitted on the appeal form.

IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in Section 6 of the Notice and you must then ensure that the steps required for complying with it, detailed in Section 4, for which you may be held responsible, are taken within the period specified in Section 5 of the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

Parties on whom the Enforcement Notice has been served:

- 1) Mr Guy Lennox, Stacies Farm, Chequers Road, Little Bromley, Manningtree, C011 2NG
- 2) Owner/Occupier, Land on the east side of Dedham Road, Stratford St Mary, Suffolk