

**CONFIDENTIAL**  
**ENFORCEMENT RECORD OF OFFICER DECISION:**  
**ENFORCEMENT NOTICE. LAND AT STORRIDGE,**  
**MALVERN.**

Economy and Place Scheme of Delegation Section 71

<b>Decision title:</b>	Enforcement Notice
<b>Date of decision:</b>	11/11/19
<b>Decision maker:</b>	Mark Tansley Development Manager
<b>Authority for delegated decision:</b>	ECC scheme of delegation
<b>Ward:</b>	Bishops Frome and Cradley
<b>Consultation:</b>	N/A
<b>Decision made:</b>	To issue an Enforcement Notice
<b>Reasons for decision:</b>	<p>Unauthorised erection of a building. In 2013 it was determined planning permission was not required for the erection of a proposed forestry storage building on this site. That building was not constructed but instead the building which is the subject of this report was constructed to a different design and in a different location on the site without notice from the Planning Authority that planning permission was not required. Planning permission is therefore required for this development.</p> <p>A retrospective application for the development (Ref: 180573) was refused in February 2019 and an appeal against this decision was dismissed in October 2019 on the grounds that the proposal conflicts with the development plan's aims in respect of the conservation of landscape in the AONB. The development is therefore unlawful.</p> <p>It was found by the appeal Inspector that the development harmed the landscape of the AONB by introducing unnecessary development. There was no substantive evidence that the building was necessary to promote the economic and social well-being of the Malvern Hills Area of Outstanding Natural Beauty and the development is therefore contrary to Policies CNDP5 of the Cradley District Neighbourhood Development Plan (the NDP) and LD1 of the Herefordshire Local Plan – Core Strategy which seeks to conserve the natural, historic and scenic beauty of AONBs.</p> <p>It is evident that the breach has occurred for less than four years, substantial completion of the building having taken place in September 2016, and it is therefore not immune from enforcement.</p> <p>Failure to enforce the condition could lead to damage to the reputation of the</p>

Further information on the subject of this report is available from Mr Steve Davies on 01432 260119

	<p>Council as an effective enforcement agent.</p> <p>It is therefore considered expedient to serve an Enforcement Notice requiring the unauthorised building to be removed.</p> <p>Due regard has been paid to the Council's responsibilities under the public sector equality duty along with the contravener's human rights.</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	None
<b>Details of any alternative options considered and rejected:</b>	Service of an Enforcement Notice is considered the most efficient and cost-effective manner in which to resolve this current breach of planning control.
<b>Details of any declarations of interest made:</b>	None

Signed...  ..... Date: 11/11/19

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