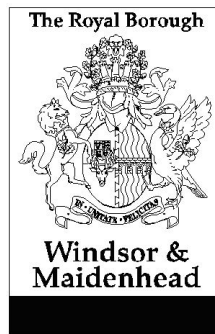


ISSUED 25 January 2017

THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD



TEMPORARY STOP NOTICE

Relating to

Land to the south east of Pool Lane Farm, Broadmoor Road, Waltham St Lawrence, Reading,
Berkshire

Jenifer Jackson, Head of Planning, Town Hall, St Ives Road,
Maidenhead, SL6 1RF
Ref: AH

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(As amended by the Planning and Compensation Act 1991 and the Planning and
Compulsory Purchase Act 2004)**

TEMPORARY STOP NOTICE

SERVED BY: The Royal Borough of Windsor and Maidenhead hereinafter referred to as "the Council".

To: Trevor James Fuller of 35 Micawber Avenue, Uxbridge, Middlesex, UB8 3NY

On 25 January 2017 the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in section 2 below. This temporary stop notice is issued by the Council, in exercise of their power in Section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in section 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

1. THE REASONS FOR ISSUING THIS NOTICE

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering planning merits on a site within the Green Belt substantial weight should be given to any harm to the Green Belt. 'Very Special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The importation of materials, the formation of hardstanding, the scraping and re-distribution of soil and the formation of bunding represents inappropriate development in the Green Belt and the owner has failed to detail very special circumstances that outweigh the in principle harm and impact on the openness as required by the NPPF.

The further raising and re-profiling of land and the distribution of materials will cause a bunding effect that will impede the free flow of flood waters.

Accordingly the development is contrary to saved Policies GB1, GB2, GB3 and F1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), Paragraphs 87 - 89 and 103 of the National Planning Policy Framework (March 2012).

2. THE LAND TO WHICH THIS NOTICE RELATES

Land to the south east of Pool Lane Farm, Broadmoor Road, Waltham St Lawrence, Reading, Berkshire shown edged red on the attached plan ("the Land").

3. THE ACTIVITY TO WHICH THIS NOTICE RELATES

Without planning permission the importation and distribution of materials, including but not limited to soil, to facilitate the formation of hardstanding and the raising of land.

4. WHAT YOU ARE REQUIRED TO DO

1. Stop the importation of materials, including but not limited to soil.
2. Stop the distribution by all mechanical means of materials, including but not limited to soil.
3. Stop the formation of a hardstanding.
4. Stop the importation of soil to be used in connection with land raising.
5. Stop the scraping and re-distribution of soil to re-profile and raise the land.
6. Stop the digging of trenches.

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **25 January 2017** when all the activity specified in this notice shall cease. This notice will cease to have effect on **22 February 2017**.

Dated: 25 January 2017

Signed:

Jenifer Jackson
Head of Planning
On behalf of The Royal Borough of Windsor and Maidenhead

Nominated Officer: Arron Hitchen, Planning Enforcement Officer
Telephone Number: 01628 796049

ANNEX / WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 5.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Arron Hitchen, Planning Enforcement Officer at The Royal Borough of Windsor and Maidenhead on telephone number 01628 796049. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

S171G Town & Country Planning Act 1990 -

171G Temporary stop notice: offences

- (1) A person commits an offence if he contravenes a temporary stop notice—
 - (a) which has been served on him, or
 - (b) a copy of which has been displayed in accordance with section 171E(5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period of time.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
 - (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
 - (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.