

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

ENFORCEMENT NOTICE (GO CARTS)

RE: LAND AT TOCKWITH AIRFIELD RUDGATE TOCKWITH YORK

ISSUED BY THE COUNCIL OF THE BOROUGH OF HARROGATE

1 THIS IS A FORMAL NOTICE which is issued by the 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.

2 THE LAND AFFECTED

The land situate and known as the "Pro am" and "Owner driver" go cart tracks Tockwith Airfield Rudgate Tockwith York shown edged red on the attached plan 1 ("the Land") and for the purposes of identification shown coloured light blue on the attached plan 2.

3 THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the unauthorised material change of use of the Land to use for the driving, racing and testing of motor vehicles including go carts

4 REASONS FOR ISSUING THIS NOTICE

- (i) It appears to the Council that the above breach of planning control has occurred within the last ten years.
- (ii) the site is not considered to be suitable for the driving, racing and testing of go carts. They cause significant harm to the area in the form of noise and disturbance that impacts on the amenities of those living in nearby residential dwellings. As such, it is considered that an Enforcement Notice should be served to require the cessation of the use and the removal of the track barriers

which define the boundaries of the track(s). The following planning policies have been contravened by this use;

Policy SG4 Settlement Growth: Conservation of the countryside, including green belt. Harrogate & District Local Plan saved Policy R12 Harrogate & District Development Framework Planning Policy Guidance Note 18 - Enforcing Planning Control Planning Policy Statement 7 - Development in rural areas.

5 WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Land for the driving, racing and testing of go carts
- (ii) Remove all the motor vehicle track barriers from the Land
- (iii) Remove any go carts from the Land
- (iv) Remove from the Land any portakabins containers and other artefacts associated with the use described in paragraph 5 (i)
- (v) Make good any damage done to the Land as a consequence of carrying out the requirements of paragraphs 5 (ii)

TIME FOR COMPLIANCE: 3 months from the date upon which this notice takes effect

6 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on, 17th May 2011 unless an appeal is made against it beforehand.

Dated 12 April 2011



Signed:

Solicitor to the Council

Proper Officer

on behalf of THE COUNCIL OF THE BOROUGH OF HARROGATE

Council Offices

Crescent Gardens

Harrogate

HG1 2SG

Land at Marston Moor Airfield, Tockwith



PLAN 2

