

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

ISSUED BY: RUSHCLIFFE BOROUGH COUNCIL (the Council)

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. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Land at Fairham Brook Lane, Bunny, Nottingham, NG11 6SQ shown edged red on the plan attached (the Land).

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

Without Planning Permission, a large structure (shown shaded red on the plan attached and variously described as an “agricultural processing building” or a “forestry building”) has been erected on the land (shown edged red on the plan attached); totalling some 15.1m in length, 5.05m in width and comprising a pitched roofed timber framed section measuring approximately 10.30m (l) by 5.05m (w) and 4.52m (h – internal), with a porch on the north side 1.15m x 2.25m and 2.4m in height, with a domestic style conservatory attached measuring 4.80m (l) by 5m (w). There is also a stated intent that the building is incomplete and will be further extended to the south of its current footprint. The building has been constructed without the benefit of planning permission or prior approval.

4. **REASONS FOR ISSUING THIS NOTICE**

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

No application for planning permission or prior approval for the structure has been submitted, if the prior approval route is even available, and it does not fall into any classification under Permitted Development without prior approval.

The building is located within the Green Belt and has an overtly domestic character as a consequence of the reused domestic conservatory incorporated as its southeast end. The absence of an agricultural character would make it unlikely that planning permission or prior approval would have been granted, and the building also has adverse impacts on the setting of a nearby Grade I listed building in the form of Bunny Hall.

Whilst agricultural development is not 'inappropriate' within the greenbelt the Borough Council is not satisfied that there is a functional need to justify the building, and if such a justification does exist nothing to justify a building of this scale or of this design and character has been provided to the Council.

The proposal would therefore be contrary to:

- Chapter 12 'Achieving well designed places' of the National Planning Policy Framework
- Chapter 13 'Protecting Green Belt Land' of the National Planning Policy Framework
- Chapter 16 'Conserving and enhancing the historic environment' of the National Planning Policy Framework
- Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies
- Policy 4 (Nottingham-Derby Green Belt) of the Rushcliffe Local Plan Part 1: Core Strategy
- Policy 21 (Green Belt) of the Rushcliffe Local Plan Part 2: Land and Planning Policies
- Policy 28 (Conserving and enhancing heritage assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies

5. WHAT YOU ARE REQUIRED TO DO

You must:

1. Remove the structure, shaded red, from the land, outlined in red, and return the land to its previous condition.
2. Remove any materials or debris arising from the above works from the land.
3. Refrain from constructing any further buildings on your land (edged red), without the benefit of planning permission.

6. TIME FOR COMPLIANCE

The period for compliance with the requirements set out in paragraph 5 is 6 months from the date that the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **12 March 2026** unless an appeal is made against it beforehand.

Dated: 4th February 2026

Signed: ... 
Andrew Cullen
Planning Manager – Development

On behalf of: Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG

ANNEX

Rushcliffe Borough Council has issued an enforcement notice relating to land at Riverside Farm, Fairham Brook Lane, Bunny, Nottingham, NG11 6SQ and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this Annex.

YOUR RIGHT TO APPEAL

You can appeal against this Notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be **received** by the Secretary of State **before** the date this notice takes effect as specified in paragraph 7 of the notice. If you decide to appeal, you should follow the guidance provided in the attached note from the Planning Inspectorate.

GROUND OF APPEAL

The grounds of appeal are set out in section 174 of the TCPA 1990. You may appeal on one or more of the following grounds that:

- In respect of any breach of planning control which may have been 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 (ground a).
- Those matters have not occurred (ground b).
- Those matters (if they have occurred) do not constitute a breach of planning control (ground c).
- 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 (ground d).
- Copies of the enforcement notice were not served as required by section 172 of the TCPA

1990 (ground e).

- The steps required by the notice to be taken, 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 such breach (ground f).
- Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed (ground g).

Not all of these grounds may be relevant to you.

FEE PAYABLE FOR THE DEEMED APPLICATION

If your ground of appeal includes ground (a) that planning permission should be granted, you must include with your appeal a fee, which is double that payable for a normal planning application. The fee payable is calculated at £244. This should be paid to Rushcliffe Borough Council, who will forward the other half to the Planning Inspectorate. If the fee is not paid then that ground of appeal will not be valid

STATEMENT ON GROUNDS OF APPEAL

If you decide to appeal, you should state in writing the grounds(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.

STATUTORY PROVISIONS

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 is attached for your information.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date the notice takes effect which is specified in paragraph 7 of the notice and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

PERSONS SERVED WITH A COPY OF THIS NOTICE:

1. Dr Julita Geary; Riverside Farm JK Ltd, Riverside Farm, Fairham Brook Lane, Bunny, Nottingham, NG11 6SQ
2. Mr Keith Geary; Riverside Farm JK Ltd, Riverside Farm, Fairham Brook Lane, Bunny, Nottingham, NG11 6SQ
3. CEMA Solutions Ltd; White House Clarendon Street, Corner Of Wollaton Street, Nottingham, Nottinghamshire, NG1 5GF