

# **ENFORCEMENT NOTICE - FAILURE TO COMPLY WITH CONDITIONS**

## **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:** Rother District Council

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (b) of section 171A(1) 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 TO WHICH THE NOTICE RELATES**

Land at The Dog House, annexe adjacent to 56 Haslam Crescent, Bexhill on Sea, East Sussex shown edged red on the attached plan.

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

Under Application ref RR/85/2229 dated 15 September 1986 planning permission was granted for alterations to studio to form granny annexe with bed sitting room shown hatched black in the approximate position on the attached plan subject to conditions:-

2. The building shall be regarded and used as an integral part of the existing building only and shall not be occupied as a separate dwelling unit.

The building is not being occupied for purposes ancillary to no.56 Haslam Crescent but is being occupied residentially as a separate dwelling from 56 Haslam Crescent, which is being occupied independently.

#### **4. REASONS FOR ISSUING THIS NOTICE**

- i) It appears to the Council that the above breach of planning control occurred within the last ten years.
- ii) The use of the building as a separate residential dwelling conflicts with planning policy OSS4 (i) and (iii) of the Core Strategy and contravenes the planning conditions applied in the original application preventing any separate residential use from arising (RR/856/2229). The building does not provide any off road parking and the amenity space associated with it is limited. The building is not considered in keeping with other residential properties in the locality. As such its presence as a separate residential unit provides a poor standard of accommodation and harms the amenities of neighbouring properties.

## **5. WHAT YOU ARE REQUIRED TO DO**

- i) Cease the use of the building for residential purposes,
- ii) Remove all domestic and residential furniture, fixtures and fittings from the building including all kitchen, living room, bedroom furnishings.

## **6. TIME FOR COMPLIANCE**

Six Months after this notice takes effect

## **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 12 January 2018 unless an appeal is made against it beforehand.

Dated: 29<sup>th</sup> November 2017

Signed: .....

on behalf of Rother District Council,  
Town Hall,  
Bexhill-on-Sea,  
East Sussex TN39 3JX

Ref: MKN234

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

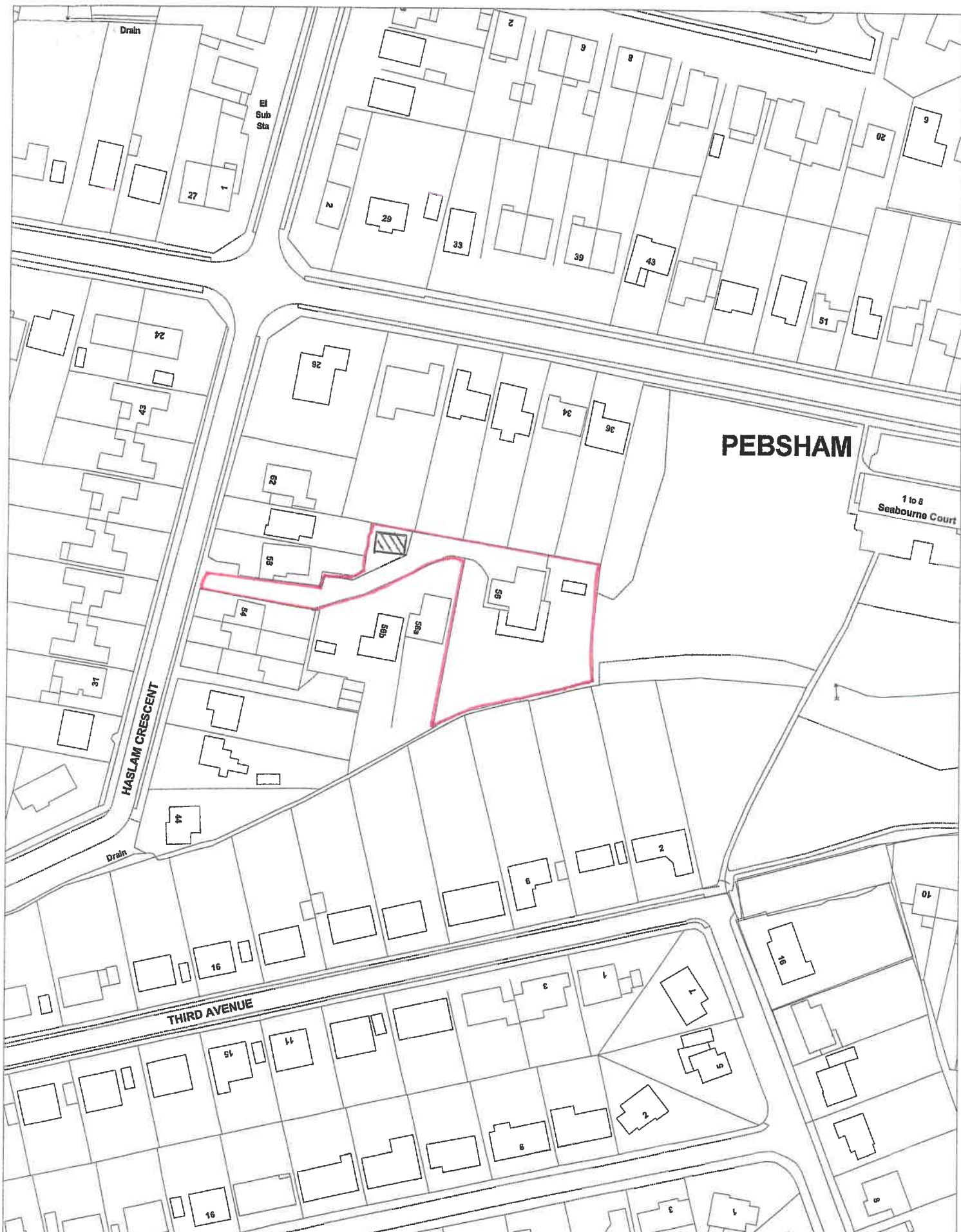
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

If you want to appeal you can do it:

- online at the Planning Casework Service area of the Planning Portal <https://acp.planninginspectorate.gov.uk>, or
- by getting enforcement appeal forms by phoning on 0303 444 5000 or by emailing [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 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.



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