

## ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT



### **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 (a) 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 garages at rear of 10-14 Rotherfield Avenue, Bexhill on Sea, East Sussex shown edged red on the attached plan

### **3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL – OPERATIONAL DEVELOPMENT**

Without planning permission the erection of an extension to an existing lock-up garage.

### **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.

The garage extension by reason of its height and forward projection alongside the boundary wall has significantly increased the prominence of the building and as a result has an imposing and dominant impact on the private rear garden of 8 Rotherfield Avenue detrimental to the amenities of this neighbouring property. As such, the proposal is contrary to the aims of Policy OSS4 (ii) of the Rother District Local Plan – Core Strategy.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections.

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

Remove the extension and clear any resultant debris from the land and reinstate the west facing elevation of the garage to its previous state.

### **6. TIME FOR COMPLIANCE**

Three months after this notice takes effect.

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

This notice takes effect on 1 March 2015 unless an appeal is made against it beforehand.

## **8. WITHDRAWAL OF ENFORCEMENT NOTICE**

The Enforcement Notice dated 9 December 2014 is hereby withdrawn pursuant to Section 173(9) of the above Act.

Dated: 20 January 2015

Signed:

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

Ref: MKN097

**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 [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs), 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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