

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 THIS NOTICE RELATES

Land at 9 Eatenden Lane, Mountfield, East Sussex shown edged red on the attached plan.

3. MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission the erection of a timber structure ('the building') on the front and principal elevation comprising an enlargement to the main dwelling house.

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 retention of the building because of its construction materials and design would be out of keeping with the character of this pair of semi-detached properties and is detrimental to the street scene. In addition by reason of its position and scale the building would adversely impact on the front elevation of the adjoining property. As such the proposal is contrary to Policy HG8 of the Rother District Local Plan (2006) and OSS4 (ii) and (iii) 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 to the development.

5. WHAT YOU ARE REQUIRED TO DO

- i) Cease all construction works in relation to the erection of the building
- ii) Dismantle the building and remove all materials from the land
- iii) Return the land to its former condition, being garden land.

6. TIME FOR COMPLIANCE

Two months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2nd March 2018 unless an appeal is made against it beforehand.

8. WITHDRAWAL OF ENFORCEMENT NOTICE

The Enforcement Notice dated 10th January 2018 is hereby withdrawn pursuant to Section 173(9) of the above Act.

Dated: 22nd January 2018

Signed:

Solicitor to the Council
on behalf of Rother District Council
Town Hall
Bexhill-on-Sea
East Sussex TN39 3JX
Ref: MKN239

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

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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Plan: Enforcement
File: 9 Eatenden Lane
Scale: 1:1000
N.G. Ref: TQ7419NW