

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 7 Shirlea View, Battle, 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 a shed in the approximate position marked with an 'X' on the attached plan.

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 construction of the shed within the curtilage of this residential property (a flat) which does not benefit from permitted development rights in this position and by reason of its height is intrusive and overbearing to the residents of the adjoining property. As such the shed conflicts with Policy OSS4 (ii) of the Rother District Local Plan.

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

5. WHAT YOU ARE REQUIRED TO DO

- i) Dismantle and remove the unauthorised shed.
- ii) Remove from the land all fixtures, fittings and all materials, rubble, tools and equipment arising from complying with step (i) above.

6. TIME FOR COMPLIANCE

One month after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 16 July 2017 unless an appeal is made against it beforehand.

Dated: 6 June 2017

Signed:

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

Ref: MKN208

ANNEX

YOUR RIGHT OF APPEAL

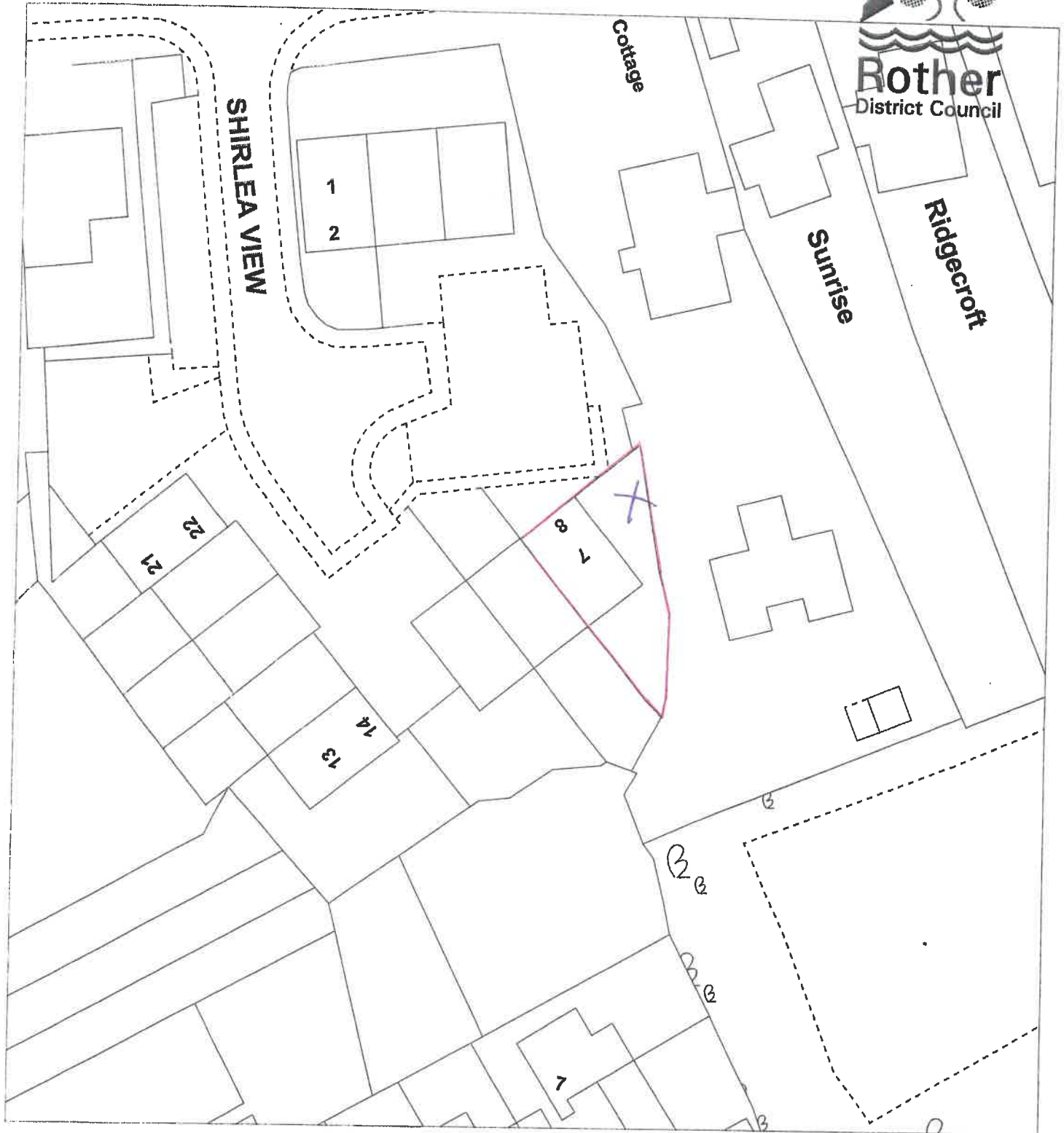
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

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

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.



Plan: Enforcement

File:

Scale: 1:500

N.G. Ref: TQ7515NW