

ENFORCEMENT NOTICE - MATERIAL CHANGE OF USE



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 and buildings at 2 Coldharbour Cottages, Brightling Road, Salehurst/Brightling, East Sussex shown edged red on the attached plan

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL – MATERIAL CHANGE OF USE

Without planning permission a material change of use of the building shown coloured blue on the attached plan from a residential annexe building (ancillary to 2 Coldharbour Cottages) to a separate single C3 dwelling.

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 creation of a new dwelling in the countryside has harmed its intrinsic qualities and fails to respect the character and appearance of the locality and is harmful to road safety, contrary to policy GD1(iii & iv) and HG10 of the Rother District Local Plan (2006) and policies OSS5 (iii), RA3(iii)(a) and CO6(ii) of the Rother District Council 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

Cease the use of the building for any purpose other than as a residential annexe ancillary to 2 Coldharbour Cottages.

7. TIME FOR COMPLIANCE

Six months after this notice takes effect.

8. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 July 2014 unless an appeal is made against it beforehand.

Dated: 4 June 2014

Signed:

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

Ref: MKN071

ANNEX

YOUR RIGHT OF APPEAL

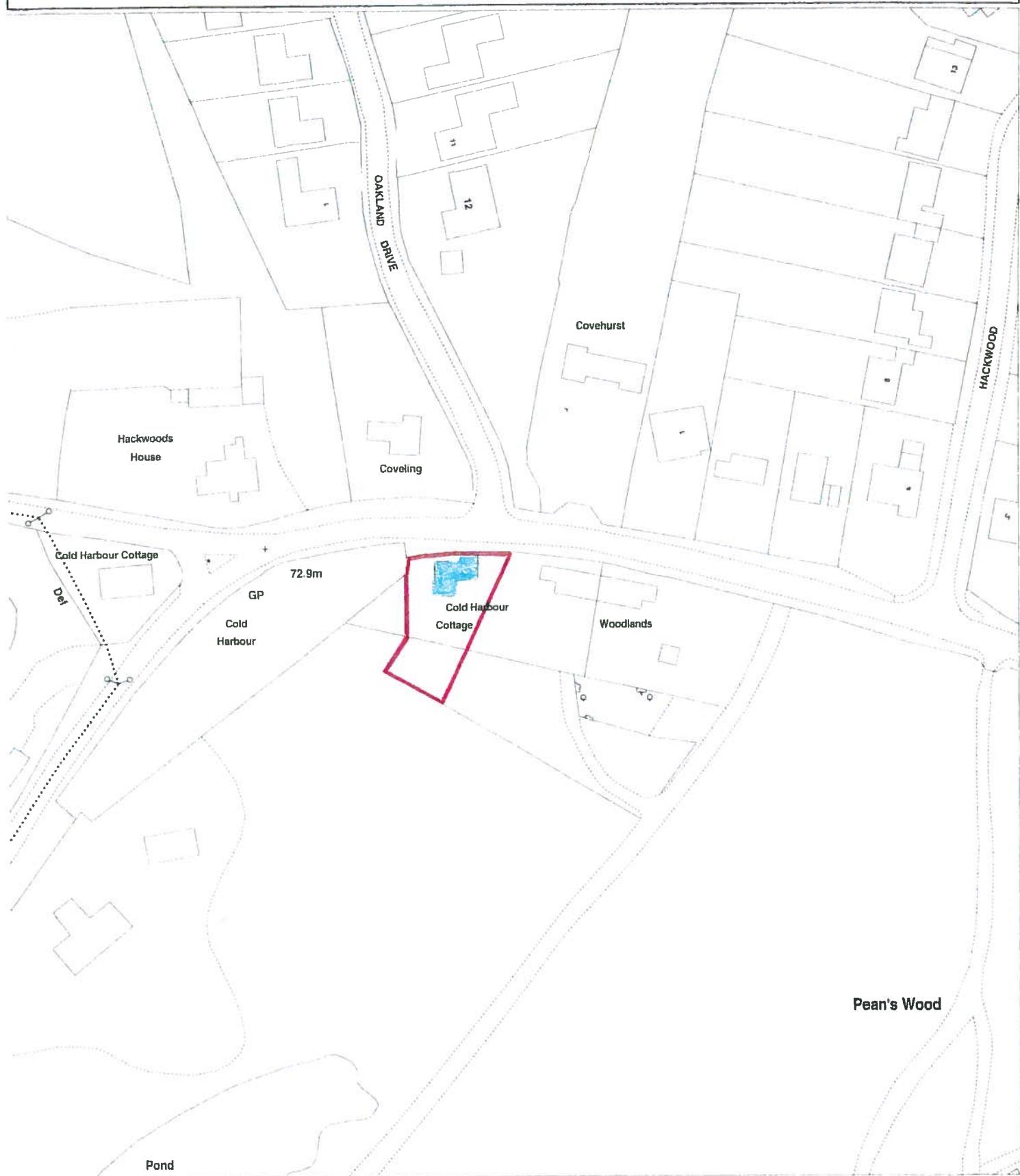
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

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), 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 Date: 24/04/2014 Scale: 1:1250
File: ENF/78/14/SAL N.G. Ref: TQ7123NE
Address: 2 Coldharbour Cottages, Brightling Road, Salehurst/Robertsbridge
Tim Hickling MRTPI MCMI, Head of Planning, Town Hall, Bexhill on Sea, East Sussex TN39 3JX