

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 and property at Ramble Cottage, Main Street, Peasmash, East Sussex shown edged red on the Plan attached

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

Without planning permission the construction of a rear extension at the property shown hatched black on the attached Plan.

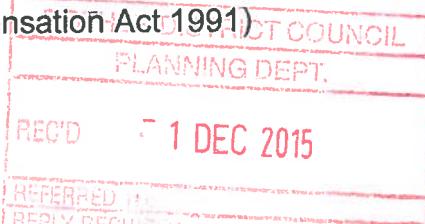
4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

The roof extension dominates the rear roof slope and has resulted in a bulky, "box-like", appearance with proportions and a design which is unsympathetic to, and significantly alters and harms the appearance of the dwelling. The extension is visible from School Lane to the rear boundary of the dwelling and in this respect the prominence of the extension is harmful to the character of the locality and the special quality of the High Weald Area of Outstanding Natural Beauty. Moreover it harms the setting of the neighbouring listed building, Ivy Cottage. For these reasons the proposal is contrary to Policy HG8 of the Rother District Local Plan 2006 and to Policies OSS4 (iii), EN1 (i), EN2 & EN3 of the Rother District Local Plan Core Strategy 2014 and paragraphs 56, 58 and 115 of the National Planning Policy Framework.

Due to the relationship with the neighbouring property (Ivy Cottage) and the close proximity to the boundary, the outlook from the windows of the extension has resulted in an unreasonable level of overlooking to that property. This harms the amenities of the neighbouring property and is contrary to 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 return the roof structure to its previous condition as shown on the attached plan No.2, which was approved on appeal in 1993 under planning application reference RR/93/0326/P.

6. TIME FOR COMPLIANCE

Six months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11 January 2016 unless an appeal is made against it beforehand.

Dated: 1 December 2015

Signed:

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

Ref: MKN130

ANNEX

YOUR RIGHT OF APPEAL

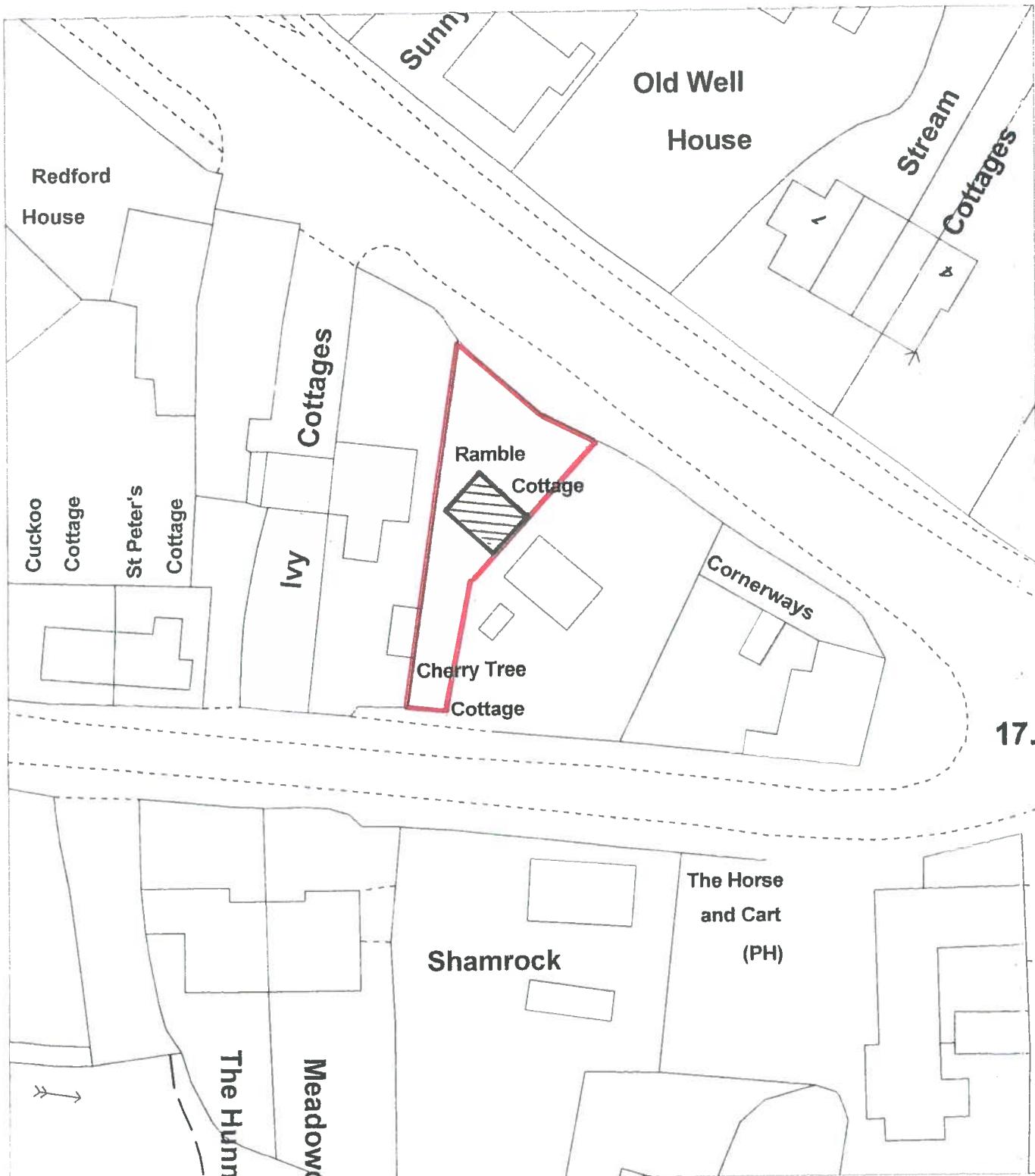
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date specified in paragraph 7 of the notice. The attached leaflet details how an appeal can be made.

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: Enforcement
File: Ramble Cottage
Scale: 1:500
N.G. Ref: TQ8922NW

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RR / 93 / 0326

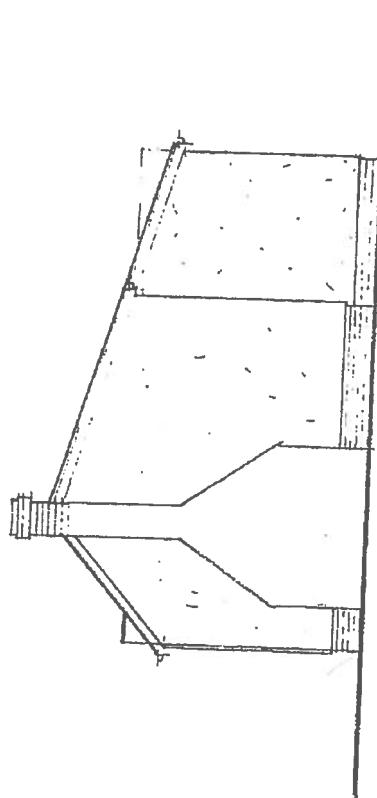
ROTHER DISTRICT COUNCIL
PLANNING DEPT.
• 9 MAR 1993
REF ID: G 100

PLAN No.2

Scale 1:100



REAR ELEVATION



SIDE ELEVATION