

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
SECTION 38**

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**LISTED BUILDING ENFORCEMENT NOTICE**

**ROTHER DISTRICT COUNCIL**

TO:  
Of:

**RECITALS**

1. Rother District Council ("the Authority") is the local planning authority for the purposes of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in relation to the building described in the First Schedule ("the Building") which building is included within a list approved or compiled under Section 1 of the Act.
2. It appears to the Authority that the works specified in the Second Schedule have been or are being executed to the building and are such as to constitute a contravention of Section 9(1) or (2) of the Act.
3. The Authority consider it expedient to issue this Notice having regard to the effect of the works on the character of the building as one of special architectural or historic interest.

**THE AUTHORITY GIVES NOTICE** that pursuant to the provisions of Section 38 of the Act it requires the steps in the Third Schedule to be taken within **three months** of the date upon which this notice takes effect for the submission of the method statement and within **four months** from the date of its approval in writing for the implementation of the works detailed in the steps in the Third Schedule, to restore the building to its former state.

This Listed Building Enforcement Notice shall take effect, subject to Section 39 of the Act, on 15<sup>th</sup> December 2018.

Dated: 31<sup>st</sup> October 2018

Signed:

Designation: Solicitor to the Council,  
Rother District Council  
(The Officer appointed for this purpose)

Council address:  
Town Hall, Bexhill-on-Sea, East Sussex TN39 3JX

Ref: MKN269

## SCHEDULE 1

### **Land or premises to which this Notice relates (“the listed building”)**

Simply Italian, formally called The Grist Mill, The Strand Rye, East Sussex

## SCHEDULE 2

### **Alleged breach of listed building control**

Without Listed Building consent or planning permission the erection of a large angular stainless steel extraction flue on the roof of a Grade II listed building in commercial use.

## SCHEDULE 3

### **Steps required to be taken**

Dismantle and remove the unauthorised flue in full accordance with a method statement; which statement to have first been submitted to an approved in writing by the Local Planning Authority.

ANNEXE - This does not form part of the Enforcement Notice.

### **Reasons why the Notice has been issued.**

The installation of the large unattractive stainless steel flue adversely affects the character and appearance of the listed building and its setting which is in a conservation area contrary to Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraphs 193 and 194 of the National Planning Policy Framework.

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Plan: Enforcement  
 File: ENF/95/17/RYE  
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