

Enforcement notice: Operational development without planning permission

## **IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (TCPA 1990)**

### **ENFORCEMENT NOTICE**

**Issued by:** Eastbourne Borough Council (the Council)

#### **1. ENFORCEMENT NOTICE**

**This is a formal notice** 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 TCPA 1990, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all 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 rear of 25 Baldesmere Road Eastbourne BN22 8TL, shown edged red on the attached plan (“the Land”).

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

Without planning permission, the siting of two containers on the Land

#### **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 containers in question have been in place for less than four years.
- The containers have a detrimental effect on the residential and environmental amenity of the surrounding residential area by reason of their size, form and design which is overbearing, unsympathetic and incongruous within this setting, and does not deliver high quality design that contributes positively to this area or enhances a sense of place, contrary to policies B2, D1 and D10a of the Eastbourne Borough Core Strategy Local Plan and saved policy UHT1 and H020 of the Eastbourne Borough Plan 2003.
- The positioning of the containers impedes access and visibility to the garage block to the detriment of pedestrian/highway safety and general accessibility and therefore does not accord with policies B2 and D1 of the Eastbourne Borough Core Strategy Local Plan

- The Council, under delegated powers, have refused a retrospective application, reference 210370, for the retention of 2 no. storage containers.
- The Council consider that planning permission should not be given, because planning conditions could not overcome these objections to the development.

**5. WHAT YOU ARE REQUIRED TO DO**

You must

- i. Remove both containers from the Land .
- ii. Clear all resultant debris from the Land .

**6. TIME FOR COMPLIANCE**

The periods for compliance with the steps set out in paragraph 5 are:

(I) One month from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 22<sup>nd</sup> September 2021 unless an appeal is made against it beforehand.

Dated: 11<sup>th</sup> August 2021

Signed:

on behalf of  
Eastbourne Borough Council

Nominated officer: Simon Cullen

Telephone number: 01323 415385