

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: Eastbourne Borough 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 47 Rodmill Drive, shown edged in red on the attached plan.

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

Without planning permission, the erection of an unauthorised elevated parking area and vehicle access crossing, in the approximate position marked with a cross on the attached plan and pictured in the enclosed photographs.

4. REASONS FOR ISSUING THIS NOTICE

This Notice is served principally for the detrimental effect it is having on the property and the wider area. These effects are summarised in the following points:

- The structure is highly visible from the highway and the surrounding area
- The change from garden to raised parking area significantly affects the character of the host property as well as that of the street scene
- Negative impact on outlook from the host property and 45 Rodmill Drive
- Intrusive and unneighbourly development

Furthermore, a similar scheme was submitted to and refused planning permission by Eastbourne Borough Council in 2010, having been found discordant with Policy HO20 of the Eastbourne Core Strategy and UHT1 of the Borough Plan Saved Policies. This decision was appealed by the applicant and the appeal subsequently dismissed by the Planning Inspectorate in 2011 and the proposal was found discordant with both of the aforementioned policies.

5. WHAT YOU ARE REQUIRED TO DO

The works must be demolished, all waste material removed from the site and the garden returned to its former appearance and ground level.

6. TIME FOR COMPLIANCE

Two calendar months following the date this Notice takes effect. For the avoidance of doubt, the Notice must be complied with by 2nd February 2017.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2nd December 2016, unless an appeal is made against it beforehand.

Dated: 2nd November 2016

Signed:

Leigh Palmer

Senior Specialist Advisor (Planning)

(the Council's authorised officer)

On behalf of: Eastbourne Borough Council

Nominated Officer: Thea Petts

Telephone Number: 01323 415773

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 acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal.

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 of the notice 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.