

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 60 Susans Road, Eastbourne, BN21 3TG shown edged in red on the attached plan for identification purposes only.

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

Without planning permission the conversion of the property into 5 self contained residential units and the erection of two ground floor single storey rear extensions facilitating this unauthorised change of use.

4. REASONS FOR ISSUING THIS NOTICE

The Department for Communities and Local Government have published Technical Housing Standards - Nationally Described Space Standards March 2015. These set a floor area of 37m² for a 1 bed 1 person flat and 61m² for a 2 bed 3 person flat.

The basement flat measures approximately 29m² in floor space. This is well below the above recommendation of 37m². Additionally this flat provides very little natural daylight or ventilation as there are no windows to the bedroom. There is a sole window to the flat which is to the living room from the rear elevation. This flat is considered to provide sub-standard accommodation for current and future occupiers.

The basement flat is below ground level to the rear, and previously had no access except through the ground floor shop. Two single storey rear extensions facilitate the change of use of the basement to a self contained flat as they

house the entrance steps and bathroom. These extensions are considered unacceptable on the grounds they facilitate an unauthorised change of use.

The mezzanine flat is 21m² in floor space, this is a single bedroom, with small shower room and living/kitchen area, again this is well below the recommendation of 37m² for a single occupancy flat. The ground floor extension facilitating the unauthorised change of use of the basement by housing the bathroom has been built directly in front of the main window to the living accommodation of the mezzanine flat and therefore impacting on the outlook and natural daylight available. This flat is considered to provide sub-standard accommodation for future occupiers.

The first floor is split into a studio 15.5m² including a small shower room and a two bed flat at 37m².

Studio flats are not included in the above recommended standards as such but would come under a 1 bed single occupancy with a recommendation of 37m². Therefore this flat is considered to provide sub-standard accommodation for future occupiers by virtue of the lack of living space.

The 2 bed flat at first floor level at 37m² is well below the recommendation of 61m² in terms of floorspace and provides very little living space for occupants. The layout of the flat is such that provides only 13.5m² of floorspace for the living/dining/kitchen area which is considered to provide sub-standard accommodation for future occupiers.

There is an additional 1 bed flat in the roofspace this is 38m², this would be in line with the requirements for a single occupancy flat. However the layout provides a bedroom of such a shape that the space is unusable. By virtue of the small spaces and layout this flat is considered to provide substandard accommodation for future occupiers.

5. WHAT YOU ARE REQUIRED TO DO

Cease the unauthorised use of the property as separate residential units and restore the property to its previous lawful use, for a shop at ground, basement and mezzanine floors and a single residential unit on the first and second floors, by undertaking the following steps;

Unauthorised use of Basement

- Remove the ground floor single storey rear extension to the northern boundary and restore the property to its previous condition with a door to ground floor/mezzanine level as shown on Drawing 1 entitled no ES/43-01 attached with this notice, from planning permission dated 27 February 2006 (Ref: 050578);
- Remove the ground floor single storey rear extension to the southern boundary and restore the property to its previous condition making good the wall and window;

- Cease the occupation of the basement level as residential accommodation;
- Remove the kitchen and bathroom facilities from the basement; and
- Restore the basement level to that shown on Drawing 1 entitled no ES/43-01 attached with this notice, from planning permission dated 27 February 2006 (Ref: 050578), as associated floorspace for the ground floor retail unit.

Unauthorised use of Mezzanine Floor

- Cease the occupation of the mezzanine level for residential accommodation;
- Remove the kitchen and bathroom facilities from the mezzanine floor; and,
- Restore the mezzanine level to that shown on Drawing 1 entitled no ES/43-01 attached with this notice, from planning permission dated 27 February 2006 (Ref: 050578), as associated floorspace for the ground floor retail unit.

Unauthorised use of First and Second Floor Levels

- Cease the occupation of the studio flat at first floor level to the rear of the building for self contained residential purposes;
- Cease the occupation of the two bedroom flat at first floor level to the front of the building for self contained residential purposes;
- Cease the occupation of the one bedroom flat at second floor level for self-contained residential purposes;
- Restore the first and second floor levels to one single residential property by removing any locked doors save for a single entrance door;
- Remove the Bathroom and Kitchen Facilities at first floor level to the rear of the building currently occupied as a studio flat and restore to one single room;
- Remove either the first floor kitchen facilities currently used within the flat at the front of the building, or the second floor kitchen facilities.

6. TIME FOR COMPLIANCE

6 months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 8 April 2016, unless an appeal is made against it beforehand.

Dated: 25 February 2016

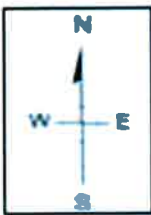
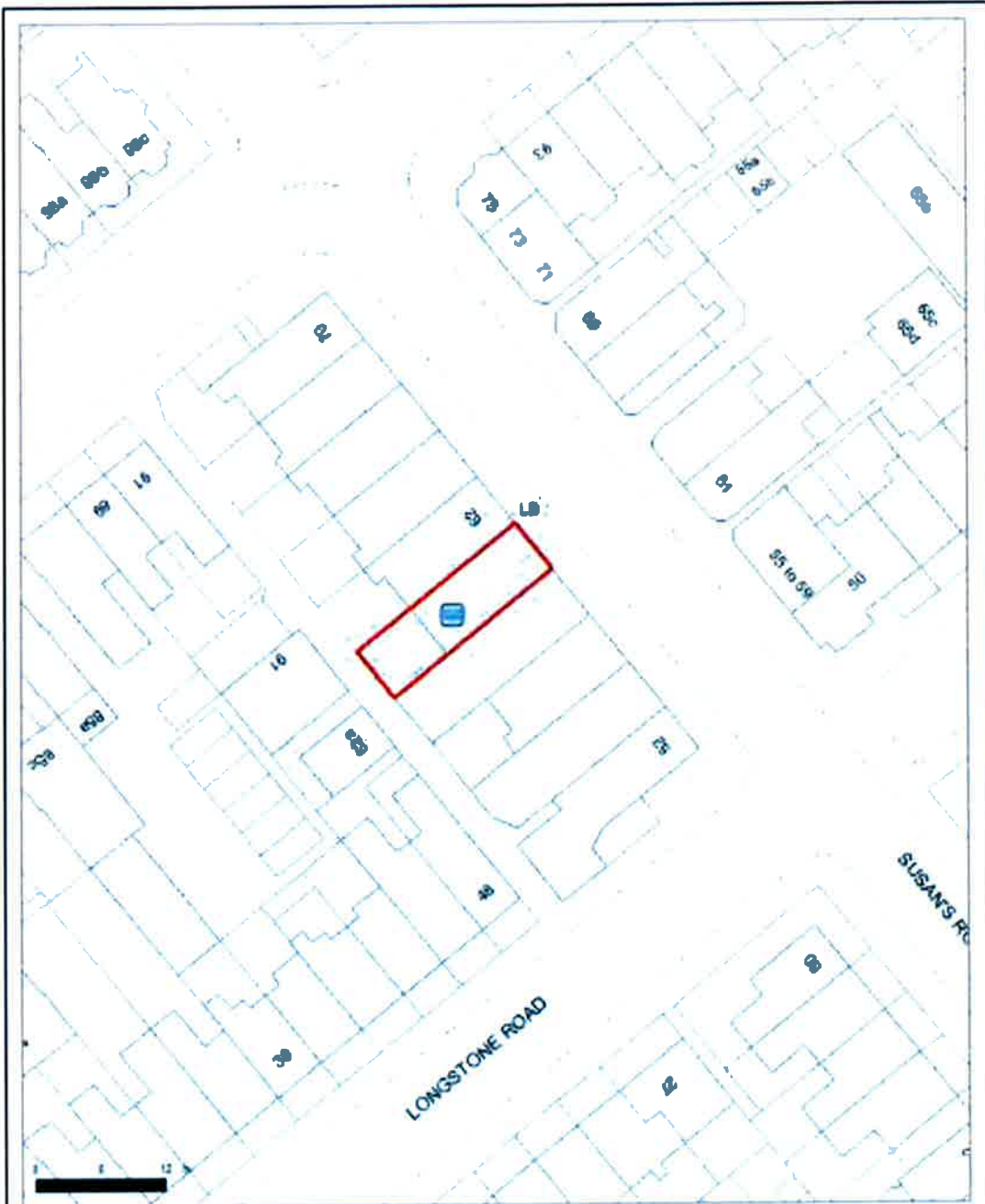


Signed:
(Council's authorised officer)

On behalf of: Eastbourne Borough Council, 1 Grove Road, Eastbourne, BN21 4TW.

Nominated Officer: Anna Clare

Telephone Number: 01323 415644



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1:500
 60 Susans Road, Eastbourne. BN21 3TG



