

**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 (b) 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 AFFECTED BY THIS NOTICE**

Land at 24 Sevenoaks Road, Eastbourne, BN23 7LZ shown edged red on the attached plan for identification purposes only.

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

On 12<sup>th</sup> July 1973 planning permission was granted by the Council under reference number EB/1973/0595 for the *Erection of 12 terraced houses and garages and construction of road connection between Sevenoaks Road and Langney Rise*, subject to conditions.

Condition 8 provides that "No fences, hedges, gates or walls shall be erected or grown between the proposed highway and the front building lines of the proposed dwellings."

It appears to the Council that the condition is not being complied with, because fences have been erected between the highway and the front building lines of the dwellings on both Reynolds Road and Sevenoaks Road the approximate position of which is shown for identification purposes in blue on the attached plan. The fences are shown in attached photographs 1 to 4.

#### **4. REASONS FOR ISSUING THIS NOTICE**

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

The property which is subject of this Notice is located on the corner where Reynolds Road and Sevenoaks Road meet. The nature and shape of the plot mean that the side (Reynolds Road) and front (Sevenoaks Road) boundaries are located between the front building line and the highway of both roads. The fences, following the extremities of the property's boundaries are subsequently situated between the highway and the front building line of Reynolds Road and Sevenoaks Road.

The fences and posts by reason of their prominent position, height and design appears as a prominent intrusive alien feature within the streetscene which detracts from and is wholly out of keeping with the character of the open plan' estate and is detrimental to the visual amenities of the area. And is therefore contrary to Saved Policies UHT1 and UHT4 of the Eastbourne Borough Plan 2007 and Policies B1, B2 and D10a of the Eastbourne Core Strategy Local Plan 2013.

Retrospective Planning permission for the retention of the fences was refused by the Council and an appeal under section 78 TCPA 1990 was dismissed (APP ref T 1410/D/16/314286). The Inspector concluded that the enclosure of the garden by fencing has an unacceptably harmful effect on the character and appearance of the area and was in conflict with the policies cited above.

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

1. Permanently remove the boundary fences (including posts, panels and any other fixing associated with the fences) identified by a blue line on the plan and shown in photographs 1 to 4 attached to the Notice
2. Permanently remove any resulting material from the land.

#### **6. TIME FOR COMPLIANCE**

2 months from the date this notice takes effect.

#### **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 20<sup>th</sup> October 2017, unless an appeal is made against it beforehand.

**Date:** 15<sup>th</sup> September 2017

**Signed:** ..... 

Mr Leigh Palmer

**Senior Specialist Advisor – Planning**

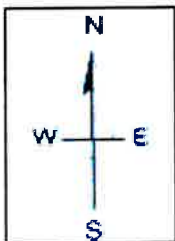
(The Council's Authorised Officer)

**On behalf of:** Eastbourne Borough Council, 1 Grove Road, Eastbourne, East Sussex, BN21 4TW

**Nominated Officer:** Thea Petts (**Specialist Advisor**)

**Telephone Number:** (01323) 415773

# PLAN



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24 Sevendaks Road

**EASTBOURNE**

Borough Council



[www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)

**PHOTOGRAPH 1**



**PHOTOGRAPH 2**



**PHOTOGRAPH 3**



**PHOTOGRAPH 4**

