

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 at Premier Extra 28 Seaside Road Eastbourne East Sussex BN21 3PB, 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 erection of a canopy structure forward of the principal elevation 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 canopy structure on the façade, by nature of its positioning and overall form, scale, density and design, is detrimental to the amenity of neighbouring properties, contrary to Eastbourne Borough Plan Saved Policy UHT1 (Design of new development), Policy B2 of the Eastbourne Core Strategy 2013.
- The canopy structure is visually bulky, stark and an overbearing structure due to its size, height, and bulk and as such is contrary to paragraphs 59, 135, a-d, and 139, a-b of the National Planning Policy Framework.
- 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**

- i. Remove the canopy structure in its entirety.
- ii. Clear all resultant debris.

**6. TIME FOR COMPLIANCE**

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

- (I) Two months from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 4<sup>th</sup> April 2024 unless an appeal is made against it beforehand.

Dated: 22<sup>nd</sup> February 2024

Signed:

A solid black rectangular box redacting the signature of the official.

on behalf of  
Eastbourne Borough Council

Nominated officer: Daisy Darcy

Telephone number: 07925 338885