

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

To: |

Issued by: East Staffordshire Borough Council, The Maltsters, Wetmore Road, Burton upon Trent, Staffordshire DE14 1LS (“the Council”)

1. **This is a formal notice** which is issued by the Council, because it appears to it 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. It considers 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 this notice contains important additional information.

2. **The land to which this notice relates:**

The land at 201 Rosliston Road, Stapenhill, Burton upon Trent, Staffordshire, DE15 9RF, shown edged in red on the attached plan (“the Land”).

3. **The matters which appear to constitute the breach of planning control:**

Without planning permission, the creation of a balcony with railings over existing rear extension on the Land, in the position shown hatched in black on the attached plan.

4. **Reasons for issuing this notice:**

The Council considers it expedient to issue this notice for the following reasons:

- (1) It appears to the Council that the above breach of planning control has occurred within the last four years.
- (2) The position of the balcony is such that it unacceptably overlooks neighbouring gardens to the detriment of the amenities of residents contrary to the requirements of Local Plan Saved Policy H6, the East Staffordshire Design Guide (particularly Paragraph 1.3.71 and Appendix 1) and the National Planning Policy Framework (particularly Paragraphs 6, 7, 8, 9, 11, 12, 14 and 17).
- (3) The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections.

5. **What you are required to do:**

Remove the railings from the roof of the extension as described in paragraph 3. above.

6. Time for compliance:

28 days beginning with the day on which this notice takes effect.

7. When this notice takes effect:

This notice takes effect on 30th July, 2015 unless an appeal is made against it beforehand.

Dated:

18th July 2015

Signed:

Interim Legal Services Manager (Solicitor)
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, The Maltsters, Wetmore Road, Burton upon Trent, Staffordshire DE14 1LS



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ANNEX

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- On-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- By getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- The name of the local planning authority;
- The site address;
- Your address; and
- The effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

NORTHGATE SE GIS Print Template



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