

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

Issued to: Network Rail Infrastructure Limited, Kings Place, 90 York Way, London, N1 9AG

Issued by: East Staffordshire Borough Council, P.O. Box 8045, Burton upon Trent, Staffordshire DE14 9JG

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 known as Branston Crossing, Warren Lane, Branston, Staffordshire shown edged in red on the attached plan ("the Land").

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

Unauthorised erection of footbridge without planning permission.

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 footbridge by reason of its design and materials is bulky, incongruous and entirely incompatible with the surrounding residential context to the detriment of the character and appearance of the locality.
- (3) The siting of the footbridge within 1.7m of properties in Bramwell Close, Branston results in a development which is overbearing and has an intrusive impact on these dwellings, which also results in a loss of outlook and direct sunlight to the rear of these properties to the detriment of the amenities of their properties.

- (4) The footbridge is contrary to Section 7 and paragraphs 17 and 207 of the National Planning Policy Framework (March 2012) and policy BE1 of the East Staffordshire Local Plan Saved Policies.
- (5) 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

- (1) To dismantle the footbridge
- (2) Remove all resultant material from the site

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 25th November 2012 unless an appeal is made against it beforehand.

Dated: 25th October 2012]

Signed:

Legal Services Manager (Solicitor)
(The Council's authorised officer)

On behalf of: East Staffordshire Borough Council, P.O. Box 8045, Burton upon Trent,
Staffordshire DE14 9JG

Annex

YOUR RIGHT OF APPEAL

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 the Planning Inspectorate on 0117 372 6372 or by emailing them at enquiries@pins.gsi.gov.uk

You must make sure that they 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:-

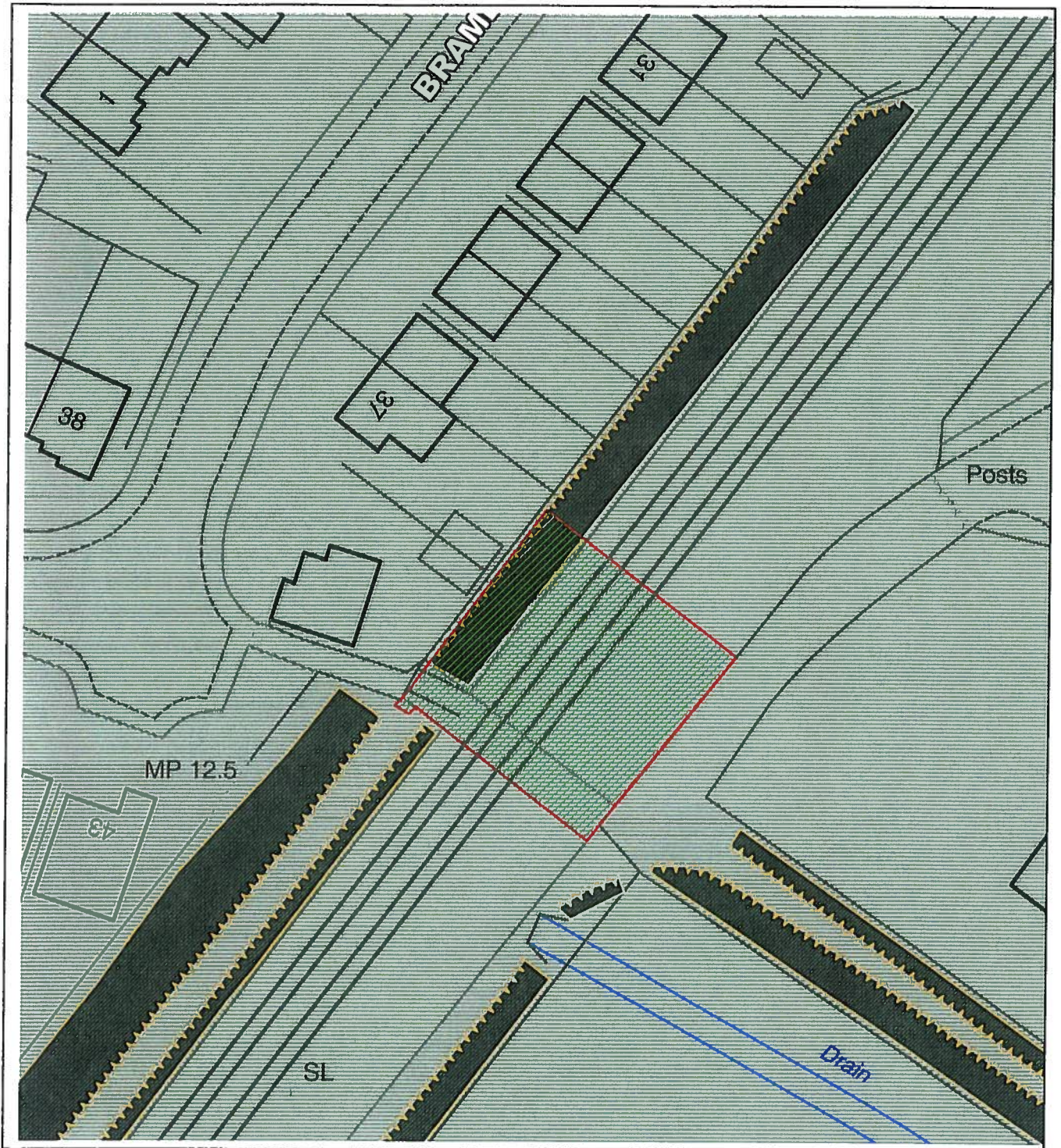
- The name of the local planning authority
- The site address
- Your address
- The effective date of the enforcement notice

The Planning Inspectorate must receive this before the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.

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 this 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 this notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

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