

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (TCPA 1990)

BREACH OF CONDITION NOTICE

Served by: Lewes District Council, Legal Services, Southover House, Southover Road, Lewes, East Sussex, BN7 1AB (the Council)

To:

[REDACTED] of Old Station Masters House, Barcombe Mills Station, Barcombe, Lewes, East Sussex, BN7 2NF, and

THE OCCUPIERS of the Land, as defined in this notice.

1. BREACH OF CONDITION NOTICE

This is a formal notice served by the Council, under section 187A of the TCPA 1990, because the Council consider that conditions imposed on a grant of planning permission, relating to the land described in paragraph 2 below, have not been complied with. The Council consider that you should be required to comply with the conditions specified in this notice. The Annex at the end of this notice contains important additional information.

2. THE LAND AFFECTED BY THIS NOTICE

Land at Railway Cottages, Barcombe Mills Road, Barcombe, Lewes, East Sussex, BN8 5BL shown edged red on the attached plan ("the Land").

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 12 September 2001 under reference number LW/01/1038/F for change of use and alteration and extension to florist's shop to provide two holiday chalets, and is attached to this notice ("Planning Permission").

The holiday chalets are in the building shown outlined in blue on the attached plan.

4. THE BREACH OF CONDITION

The following conditions of the Planning Permission have not been complied with:

Condition 1:

"The conversion hereby permitted shall be used for short term holiday accommodation only and for no other purpose (including any purposes in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order.

Reason – permission is only granted on the basis the use is for holiday accommodation"

Condition 2:

"The building hereby permitted shall not be occupied by any individual or group of individuals for any period which exceeds 28 consecutive days or involves any reoccupation by that individual or group of individuals within 28 days of the end of that period in any one calendar year unless prior written approval has been granted by the Local Planning Authority.

Reason – Permission is only granted on the basis that the use is for holiday accommodation."

Conditions 1 and 2 have not been complied with. A retrospective planning application was submitted to the Council for continued use of two self-contained holiday units as permanent residential living. The application was refused on appeal by the Planning Inspectorate on 26 April 2013.

5. WHAT YOU ARE REQUIRED TO DO IN RELATION TO THE BREACHES OF CONDITIONS

As the person responsible for the breaches of conditions specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following step:

- (i) Cease residential occupation of the Land.
- (ii) Use the Land in accordance with the Planning Permission together with all conditions subject to the Permission.

6. **PERIOD FOR COMPLIANCE**

Two calendar months beginning with the day on which this notice is served on you.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect:

- Immediately, if it is served on you in person.
- On the day you received it by post.

Dated: 12 September 2013 (Date of issue)

Signed


Corporate Head - Legal & Democratic Services
on behalf of Lewes District Council

ANNEX

WARNING

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.

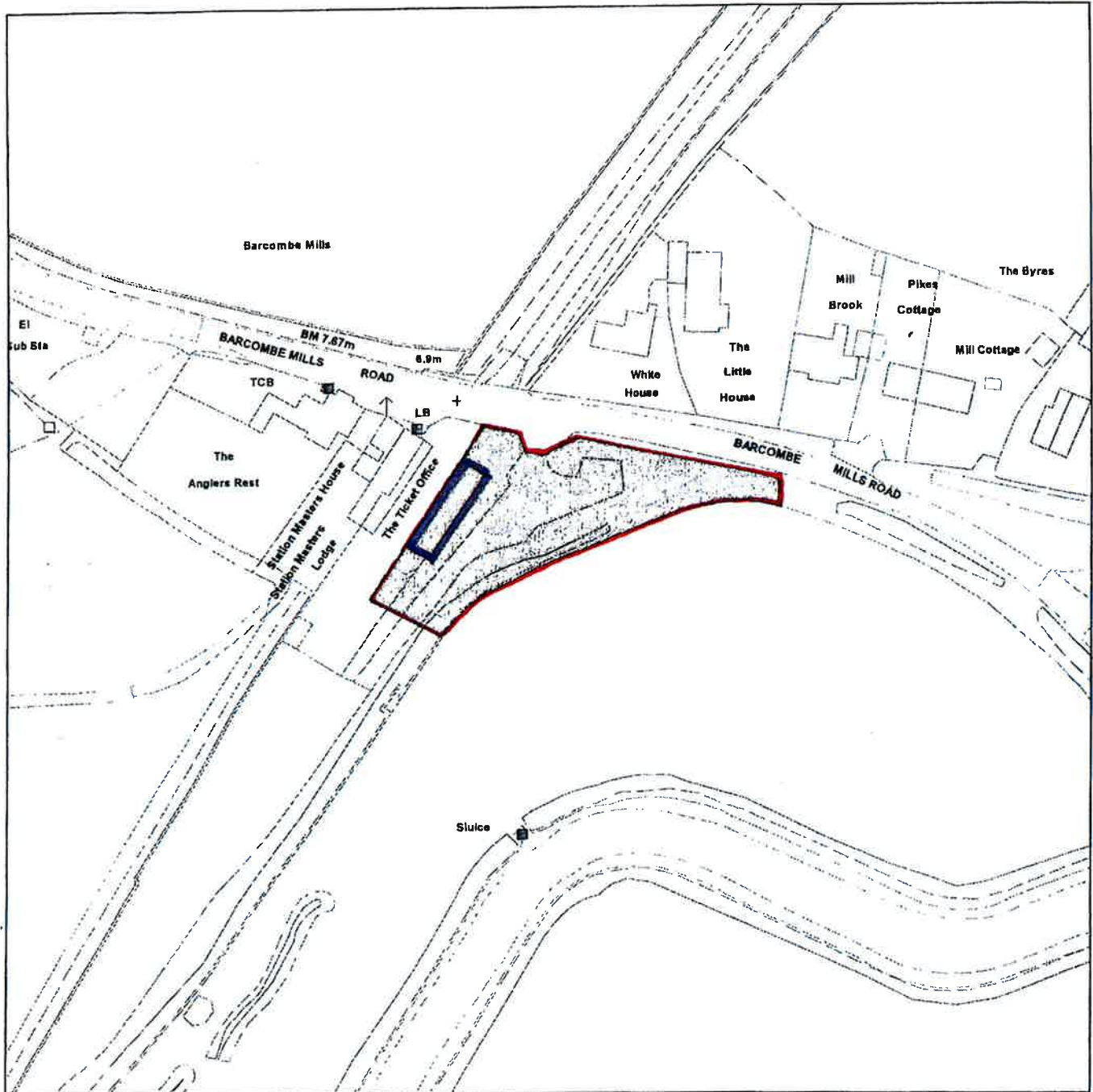
It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate** prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence.

If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Jennifer Baxter, the Council's Senior Enforcement Officer, Southover House, Southover Road, Lewes, East Sussex, BN7 1AB or by telephone 01273 471600.

If you do need independent advice about this notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters urgently.

If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Railway Cottages, Barcombe Mills Station



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	EN/06/0510
Date	20 December 2006
SLA Number	Not Set

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995

NOTICE OF PLANNING PERMISSION

Parish: Barcombe	Application No: LW/01/1038F
Site Location: Florist's Shop adjoining Station House, Barcombe Mills	
Proposal: Change of use and alteration and extension to florist's shop to provide two holiday chalets	
Applicant: Mr A Slater c/o Messrs Clifford Dann Albion House, Albion Street Lewes East Sussex BN7 2NF	

With reference to the proposals for the development of land set out in the above numbered application and shown on the plans submitted therewith, the Lewes District Council in exercise of its powers under the Town and Country Planning Act 1990 and the Town and Country Planning General Development Order 1995, hereby **GRANT PERMISSION FOR THE DEVELOPMENT IN ACCORDANCE WITH THE SAID PROPOSALS (SUBJECT TO DUE COMPLIANCE WITH THE CONDITIONS ATTACHED, IMPOSED FOR THE REASONS STATED THEREUNDER).**

virtue of Section 91 of the Town and Country Planning Act 1990, the development to which this permission relates will be begun not later than the expiration of FIVE YEARS beginning with the date on which this permission is granted.

Permission is granted subject to due compliance with The Building Regulations and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance and shall not be taken as granting any licence or approval for any other purposes whatsoever.

Your attention is drawn to the Party Wall Act 1996 and your responsibilities to your neighbours under this legislation.

Copies of the application and plan(s) are returned herewith.



Director of Planning
& Environmental Services

12 SEP 2001 Date

Lindsay Frost BA(Hons) DipTP MRTPI
Director of Planning & Environmental Services
Lewes District Council
PO Box 2707 Southover House
Southover Road Lewes
East Sussex
BN7 1DW
Tel: 01273 471600

SCHEDULE OF CONDITIONS AND REASONS RELATING TO

Application No. L.W/01/1038F

1. The conversion hereby permitted shall be used for short term holiday accommodation only and for no other purpose (including any purposes in Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order.

Reason – Permission is only granted on the basis that the use is for holiday accommodation.

2. The building hereby permitted shall not be occupied by any individual or group of individuals for any period which exceeds 28 consecutive days or involves any reoccupation by that individual or group of individuals within 28 days of the end of that period in any one calendar year unless prior written approval has been granted by the Local Planning Authority.

Reason – Permission is only granted on the basis that the use is for holiday accommodation.

3. Before the development hereby approved is commenced on site, details/samples of all external materials including external facing materials, roofing materials and fenestration, shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason – To ensure a satisfactory development in keeping with the locality.

4. Before the development hereby approved is commenced on site, details/samples of all surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason – To ensure a satisfactory development in keeping with the locality.

5. No building shall be occupied until vehicle parking spaces have been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these spaces shall be made permanently available for that use.

Reason – To secure satisfactory standards of access for the proposed development.

6. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1 Classes A to E of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason – A more intensive development of the site would be likely to adversely affect the appearance and character of the area.