

**IMPORTANT- THIS NOTICE AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(AS AMENDED BY THE PLANNING AND**  
**COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY:** Lewes District Council, Lewes House, 32 High Street, Lewes BN7 2LX  
("the Council")

1. **THIS NOTICE** is issued by the Council because it appears to it that there has been a breach of planning control, within paragraph (b) of section 171A (1) of the above Act, at the land described below. It is considered 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 the notice and the enclosures to which it refers contain important additional information.

**2. THE LAND TO WHICH THIS NOTICE RELATES**

Land at 23 and 25 Springfield Avenue, Telscombe Cliffs Peacehaven, East Sussex and shown edged in red on the attached plan ("the Land").

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

On 29 March 2011 planning permission was granted by the Council under reference number LW/11/ 0107 for the erection of a three bedroom detached bungalow, subject to conditions.

Condition 4 of the conditions reads:

*"No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority [the Council] a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation or in accordance with a timetable agreed in writing with the Local Planning Authority [the Council]. Development shall be carried out in accordance with the approved details*

*Reason: To enhance the general appearance of the development having regard to policy ST3 of the Lewes District Local Plan."*

It appears to the Council that the condition has not been complied with, because development and occupation of the Land has taken place and written approval from the Council in accordance with this condition has not been obtained.

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

(i) It appears to the Council that the above breach of planning control has taken place within the last ten years.

(ii) Between points 1 and 4 on the attached plan the boundary hedge has been removed and a fence has been erected.

(iii) Between points 1 and 2 on the attached plan a fence has been erected across the garden to create a boundary within the Land.

(iv) Between points 2 and 3 on the attached plan there is no boundary treatment.

(v) The boundary treatment carried out in paragraphs (ii) to (iv) above unacceptably affects the general appearance of the development and the character and appearance of the locality, contrary to Policy ST3.

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

- i) Erect 1.8 metre high close boarded fence between points 2 and 3 on the attached plan.
- ii) Remove all resultant materials arising from the compliance with step i) from the Land.
- iii) Remove the fence between points 1 and 4 on the attached plan and plant container grown species *Euonymus Japonicus*, of a size not less than 3 litre sized pots, planted in double staggered rows at 100cm centres between points 1 and 4 on the attached plan and 50cm from the neighbouring boundary. In the event that any plant dies, or any plant planted in replacement of it dies, another *Euonymus japonicus* of the same size shall be planted in the same place unless other wise agreed, in writing, by Lewes District Council.
- iv) Remove all resultant materials arising from the compliance with step iii) from the Land.

## **6. TIME FOR COMPLIANCE**

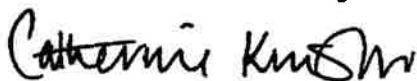
One month after this notice takes effect.

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

This notice takes effect on 15 May 2013, unless an appeal is made against it beforehand.

Date: 16 April 2013 (Date of issue)

Signed:



Corporate Head - Legal & Democratic Services  
On behalf of Lewes District Council, Lewes House, 32 High Street, Lewes, East  
Sussex, BN7 2LX.

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

You can appeal against this enforcement notice, but any appeal must be **received** by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) **before** the date specified in paragraph 7 of the notice.

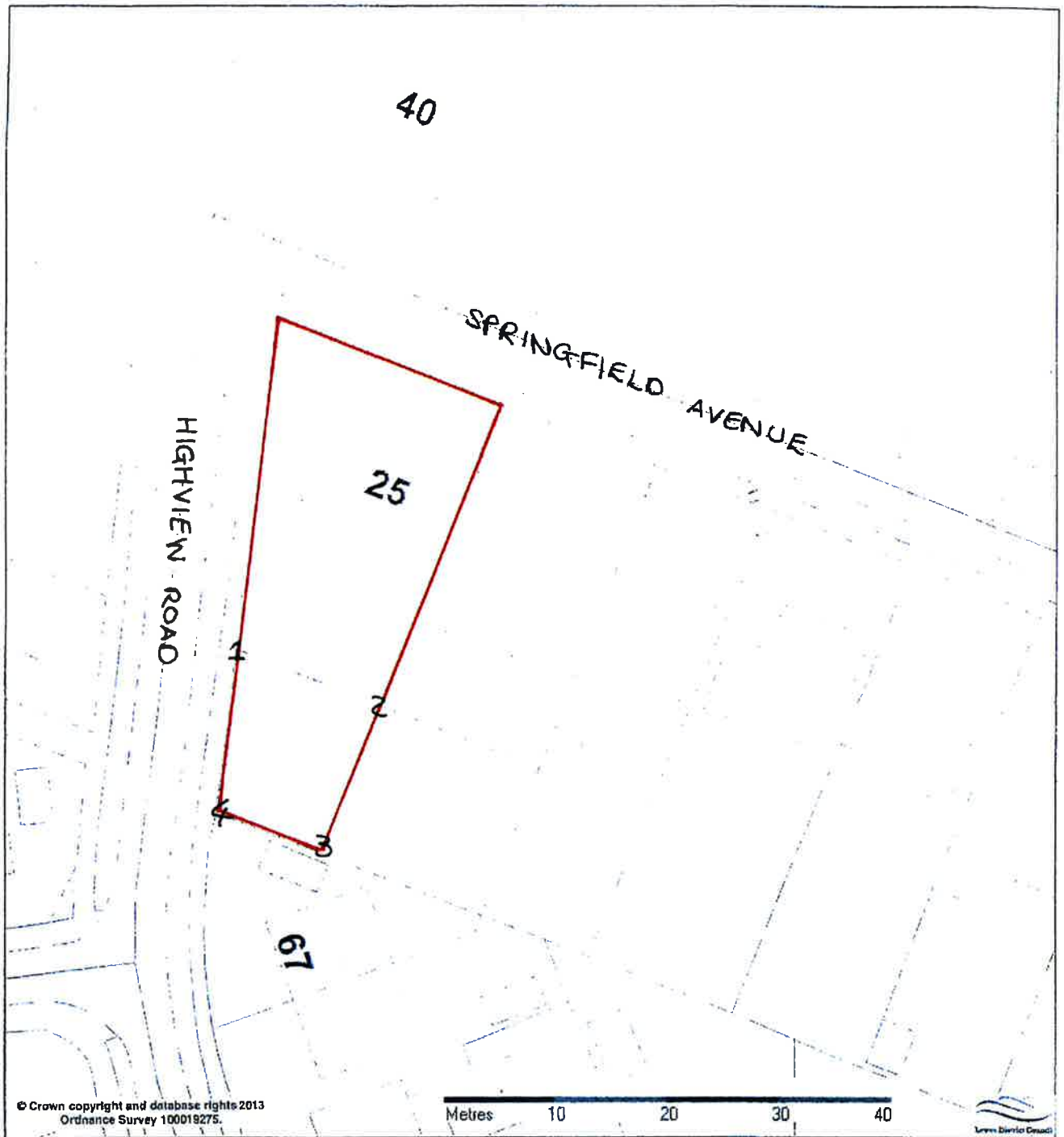
If you want to appeal against this enforcement notice you can do it:

- On-line at the Planning Casework Service area of the Planning Portal ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)).
- By getting enforcement appeal forms from the Planning Inspectorate on 0117 372 6372 or by e-mailing the Planning Inspectorate at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk).

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.





## Land at 23 and 25 SPRINGFIELD AVENUE

### Telscombe Cliffs



Organisation	Lewes District Council
Department	
Comment	
Date	16 April 2013
Scale	1:500

