

Full name: 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: Lewes District 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 PARCEL BETWEEN NOS. 128 & 130 COURT FARM ROAD, NEWHAVEN, EAST SUSSEX 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 fence and gates, classed as unauthorised development.

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 unauthorised development in question was substantially completed less than four years ago.
- The development is contrary to;
 - CP11 (Built and Historic Environment and High Quality Design) of the Lewes District Local Plan Part 1 JCS 2010-2030
 - DM25 (Design), of the Lewes District Local Plan Part 2 by reason of its inappropriate scale, form and height that are incompatible alongside the existing buildings.

- D1 of the Newhaven Neighbourhood Plan by reason the development does not respond to the local surroundings, landscape and context as well as built environment
- Paragraphs 127 (c) and 130 of the NPPF

By reason of its detrimental impact on the character and appearance of the land and its surrounding area.

- A section 73A retrospective planning application LW/20/0843 was refused under delegated powers on 22 February 2021 on the following grounds, the proposals were considered to detrimentally impact the character and appearance of the land and surrounding area , were in conflict with Policy DM25 (Design) of the Lewes District Core Strategy , Policy D1 of the Newhaven Neighbourhood Plan and Policy CP11 of the Lewes District Joint Core Strategy and section 130 of the NPPF
- 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

You must

- (i) Remove the unauthorised fence and gates from the Land in their entirety
- (ii) Clear all resultant materials and debris resulting from its removal

6. TIME FOR COMPLIANCE

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

- (i) and (ii) Three months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 23rd June 2021 unless an appeal is made against it beforehand.

Dated: 19th May 2021

Signed: [REDACTED]

on behalf of Lewes District Council

Nominated officer: Simon Cullen

Telephone number: 07935 085762