

TOWN AND COUNTRY PLANNING ACT 1990

(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

IMPORTANT - this communication affects your property

BREACH OF CONDITION NOTICE

SERVED BY: Lewes District Council, Lewes House, 32 High Street, Lewes, BN7 2LX

To: [REDACTED] Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

1 **THIS NOTICE** is served by the Council under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to secure compliance with the condition specified in this notice. The Annex at the end of this Notice contains important additional information.

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

Land at Bowden House School, Firle Road, East Blatchington, Seaford, East Sussex, BN25 2JB ("the Land") shown edged in red on the attached Site Plan).

3 **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this Notice relates is the permission granted by the Planning Inspectorate on 10 November 2010 for the demolition of the existing Bowden House School and construction of a new BESD school building with sports hall, new residential block and external store building. Application Ref: LW/10/0053 Appeal Ref: APP/P1425/A/10/2132513.

4 **THE BREACH OF CONDITION**

The following condition has not been complied with:

Condition 5 of Schedule of conditions to appeal decision APP/P1425/A/10/2132513:

“5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: hard surfacing materials; planting plans (including the buffer strip along the south-east boundary of the site, and all additional planting along the remaining boundaries); an implementation programme; and a maintenance regime (including provision for replacing trees which are removed, uprooted, destroyed or die within two years of planting) for both hard and soft landscape works.”

Details of landscape works have been submitted and approved in writing by the local planning authority see Appendix 1 and Plan LAN012 Rev A, attached. The works that have been carried out are not in accordance with the approved plan LAN012 Rev A, in that the hard surface area has been increased by the construction of a lay-by adjacent to the site entrance in the southwest corner of the Site as shown outlined in red the plan titled LAY-BY and shown in the attached photographs.

5 **WHAT YOU ARE REQUIRED TO DO**

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to secure compliance with the stated Condition by taking the following steps:

- (i) remove the lay-by;
- (ii) carry out the hard and soft landscape works in accordance with approved plan LAN012 Rev A, attached;
- (iii) remove from the Land all materials, rubble and refuse arising from compliance with (i) and (ii) above.

Period for compliance: 30 days beginning with the day on which this Notice is served on you.

Dated: 20 November 2012

Signed

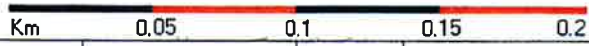
Corporate Head - Legal & Democratic Services
on behalf of Lewes District Council

Bowden House School, Firle Rd

Site Plan



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Date	24 September 2012	Scale	1:2500
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ANNEX

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY THAT YOU RECEIVED IT BY POST

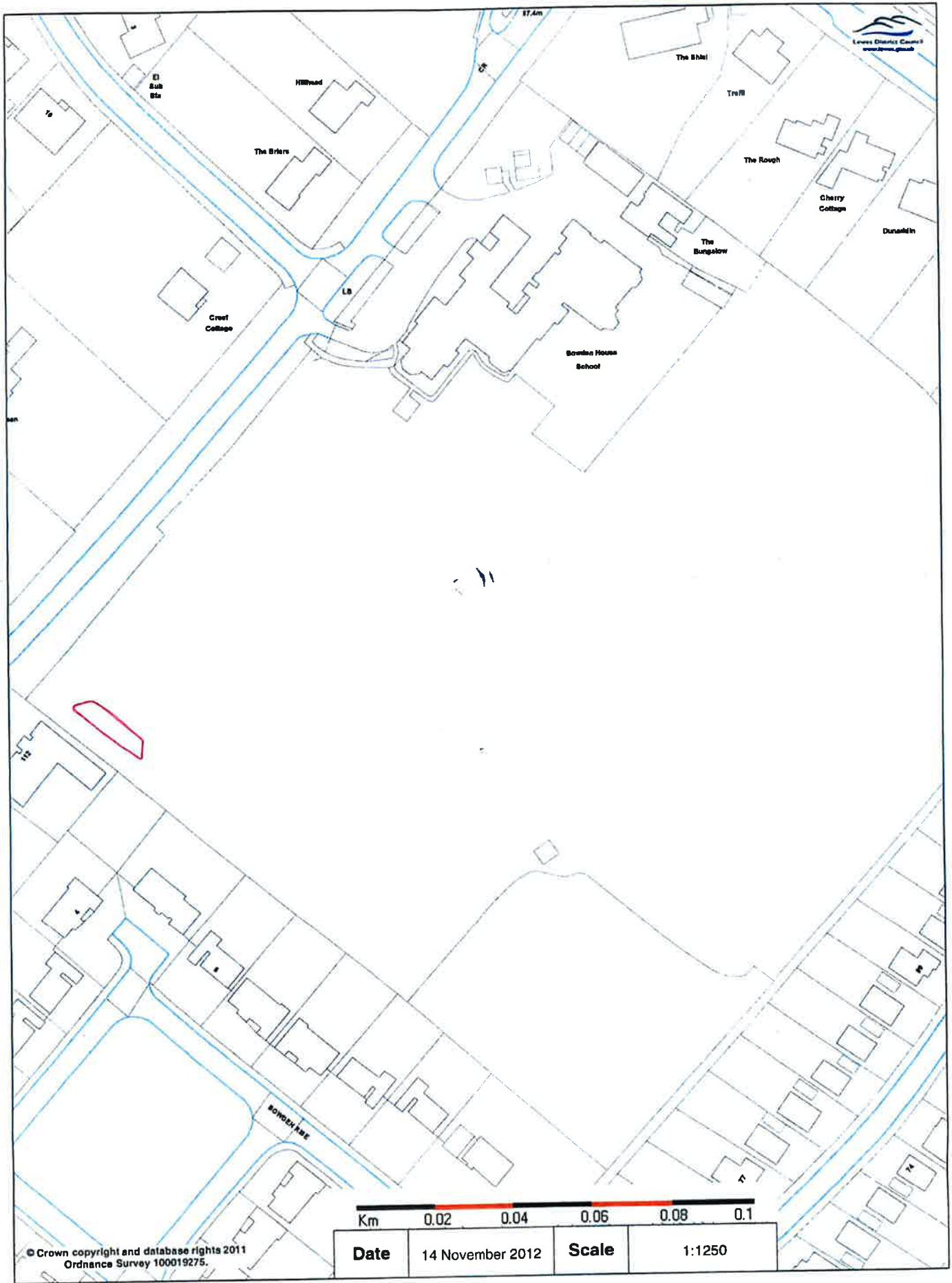
THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE

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 Magistrate's 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 contact Lewes District Council, Lewes House, 32 High Street, Lewes, BN7 2LX (01273 484225).

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

LAY-BY

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Date	14 November 2012	Scale	1:1250
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