

**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 at Jackies Lane, Newick, 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 change of use of the land to the use for the storage of a caravan, one timber structure, two storage containers, vehicles, horse trailer, machinery, timber and any other materials stored on the Land as shown in the attached photographs

**4. REASONS FOR ISSUING THIS NOTICE**

- It appears to the Council that the above breach of planning has occurred within the last ten years.
- The development is contrary to development plan policies; CP10 of the Joint Core Strategy, that seeks to conserve and enhance the high quality and character of the districts towns villages and rural environment, 'saved' policies CT1 of the Lewes District Local Plan which concerns the protection of the countryside from encroachment by inappropriate development in order to safeguard the setting and character of the area. And Paragraph 58 (Enforcement) of The National Planning Policy Framework.
- It is considered that the unauthorised storage use is harmful to the visual amenities of the area.

- 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 caravan, one timber structure, two storage containers, vehicles, horse trailer, machinery, timber and any other materials stored on the Land
- (ii) Cease the use of the Land for the storage of any items and materials.

**6. TIME FOR COMPLIANCE**

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


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

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 9 December 2019, unless an appeal is made against it beforehand.

Dated: 04 November 2019

Signed:

on  behalf of  
Lewes District Council

Nominated officer: Jennifer Baxter

Telephone number: 01273 085446

**ANNEX**

Lewes District Council has issued an enforcement notice relating to Land at Jackies Lane Newick and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this 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 intend to appeal against this notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this notice

## GROUNDS OF APPEAL

The grounds of appeal are set out in section 174 of the TCPA 1990. You may appeal on one or more of the following grounds that:

In respect of any breach of planning control which may have been constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged (ground a).

Those matters have not occurred (ground b).

Those matters (if they have occurred) do not constitute a breach of planning control (ground c).

At the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters (ground d).

Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990 (ground e).

The steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach (ground f).

Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed (ground g). Not all of these grounds may be relevant to you.

## PLANNING APPLICATION FEE

If you appeal under ground (a) of section 174(2) of the TCPA 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £462.00. You should pay the fee to Lewes District Council. If the fee is not paid then that ground of appeal will not be valid,

## STATEMENT ON GROUNDS OF APPEAL

If you decide to appeal, you should state in writing the grounds(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

## STATUTORY PROVISIONS

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 is attached for your information.

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

RECIPIENTS OF THE ENFORCEMENT NOTICE

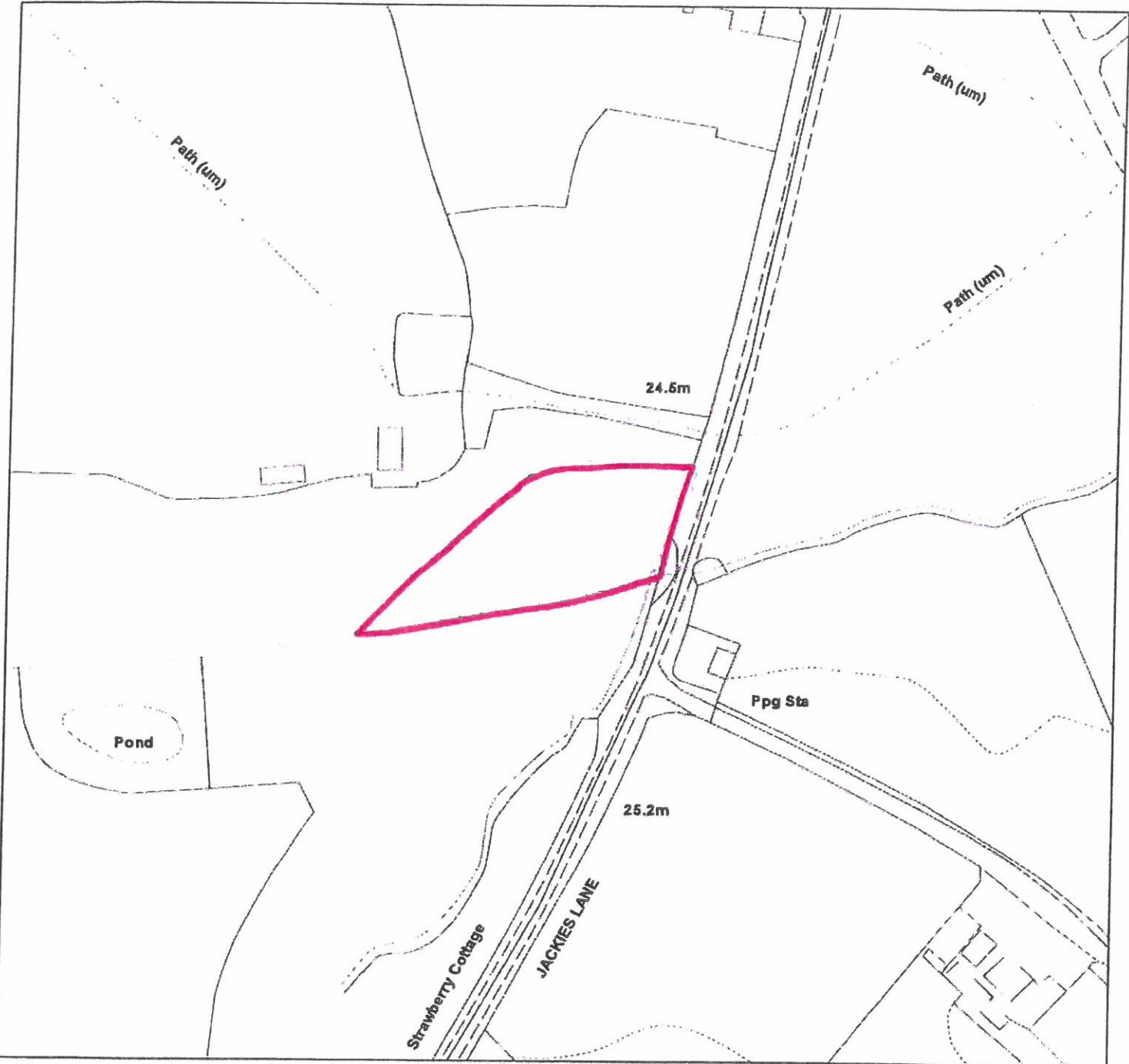
**Owner/Occupier, Land at Jackies Lane, East Sussex, Newick, BN8 4FB**

**John Willett, 2 School Fields, Barcombe, East Sussex, BN8 5DT**

**John Willett, 51 Cricketfield, Newick. East Sussex, BN8 4LL**



# Land at Jackies Lane, Newick



Scale : 1:1250

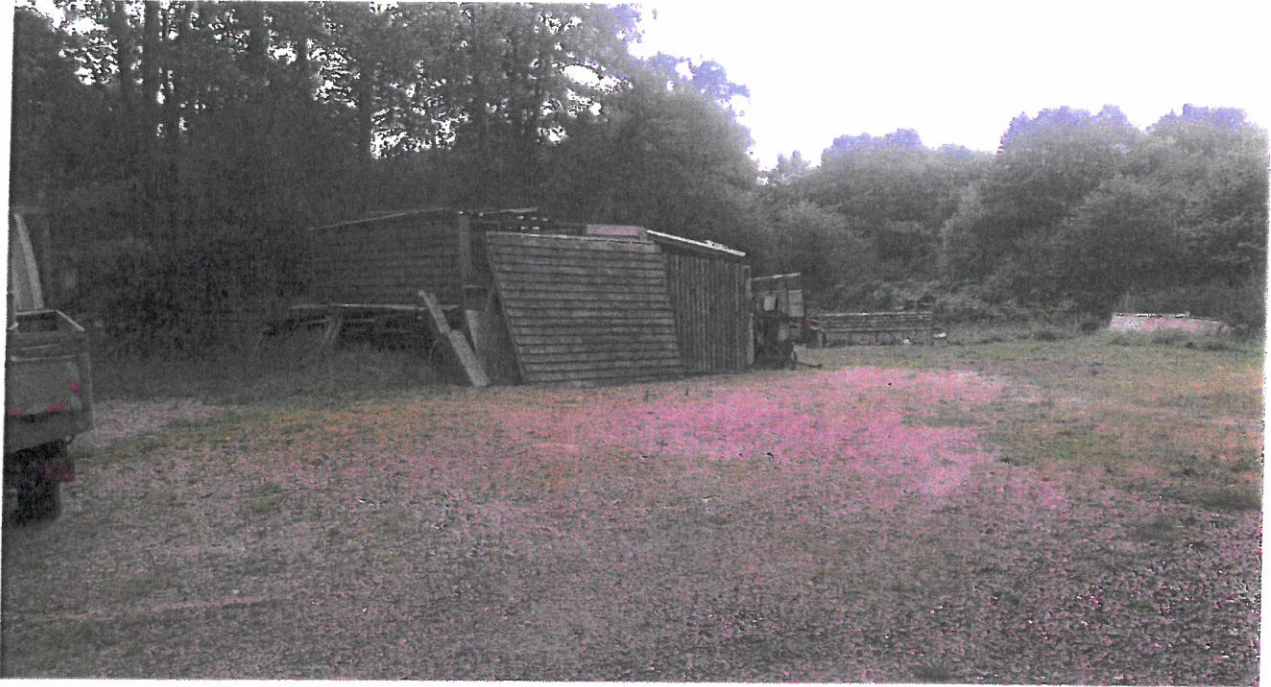
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|---------------------|----------------|
| <b>Organisation</b> | Not Set        |
| <b>Department</b>   | Not Set        |
| <b>Comments</b>     |                |
| <b>Date</b>         | 29 August 2019 |
| <b>SLA Number</b>   | Not Set        |

Site Photos for Land at Jackies Lane, Newick



August 2016



August 2016



Site Photos for Land at Jackies Lane, Newick



August 2016



August 2016



Site Photos for Land at Jackies Lane, Newick



June 2018



June 2018