

Committee: Planning Applications Committee

Date: 20 November 2019

Department: Planning & Environmental Services

Subject: Enforcement Monitoring Reports (Part B)

This report details the cases which have had notices authorised and/or served within the quarter 1 July 2019 – 30 September 2019

Address/Breach	Current Position	SDNP area
BARCOMBE Station Masters House, Barcombe EN/17/0054 <u>Breach</u> Alleged that the main property has been split into multiple and the annexe is being used as residential accommodation	<u>Current Position</u> <ul style="list-style-type: none">• Following a site visit it was apparent that there are a number of separate units within the property• Planning Contravention Notice served on the owners and occupiers to gather the relevant information	
IFORD Iford Farm Shoot, Iford SDNP/18/00346/COU <u>Breach</u> Use of land for shooting for over the 28 day permitted rights	<u>Current Position</u> <ul style="list-style-type: none">• Enforcement notice served on 14 August 2018• Enforcement notice appealed• Awaiting appeal start date from the Planning Inspectorate	✓

Address/Breach	Current Position	SDNP area
<p>DITCHLING</p> <p>The Bull, 2 High Street, Ditchling – SDNP/17/00780/OPDEV</p> <p><u>Breach</u></p> <p>Level of car park, unauthorised seating area and erection of a store to the rear</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning and Listed Building applications refused. • Planning enforcement and the legal team drafting an enforcement notice relating to the unauthorised works to the pub 	✓
<p>LEWES</p> <p>The Volunteer, 15 Eastgate Street, Lewes SDNP/17/00131/OPDEV</p> <p><u>Breach</u></p> <p>Unauthorised smoking shelter</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning permission refused for the retention of the smoking shelter • Appeal against the refusal of planning permission dismissed • Enforcement notice pending service • Enforcement notice served and appeal lodged against the enforcement notice • Awaiting appeal start date from the Planning Inspectorate • Awaiting site visit date from the Planning Inspectorate • Appeal dismissed and enforcement notice upheld, compliance date for the removal of the timber smoking shelter is 19.11.2019 	✓

Address/Breach	Current Position	SDNP area
<p>LEWES</p> <p>The Lamb, Fisher Street, Lewes – SDNP/18/00640/LB</p> <p><u>Breach</u></p> <p>Unauthorised timber structure to the rear of the pub</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Work on drafting an enforcement notice commenced • The structure has now been removed so compliance achieved prior to the enforcement notice being served 	<p>✓</p>
<p>NEWHAVEN</p> <p>Foxhole Farm, Seaford Road, Newhaven SDNP/16/00444/BRECON</p> <p><u>Breach</u></p> <p>Unauthorised mobile home</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning permission for retention of mobile home refused and dismissed at appeal • Enforcement notice served for the unauthorised mobile home • Appealed lodged against the enforcement notice • Awaiting appeal start date from the Planning Inspectorate • Council has submitted the statement of case and now awaiting the site visit by the Planning Inspectorate • Appeal dismissed and enforcement notice upheld. Compliance period to vacate the current tenants and remove the mobile home from the land is 6 months. Compliance date 04.01.2020 	<p>✓</p>

Address/Breach	Current Position	SDNP area
<p>NEWHAVEN</p> <p>Land at The Highway, Newhaven EN/16/0148</p> <p><u>Breach</u></p> <p>Unauthorised residential use and storage of the land</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 10 August 2018 • Compliance deadline for the use to cease and site to be cleared is 12 November 2018 • Enforcement notice remains in breach, quotes are now being obtained for direct action to seek the removal of the residential use and items relating to this use • Council has prepared papers to seek an injunction from the Magistrates Court • Letter has been served on the occupier to update on the above • Court Action took place on 12.07.2019, the Court granted the Injunction and the occupier now has until 23 August 2019 to comply with the terms of the Injunction, which is to cease the use and remove the items from the land • Application to vary the injunction submitted to the Court, awaiting the Court's decision 	

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<p>NEWHAVEN</p> <p>Downland Caravan Park, Court Farm Road, Newhaven EN/19/0084</p> <p><u>Breach</u></p> <p>Breach of condition – 29 caravans permitted on site and 30 now in place</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 27.06.2019 to remove one caravan from the site • If no appeal is lodged then the enforcement notice becomes effective on 02.08.2019 • Appeal lodged against the issue of the enforcement notice, awaiting start letter from the Planning Inspectorate 	
<p>NEWICK</p> <p>Land at Jackies Lane, Newick – EN/16/0001</p> <p><u>Breach</u></p> <p>Unauthorised use of the land for storage</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • A number of opportunities given to the owner of the land to submit a planning application for the use and no application has been forthcoming • Enforcement notice now in the process of being drafted and prepared 	

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<p>NORTH CHAILEY</p> <p>Land at Wapsbourne Wood, North Chailey EN/17/0082 and other cases</p> <p><u>Breach</u></p> <p>Unauthorised use of the woodland and erection of structures</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • 31 Planning Contravention Notices (PCN) served on all owners/occupiers of the woodland to establish what is taking place. • Planning enforcement officer and Tree officer carrying out site visits to check information received on PCN's is as per the wood and to determine what action is required 	
<p>RINGMER</p> <p>Downsview Farm, Laughton Road, Ringmer – EN17/0149</p> <p><u>Breach</u></p> <p>Two unauthorised residential units</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Two unauthorised residential units found on site whilst dealing with another matter • A Certificate of Lawful Use application for one of the units was submitted and refused due to lack of evidence to support the use had been continuous for at least 4 years • Enforcement notice served on 12.09.2019 • Effective date of the notice is 17.10.2019 unless an appeal is lodged beforehand 	

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<p>TELSCOMBE CLIFFS</p> <p>16 The Esplande, Telscombe Cliffs – EN/16/0072</p> <p><u>Breach</u></p> <p>Unauthorised structure in the front garden</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice authorised and papers being drawn up for the service of the notice • Planning application submitted so enforcement notice on hold • The structure was removed from the planning application and application given 28 days to remove it. • Structure remains in situ so enforcement notice now being prepared to seek the removal 	

Contact Officer

The contact officer in connection with this report is Jennifer Baxter, Specialist Advisor (Planning Enforcement).

Ian Fitzpatrick,
 Director of Regeneration and Planning
 07/10/2019