

Committee: Planning Applications Committee

Date: 29 January 2020

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 October 2019 – 31 December 2019

Address/Breach	Current Position	SDNP area
<p>BARCOMBE</p> <p>Station Masters House, Barcombe EN/17/0054</p> <p><u>Breach</u></p> <p>Alleged that the main property has been split into multiple and the annexe is being used as residential accommodation</p>	<p><u>Current Position</u></p> <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. • Planning Contravention notices returned and a breach identified. Owners have been sent a letter giving options to resolve the issue. 	
<p>IFORD</p> <p>Iford Farm Shoot, Iford SDNP/18/00346/COU</p> <p><u>Breach</u></p> <p>Use of land for shooting for over the 28 day permitted rights</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018. • Enforcement notice appealed. • Awaiting appeal start date from the Planning Inspectorate. • Appeal started and Council preparing the statement of case. 	✓

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • Appeal hearing was set for 7 January 2020 but has been postponed. Waiting new date from Planning Inspectorate. 	
<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. • Enforcement notice served on 14 October 2019 the owner has agree to work with enforcement and conservation to resolve the issues. • Seating has been removed. • New planning applications submitted for the raised car park, currently under consideration. • Owner is looking at the options to reduce the size of the store to the rear. 	✓
<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. 	✓

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • 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. • Smoking shelter has been removed and compliance achieved 19 November 2019. 	
<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 	✓

Address/Breach	Current Position	SDNP area
	<p>remove the mobile home from the land is 6 months. Compliance date 04.01.2020.</p> <ul style="list-style-type: none"> Planning application submitted for the resiting and retention of the cabin on the land in a new position. 	
<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. 	

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • The defendant has appealed both the 12 July 2019 hearing and the 14 August 2019 hearing. The Court has asked the Council to provide a transcript of the 14 August hearing to be sent to them to determine if the appeal is heard. • Awaiting further instruction from the Court . 	
<p>NEWHAVEN</p> <p>Land at Pevensey Road, Newhaven EN/17/0062</p> <p><u>Breach</u></p> <p>Unauthorised use of the land</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Use of land for the storage of a caravan and erection of timber buildings. • Drafting enforcement notice in conjunction with legal advice. 	
<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. • Appeal start letter received and Council preparing their statement of case. 	

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • Appeal statement submitted and site visit with Planning Inspectorate arranged for 06.01.2020. 	
<p>NEWHAVEN</p> <p>53 Hillcrest Road, Newhaven EN/19/0008</p> <p><u>Breach</u></p> <p>Unauthorised balcony to the rear of the property</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning applications to retain the balcony have been refused. • Enforcement notice drafted and sent to legal services. 	
<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. • Enforcement notice served on 4 November 2019 to seek the clearance of the land. 	
<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</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • 31 Planning Contravention Notices 	

Address/Breach	Current Position	SDNP area
erection of structures	<p>(PCN) served on all owners/occupiers of the woodland to establish what is taking place.</p> <ul style="list-style-type: none"> • 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. • Drafting enforcement notices for the unauthorised uses and structures on the land. 	
<p>PEACEHAVEN</p> <p>Land at 18A Valley Road, Peacehaven EN/19/0154</p> <p><u>Breach</u></p> <p>Use of caravan for residential accommodation</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning application for the use of the caravan for seasonal residential use refused. • Planning appeal against the refusal of planning permission dismissed. • Enforcement notice drafted and sent to legal services. 	
<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. 	

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • Enforcement notice served on 12.09.2019. • Effective date of the notice is 17.10.2019 unless an appeal is lodged beforehand. • Appeal lodged against the service of the enforcement notice. • Statement of case for the Council submitted to the Planning Inspectorate. 	
<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. • Enforcement notice served on 24 October 2019, effective date is 26 November 2019. 	
<p>WESTMESTON</p> <p>Land at Clay Field Stables, Westmeston</p> <p>SDNP/18/00328/COU</p>		

Address/Breach	Current Position	SDNP area
<u>Breach</u> Unauthorised use of stables and land	<u>Current Position</u> <ul style="list-style-type: none"> • Occupiers of the land will not respond to letters and site visits so unable to confirm planning position. • Planning Contravention Notice drafted and being served on the owners of the land to establish the current uses. 	

Contact Officer

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

Ian Fitzpatrick,
 Director of Regeneration and Planning
02/01/2020