

**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**

91 The Fairway, Newhaven, BN9 9XX 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 glass balustrade and decking on rear extension to create a roof terrace.

**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 development is contrary to.

- CP11 (Built and Historic Environment and High-Quality Design) of the Lewes District Local Plan Part 1 JCS 2010-2030 by reason of its design, form and location to neighbouring properties the new development does not conserve or enhance the high quality and character of the local environment, nor provide a satisfactory environment for existing and future occupants due to overlooking and loss of privacy.
- DM25 (Design), of the Lewes District Local Plan Part 2 by reason of its design, form and location the new development does not respond sympathetically to the characteristics of the host site and its relationship with its immediate surroundings, as

well as views into, over or out of the site.

- 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.

- 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 decking and glass balustrade from roof of rear extension and
- (ii) Permanently remove all resultant materials and debris from the Land,

**6. TIME FOR COMPLIANCE**

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

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

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 10<sup>th</sup> October 2022 unless an appeal is made against it beforehand.

Dated: 31.08. 2022

Signed:

Oliver Dixon, Head of Legal Services

on behalf of Lewes District Council

Nominated officer: Simon Cullen

Telephone number: 07935 085762