

Full name: Enforcement notice: material change of use without planning permission.

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 Workshop 18A Valley Road, Peacehaven, BN10 8AE shown edged in red on the attached plan (the land).

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the material change of use of the land from the use for car repairs (B2 use class General Industrial) to a mixed use for car repairs and the residential use of a static mobile home marked as building A on the attached plan.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years.

- The unauthorised retention of the static mobile home introduces a residential use and proposes works in a semi-rural location which is outside of the planning boundary to Peacehaven on land which has not been allocated for housing.
- This area provides a buffer between the built up area of Peacehaven and the South Downs National Park which lies to the north of the site.
- The retention of the static mobile home is unacceptable and contrary to policy CT1 and policies SP2 and CP2 of the Lewes District Local Plan Part One: Joint Core Strategy and paragraph 58 of the National Planning Policy Framework.

- The retention of the static mobile home will introduce a residential use into the midst of an established and authorised car repair (general industrial use B2). It is likely that conflict between the uses will arise and future occupants will experience noise and disturbance to the detriment of their residential amenity and living conditions. This scenario goes against the principles of good planning and is contrary to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and National Planning Policy contained in the National Planning Policy Framework 2019.
- The unauthorised use is a breach of planning control due to the siting of the static mobile home not being used in connection with the lawful use of the land.
- The Council consider that planning permission should not be granted as planning conditions could not overcome the objections to this development for the unauthorised use in this countryside location.

5. WHAT YOU ARE REQUIRED TO DO

You must:

- (i) Cease the unauthorised residential use of the static mobile home marked building A on the attached plan.

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.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 31 March 2020, unless an appeal is made against it beforehand.

Dated: 27 February 2020

Signed:

on behalf of
Lewes District Council, Southover House, Southover Road, Lewes, East Sussex, BN7 1AB

Nominated officer: Jennifer Baxter

Telephone number: 01273 085446

Workshop 18A Valley Road Peacehaven



Scale : 1:1250

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Department	Not Set
Comments	
Date	27 September 2019
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