

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 (b) 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 Downland Park, Court Farm Road, Newhaven shown edged red on the attached plan (the Land).

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

On 18 November 2003 planning permission was granted by the Council under reference number LW/03/1867 for the erection of one new home and alteration of turning point (modification of condition one attached to planning permission LW/86/391 to allow for twenty nine caravans instead of twenty eight) subject to conditions.

Condition 1 of that permission was that the number of caravan units on the site shall at no time exceed twenty nine.

It appears to the Council that the condition has not been complied with because there are thirty caravan units on site.

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 siting of the additional caravan unit causes significant harm to the character and appearance of the area and has a detrimental

impact on the sense of space and separation between the existing residential dwellings and the caravan park.

- The unauthorised siting of the mobile home has a detrimental impact on the amenity of the occupiers of the neighbouring properties by way of its proximity and resulting overlooking.
- On 31 July 2017 planning application LW/17/0206 was refused and dismissed at appeal on the following grounds –
 - 1. The additional mobile home would occupy an important open gap on the Court Farm Road frontage, which contributes to the character of this edge of town location. The loss of this gap to the additional mobile home would adversely affect the character of the locality, contrary to Policy ST3 (a) of the Lewes District Local Plan, as retained within the Joint Core Strategy.
 - 2. The additional mobile home would result in a reduction in the number of car parking space in the communal parking area, which are conveniently located off Court Farm Road for visitors to Downland Park. The loss of these communal spaces would be likely to result in less convenient parking on Court Farm Road, to the detriment of other road users and the character of the locality, contrary to Policies ST3 (a) and (d) of the Lewes District Local Plan, as retained within the Joint Core Strategy.
 - 3. The additional mobile home would significantly restrict the ability of vehicles (particularly service and emergency vehicles) to use the access road serving the mobile homes on the south (upper) part of the site, to the detriment of occupiers of those mobile homes, and contrary to Policy ST3 (d) of the Lewes District Local Plan, as retained within the Joint Core Strategy.
- On 10 May 2018 the Planning Inspectorate dismissed the appeal against planning refusal LW/17/0206, the Planning Inspectorate stated that the proposal would result in harm to the character of the area and found that it would conflict with the aims of Policy CP11, the Planning Inspectorate also stated that the proposal would significantly harm the character and appearance of the area by almost entirely extinguishing the experience of space and openness that the site current contributes to and enhances.
- On 11 January 2019 planning application LW/18/0640 was refused on the following grounds
 - 1. It is considered that the proposal would significantly harm the character and appearance of the area, having a detrimental impact on the sense of space and separation between the existing residential dwellings and the caravan park and as such would be contrary to Policies ST3 and CP11 of the Lewes District Local Plan /Joint Core Strategy.
 - 2. The proposal would have a detrimental impact on the amenity of the occupiers of the neighbouring property by way of its proximity and resulting overlooking, contrary to Policy ST3 of the Lewes District Local Plan.
- LW/18/0640 refusal was not appealed.

The additional caravan unit is contrary to development plan policies ST3, CP11 of the Lewes District Local Plan for the reasons stated above. It is also contrary to Policy DM25 (Design) of the emerging Lewes District Local Plan Part 2, in that its siting, layout and appearance would result in significant harm to the character and appearance of the area.

The Council do not consider that there should be any relaxation of the condition in question, which already permits twenty nine caravan units which is an extension of the original permission for twenty eight caravan units. This also takes into account that the site has been reduced in size since the permission dated 18 November 2003 was granted. Planning permission was granted in 2008 under LW/08/0494 for the erection of 2 semi-detached bungalows at the front of the site on which one caravan unit was previously located.

5. WHAT YOU ARE REQUIRED TO DO

You must:

- (i) Permanently remove one of the caravan units from the land.
- (ii) Remove from the land all materials resulting from the removal of the caravan unit and restore the land to its previous condition.

6. TIME FOR COMPLIANCE

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

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

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **2 August 2019**, unless an appeal is made against it beforehand.

Dated: 27 June 2019

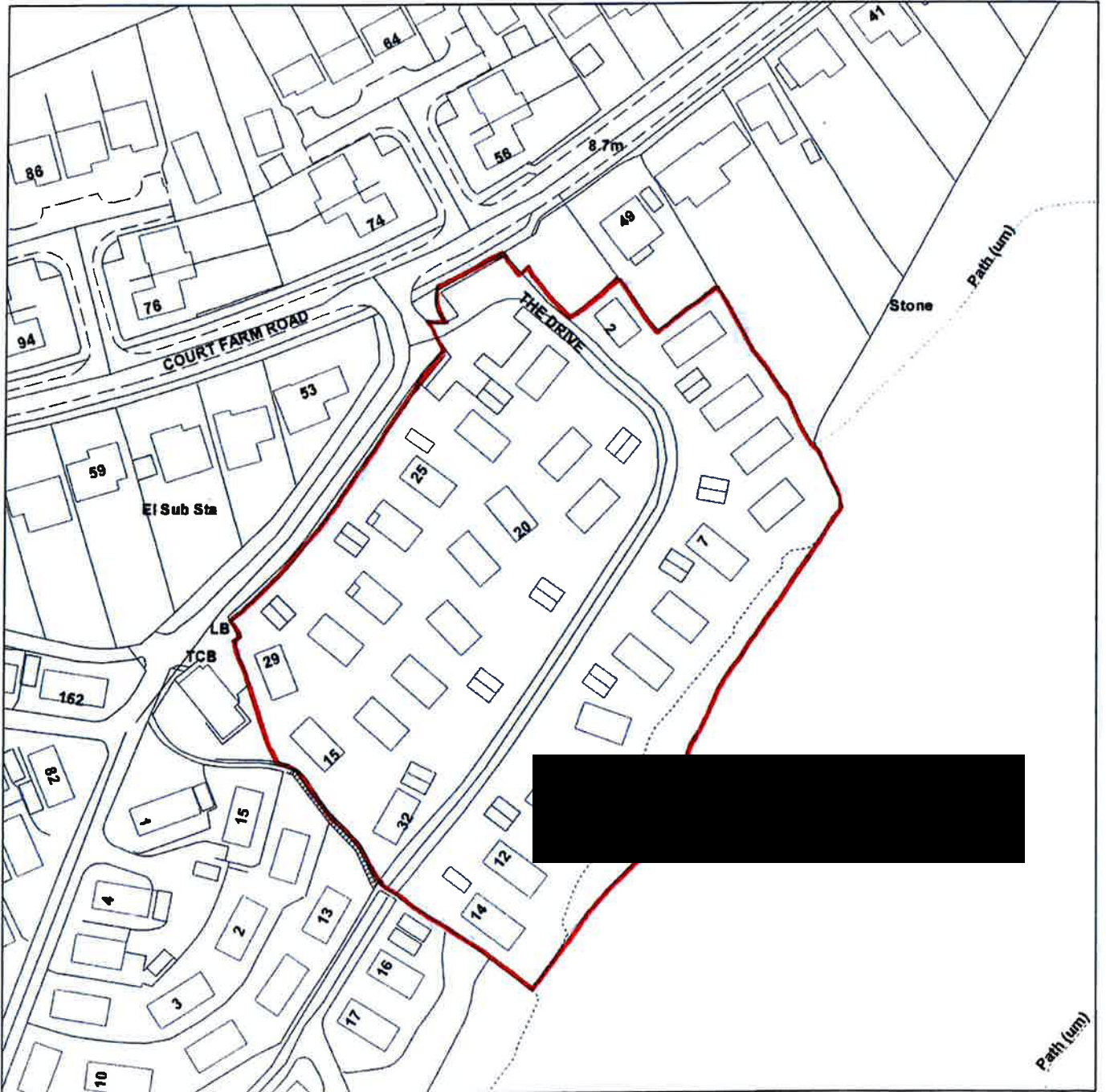
Sign 

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

Nominated officer: Jennifer Baxter

Telephone number: 01273 085446

Downland Caravan Park Newhaven



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	27 June 2019
SLA Number	Not Set

