

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

37B Gorham Way, Telscombe Cliffs, Peacehaven BN10 7BA 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 unauthorised erection of the platform to rear of property.

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 and is contrary to the following.

- 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 59 and 130 of the NPPF

By reason of its detrimental impact on the character and appearance of the land and its surrounding area.

Effective enforcement is important to maintain public confidence in the planning system.

A retrospective application (LW/22/0631) was submitted to the Council to assess against National, Local and Neighbourhood policies.

The application for the installation of new patio at rear, removal of hip roof at rear & alterations to all rear fenestration was refused on the following grounds:

The development is considered to unacceptably harm the amenities of neighbours through unneighbourly overlooking and overbearing impact, contrary to Policies DM25 of the Lewes District Local Plan Part 2 and Policy CP11 of the Lewes District Joint Core Strategy

5. WHAT YOU ARE REQUIRED TO DO

- i) Remove the platform in its entirety.
- (ii) Clear all resultant debris from the Land,

6. TIME FOR COMPLIANCE

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

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

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 27th December 2023 unless an appeal is made against it beforehand.

Dated: 15th November 2023

Signed:

Head of Legal Services

on behalf of Lewes District Council

Nominated officer: Daisy D'arcy

Telephone number: 07925 338885