

ENFORCEMENT NOTICE

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

SOUTH DOWNS NATIONAL PARK AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)



Issued By : South Downs National Park Authority

- 1. THIS IS A FORMAL NOTICE** which is issued by South Downs National Park Authority (“the SDNPA”), because it appears that there has been a breach of planning control, within paragraph (a) of Section 171A(1) of the above Act, at the land described below. The Authority considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to 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**

54 Peakdean Lane East Dean Eastbourne East Sussex BN20 0JE shown edged red on the attached plan
- 3. THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the construction and erection of a hexagonal timber framed summer house and area of decking in the rear garden of the property, as above, marked by a black outline and hatching in the approximate position shown on the attached plan.
- 4. THE REASON FOR ISSUING THE NOTICE**

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

The site is situated in the South Downs National Park. The SDNPA has the following statutory purposes and socio-economic responsibilities, as specified in the Environment Act 1995

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

The decking and summer house have been the subject of an active enforcement complaint which resulted in a retrospective planning application being submitted and being referred to the SDNPA planning committee in December 2014. This was initially refused by SDNPA committee members, requesting further landscaping details to be submitted. Minimal details were submitted, but were not sufficient to address the issues raised and on the 17th May 2015, the application was refused.

The structure adversely affects the amenity of the neighbouring property by way of overlooking and loss of privacy. It has not been demonstrated that a suitable landscaping solution to mitigate these impacts could be secured. The application is therefore contrary to saved policies EN1: Sustainable development and EN27: Layout and design of development of the Wealden Local Plan 1998. This form of development is contrary to purpose 1 as set out above and also paragraph 115 of the National Planning Policy Framework.

(The full text of these policies is attached at Annex 4 of this Notice).

For the reasons set out above the SDNPA consider it expedient to issue this Enforcement Notice

5. WHAT YOU ARE REQUIRED TO DO

1. Demolish/remove the timber summer house and decking.
2. Remove the resulting debris from the land.

6. TIME FOR COMPLIANCE

Three months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 13th July 2015 unless an appeal is made against it beforehand.

8. TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)(ENGLAND AND WALES) REGULATIONS 1999

The SDNPA considers that the development is not EIA development. If the development subject of this Notice were to be granted planning permission, an environmental statement would not be required.

Date : 12th June 2015



Signed: Tim Slaney, Director of Planning

