



Lewes District Council



## 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)

**TO: Edward Smith 80 Queens Road, Lewes BN7 2JG.**

**Issued by: Lewes District Council, on behalf of the South Downs National Park Authority**

**1. THIS IS A FORMAL NOTICE** which is issued by Lewes District Council, on behalf of the 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 Explanatory Notes which accompany this notice and the enclosures to which it refers contain important additional information.

#### **2. THE LAND TO WHICH THE NOTICE RELATES**

Land at The Crescent Newhaven East Sussex shown edged red on the attached plan

#### **3. THE BREACH OF PLANNING CONTROL ALLEGED WITHOUT PLANNING PERMISSION**

Without planning permission, the excavation and clearance of the land , the removal of the top soil , the importing and laying of material to create a hard surface.

#### **4. THE REASON FOR ISSUING THE NOTICE**

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

- The excavation works and laying of hardstanding was carried out less than four years ago
- The unauthorised works are contrary to core policy SD1 Sustainable Development, SD4 Landscaping Character, and SD6 Safeguarding Views of the South Downs National Park Local Plan, The South Downs National Park Partnership Management Plan and paragraph 58 of the National Planning Policy Framework by reason of its failure to conserve the landscape or reflect the context and type of landscape. This development therefore does not preserve the visual integrity, identity and visual quality of the South Downs National Park.

- **The Council consider that planning permission should not be given, because planning conditions could not overcome the visual harm to the wider landscape and the detrimental impact from public rights of way, specifically from footpaths 32C and 41c, that has occurred as a result of the unauthorised works that have taken place.**

**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 the hardstanding from the land**
- (ii) Restore the Land to its condition before the breach took place by replacing the top soil and reseeding it with grass**
- (iii) Remove from the Land all materials and debris arising from compliance with the requirement stated at paragraph 5(i) and (ii) of this notice.**

## **6. TIME FOR COMPLIANCE**

**Two (2) calendar months beginning with the day on which the notice takes effect**

## **7. WHEN THIS NOTICE TAKES EFFECT**

**This notice takes effect on 17<sup>th</sup> April 2021 unless an appeal is made against it beforehand.**

**Date: 17<sup>th</sup> March 2021**

**Signed:** 

**On behalf of Lewes District Council, on behalf of the South Downs National Park Authority**