

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

BREACH OF CONDITION NOTICE

Notice Reference: FT/12

SERVED BY: CHICHESTER DISTRICT COUNCIL
(As Agent for SOUTH DOWNS NATIONAL PARK)

1. THIS NOTICE is served issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to secure compliance with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. THE LAND TO WHICH THIS NOTICE RELATES

Land at the former Coal Yard, School Close, Fittleworth, West Sussex shown edged red on the attached Plan 1.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 26th August 2015 for Redevelopment of coal yard to provide nine dwellings and associated access, garages and landscaping, ref. SDNP/14/02892/FUL.

4. THE BREACH OF CONDITION

The following condition no.4.has not been complied with:-

"Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: To ensure adequate methods of surface water drainage are provided"

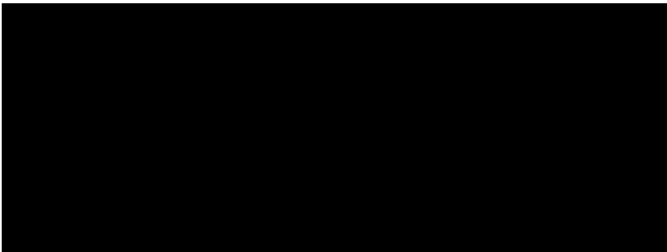
The Council considers that this condition has not been complied with because the attenuation tank that has been installed is not of the same dimensions as that shown in the surface water drainage scheme which was approved on 17th November 2017 and is shown on the attached Plan 2. The attenuation tank that has been installed is significantly smaller than that approved.

5. WHAT YOU ARE REQUIRED TO DO

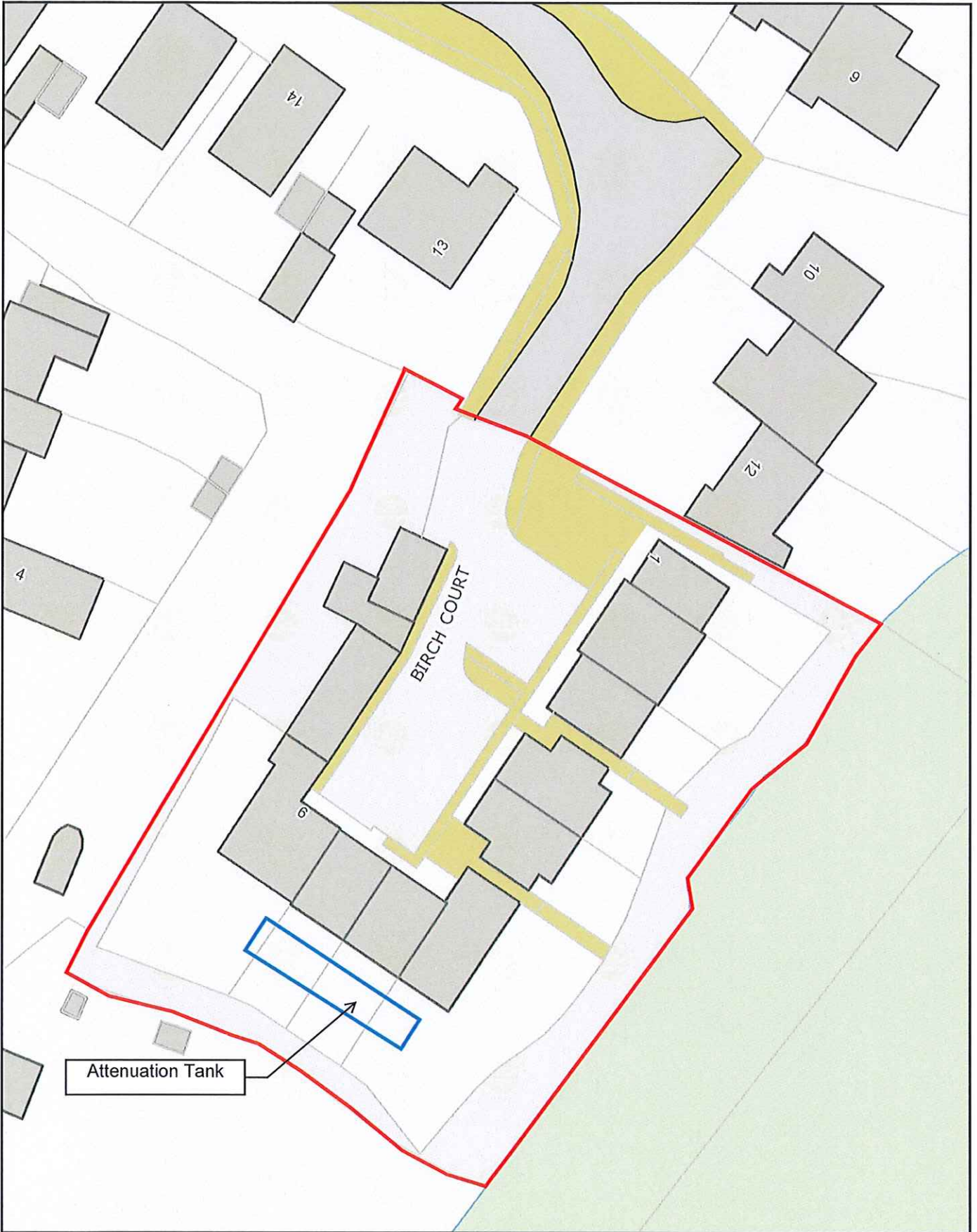
As the company responsible for the breach of condition no.4. specified in paragraph 4 of this notice, you are required to secure compliance with the stated condition by taking the following steps: - Increase the size of the underground attenuation tank that has been installed (in the approximate position shown on Plan 1 attached) to seventeen crates long by eight crates wide by two crates deep as shown on Plan 2 attached.

Period for compliance: six months beginning with the date that this notice is served on you.

Dated: 30th June 2022.



On behalf of: Chichester District Council
East Pallant House
East Pallant
Chichester
West Sussex PO19 1TY



Birch Court, formerly The Coal Yard, Fittleworth



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N Scale: 1:500

BREACH OF CONDITION NOTICE PLAN

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ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with the Enforcement Section of the Development Control and Building Control Division, Chichester District Council, East Pallant House, East Pallant, Chichester, West Sussex, PO19 1TY, telephone no 01243 785166.

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.