

# Forest Row Parish Council

Clerk: Mr David O'Driscoll  
Email: parishclerk@forestrow.gov.uk



(Office Hours: Monday to Friday 9am to 2pm)

To: All members of the PLANNING GROUP  
Cllrs Eichner, Gilbert, Harvey, Lewin, Scott,  
Summers, Volkers & A M Waters  
Mr R Lewin (co-opted)  
(All other Councillors – for information)

Community Centre  
Hartfield Road  
Forest Row  
East Sussex  
RH18 5DZ

Tel: 01342 822661  
Fax: 01342 825739  
Email: info@forestrow.gov.uk  
Website: www.forestrow.gov.uk

Dear Sir/Madam,

You are invited to attend a meeting of the **PLANNING GROUP** to be held on **MONDAY 21st AUGUST 2023** VIA ZOOM AT **7.00PM**.

Date: 16 August, 2023

A handwritten signature in black ink, appearing to be 'David O'Driscoll'.

THE FIRST FIFTEEN MINUTES WILL BE AVAILABLE FOR RELEVANT QUESTIONS AND REMARKS FROM THE PUBLIC – IF ANY. MEMBERS OF THE PUBLIC ARE WELCOME TO STAY AND OBSERVE THE REST OF THE MEETING.

1. PUBLIC QUESTIONS – **THE MEETING WILL START NO LATER THAN 7.15PM.**
2. APOLOGIES FOR ABSENCE
3. MINUTES OF THE MEETING HELD ON 31<sup>st</sup> July 2023 – previously circulated – AND ANY MATTERS ARISING
4. TO DECLARE ANY INTERESTS PERTAINING TO THE ITEMS BELOW
5. TO NOTE DATES OF NEXT WEALDEN PLANNING COMMITTEE NORTH MEETING(S):
  - 14<sup>th</sup> September 2023 at 10am
6. REPORT FROM DISTRICT COUNCILLOR ON PLANNING MATTERS
7. PLANS DEALT WITH UNDER DELEGATED POWERS – see attached
8. WEALDEN DISTRICT COUNCIL – PLANNING DECISIONS RECEIVED – see attached.
9. PLANNING APPLICATIONS – see attached.
10. TO COMMENT ON PLANNING APPLICATIONS RECEIVED AFTER CIRCULATION OF AGENDA (TO BE FORWARDED ON THE FRIDAY PRIOR TO THE MEETING)
11. CORRESPONDENCE  
Enforcement notice – Land adjoining Brambletye Lane, Forest Row – for noting
12. ITEMS FOR FUTURE CONSIDERATION BY COMMITTEE OR FULL COUNCIL

**“This meeting will be held electronically via ZOOM, and the meeting ID and password will be circulated separately to Members. The meeting is also open to public attendance (with an initial period for public questions), but for security reasons, any member of the public wishing to participate is asked to telephone or email the Parish Clerk in advance (01342 822661 or [parishclerk@forestrow.gov.uk](mailto:parishclerk@forestrow.gov.uk)) for the access codes.”**

## **Plans dealt with under delegated powers –**

for meeting 21 AUGUST 2023

WD/2023/1626/F – 2 DOG COTTAGES, THORNHILL, ASHURST WOOD  
EXTENSION TO GRANNY ANNEXE

Additional Comment:

In our original comment we noted that there appears to have been no planning approval for the existing building, something of which we are sure WDC would have taken account when reaching its decision. We also noted that we had not been given time to see neighbours' comments due to the deadline set for us to reply. Having now seen the comments, which give us an understanding of the history of the development of the 'annexe', we must change our own comment to an objection due to the unapproved, creeping and possibly unsafe development of the existing building. We believe that if the Applicant is unwilling to withdraw the current plans and resubmit an application that covers both the old and the new proposal it should be refused.

WD/2023/1277/F – LAND WEST OF HURSTBROOK HOUSE, THORNHILL, ASHURST WOOD  
ERECTION OF DETACHED FAMILY HOME, CARPORT AND ASSOCIATED LANDSCAPING

Additional comment:

Having considered the neighbours comments, our Council's comment remains unchanged.

PLANNING DECISION LIST - FOR COMMITTEE 21/08/2023

APPLICATION NO	ADDRESS	PROPOSAL	WEALDEN DISTRICT COUNCIL DECISION	FOREST ROW PARISH COUNCIL RESPONSE
WD/2023/1402/F & WD/2023/1403/LB	SPRING HILL FARM, STABLES, PRIORY ROAD, FOREST ROW	SMALL EXTENSION TO EXISTING CONVERTED STABLE BLOCK	GRANTED	No objections to this application
WD/2022/3083/FR	STANDARD HOUSE, LOWER ROAD, FOREST ROW	PART RETROSPECTIVE APPLICATION FOR CONTINUED USE OF EXISTING BUILDING FOR VEHICLE REPAIR AND SERVICING TO INCLUDE PROPOSED PAINT SPRAYING	WITHDRAWN	In order to support this application, the Council would need to be satisfied that there were appropriate noise mitigation measures in place and satisfactory filters to eliminate the risk of air pollution.

**THIS WEEKS PLANNING  
APPLICATIONS  
WEEK ENDING 18TH  
AUGUST 2023**

Application Number & Address	Proposals	Date Considered by Parish Council	Last Date for Comments to WDC
WD/2023/1921/F CHEVERILS, PRIORY ROAD, FOREST ROW	ERECTION OF GARDEN OFFICE AND PLAY ROOM TO THE REAR GARDEN	21/08/2023	29/08/2023
WD/2023/1417/FR MICHAEL HALL SCHOOL, PRIORY ROAD, FOREST ROW	PART RETROSPECTIVE APPLICATION FOR THE ERECTION OF FENCING	21/08/2023	30/08/2023
WD/2022/1298/F BROOKLANDS COTTAGE, HOLTYE ROAD, HAMMERWOOD	DEMOLISH DETACHED ANNEXE FORMERLY A STABLE BUILDING THAT IS IN NEED OF RENOVATION, AND REPLACE WITH A TWO BEDROOM BUNGALOW TO BE USED AS AN ANNEXE	21/08/2023	01/09/2023

## **Important - this communication affects your property**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the  
PLANNING AND COMPENSATION ACT 1991)

### **ENFORCEMENT NOTICE**

ISSUED BY: WEALDEN DISTRICT COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider 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 AFFECTED**

Land adjoining Brambletye Lane, Forest Row, East Sussex shown edged red on the attached plan ("the Land").

#### **3. THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, change of use of the Land from agricultural and commercial purposes to a mixed use for agricultural and commercial purposes, and for the stationing of a mobile home for residential purposes.

#### **4. REASONS FOR ISSUING THIS NOTICE**

- (i) It appears to the Council that the above breach of planning control has occurred within the last ten years.
- (ii) The unauthorised use of the Land, which lies within the formally designated High Weald Area of Outstanding Natural Beauty, outside of any defined development boundary, is considered to be visually intrusive within the landscape, failing to conserve or enhance the scenic beauty of the locality, failing to provide an adequate residential environment and, in the absence of any known or proven

agricultural or forestry need, is considered to be contrary to Paragraphs 7-11, 79, 104, 105, 126, 130, 174 and 176 of the National Planning Policy Framework 2021; Saved Policies GD2, EN1, EN6, EN27, DC2, DC17 and DC22 of the Wealden Local Plan 1998; and Spatial Planning Objectives SPO1, SPO7 and SPO13 and Policies WCS6 and WCS14 of the Wealden Core Strategy Local Plan 2013

- (iii) The site lies within 7km of the Ashdown Forest Special Protection Area (SPA), and the development is likely to have a significant adverse impact upon the SPA as result of recreational impact caused by intensified residential occupation within a zone of influence of the SPA. It has not been demonstrated through an appropriate mechanism that it can achieve the necessary mitigation measures in respect of the increased recreational pressures it is likely to bring on the SPA. In the absence of such committed measures to offset the impact of the development, it is contrary to Saved Policies EN1, EN7 and EN15 of the Wealden Local Plan 1998, Policy WCS12 of the Core Strategy Local Plan 2013 and Regulation 63 of The Conservation of Habitats and Species and Planning Regulations 2018 (as amended).
- iv) The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the use.

## **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Stop using the Land for the stationing of a mobile home for residential purposes.
- (ii) Remove the mobile home from the Land.
- (iii) Break up and remove from the Lane any foundations or hardstanding upon which the mobile home is sited.
- (iv) Remove from the Land all domestic and residential paraphernalia and personal effects.
- (v) Remove all materials, rubble, rubbish, debris, tools and equipment arising from compliance with the first requirement above from the Land.

Time for compliance: six months after this notice takes effect

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on ~~8<sup>th</sup> September~~ 2023 unless an appeal is made against it beforehand.

Dated: 2nd August 2023

Signed:



Authorised Signatory  
27425

On behalf of:

Wealden District Council  
Council Offices  
Vicarage Lane  
Hailsham  
East Sussex  
BN27 2AX

## 1. THE RIGHT OF APPEAL

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the Enforcement Notice. Unless an appeal is made, as described below, the enforcement notice will take effect on the date referred to in paragraph 6 of the Enforcement Notice and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the Enforcement Notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the Enforcement Notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before the date specified in paragraph 6 of the Enforcement Notice.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

(a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;

(b) that those matters have not occurred;

(c) that those matters (if they occurred) do not constitute a breach of planning control;

(d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;

(e) that copies of the enforcement notice were not served as required by section 172;

(f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;

(g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.



If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £924.

Payment should be made by BACS (quoting reference DC11420010BB/23325) to the following account:

Sort code : 30-80-12                      Account number : 10341360  
Account name : Wealden District Council

Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the Enforcement Notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

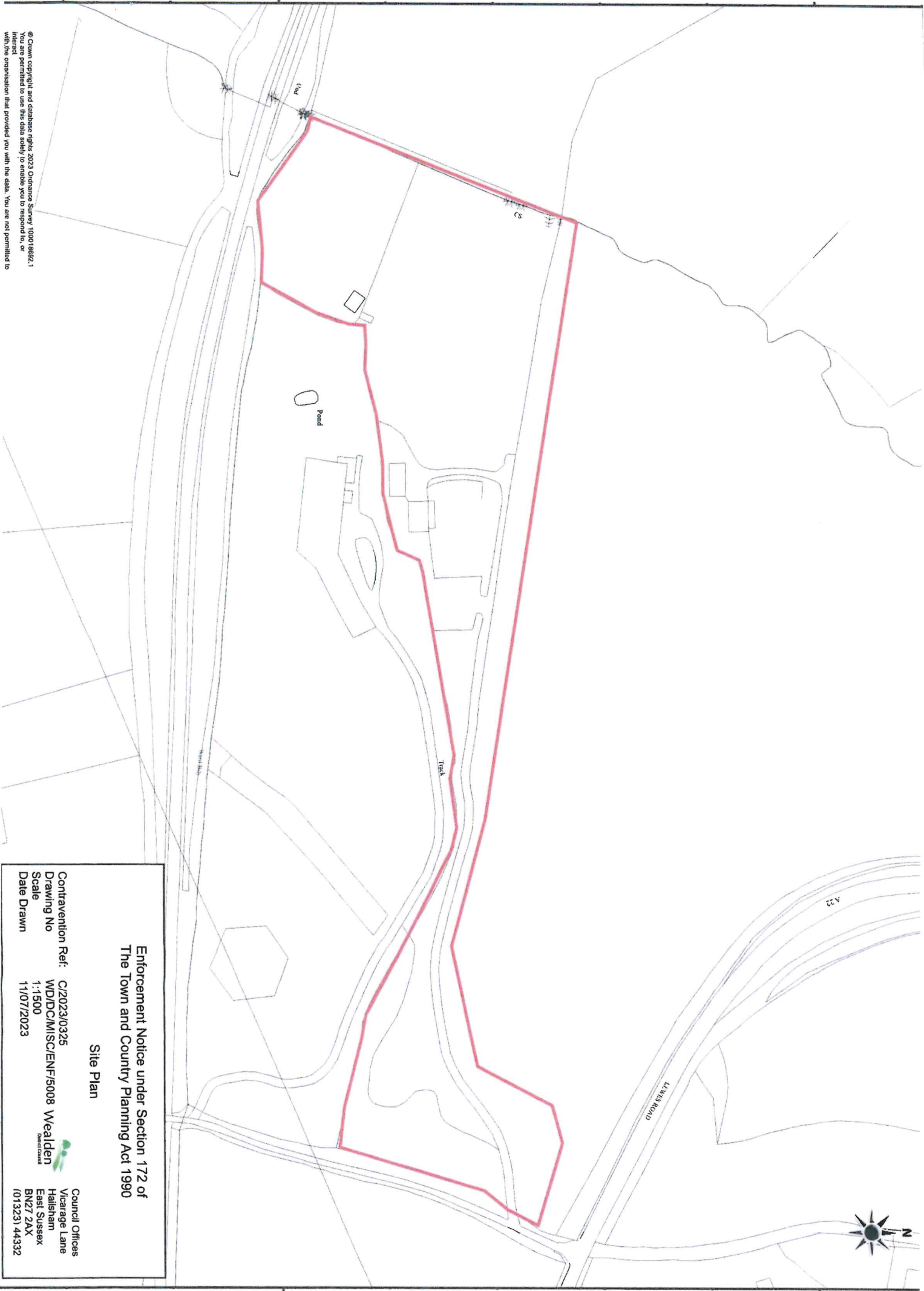
## **2. LIST OF PERSONS SERVED WITH THIS NOTICE**

Mr Stephan Trabucatti, mobile home on land adjoining Brambletye Lane, Forest Row, East Sussex, RH18 5EH

The Company Secretary, 3D Drilling Ltd. Flat 1, Belvedere, Blackness Road, Crowborough, TN6 2LT

The Company Secretary, 3D Drilling Ltd, 37 Farm Close, East Grinstead, West Sussex, RH19 3QQ

The Secretary, 3D Drilling Ltd, Land adjoining Brambletye Lane, Forest Row, East Sussex, RH18 5EH




© Crown copyright and database rights 2023 Ordnance Survey 100018692.1  
You are permitted to use this data solely to enable you to respond to, or  
prepare, a planning application for a specific site. You are not permitted to  
reproduce or disseminate this data for any other purpose.

**Site Plan**

**Enforcement Notice under Section 172 of  
The Town and Country Planning Act 1990**

Contravention Ref: C/2023/0325  
 Drawing No: WD/DC/MISC/ENF/5008  
 Scale: 1:1500  
 Date Drawn: 11/07/2023

  
**Wealden**  
 District Council

Council Offices  
 Vicarage Lane  
 Hailsham  
 East Sussex  
 BN27 2AX  
 (01323) 44332