

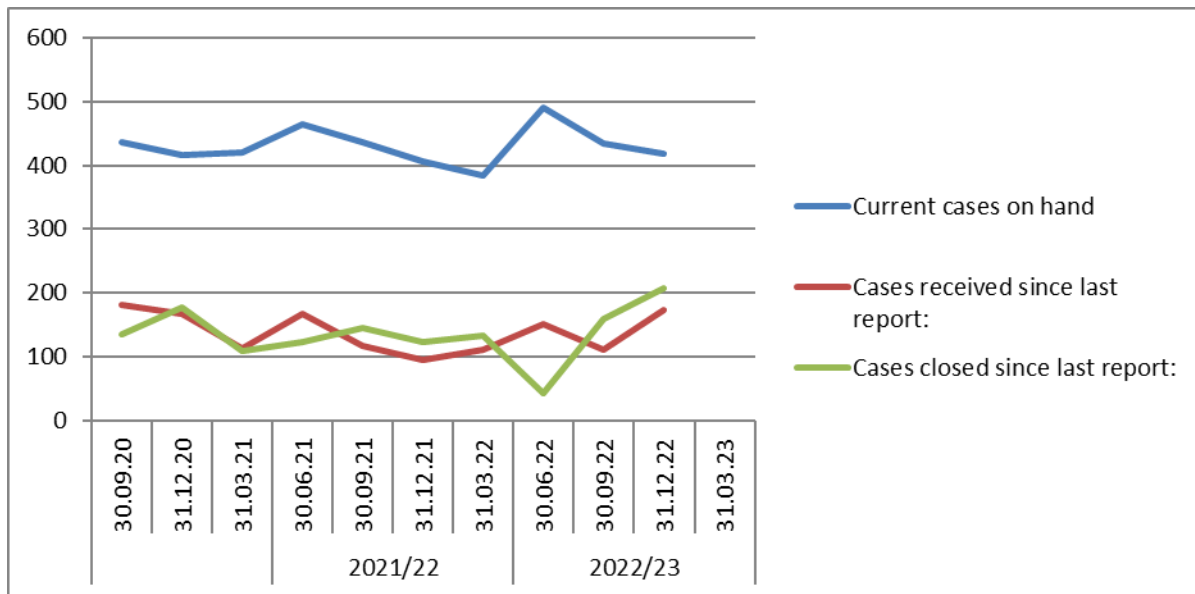
PLANNING COMMITTEE
(Wednesday 8 February 2023)
SCHEDULE OF OUTSTANDING CONTRAVENTIONS

1. This report provides an update on the position of contraventions included in the previous schedule and includes cases that have since been authorised.

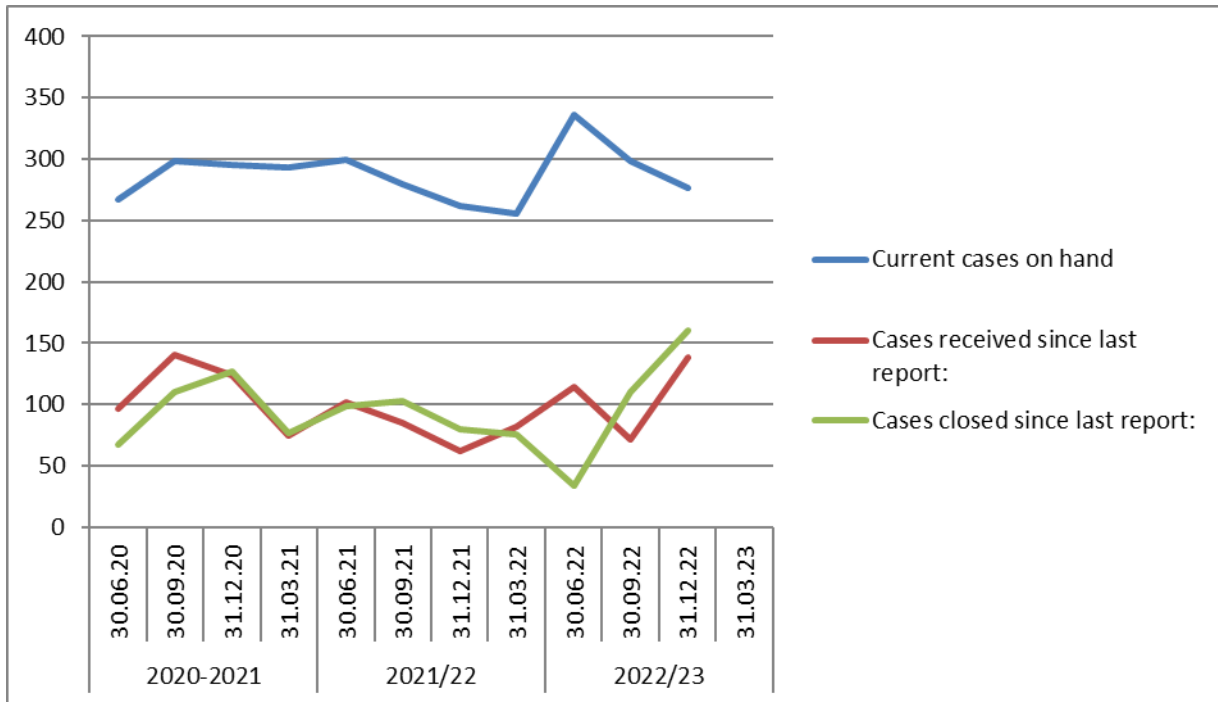
2. Statistics as of 31 December 2022

Case Numbers:	CDC	SDNP	Total
On hand as at last report:	336	155	491
Cases received since last report:	138	35	173
Cases closed since last report:	100	48	148
Current number of cases on hand:	276	142	418
Number of "On hand" cases awaiting compliance with an EN or the outcome of an appeal/application	96	29	125
Total Number of Active Cases	180	113	293

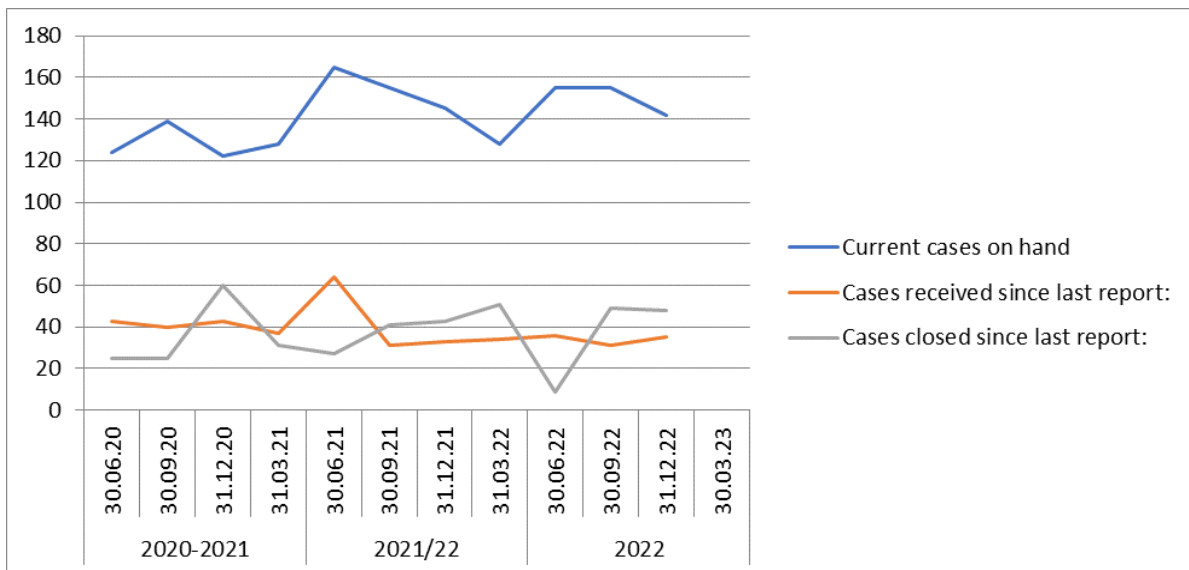
CDC and SDNP



CDC



SDNP



3. Performance Indicators are for CDC area only as this information is not available for cases within the South Downs National Park:

- a. Time taken to initial visit from date of complaint:
- | | |
|----------------------------------|--------|
| High with 2 days (3 Cases) | 100% |
| Medium within 10 days (17 Cases) | 88.24% |
| Low within 20 days (38 Cases) | 94.74% |

- b. Time taken to notify complainants of action decided from date of complaint:
- | | |
|----------------------------------|--------|
| High within 9 days (3 Cases) | 100% |
| Medium within 20 days (16 Cases) | 93.75% |
| Low within 35 days (57 Cases) | 94.74% |

4. Notices Served.

<u>Notices Served:</u>	Oct-Dec 2022	
	CDC	SDNP
Planning Contravention Notice		
Enforcement Notices	1	
Breach of Condition Notices	1	
Stop Notices		
Temporary Stop Notices		
Section 215 Notices		
Section 225A Notices		
High Hedge Remedial Notices		
Tree Replacement Notice		
Total	2	0

If Members have any specific questions on individual cases, these should be directed to the contact officer:

Shona Archer, Enforcement Manager (01243 534547)

OUTSTANDING CONTRAVENTIONS – SOUTH DOWNS NATIONAL PARK

CON NO. (Case Officer)	ADDRESS	DETAILS OF BREACH	Date of Notice	COMMENTS EN = Enforcement Notice/BCN = Breach of Condition Notice HHRN = High Hedge Notice/TSN = Temporary Stop Notice SN = Stop Notice/HRN = Hedge Replacement Notice
BURY/SDNP/ 17/00096/ SEC215 (Sue Payne)	Sydenham Cottage West Burton Road West Burton Pulborough	Untidy land	19.03.18	S215 Notice S215/29/BY/24 issued. No complied with. 18.09.19 – Crawley Magistrates - total fine of £660; victim’s surcharge of £66 and costs of £1769.39. The courts imposed a Collection Order 28.10.19 – site visit – non-compliance 03.04.20 – witness statement to Legal Team for prosecution 23.06.20 – Property is a Building at Risk. 16.07.20 –CDC Historic Building Advisor [HBA] to assess the property; repairs notice is pending 19.10.20 –confirmation of ownership and occupancy sought. 20.01.21 – letter to be sent to Owner about a Repairs Notice 22.04.21 – Matter sits with SDNPA and HBA to consider what action should be taken to safeguard the building 27.09.21 – as above 07.01.22 – Visit in Spring 2022 to assess condition 17.02.22 –fabric of building appears to have deteriorated 18.07.22 – No change since 4 th April 2022 17.10.22 – No change since 4 th April 2022 11.01.23 – Following site visit on 4 th January 2023 with Shona Archer, is it concluded that Sydenham Cottage is now a listed building at risk and the matter has been passed on to the Conservation and Design Team to progress. Remove from next list
FIT/SDNP/17/ 00755/COU (Tara Lang/Andrew George)	Lithersgate Common Bedham Lane Fittleworth	Without planning permission change of use of the Land to a BMX cycle track	28.11.18	EN FT/10 issued 23.03.20 – Appeal dismissed with variation to compliance period in step (ii) to removing the bunds in 12 months New compliance date 23.03.21 22.12.20 – Use had ceased. Works delayed due to Covid 22.04.21 – Owner working towards compliance

				<p>19.07.21 – Work to comply with the EN underway.</p> <p>30.09.21 – Works of compliance ongoing; progress slow as track is being removed by hand</p> <p>13/04/22 – Ongoing Works of compliance</p> <p>21.10.22 – Site visit needed to check whether compliance has been achieved</p> <p>11/01/23 – Site owner spoken to and compliance in progress</p> <p>25/01/21 – Site visit found compliance nearing completion</p>
FIT/SDNP/19/00386/COU (Sue Payne)	Douglaslake Farm Little Bognor Road Fittleworth	Unauthorised use of agricultural buildings for a toilet hire company and a marquee company	28.06.21	<p>EN FT/11 issued</p> <p>Awaiting decision of appeal – Written Representation Appeal site visit scheduled for 10th August 2022 has been cancelled and is to be re-scheduled.</p> <p>17.10.22 – appeal site visit completed. PINS are now considering water neutrality.</p> <p>11.01.23 – Appeal dismissed. Compliance period 1st February 2023.</p>
FUNT/SDNP/21/00490/OPDEV (Michael Coates-Evans)	Bermuda Southbrook Road Funtington	Without planning permission, construction of a timber building and the laying and formation of a hardstanding	29.09.21	<p>EN FU/91 issued</p> <p>Compliance date 10.02.22</p> <p>07.04.22 pa SDNP/22/00670/FUL to retain the timber building was Refused</p> <p>26.01.23 – letter before action sent to owner regarding a prosecution</p>
HART/SDNP/18/00587/TPO (Shona Archer)	Three Cornered Piece Hollow Road East Harting	Breach of condition – occupation	19.06.19	<p>BCN HT/28 issued</p> <p>Compliance due 19.09.19</p> <p>15.10.19 - BCN considered not to have been complied with.</p> <p>24.10.19 –No demonstrable evidence of non-compliance</p> <p>18.06.20 – site visit revealed that authorised persons do not live on site. Prosecution instructions to be prepared</p> <p>20.01.21 – case with Legal Services</p> <p>21.04.21 – Temporary pp has expired</p> <p>26.06.21 – Prosecution withdrawn due to lack of evidence</p> <p>20.07.21 – case review held</p> <p>24.09.21 – Updated witness statements sent to legal</p> <p>21.10.22 – Enforcement action held in abeyance pending s78</p>

				appeal 11.01.23 – As above - s78 appeal on-going.
HART/SDNP/ 20/00600/ OPDEV (Shona Archer)	Three Cornered Piece Hollow Road East Harting	Without planning permission, the erection of brick pillars and gates	01.07.19	EN HT/29 issued. Compliance date 12.11.19 Works of compliance have not been carried out. 13/04/22 – Enforcement Notice HT/29 to be withdrawn following advice from legal. Further EN to be served 21.10.22 – Enforcement action held in abeyance pending outcome of pending s78 appeal (Linked with 18/00587/TPO) 26.01.23 – As above s78 appeal on-going.

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HART/SDNP/ 18/00587/TPO (Shona Archer)	Three Cornered Piece Hollow Road East Harting	Breach of condition – of appeal decision conditions 2	08.06.21	BCN HT/30 issued Compliance date 08.09.21 30.09.21 - prosecution proceedings in abeyance pending the outcome of the appeal against refusal of SDNP/20/02935/CND. 21.10.22 – Enforcement action held in abeyance pending outcome of pending s78 appeal (Linked with 18/00587/TPO - 20/00600/ OPDEV) 26.01.23 – As above s78 appeal on-going.
HART/SDNP/1 8/00228/BREC ON (Tara Lang)	North Marden Farm East Marden Road North Marden	Without planning permission, construction of two buildings in the approximate positions shown and marked “East Barn” and “West Barn” on the attached plan.	11.05.22	EN HT/32 issued Compliance date 22.06.2023 25.07.22 Variation to the enforcement notice issued Period for compliance extended to 22.06.2024 in recognition of the amount of work required to be undertaken
LURG/SDNP/ 20/00539/ OPDEV (Mike Coates- Evans)	Land North of Blind Lane Lurgashall	Without planning permission, the erection of an agricultural building	27.01.21	EN LG/17 issued Appeal dismissed against SDNP/20/03482/APNB New compliance date 14.03.22 22.06.22 – application SDNP/22/00098/FUL Refused 26.01.23 – SV to be scheduled to assess any development on the land
LURG/SDNP/ 20/00539/ OPDEV (Mike Coates- Evans)	Land North of Blind Lane Lurgashall	Building works in the construction of an agricultural building	27.01.21	SN LG/18 issued Takes effect on 31.01.21

LURG/SDNP/20/00647/GENER (Mike Coates-Evans)	Smugglers Cottage, Jobsons Lane, Windfallwood Common	Unauthorised erection of an outbuilding	27.07.22	LG/21 issued 27.07.2022, takes effect on 07.09.2022 14.10.22 – Appeal allowed against the refusal of planning application SDNP/21/00564/HOUS for same development. Enforcement notice to be withdrawn. Case closed. Remove from next list
NC/SDNP/20/0225/COU (Mike Coates-Evans)	Land at Copygrove Copse, Valentine's Lea, Northchapel	Without planning permission, the material change of use of the land to a mixed use for forestry and leisure purposes	27.07.22	NC/16 issued on 27.07.2022, becomes active on 07.09.2022 14.10.22 - Compliance date is 7 th December 26.01.23 – Discussions with owner regarding compliance are ongoing
ROG/SDNP/18/00609/BRECON (Mike Coates-Evans)	Land South of Harting Combe House Sandy Lane Rake Rogate	Without planning permission, stationing of a shepherds and use of a wooden building for the purposes of human habitation	05.08.21	EN RG/37 issued Appeal dismissed – compliance date 7 th December 26.01.23 – site visit to be scheduled to check compliance
TILL/SDNP/18/00733/COU (Mike Coates-Evans)	Land South East of Beggars Corner Halfway Bridge Lodsworth	Without planning permission the erection of a timber field shelter	08.01.20	EN LD/16 issued Appeal lodged – Written representations 02.09.20 – Appeal dismissed 02.04.21 - application for smaller building to be made 06.10.21 – application SDNP/21/03527/FUL refused. 22.10.21 - Need for further action to be considered 18.01.22 – letter before action sent 27.07.22 – site visit needed to update records before proceeding 14.10.22 – letter before action to be sent to owner regarding prosecution 26.01.23 – No response to letter. Witness statement to prepared

OUTSTANDING CONTRAVENTIONS – CHICHESTER DISTRICT CASES:

CON NO. (Case Officer)	ADDRESS	DETAILS OF BREACH	Date of Notice	COMMENTS EN = Enforcement Notice/BCN = Breach of Condition Notice HHRN = High Hedge Notice/TSN = Temporary Stop Notice SN = Stop Notice/HRN = Hedge Replacement Notice
BI/15/00194/ CONTRV (Shona Archer)	Land North West of Birdham Farm, Birdham Road, Chichester	Without planning permission the stationing of a mobile home for the purposes of human habitation	06.05.15	<p>EN BI/23 and BI/24 issued Appeals dismissed and EN's upheld. Compliance by: 02.08.18 Injunction granted by the High Court 08.01.21 – As a result of COVID the Order was amended by the Justice to read - 1) that the Defendants shall cease the use of the site for residential purposes and remove all caravans, mobile homes, portable toilets etc. by 31 March 2021. 2) The Defendants shall remove all hard-core, tracks, fences, stables, cabling etc. and restore the land to its agricultural use by 30 April 2021. A failure of the Defendants legal representation and High Court handling of their attempt to extend the time they could stay on the land resulted in no legal alteration of the Court Order and so the dates remain as stated above. 22.09.2021 – a letter was delivered to the remaining families 22.10.21 – Three families continue to occupy the land. 16.12.21 – site visit/photographs taken. Three families remain 13.01.22 – statement drafted and discussed with Solicitor. 27.07.22 – barrister appointed 14.10.22 – Papers with barrister. Case preparation ongoing 26.01.23 – Affidavits and exhibits to be signed/witnessed then court date obtained</p>
BI/15/00139/ CONSH (Shona Archer)	Land North West of Premier Business Park Birdham Road Chichester	Without planning permission erection of a stable building	10.08.15	<p>EN BI/29 issued with compliance date of 21.12.15 Following the outcome of the Inquiry, compliance to remove the stables is 2 August 2018 As serial BI/15/00194/CONTRV</p>

BI/15/00139/ CONSH (Shona Archer)	Access track and hardstanding - land North West of Premier Business Park, Birdham Rd	Without planning permission excavation, deposit of hardcore and erection of gates and fences	21.09.15	EN BI/30 issued As serial BI/15/00194/CONTRV
BI/15/00139/ CONSH (Shona Archer)	Land North West of Premier Business Park Birdham Road	Without planning permission, change of use of the land to a mixed use as a residential caravan site, for the storage of caravans and the keeping of horses	03.03.16	EN BI/31 issued As serial BI/15/00194/CONTRV
BI/17/00356/ CONMHC (Shona Archer)	Plot 12 Land North West of Premier Business Park Birdham Road	Without planning permission change of use of the land to use as a residential caravan site	22.11.18	EN BI/44 issued Hearing 21.06.22 22.07.22 – appeal dismissed, the notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act 22.07.23 – Site to be vacated
BI/17/00361/ CONMHC (Shona Archer)	Plot 13 Land North West of Premier Business Park Birdham Road	Without planning permission change of use of the land to use as a residential caravan site	22.11.18	EN BI/41 issued Hearing 21.06.22 22.07.22 – appeal dismissed, the notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act 22.07.23 – Site to be cleared
BI/17/00362/ CONMHC (Shona Archer)	Plot 14 Land North West of Premier Business Park Birdham Road	Without planning permission change of use of the land to use as a residential caravan site	22.11.18	EN BI/42 issued Hearing 21.06.22 22.07.22 – appeal dismissed, the notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act 22.07.23 – Site to be vacated

BI/17/00357/ CONMHC (Shona Archer)	Plot 15 Land North West of Premier Business Park Birdham Road	Without planning permission change of use of the land to a mixed use of agriculture, a residential caravan site and animal boarding and rescue centre	22.11.18	EN BI/43 issued. Compliance date 03.07.19 01.04.20 – Breach remains 22.07.20 – prosecution papers compiled 20.01.21 – some structures removed but stables and MH remain on the land 22.04.21 – Mobile home has been removed 16.12.21 – Full compliance not yet achieved 13.04.22 – wooden buildings remain on the land 27.07.22 – LPA has been informed that land has been sold. 18.08.22 - Site found a touring caravan and wooden stables and building on the land. Land registry check required. Then consideration of the need to prosecute. 19.01.23 – site visit found situation remains unchanged 26.01.23 – witness statement to be prepared for consideration of a prosecution.
BI/18/00240/ CONCOU (Shona Archer)	Land east of Birdham Farm Birdham Road Birdham	Without planning permission, change of use of the land to a general storage use	23.01.19	EN BI/45 issued Compliance date 06.06.19 17.10.19 – Meeting on site with the landowner. 8.1.20 – no application made but use of land continues. The owner considers that the LPA wrongly issued the notice 22.10.20 – letter to be sent to owner explaining evidence of ongoing offence and that the LPA proposes commencing prosecution of the offence 20.01.21 – land use reduced but vehs remain on the land. 17.02.21 – Prosecution papers under review by Legal Services 21.10.21 – Legal advised that further evidence be gathered 16.12.21 – photographs taken of site. 25.04.22 – prosecution statement sent to legal 27.07.22 – Legal opinion 26.03.23 – court date
BI/20/00379/ CONCOU (Shona Archer)	Plot 13 Land North West of Premier	Without planning permission, the erection of a wooden	13.10.21	EN BI/47 issued Hearing 21.06.22 22.07.22 – appeal dismissed, the notice is upheld, and

	Business Park Birdham Road Chichester	barn/stable, a kennel and kennel run and a close boarded fence/ gates and concrete and tarmac hard standings		planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act 22.07.23 – Site to be cleared
CC/20/00040/ CONENG (Mike Coates- Evans)	Land North West Of Newbridge Farm Salthill Road Fishbourne	Without planning permission a material change of use of the land to a mixed use comprising the stationing of a mobile home for the purpose of human habitation, the stationing of a items and operation of a waste collection business		27.04.22 – EN CC/152 issued Compliance date: 7 February 2023 Appeal lodged – written reps submitted. 27.02.23 - Awaiting decision of PINs and confirmation of site visit date
CC/22/00196/C ONBC (Mike Coates-Evans)	Duke and Rye Public House	Breach of condition 16 of CC/98/00156 /FUL - no amplified music to be heard on the public highway	27.09.22	27.09.22 – BCN CC/156 Issued Compliance Date: 25.10.22 17.01.23 – Instructions passed to legal for failure to comply with notice

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FU/18/00323/ CONHI (Sue Payne)	Land south of West Stoke Farm West Stoke Funtington	High Hedge Remedial Notice	22.11.21	HHRN HH/25 issued Appeal lodged – Written Representation 17.10.22 – appeal withdrawn. Owner has confirmed works will be undertaken Oct/Nov 2022 11.01.23 – Compliance site visit revealed the hedge requires a further 4 metre reduction in length. Owner advised and waiting confirmation to undertake final compliance visit.
FU/17/00310/ CONCOU (Tara Lang/Andrew George)	Cutmill Depot Newells Lane West Ashling	Without planning permission, change of use of land to use as a residential caravan site	27.09.18	EN FU/67 issued Appeal lodged – Written Representations 21.07.20 – notice upheld, compliance varied to 8 months New compliance date 21.03.21 19.07.21 – Letter sent to landowner to arrange a site visit to check compliance with enforcement notice 06.09.21 – Site visit showed compliance not achieved 30.09.21 - Prosecution held in abeyance as owners intend to appeal the refusal of 21/01003/ELD 13.01.22 - No appeal lodged 13.04.22 – Planning applications made for a means of enclosure, stationing of containers and the wintering of caravans. Also, an ELD for a residential unit of accommodation. The applications are currently invalid. 25.07.22 – ELD applications have been refused. Application for stationing of containers and wintering of caravans has been returned as invalid. a/w information from owner’s agent re: appeal. 14.10.22 – letter before action to be sent to the owner 21.10.22 – Assessment required on welfare needs on parties who reside on site. 11.01.23 – Site visit required to establish welfare needs on parties who reside on site.

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FU/20/00299/ CONENF (Shona Archer)	Land south of The Stables Newells Lane West Ashling	Without planning permission, the erection of stone pillars and walls	27.06.19	EN FU/70 issued Compliance date 07.11.19 24.02.20 Prosecution matrix and witness statement sent to legal for prosecution 17.06.20 – letter sent to owner by legal. If no compliance by 03.08.20 legal will apply to court for a date for prosecution. 15.10.20 – Updated witness statement sent to legal for consideration 19.11.20 – Listed for court at 10.00hrs on 29.01.21 at Brighton Magistrates Court 25.01.21 - The above case has been adjourned to 30/07/2021 at Brighton Magistrates Court at 11:00 19.07.21 –Case has been adjourned pending appeal 01.04.22 - 10:00 at Brighton Magistrates' Court. Case has been adjourned pending outcome of appeal 04.04.22 – removed from court listing until the outcome of appeal against refusal of planning permission: 20/00534/FUL 29.07.22 – Pending appeal outcome 14.10.22 – appeal in progress 21.10.22 – Public hearing set for 29.11.22 06.01.23 – s78 appeal against refusal of pa 20/00534/FUL Dismissed. The appeal scheme was to use the land to station 2 MHs and to retain the means of enclosure. 27.01.23 - Prosecution proceedings to recommence
FU/17/00011/C ONBC (Shona Archer)	Land south of Scant Road East Hambrook West Ashling	Without planning permission the construction of two wooden chalet buildings on raised breeze block	12.09.19	EN FU/71 issued Appeal lodged – Hearing – virtual event 25/01/21 29.01.21 - Appeal dismissed New compliance date 29.04.21 21.02.22 – SV undertaken. EN has not been complied with. Prosecution to be prepared for legal.

		foundations		<p>25.07.22 – Prosecution prepared for consideration by legal. 14.10.22 - Second statement required 07.01.23 – Court Hearing adjourned due to ill health of the defendant 10.01.23 – Crawley Mag Court Hearing. Defendant said a pa to be submitted. Agent confirmed that they have been instructed to make an application to retain the chalets as day rooms. Fees Paid. Case adjourned. 27.01.23 – Application not submitted. Warning letter to be issued and Agent asked for an update.</p>
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FU/17/00011/ CONBC (Shona Archer)	Land south of Scant Road East Hambrook West Ashling	Cease all the activity involved in the construction of the wooden chalet buildings	12.09.19	SN FU/72 issued Takes effect on 17.09.19
FU/19/00231/ CONBC (Shona Archer)	3 West Ashling Road Hambrook Funtington	Breach of condition – number of caravans exceeding permission	26.09.19	BCN FU/73 issued. Compliance date 26.12.19 Application (19/02662/FUL) for additional caravans refused 23.07.20 – Non-compliance with BCN 19.11.20 – Listed for court 29.01.21 @Brighton 25.01.21 - Court case adjourned to 30/07/2021 30.07.21 – Defendant found guilty in absence - £2500 fine, £1161.95 costs, and £181 victim surcharge 21.02.2022 – SV undertaken to check compliance with BCN. 19.04.22 – Prosecution instructions sent to legal 29.07.22 – Matter rests with legal for consideration 23.09.22 – Site visited. Too many caravans remain on the land and occupied by persons not meeting the definition of Gypsy and Traveller 19.01.23 – site visit showed an excess of MHs on the land. Prosecution to be considered
18/00368/CON BC	Land At 6 Oaklands West Ashling Road Hambrook Funtington	Without planning permission, the material change of use of the land to a use for the stationing of a touring caravan, two mobile homes and a motor home for the purposes of human	17.07.20	EN FU/76 issued Compliance date 28.11.20 20.01.20 - site visit required to check on compliance 22.04.21 – EN has been partially complied with. Officers are working with owner to achieve discharge of drainage condition on FU/17/01191/FUL. 18.10.2021 – awaiting discharge of drainage condition. 24.02.22 – Application 21/03330/DOC permitted 13.04.22 – approved drainage tank not installed.

		habitation		21.10.22 – waiting for agent to confirm drainage arrangements. There is a cesspit on site already. 11/01/23 – Agent is in liaison with site owners for details of cesspit.
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FU/20/00288/ CONENG (Tara Lang)	Land West of Newells lane West Ashling	Without planning permission, the carrying out of engineering operations to remove top soil and excavate the ground, followed by the importation of hard-core and gravel to form areas of hardstanding and an access track	28.10.20	EN FU/77 notice issue Appeal lodged Informal Appeal Hearing 31 January 2023
FU/19/00294/ CONBC (Tara Lang)	Land East of Tower View Nursery West Ashling Road Hambrook	Breach of conditions – excess number of caravans	19.01.21	BCN FU/78 issued Compliance date 18.07.21 18.10.2021 – letter sent to owner to request site visit to check compliance 15.02.22 – prosecution papers forwarded to Legal Services 21.10.22 – matter rests with legal for consideration 11.01.23 -Matter with legal
FU/21/00087/ CONBC (Shona Archer)	3 West Ashling Road, Hambrook, Funtington, West Sussex	Breach of conditions – occupation category	08.02.21	BCN FU/79 issued Compliance date 08.08.21 18.10.2021 evidence of occupation of mobile home required to undertake prosecution proceedings 17.01.2022 – no evidence for a prosecution 22.07.22 – focus sits with the excess number of caravans 23.09.22 – site visit confirmed occupancy by persons

				27.01.23 – case to be reviewed
FU/20/00109/ CONTRV (Shona Archer)	Field west of Beachlands Nursery, Newells Lane Funtington	Without planning permission the change of use of the land to a residential mobile home/caravan site	17.03.21	EN FU/80 issued Informal Appeal Hearing 31 January 2023
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FU/18/00270/ CONBC (Tara Lang)	Land West of Beachlands Nursey Newells Lane, West Ashling, Chichester, West Sussex	Without planning permission, the material change of use of the Land to use as a residential mobile home site	17.03.21	EN FU/81 issued Compliance date 24.10.21 04.04.2022 – linked appeal in progress with refusal of planning application: 20/00950/FUL Informal Appeal Hearing 31 January 2023
FU/18/00270/ CONBC (Tara Lang)	Land West of Beachlands Nursey Newells Lane, West Ashling, Chichester, West Sussex	Without planning permission, the formation of a hardstanding and the installation of a metal container building	17.03.21	EN FU/82 issued Compliance date 24.10.21 04.04.22 – linked appeal in progress with refusal of planning application: 20/00950/FUL Informal Appeal Hearing 31 January 2023
FU/21/00010/ CONENG (Tara Lang)	Plot 1 The Old Allotment Newells Lane West Ashling	Without planning permission the change of use of land to use for the parking of motor vehicles, storage and disposal of items and waste	19.08.21	EN FU/83 issued Compliance date 30.12.21 17.01.2022 – sv required to check compliance. 21.02.220 – All rubbish/waste items have been removed from the land. 22.07.22 – use ceased but hardstanding to be removed. Prosecution papers to be prepared 27.01.23 – SV required to assess current situation
FU/21/00010/	Plot 1 The Old	The parking of motor	19.08.21	SN FU/84 issued

CONENG (Tara Lang)	Allotment Newells Lane West Ashling	vehicles, importation, storage and disposal of household items and waste, creation of hardstandings		This notice takes effect 23.08.21 when all activity specified shall cease.
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FU/21/00152/ CONTRV (Tara Lang)	Land to west of Newells Farm Newells Lane West Ashling	Without planning permission, the material change of use of the land to use as a residential mobile home/caravan site	27.09.21	EN FU/87 issued Informal Appeal Hearing 31 January 2023
FU/21/00152/ CONTRV (Tara Lang)	Land to west of Newells Farm Newells Lane West Ashling	Cease introduction and stationing of additional mobile homes/caravans and hardcore, ground works and tarmac	27.09.21	SN FU/88 issued This notice takes effect 01.10.21 when all activity specified shall cease Informal Appeal Hearing 31 January 2023
FU/20/00288/ CONENG (Tara Lang)	Land west of Newells Lane West Ashling	Without planning permission, the material change of use of the land to use as a residential mobile home/caravan site	08.09.21	EN FU/89 issued Informal Appeal Hearing 31 January 2023
FU/20/00288/ CONENG (Tara Lang)	Land west of Newells Lane West Ashling	The introduction and stationing of additional mobile homes/caravans and the carrying out of	08.09.21	SN FU/90 issued This notice takes effect 12.09.21 when all activity specified shall cease. Informal Appeal Hearing 31 January 2023

		ground works		
HN/20/00400/ CONCOU (Sue Payne)	Land east of Farmfield Nurseries Selsey Road Hunston	Without planning permission, the material change of use of the land to a general storage use.	11.03.21	EN HN/28 issued Appeal lodged – Written Representation 11.03.22 – appeal dismissed New compliance date 11.09.22 23.09.22 – Prosecution instructions passed to legal. 27.01.23 – Confirmation of Court hearing date awaited.
CON NO. (Case Officer)	ADDRESS	DETAILS OF BREACH	Date of Notice	COMMENTS EN = Enforcement Notice/BCN = Breach of Condition Notice HHRN = High Hedge Notice/TSN = Temporary Stop Notice SN = Stop Notice/HRN = Hedge Replacement Notice
HN/20/00400/ CONCOU (Sue Payne)	Land east of Farmfield Nurseries Selsey Road Hunston	Without planning permission the erection of two container buildings	11.03.21	EN HN/30 issued 11.03.22 – appeal dismissed New compliance date 11.06.22 18.07.22 – Witness statement drafted for prosecution following non-compliance with notice. 29.07.22 – Witness statement to be sent to legal services 23.09.22 – Prosecution instructions passed to legal 27.01.23 – Confirmation of Court hearing date awaited.
NM/16/00325/ CONCOM (Shona Archer)	Land at 6 Oakdene Gardens North Mundham Chichester	Without planning permission storage of metal containers and other items	10.01.19	EN NM/28 issued Appeal lodged – Written Representations 03.08.20 – Appeal dismissed New compliance date 03.11.20 Date for compliance varied to 30.04.21 13.01.22 – access to site not obtained. Neighbour confirmed that the site has not been cleared. 13.04.22 - Letter to be sent to the tenanted property to request access to garden area for the purpose of taking photographs June – site visit found the compound overgrown but with the items still in situ 14.10.22 – no contact from owner received. 27.01.23 – update on current situation required

O/15/00202/ CONAGR (Tara Lang)	Oakham Farm Church Lane Oving	Without planning permission change of use to a mixed use for agriculture and the storage of caravans, motorhomes/ caravanettes, motor vehicles and shipping containers	03.02.17	EN O/26 issued Appeal dismissed – new compliance date 05.04.18 20.12.19 – A limited number of vehicles remain. Application for retention to be submitted 09.04.20 - planning application submitted 29.05.20 – application 20/00882/FUL refused 18.10.2021 – planning application: 21/02041/FUL submitted 13.04.22 – application is pending determination 14.10.22 – application decision awaited
PS/13/00015/ CONAGR (Shona Archer)	Crouchland Farm, Rickmans Lane, Plaistow	Without planning permission, change of use of the land from agriculture to a commercial biogas plant	15.07.15	EN PS/54 issued Appeal lodged – Public Inquiry originally scheduled for APP/P3800/15/3137735. Appeal part allowed/part dismissed 21.11.17 – Appeal dismissed. Enforcement Notice upheld, 04.12.17 – Use ceased. 17.10.18 – Extension to compliance until 21.05.21 24.05.21 – site visit identified non-compliance 28.06.21 – prosecution papers forwarded to Legal Services 13.01.22 – owner intends to apply to EA for special licence. 13.04.22 – letter before action sent to owner and instructions to barrister drafted 29.07.22 – EA and CDC have advised owner of legal requirements. 14.10.22 - A prosecution has been held in abeyance at this time. 11.01.23 – a letter before prosecution sent to owner 27.01.23 – awaiting response from owner by 08.02.23
PS/18/00088/ CONAGR (Shona Archer)	Crouchland Farm Rickmans Lane Plaistow	Without planning permission, the construction of a slurry lagoon, earth bund and fencing	01.11.18	EN PS/67 issued Appeal lodged – Written Representations 10.01.20 – appeal decision varied the notice finding that the slurry lagoon and earth bunds were immune from enforcement action. The removal of the fencing was upheld and the compliance period amended New compliance date 10.05.21 See PS/13/00015/CONAGR serials

PS/20/00182/ CONCOU (Sue Payne)	Manor Copse Farm Oak Lane Shillinglee	Without planning permission, the erection of a building	25.08.21	EN PS/70 issued Appeal lodged – Written Representation 17.10.22 – waiting for PINS to confirm appeal site visit 11.01.23 – waiting for PINS to confirm appeal site visit
PS/20/00414/C ONHH (Sue Payne)	Oxencroft, Ifold Bridge Lane, Ifold	Without planning permission, change of use of the land and buildings to a mixed use comprising mobile home/caravan(s) for the purposes of human habitation, B8(storage), forestry and agriculture,	27.04.22	EN PS/71 issued 27.04.2022 01.06.2022 - Appeal lodged – Public Inquiry 17.10.22 – Rule 6 Statement submitted. Waiting for PINS to confirm dates for PI. 11.01.23 – Waiting for PINS to confirm dates for PI.
SB/20/00215/ CONTRV (Tara Lang)	Land South East side of Priors Leaze Lane Hambrook	Without planning permission, the laying and compaction of hard core and tarmac chippings over an existing (unmade) track and to create new access tracks and the formation of an earth bank	20.08.20	EN SB/120 issued 03.02.21 – appeal dismissed New compliance date 03.08.21 18.10.2021 – a/w validation and determination of planning application: 21/02082/FUL which will require the retention of the access track 03.02.22 – application refused 08.02.22 – letter before action sent 23.02.22 – application 22/00406/FUL received for Change of use of land for 2 no. travelling showmen plots 04.04.22 – application remains pending consideration 14.10.22 – application remains pending consideration. 11/01/23 – Application remains pending
SB/20/00215/ CONTRV (Tara Lang)	Land South East side of Priors Leaze Lane Hambrook	The resurfacing of existing tracks, construction of new access tracks and earth bank	20.08.20	SN SB/121 issued with EB SB/120 Takes effect 24.08.20 21.10.22 – Enforcement action held in abeyance until outcome of pending application 22/00406/FUL 11.01.23 – Application 22/00406/FUL pending
SB/21/00030/	The Cottage	High Hedge Remedial	11.11.21	HHRN HH/24 issued

CONHI (Sue Payne)	Prinsted Lane Prinsted Emsworth	Notice		Compliance date 10.03.22 04.04.22 – overall height of the hedge has been reduced to 3.5 metres. The reduction to 3 metres could have resulted in long term damage to the hedge so further reduction required at the end of 2022 to decrease the height to 3 metres. 29.07.22 – to be checked at end of year 17.10.22 – owner confirmed work to be completed by end of Oct 2022. 12.01.23 – Compliance with the Notice. Remove from next list
SB/19/00103/C ONCOU (Michael Coates-Evans)	Thornham Marina Thornham Lane Southbourne Emsworth	Siting of accommodation pods in marina, change of use to residential purposes	N/A	16/06/2022 – authority to serve an EN Instructions sent to legal 11/10/2022 – SB/124 Notice issued 22/02/2022 – Date to comply 21/11/2022 – Appeal Lodged – WR 24/01/2023 – Submitted Appeal Statement to PINs
SI/16/00026/ CONMHC (Steven Pattie/Andrew George)	Zsaras Yard Highleigh Road Sidlesham	Without planning permission the change of use of the land for the stationing of a caravan for the purpose of human habitation	06.11.19	EN SI/71 issued 02.07.20 – appeal dismissed New compliance date 02.01.21 20.04.2021 – Site visited the breach remains. Letter sent to the owner and their agent about prosecution proceedings 20.07.2021 – Correspondence to planning agent regarding the breach 21.10.22 – site visit needed to assess use of land prior to consideration of a prosecution 27.01.23 – case assessment/site visit required

SI/20/00238/ CONCOU (Shona Archer)	Land Adjacent To Ham Road Keynor Lane, Sidlesham	Untidy Land	26.05.21	SI/76 S215 Notice issued Compliance date 24.09.21 12.10.21 – site visit showed some compliance. 13.04.22 – some items remain on the land. 14.10.22 – expediency to be considered regarding condition of land 19.01.23 – Cleared but SV found waste on adjacent land. New Case Opened. Remove from next list
SI/20/00301/ CONMHC (Sue Payne)	82A Fletchers Lane Sidlesham	Without planning permission the material change of use of the Land to a residential caravan site	15.06.21	EN SI/77 issued Appeal lodged – Written Representation 17.10.22 – appeal dismissed. New compliance date 30 th November 2022 11.01.23 – compliance visit on 4 th December 2022 revealed owners had not complied with the requirements of the Notice. Owners advised new compliance date of the 13 January 2023. Waiting to undertake compliance visit 20.01.23 – instructions passed to legal
SI/21/00038/ CONMHC (Sue Payne)	Land east of Ivy Grange Keynor Lane Sidlesham	Without planning permission change of use of land to the stationing of a mobile home for human habitation	09.08.21	EN SI/78 issued Appeal lodged – Written Representation 01.03.22 – appeal dismissed New compliance date 01.03.23
STED - SDNP/19/0056 9/BRECON (Mike Coates- Evans)	Stedham Sports Ground, The Street, Stedham	Breach of condition 2 of SDNP/12/02805/FUL – failure to comply with approved plans / materials for parking area and track.	N/A	07/06/2022 – authority to enforce 27.01.23 – Instructions to be sent to Legal
ML/SDNP/19/0 0375/BRECON (Mike Coates-	Wispers, Tittys Hill, Milland	Unauthorised erection of a dwellinghouse	27.07.22	27.07.22 – EN ML/26 served 06.09.22 - Appeal Lodged 22.09.22 – Appeal Started

Evans)				27.01.23 - Awaiting PINs site visit
TG/19/00069/ CONSRV (Sue Payne)	17 Nettleton Avenue Tangmere	Breach of condition - retention of amenity land	09.01.20	BCN TG/21 issued 23.10.20 – Planning appeal dismissed New compliance date 28.01.21 Planning application 20/03130/DOM submitted and refused 09.11.21 – Appeal dismissed New compliance date 09.02.2022 04.04.22 – Lawful position of pp 99/01811/OUT challenged. 29.07.22 – Permission held to be lawful, owner to be advised the LPA will prosecute for non-compliance 17.10.22 – owner confirmed works to comply with the notice would be completed by November 2022. 11.01.23 – Owner has confirmed that the land has been cleared and boundary treatment to be removed at the end of January 2023. Waiting to undertake a compliance visit
WE/16/00191/ CONCOU (Shona Archer)	Unit 2 Land north of Cemetery Lane Woodmancote	Without planning permission material change of use of the land to a mixed for open storage of vehicles and use as a HGV Operating Centre	24.07.17	EN WE/39 issued Appeal ongoing – Written Representations New compliance date 02.01.2020 11.6.20 – planning application WE/19/03206/FUL Refused, and appeal lodged 04.01.22 – appeal Dismissed. 13.04.22 – owner considering future use of the land. 29.07.22 – owner is aware of need to comply. Their timescale for doing so will be requested. 25.11.22 – instructions given to legal 24.01.23 – awaiting court date – estimated 03.23
WE/13/00163/ CONWST (Shona Archer)	The Old Army Camp Cemetery Lane Woodmancote Westbourne	Without planning permission, change of use of the land to use as a civil engineering contractor's yard	10.04.18	EN WE/40 issued Appeal lodged – Public Inquiry date amended to 14.09.21 Sep 21 - Public Inquiry suspended to due illness of Inspector Jan 22 – Public Inquiry suspended due to illness on appellant's team To be reconvened October 2022 18.10.22 - Inquiry sat awaiting decision

				27.01.23 – Appeals Dismissed and EN’s upheld. Partial award of costs granted to the Appellant. 27.01.24 – New Compliance Date
WE/13/00163/ CONWST (Shona Archer)	The Old Army Camp Cemetery Lane Woodmancote Westbourne	Without planning permission, change of use of land for storage of portable site office cabins, container cabins, portable toilet blocks and commercial vehicles	10.04.18	EN WE/41 issued Sep 21 - Public Inquiry suspended to due illness of Inspector Jan 22 – Public Inquiry suspended due to illness on appellant’s team As above
WE/13/00163/ CONWST (Shona Archer)	The Old Army Camp Cemetery Lane Woodmancote Westbourne	Without planning permission, change of use, storage of skips, building materials, scaffolding, lifting platforms, storage racks, engine parts, commercial vehs, HGV’s, redundant vehicles and truck bodies	10.04.18	EN WE/42 issued Sep 21 - Public Inquiry suspended to due illness of Inspector Jan 22 – Public Inquiry suspended due to illness on appellant’s team As above
WE/17/00333/ CONMHC (Tara Lang/Andrew George)	Land at Home Paddock Stables Hambrook Hill North Hambrook	Without planning permission, change of use of the land to a mixed us comprising equine and the stationing of a shepherd’s hut	27.06.18	WE/44 issued 14.01.20 – Appeal dismissed. New compliance date 14.01.21 22.04.21 – date for compliance deferred to 30.06.2021 19.07.21 – Owner requested additional time to comply 17.01.22 – prosecution papers drawn up 17.02.22 – prosecution papers forwarded to Legal Services 21.10.22 – this matter rests with legal for consideration 11.01.23 – Matter with legal for prosecution
WE/17/00403/	Land South West	Without planning	06.08.18	EN WE/46 issued

CONENG (Shona Archer)	of Racton View Marlpit Lane Hambrook	permission, the erection of fencing and entrance gates, wing walls and piers and raised gravel banks containing wooden sleepers		13.08.19 – appeal dismissed and the notice is upheld New compliance date 13.11.19 10.01.2020 – Works to remove walls/gates/pillars started. 24.07.20 – Works to comply not complete. 21.10.20 – Owner intends to comply with the EN 14.01.21 – Owner confirmed most of the works have been done to comply with the EN. 22.04.21 –Part of the fence remains in situ. 29.07.22 – Public interest in prosecuting the offence to be considered
WE/19/00117/ CONMHC (Michael Coates-Evans)	Land North of The Grange Woodmancote Lane Woodmancote	Without planning permission, change of use of the land to the stationing of two mobile homes for the purpose of human habitation	15.01.20	EN WE/47 issued Appeal lodged – Hearing 25.11.20 09.12.20 – enforcement notice upheld with variation New compliance date 09.09.21 09.09.2021 – Residential use has ceased 07.01.22 – Application made for a temporary 3 year use 04.04.22 – invalid application returned 27.01.23 – application 21/03554/FUL pending for 3 yr use of land to station a MH
WE/19/00217/ CONCOU (Michael Coates-Evans)	Land West of 4 The Paddocks, Common Road, Hambrook, Westbourne	Without planning permission the material change of use of the land to use as a residential caravan site	03.02.21	EN WE/49 issued Appeal lodged – Hearing 07.09.21 19.01.22 – appeal dismissed. New compliance date 19.07.22 19.01.23 – SV noted one MH on lawful site and caravans on land at the rear 27.01.23 – prosecution proceedings to commence
WE/19/00107/ CONMHC (Michael Coates-Evans)	Land at Jubilee Wood, Bridle Lane, Woodmancote, Hambrook	Without planning permission, the material change of use of the Land to use as a residential caravan site	07.07.21	EN WE/50 issued Appeal Dismissed New Compliance date = 7 December 2022 19.01.23 – SV showed MH and structures remain on the land 27.01.23 – prosecution proceedings to commence
WE/19/00107/	Land at Jubilee	Without planning	07.07.21	EN WE/51 issued

CONMHC (Michael Coates-Evans)	Wood, Bridle Lane, Woodmancote, Hambrook	permission, the material change of use of the land to a use for recreational purposes		Appeal Dismissed New Compliance date = 7 December 2022 19.01.23 – SV found items on the land 27.01.23 – prosecution proceedings to commence
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane Westbourne	Without planning permission the erection of a two storey dwelling house	13.07.21	EN WE/52 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed 23.01.24 – Compliance Date – cease and demolish
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane Westbourne	Without planning permission the erection of a timber dwelling house (east)	13.07.21	EN WE/53 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed 23.01.24 – Compliance Date – cease and demolish
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane Westbourne	Without planning permission the erection of a timber dwelling house (west)	13.07.21	EN WE/54 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed 23.01.24 – Compliance Date – cease and demolish
WE/19/00176/ CONT (Steven Pattie)	Land west of 4 The Paddocks Common Road Hambrook Westbourne	Tree Replacement Notice	11.08.21	WE/55 issued Compliance date 09.06.22 Appeal lodged Awaiting appeal site visit to be re-organised by PINS following cancellation on the 26 September 2022. 11.01.23 – Awaiting appeal site visit by PINS.
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane Westbourne	Without planning permission the material change of use of the land to residential use two storey dwelling house	06.01.22	EN WE/57 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed 23.01.24 – Compliance Date – cease and demolish
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane	Without planning permission the material change of use of the	06.01.22	EN WE/58 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed

	Westbourne	land to residential use timber dwelling house (east)		23.01.24 – Compliance Date – cease and demolish
CON NO. (Case Officer)	ADDRESS	DETAILS OF BREACH	Date of Notice	COMMENTS EN = Enforcement Notice/BCN = Breach of Condition Notice HHRN = High Hedge Notice/TSN = Temporary Stop Notice SN = Stop Notice/HRN = Hedge Replacement Notice
WE/21/00169/ CONDWE (Shona Archer)	Land South of Racton View Marlpit Lane Westbourne	Without planning permission the material change of use of the land to residential use timber dwelling house (west)	06.01.22	EN WE/59 issued Appeal lodged – Public Inquiry 23.01.23 – Appeal Dismissed 23.01.24 – Compliance Date – cease and demolish
WW/16/00251/ CONCOU (Steven Pattie/Andrew George)	Land East of Brook House Pound Road West Wittering	Without planning permission, the material change of use of the wooden building to use as a single dwellinghouse	14.01.20	EN WW/49 issued Appeal lodged – Written representation 15.06.21 – Appeal dismissed New compliance date 15.10.21 08.11.21 - Site visit carried out to check compliance. Unable to establish if the breach had ceased as curtains were closed. 17.01.22 - Letter out to owner requesting an accompanied SV and to set out the issues should compliance not have occurred 13.04.22 – Consideration to be given to prosecuting for non-compliance with EN WW/49 29.07.22 – Update on this case is awaited 21.10.22 – Enforcement action held in abeyance until outcome of 22/00778/FUL 11.01.23 – Application refused assessment to be made in relation to enforcement action.
WR/19/00290/ CONBC (Sue Payne)	Goose Cottage Durbans Road Wisborough Green	Breach of condition of 14/02859/FUL - building being used for		23.08.22 – authority to serve a BCN WR/27 Instructions sent to legal 03.10.22 – BCN served

	Billingshurst West Sussex RH14 0DG	purposes other than for the keeping of poultry and storage.		03.01.23 - compliance date 11.01.23 – awaiting appeal decision from PINS in relation to planning application WR/21/03603/FUL
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