

EAST HOATHLY with HALLAND PARISH COUNCIL

Members of East Hoathly with Halland Parish Council Planning Committee are summoned to attend a meeting to be held at the Village Hall, Church Marks Lane, East Hoathly on **Monday, 19th June, at 7.00pm.**

Signed *Malcolm Ramsden*
14th June, 2023

AGENDA

0. ELECTION OF CHAIRMAN

1. PUBLIC PARTICIPATION

Members of the public are welcome and encouraged to attend. The first fifteen minutes of the meeting will be available for the public to express a view or ask a question on relevant matters on the agenda. The public and press are also welcome to stay and observe the rest of the meeting (subject to any items considered as confidential within the terms of the Public Bodies (Admission to meetings) Act 1960).

2. DECLARATIONS OF INTEREST

Members are invited to make any declaration of personal or prejudicial interests that they may have in relation to items on the agenda and are reminded to make any declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is to be considered.

3. APOLOGIES – to receive apologies for absence

4. PLANNING

4.1 Current application under consideration

Application No. WD/2023/1452/MAJ Application Type: Major Application - Full
Location: Staverton Nursery, Eastbourne Road, Halland BN8 6PU
Description: Re-building following fire damage – comprising 2 span north-western section of main building complex.

4.2 Response required to Wealden District Council request for information regarding WD/2023/1358/LDE (Land at Buttsfield Lane, East Hoathly), specifically:-

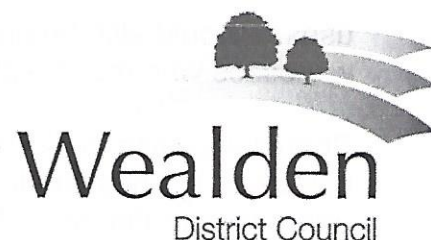
“(WDC) would be grateful to receive your Council’s observations (within the normal 21 day consultation period (from 5th June, 2023)) as to whether you or your Councillors are in a position to assist this Council in respect of any evidence, local knowledge and/or witnesses who may have personal knowledge of the history of the application site and its uses. I would also be grateful to receive any names and addresses of any such potential witnesses who may be able to assist and who could be contacted direct by this office.” (See below).

5. DATE OF NEXT MEETING

To note that the next meeting will be of the Full Council and will be held on Monday, 26th of June, 2023 at 7.00pm.

IF YOU WOULD LIKE TO RECEIVE E-MAILED COPIES OF THIS AND FUTURE AGENDAS
PLEASE CONTACT THE CLERK (07948 496760) and/or
easthoathlywithhallandpc@gmail.com

OUR REF: WD/2023/1358/LDE
ASK FOR: **Ralph Forder Tel: 01892 602496**
DATE: 05 June 2023
YOUR REF:



East Hoathly with Halland
Parish/Town Council

Head of Planning and Environmental Services

Dear Sir/Madam,

WD/2023/1358/LDE

LAND AT BUTTSFIELD LANE, EAST HOATHLY , BN8 6EE

**COMMENCEMENT OF WD/2016/1616/F - ERECTION OF TWO DWELLINGS, ACCESS,
LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE**

The application forms and plans in relation to the above application for a Certificate of Lawful Development for Existing Use received on 23 May 2023, can be viewed at www.planning.wealden.gov.uk

As you may be aware, such applications appear on this Council's weekly list of planning applications received but are different from planning applications, which normally seek planning permission for development. For 'LDE' applications it is necessary for this Council, as the Local Planning Authority, to give a legal determination based primarily upon matters of factual evidence and law and not on the normal 'development control' criteria such as approved planning policy, visual amenity or highway safety.

Certificates of Lawful Development were introduced on 27th July 1992 by the Planning and Compensation Act 1991, Section 10(1), which superseded Section 192 of the Town and Country Planning Act 1990, as originally enacted by Section 94 of the 1971 Act which related to 'Established Use Certificates'. Such Certificates may be issued for uses of land and/or buildings which become immune from enforcement action through the passage of time. The period of time under examination is the ten years prior to the date of the submitted application (though for residential occupation of buildings other than dwellings this is only four years). The onus of proof lies with an applicant to establish to the Council's satisfaction, and on the balance of probabilities, that the specific use/development has become 'lawful' in planning terms.

My Council fully recognises the important part which a local Town or Parish Council can play in being able to identify individuals who are able to verify or dispute allegations made as to the nature of development/use and/or the length of time it may have been in existence and for which a Certificate is being sought.

In relation to the submitted documents, I would be grateful to receive your Council's observations (within the normal 21 day consultation period) as to whether you or your Councillors are in a position to assist this Council in respect of any evidence, local knowledge and/or witnesses who may have personal knowledge of the history of the application site and its

uses. I would also be grateful to receive any names and addresses of any such potential witnesses who may be able to assist and who could be contacted direct by this office.

Should you wish to discuss these submissions for any further detailed background information, please do not hesitate to contact this office, asking for the case officer in respect of the reference number to be found at the top of this letter.

Thanking you in anticipation of your assistance.

Yours sincerely

S Robins

Head of Planning and Environmental Services