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Wealden District Council
Vicarage Lane
Halisham
East Sussex
BN27 2AX

Date 11 December 2027

Your ref:
Our ref: [redacted]

Dear Planning Team

Crowborough Barracks ("Property")

We refer to the above Property and confirm we act for The Secretary of State for Defence ("SSD").

This letter responds to the Planning Contravention Notice ("the PCN") served on the SSD dated 21 November 2025 by Wealden District Council ("the Council") relating to the Property. The Property is owned freehold by the SSD. The Property is Crown land within the meaning of the Town and Country Planning Act 1990 ("TCPA 1990") and the SSD is a Crown body.

Regarding the PCN, we comment as follows:-

1. The PCN was served by the Council under s171C TCPA 1990 on the basis that it appeared to the Council that there may have been a breach of planning control. It purports to seek information within the terms of s171C(2) and (3). Those sections, as relevant here, enable the Council to seek information as to any operations being carried out on the land, any use of the land, and any other activities being carried out on the land. The emphasised phrases in the above make very clear that the scope of the enquiry authorised under s171C relates to matters of fact at the date of the PCN and any response to it. This is pursuant to its statutory function in seeking to provide information to the authority on which it may decide whether there has been a breach of planning control and whether it is expedient to take enforcement action.

2. The scope of a PCN does not relate to any potential future breaches of planning control. It relates to the current situation only. A number of the requests in the PCN fall outside this lawful scope and to use the PCN in this way, is contrary to the advice in the Planning Practice Guidance that a planning contravention notice "should not be used to undertake an investigative trawl just to satisfy the local planning authority about what activities are taking place on a parcel of land". These requests therefore fall outside of the terms of section 171C TCPA 1990.
3. Further, s171C(3) is clear that the response to any request is limited to the reasonable knowledge of the recipient ("so far as he is able"). By way of background, the SSD has entered into a Memorandum of Terms of Occupation ("MOTO") with the Home Office in respect of its occupation of the Property. As the Government cannot lease properties between departments, a MOTO is used to regularise occupation in a similar manner to a lease. Therefore, any proposed use of the Property is a matter for the Home Office.
4. The SSD considers some of the requests in paragraph 4 of the PCN beyond the scope of section 171C and as a result has only provided information in response to the requests numbered below, insofar as they relate to the present state of affairs. If the Council disagrees and wishes to provide a justification for its approach to prospective development, then we will of course consider this. The relevant information is set out below and in the appended documentation.

Please see below responses to paragraph 4 of the PCN:-

1. SSD is the freehold owner of the Property.
2. Please refer to the official copy of SSD's freehold title.
3. a. SSD
   b. 1) HO pursuant to the terms of the MOTO. 2) The Marine Society and Sea Cadets pursuant to a lease dated 6 May 2025.
6. The CCTV works have been carried in accordance with Class S. We confirm the CCTV installed is in accordance with the permitted camera sizes and conditions and as such no prior approval is required from the Council. The fencing works are temporary, and the fencing sits within the current Property boundary. There are no footings as the installation is above ground and as such, we confirm no development has taken place.
10. We understand that only part of the Property is within the Impact Risk Zone for Ashdown Forest and therefore some CCTV works may fall outside of the scope of the Conversation of Habitats and Species Regulations 2017. Accordingly, no opinion has been sought from Natural England. In any event, the CCTV works are minor in nature and have been attached to existing buildings. They are not considered to have significant effect on Ashdown Forest.

11. We understand that HO have not yet made a decision as to the proposed use of the Property. The CCTV works carried out were as a result of safety concerns for MoD personnel and contractors.
14. We confirm the CCTV works are not within or immediately adjacent to any of the watercourses, drainage ditches or culverts.
18. There have been no CCTV columns, towers or masts installed or erected. The CCTV has been attached to existing buildings at the Property. Given the CCTV works are to enhance security, no location details or plan will be provided.

Should the Council require any clarification relating to the information provided, please do not hesitate to contact us further.

Yours faithfully

MOD Property Team

MoD Property Team