



**REGULATORY COMMITTEE**

**PLANNING COMMITTEE**

**MEETING 10.30 am WEDNESDAY, 14 JULY 2021**

**++ THIS MEETING WILL BE TAKING PLACE IN PERSON ++**

**COUNCIL CHAMBER, COUNTY HALL, LEWES**

**MEMBERSHIP -** Councillor Tom Liddiard (Chair)  
Councillors Abul Azad, Kathryn Field, Eleanor Kirby-Green, Pat Rodohan,  
Barry Taylor (Vice Chair) and Trevor Webb

**A G E N D A**

- 1 Minutes of the meeting held on 10 March 2021 (*Pages 3 - 4*)
- 2 Apologies for absence
- 3 Disclosures of interests  
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items  
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.

**Traffic Regulation Orders - report(s) by the Director of Communities, Economy and Transport**

- 5 Lewes District Parking Review 2020/21 (*Pages 5 - 24*)  
Report by the Director of Communities, Economy and Transport
- 6 Development Management Update (*Pages 25 - 50*)  
Report by the Director of Communities, Economy and Transport
- 7 Any other items previously notified under agenda item 4

PHILIP BAKER  
Assistant Chief Executive  
County Hall, St Anne's Crescent  
LEWES BN7 1UE

6 July 2021

**NOTES:**

- (1) *Members are reminded that copies of all representations received are available for inspection in the Members' Room*
- (2) *NOTE: As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived. The live broadcast is accessible at: [www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm](http://www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm)*

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## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 10 March 2021.

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PRESENT Councillors Richard Stogdon (Chair), Barry Taylor (Vice Chair), Bob Bowdler, Godfrey Daniel, Kathryn Field, Tom Liddiard and Pat Rodohan

### 18 MINUTES OF THE MEETING HELD ON 16 DECEMBER 2020

18.1 The Committee approved as a correct record the minutes of the meeting held on 16 December 2020.

### 19 DISCLOSURES OF INTERESTS

19.1 Councillor Richard Stogdon declared a personal interest in Item 5, in that he is an acquaintance of the applicant and his family, so he withdrew from the meeting during consideration of this item.

### 20 REPORTS

20.1 Reports referred to in the minutes below are contained in the minute book.

### 21 WASTE TRANSFER AND RECYCLING STATION, AND EXTENSION OF HARDSTANDING (RETROSPECTIVE). DUNLY WOOD, MAYFIELD ROAD, CROSS IN HAND, HEATHFIELD, TN21 0GF - WD/847/CM

21.1 Councillor Richard Stogdon withdrew from the meeting and Councillor Barry Taylor took the chair for this agenda item.

21.2 The Committee considered a report by the Director of Communities, Economy and Transport.

21.3 Ms Debbie Marriage, agent for the applicant, spoke against the recommendation for refusal of the application.

21.4 The Committee has considered the officer's report and the comments of the public speaker and unanimously agree with the conclusions and reasons for the recommendation set out in paragraph 7 of the report.

21.5 The Committee RESOLVED to refuse planning permission and to authorise the Director of Communities, Economy and Transport to take appropriate enforcement action in consultation with the Assistant Chief Executive to require the cessation of the use of the site as a waste transfer and recycling station and for the removal of all plant, equipment and materials associated with the waste use for the following reasons:

1. The development is a large scale waste recycling facility located outside of an Area of Focus within the High Weald AONB and not on previously developed land. The site of the development is not within a sustainable location and conflicts with Policies WMP7a and WMP7b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 which seek to identify sustainable locations for waste recycling facilities.
2. The development is located in the High Weald AONB and set within ancient woodland. The development is industrial in nature and does not conserve and enhance the natural

beauty of the AONB, thereby conflicting with Policy WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policy EN6 of the Wealden District Local Plan 1998, paragraph 172 of the National Planning Policy Framework 2019 and Objectives W1 and W2 of the High Weald AONB Management Plan 2019.

3. The development occupies part of an area of ancient woodland and has caused damage to it and there have been no adequate assessments of the potential effects of the development on this habitat or on protected species, thereby conflicting with Policy WMP27b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy WCS12 of the Wealden District Core Strategy Local Plan 2013, Saved Policy EN13 of the Wealden District Local Plan 1998 and paragraph 175(c) of the National Planning Policy Framework 2019.
4. The development does not provide enough space for the parking of vehicles, as the parking of cars takes place outside the application site boundary and within the ancient woodland, thereby conflicting with Policies WMP26(e) and WMP27b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy WCS12 of the Wealden District Core Strategy Local Plan 2013, Saved Policy EN13 of the Wealden District Local Plan 1998 and paragraph 175(c) of the National Planning Policy Framework 2019.

The meeting ended at 11.10 am.

Committee:	<b>Regulatory Planning Committee</b>
Date:	<b>14 July 2021</b>
Report by:	<b>Director of Communities, Economy and Transport</b>
Title of Report	<b>Traffic Regulation Orders – Lewes District Parking Review 2020 - 2021</b>
Purpose of Report	<b>To consider the objections received in response to the formal consultation on the draft Traffic Regulation Orders associated with the Lewes District Parking Review</b>
Contact Officer:	<b>Michael Blaney -Tel. 01424 726142</b>
Local Members:	<b>Councillor James MacCleary, Councillor Sarah Osborne, Councillor Johnny Denis, Councillor Chris Collier, Councillor Carolyn Lambert.</b>

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## **RECOMMENDATION**

**The Planning Committee is recommended to:**

- 1. Uphold the objection to the draft Order as set out in Appendix 1 of this report.**
  - 2. Not uphold the objections to the draft Order as set out in Appendix 2 of this report.**
  - 3. Recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order be made in part.**
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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT.**

### **1. Introduction**

- 1.1** Requests for new or for changes to existing parking and waiting restrictions in Lewes District are held on a priority ranking database, with those requests ranking high enough being progressed to consultation. Informal consultations began on 18 September 2020 and ran till 9 October 2020 to see whether there was enough public support to introduce controls, such as double yellow lines, or changes to permit parking schemes in a number of locations in the district.
- 1.2** Feedback from the consultations led to formal proposals being developed. These formal proposals were advertised, together with the draft Traffic Regulation Order (TRO) (a copy of which is attached at Appendix 3) in the Sussex Express on 5 March 2021. Notices and copies of the relevant plans were placed on posts and lamp-columns in the affected areas. Approximately 835 letters were delivered to local addresses and the consultation was placed on the Council's Consultation Hub for any member of the public to comment. The formal period for representations to be made ended on 26 March 2021.
- 1.3** Copies of the formal proposals were sent to relevant district and parish Councillors, County Councillors and statutory consultees including the emergency services. Copies of all

supporting correspondence are available in the Members' Room and have also been made available to Planning Committee members in an electronic format.

- 1.4 During the formal consultation 81 items of correspondence were received. These included 20 objections and 60 items of support. One of the objectors objected to all proposals but has provided no reasons for the objection. Legally, objectors must provide the grounds for their objection (in order for their grounds to be considered). Officers have written to the objector twice and have received no response. Although no grounds have been given for the objection, officers have included it in this report for completeness. One objector has withdrawn her objection as she has moved away from the area and one objector has stated that he was not objecting but merely making observations. One letter was received advising us that the disabled bay in Deans Meadow was no longer required.

## **2. Comments and Appraisal**

- 2.1 Each item of correspondence has been considered individually and a summary of the objections and officer comments are included in Appendices 1 and 2. Again full copies of all correspondence are available in the Members' Room, plans and photographs showing the areas objected to are included in the Additional Information Pack.
- 2.2 Following consideration of the responses, it is recommended to modify the following proposals (summarised in Appendix 1):
- Springett Avenue, Ringmer – modify the proposal to reduce the length of the proposed double yellow lines on the north-west side outside number 44.

Officers are satisfied that this modification of this proposal does not involve a substantial change to the draft Order and it is unnecessary to consult again.

- 2.3 With regard to objections relating to Arundel Road (Peacehaven), Arundel Road West (Peacehaven), Broad Street (Seaford), Edith Avenue (Peacehaven), High Street (Newhaven), Roderick Avenue (Peacehaven), South Road (Newhaven), South Street (Lewes), Western Road (Newhaven) as set out in Appendix 2, it is not considered that these objections provide sufficient grounds to warrant the modification or withdrawal of the proposals, and the proposals provide for the most efficient use of parking space. It is considered that these objections should not be upheld.
- 2.4 It is also recommended that all other proposals not objected to should be implemented as advertised. The disabled bay in Deans Meadow is to be withdrawn.

## **3. Conclusion and reasons for recommendation**

- 3.1 The approach in trying to resolve objections to the Order has been to appraise the concerns raised by residents and other road users, whilst not compromising road safety or other factors. On balance, one objection can be accepted and a minor modification can be incorporated into the Order, whilst with the rest of the objections, it is felt for highway and road safety reasons, that they should not be upheld and the proposals in these areas should proceed as per the draft TRO as advertised.
- 3.2 It is therefore recommended for the reasons set out in this report, that the Planning Committee upholds in part the objections in Appendix 1, does not uphold the objections in

Appendix 2, and to recommend to the Director of Communities, Economy, and Transport that the Order be made in part.

RUPERT CLUBB

Director of Communities, Economy and Transport

## BACKGROUND DOCUMENTS

### Appendix 1 – Proposals where objections are upheld

#### 1. Site 1 Springett Avenue, Ringmer (Councillor Johnny Denis)

- 1.1 The proposal at this location is to install new No Waiting At Any Time (double yellow lines) at the junction with Ashcroft Close.
- 1.2 One objection was received from a local resident on the grounds that the length of the double yellow lines at this location would remove at least two parking spaces. Many houses in the road do not have driveways or garages and the length of the yellow lines would take away valuable parking.
- 1.3 The proposals follow requests that cars parked on the junction reduces driver visibility. Residents are experiencing difficulties when exiting Ashcroft Close due to inconsiderate and obstructive parking at the junction making it difficult to manoeuvre. A high hedge surrounding a property near to the junction also causes visibility issues.
- 1.4 It is however recognised that the proposals can be modified slightly to allow one parking space on the north-west side near the junction with Ashcroft Close, outside number 44, while maintaining safety at the junction.
- 1.5 All those that responded to the proposal have been written to and have supported a new shorter length. This includes Ringmer parish council.
- 1.6 Councillor Denis has confirmed his agreement with the recommendation.
- 1.7 **Recommendation:** To uphold the objection and to modify the proposal.



## **Appendix 2 – Proposals where objections are recommended to not be upheld and are proposed to be implemented as advertised**

### **2. Site 2 Arundel Road, Peacehaven (Councillor Chris Collier)**

- 2.1 The proposal at this location is to install No Waiting At Any Time (double yellow lines) at the junction with Bolney Avenue.
- 2.2 One objection has been received from a resident who believes that if the proposed change is implemented, the yellow lines would make it difficult for her carers to park. The disabled resident believes the proposed change will discourage carers from visiting as they will now have to spend time driving around trying to find somewhere to park rather than spending the allocated time with her.
- 2.3 The proposal follow requests from ESCC's parking enforcement contractor (NSL) that cars parked at this location obstruct the junction and make it difficult to manoeuvre. When exiting Bolney Avenue, vehicles parked at the junction force drivers to be on the wrong side of the road increasing the risk of collision with vehicles approaching from Arundel Road.
- 2.4 It is recognised that it is often difficult to satisfy the needs of all road users and with a limited amount of kerbside space available, we have to strike a balance between the conflicting demands on that space. The proposal will ensure a safe passage of traffic and will protect sight lines at the junction, while maintaining as much parking for residents and other road users as safely possible. Carers and other visitors will need to park their vehicles in the nearest safe unrestricted area.
- 2.5 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 2.6 Councillor Collier has confirmed his agreement with the recommendation.
- 2.7 **Recommendation:** To not uphold the objection and install the proposal as advertised.

### **3. Site 3 Arundel Road West, Peacehaven (Councillor Chris Collier)**

- 3.1 The proposal at this location is to install No Waiting At Any Time (double yellow lines) at the junction with Lincoln Avenue.
- 3.2 Two objections have been received. One objector has stated that he was not objecting but merely making observations. The other objection was received from a local resident on the grounds that these controls will take away valuable parking for residents and they will not be able to park outside their own homes. The objector also believes that removing their parked vehicles from the road would increase speeds on an already dangerous rat run.
- 3.3 The proposal follows requests that cars parked at this location obstruct not only the junction but also the priority-working build-out that is in place. Vehicles are parking where there is a short length of hatched marking between the buildout and the give way markings, which was implemented to maintain sightlines to the build out.

- 3.4 It is accepted that residents would prefer to park outside their property, however it is sometimes necessary to introduce restrictions on parking to encourage people to park in a safe and responsible manner. At this location, the area between the build out and the give way markings needs to be kept free of parked vehicles to facilitate the safe operation of the priority working system and to allow sufficient space for larger vehicles to manoeuvre past the build out from a stationary start. Vehicles parked within this area may obstruct visibility to the 'keep right' bollard on the build out which could affect the safe operation of the priority working system during hours of darkness.
- 3.5 In urban residential areas it is challenging to achieve a balance between the competing needs of the street and ensuring safety. The objector is correct and vehicles parked on street do in fact act as natural traffic calming but on street parking has been retained where it can be safely accommodated. Restrictions are only installed where necessary to maintain the safe movement of traffic.
- 3.6 During the initial informal consultation our traffic and safety team recommended that the proposed yellow lines on the south side did not go far enough and on their recommendation officers have extended the proposals.
- 3.7 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 3.8 Councillor Collier has confirmed his agreement with the recommendation.
- 3.9 Recommendation:** To not uphold the objections and to install the proposal as advertised.

#### **4. Site 4 Broad Street, Seaford (Councillor Carolyn Lambert)**

- 4.1 The proposal at this location is to relax the operational times of the taxi bay to increase parking availability and allow free parking in the evenings for local residents and other motorists.
- 4.2 Five objections were received. Four from Seaford residents on the grounds that the taxi bay is far too long and not used. Three objectors have since withdrawn on the conditional basis that further changes will be proposed as part of the next review.
- 4.3 Lewes District Councillor Macleod has objected but has not provided grounds for his objection. Officers have written to Councillor Macleod three times and received no response.
- 4.4 The proposal follows concerns from our enforcement contractor NSL about the lack of taxis using this bay especially in the evenings. As parking is in high demand, parking controls are continually being reviewed to ensure they meet the changing demands of local communities. The change to the operational times will create approximately five parking spaces which will allow anyone to park over night.
- 4.5 The request to either remove or shorten the taxi bay at this location cannot take place as part of these proposals as it did not form part of the original proposals advertised. It will require further assessment as part of the next parking review in Lewes.
- 4.6 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

- 4.7 Councillor Lambert has confirmed her agreement with the recommendation.
- 4.8 **Recommendation:** To not uphold the objection and install the proposal as advertised.

**5. Site 5 Edith Avenue, Peacehaven (Councillor Chris Collier)**

- 5.1 The proposal at this location is to formalise the existing advisory School Keep Clear markings
- 5.2 One objection has been received on the grounds that during the time the school is closed in August, maintenance crews with large vehicles attend the school and would be unable to get in if parking was allowed on the zig-zags. It is also believed that unrestricted parking on the zig-zags during August would be detrimental to the local residents and the neighbourhood in general.
- 5.3 The proposals will allow ESCC's parking enforcement contractor (NSL) to ensure effective enforcement at the entrance to the school during drop off and pick up times. There is no need to restrict parking outside of the school hours and this will maximise parking provisions for local residents.
- 5.4 Having considered the objection officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 5.5 Councillor Collier has confirmed his agreement with the recommendation.
- 5.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

**6. Site 6 High Street, Newhaven (Councillor Sarah Osborne)**

- 6.1 The proposals at this location are to make the existing controls enforceable.
- 6.2 The history of Newhaven High Street and enforcement of it goes back quite a way. When the scheme was designed and installed, concerns were raised about the visual aesthetics of the street and there was a desire not to have yellow lines. For that reason they were not installed and instead of a Traffic Regulation Order (TRO) an order was made through section 249 of the Town and County Planning Act (TPCA) which "*extinguishes the vehicular rights for certain vehicles to use the High Street*".
- 6.3 As there is no TRO it is not covered by civil parking enforcement (CPE) which means ESCC, are unable to carry out any parking enforcement in this area. Our civil enforcement officers (CEOs) cannot enforce but they do still visit the High Street so that their presence may deter people from parking.
- 6.4 There are signs at the entrance to the High Street which prohibit motor vehicles, except if they are loading, are taxis using the High Street for access, or are disabled badge holders. No other vehicles should be driving through the High Street. Sussex Police can enforce under the TPCA order and can issue fixed penalty fines.

- 6.5 There have been and continue to be many instances of people parking on the footway, blocking access for pedestrians, wheelchair users, people pushing prams etc. The only way CEOs can enforce parking in the High Street is for a TRO to be introduced. The TRO will prevent parking on the footway and also prevent vehicles from being left in the main carriageway. It will also formalise a layby where blue badge holders can park and provide a loading bay for vehicles needing to load and unload.
- 6.6 Five objections and fifteen items of support have been received. The grounds for objection are that many shops in the High Street do not have rear access for deliveries and there are not enough loading provisions for this. Other grounds are that the proposed loading bay in the High Street is not in the best location and it is believed delivery drivers will simply refuse to push heavy cages up the High Street, and that the amount of disabled parking being proposed is insufficient and again it is believed it is in the wrong location with it being on an incline.
- 6.7 The proposal follows requests for changes to Newhaven High Street in order to enable ESCC to keep the pavement clear of parked vehicles. Pavement parking has been a long-term issue in Newhaven High Street and is both a nuisance and safety issue. Many residents who use wheelchairs have complained that the issue of pavement parking prevents them from being able to access the High Street. Many others have complained about regularly having to walk in the road.
- 6.8 A new loading bay and disabled bays are also being proposed in this area to facilitate loading provisions and parking for blue badge holders. There are no changes to the construction of the road layout and officers have used the existing lay-bys to provide these provisions.
- 6.9 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn. Should the proposals go ahead, officers will passively monitor the area to see if any further changes need to be included in future parking reviews.
- 6.10 At the time of writing the report Councillor Osborne has not replied to confirm if she agrees with the recommendation.
- 6.11 **Recommendation:** To not uphold the objections and install the proposals as advertised.

## **7. Site 7 Roderick Avenue, Peacehaven (Councillor Chris Collier)**

- 7.1 The proposal at this location is to remove a redundant taxi bay.
- 7.2 One objection has been received from Councillor Macleod but he has not provided any grounds for his objection. Officers have written to Councillor Macleod three times and received no response.
- 7.3 The proposal follows feedback that the taxi bay is never used by taxis and instead used by members of public visiting the local shops.
- 7.4 The taxi bay was previously installed as a time limited bay. Officers believe that returning it to a two-hour maximum stay bay would be more appropriate. This will allow a greater turnover of vehicles, in effect creating more parking availability for customers to the area.

There is plenty of unrestricted parking nearby should any member of public wish or need to stay for longer than an hour.

- 7.5 A usage survey was carried out in July 2020. Fourteen visits were carried out and on all visits there were no taxis present. A further usage survey was carried out during May and June 2021. Visits were carried out on eight days and taxis were only seen using those bays on four occasions.
- 7.6 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 7.7 Councillor Collier has confirmed that he does not agree with the recommendation and would like the taxi bays to remain.
- 7.8 **Recommendation:** To not uphold the objection and install the proposal as advertised.

## **8. Site 8 South Road, Newhaven (Councillor James MacCleary)**

- 8.1 The proposal at this location is to remove all the existing parking signs for the time limited parking and the associated existing traffic regulation order.
- 8.2 As there are currently no bay markings these parking controls are unenforceable. In September 2020, initial consultation was carried out, asking residents if they wanted the parking bays to be reinstated so enforcement of the parking controls could take place. No responses were received asking for the controls to be reinstated. As these controls are effectively redundant, it is proposed to remove them.
- 8.3 Two objections were received. One has since withdrawn and the other was asking for a new bay outside the old police station. Officers have written to the objector on three occasions and have received no response.
- 8.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 8.5 At the time of writing, Councillor MacCleary has not replied to confirm whether he agrees with the recommendation.
- 8.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

## **9. Site 9 South Street, Lewes (Councillor Johnny Denis)**

- 9.1 The proposal at this location is to change the existing shared use bay (for permit holders or pay and display) to a permit holder only parking bay.
- 9.2 One objection has been received from a local business who said the current restrictions should be left in place. Reducing available spaces for its visitors would affect their customers who rely on those spaces to enable them to visit. The loss of those visitors would adversely effect the sustainability of the business.

- 9.3 The proposal follows requests from residents of the street that more parking is needed for them. The on-street parking bays in South Street have always been in high demand due to its proximity to the town and the low tariff charges. The proposal is to change one shared use parking bay which is directly outside of residential premises. The parking bays at the eastern end of South Street as well as the bay outside the business would remain available to non-permit holders.
- 9.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 9.5 Councillor Denis has confirmed his agreement with the recommendation.
- 9.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**10. Site 10 Western Road, Newhaven (Councillor James MacCleary)**

- 10.1 The proposal at this location is to formalise the existing disabled parking bay outside number 97 (extending it by approximately 1 metre to meet the standard size of 6.6 metres).
- 10.2 Three objections have been received from local residents who believe that the disabled bay is already large enough as the applicant only has a small car and there are doubts that the resident actually needs a disabled badge.
- 10.3 The existing bay is an advisory disabled bay. It is not currently supported by a TRO and, consequently, no enforcement action can be taken if a non-blue badge holder parks here. To introduce a TRO the bay needs to be extended by 1.1 metres to meet the Department for Transport's minimum requirement of 6.6 metres for an enforceable disabled parking bay.
- 10.4 The bay is often abused with non-blue badge holders parking in the bay.
- 10.5 A mobility assessment has been carried out by the Blue Badge team which confirms that a bay is allocated and the location of the bay is the most suitable location for the needs of the applicant.
- 10.6 The bay is being provided for a resident who already parks in the road so there will be no additional demand for parking as a result of this proposal.
- 10.7 Having considered the objections, officers are satisfied that the applicant meets the Council's criteria for providing a disabled bay on the highway and there are not sufficient grounds for the proposal to be withdrawn.
- 10.8 At the time of writing, Councillor MacCleary has not replied to confirm whether he agrees with the recommendation.
- 10.9 **Recommendation:** To not uphold the objection and install the proposals as advertised.



## **APPENDIX 3 – Draft Traffic Regulation Order, as advertised.**

### **EAST SUSSEX COUNTY COUNCIL**

#### **ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 & TRAFFIC MANAGEMENT ACT 2004**

#### **The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No 1 (Amendment No \*) 202\***

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 46, 49, 51, 52 and 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act"), as amended, the Road Traffic Act 1991, as amended, Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

#### **1. Commencement and citation**

This Order may be cited as "The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No 1 (Amendment No x) 202\*" and shall come into effect on xxxxxx

#### **2. When this Order comes into effect:**

(a) The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No.1, as amended, shall have effect except as hereinafter contained.

#### **(iii) In article 2 Interpretation the following definitions shall be added:**

"footway" has the same meaning as defined in Section 329 (1) of the Highways Act 1980 or any re-enactment or modification thereof from time to time in force;

"verge" means any part of a highway which is not a carriageway or footway;

**Insert article 3(6)** No person shall cause or permit any vehicle to stop at any time with two or more wheels on any part of the footway or verge in the lengths of roads specified in

#### **(i) Schedule 22.**

#### **(ii) Schedule 1, Part A, Prohibition of Waiting At Any Time, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following items shall be added as follows:

Gibbon Road	South Side	From a point 15 metres north-west of its junction with Hanson Road, south-eastwards to a point 18 metres south-east of its junction with Hanson Road
Hanson Road	Both Sides	From its junction with Gibbon Road, southwards for a distance of 17 metres
High Street	Both Sides	For its entire length
Hill Side	North Side	From its junction with South Road, south-westwards to its junction with Meeching Road
Hill Side	South Side	From its junction with South Road, south-westwards to its junction with Hillcrest Road



Meeching Road	Both Sides	From its junction with High Street, south-eastwards for a distance of 19 metres
North Lane	Both Sides	From its junction with North Way, southwards then eastwards for its entire length
St Lukes Lane	Both Sides	From its junction with High Street, north-westwards for a distance of 22 metres

2. In the list of restrictions for Peacehaven, the following items shall be added as follows:

Arundel Road	Both Sides	From its junction with Bolney Avenue, westwards for a distance of 15 metres
Arundel Road	South Side	From its junction with Bolney Avenue, eastwards for a distance of 24 metres
Arundel Road	North Side	From its junction with Bolney Avenue, eastwards for a distance of 32 metres
Arundel Road West	Both Sides	From its junction with Malines Avenue, eastwards for a distance of 15 metres
Arundel Road West	Both Sides	From its junction with Malines Avenue, westwards for a distance of 15 metres
Arundel Road West	Both Sides	From its junction with Cairo Avenue, eastwards for a distance of 15 metres
Arundel Road West	South Side	From its junction with Cairo Avenue, westwards for a distance of 15 metres
Arundel Road West	North Side	From its junction with Cairo Avenue, westwards for a distance of 13.5 metres
Arundel Road West	North Side	From its junction with Lincoln Avenue, eastwards for a distance of 25 metres
Arundel Road West	South Side	From its junction with Lincoln Avenue, eastwards for a distance of 35 metres
Arundel Road West	Both Sides	From its junction with Lincoln Avenue, westwards for a distance of 15 metres
Bolney Avenue	Both Sides	From its junction with Arundel Road, northwards for a distance of 10 metres
Bolney Avenue	Both Sides	From its junction with Arundel Road, southwards for a distance of 10 metres
Cairo Avenue	Both Sides	From its junction with Arundel Road West, northwards for a distance of 10 metres
Cairo Avenue	Both Sides	From its junction with Arundel Road West, southwards for a distance of 10 metres
Lincoln Avenue	Both Sides	From its junction with Arundel Road West, southwards for a distance of 10 metres
Lincoln Avenue	Both Sides	From its junction with Arundel Road West, northwards for a distance of 10 metres
Malines Avenue	Both Sides	From its junction with Arundel Road West, northwards for a distance of 10 metres
Malines Avenue	Both Sides	From its junction with Arundel Road West, southwards for a distance of 10 metres

3. In the list of restrictions for Ringmer, the following items shall be added as follows:

Ashcroft Close	Both Sides	From its junction with Springett Avenue, north-westwards for a distance of 10 metres
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Springett Avenue	North-west Side	From its junction with Ashcroft Close, south-westwards for a distance of 9.5 metres
Springett Avenue	North-west Side	From its junction with Ashcroft Close, north-eastwards for a distance of 17 metres

4. In the list of restrictions for Seaford, the following items shall be added as follows:

Esplanade	North-east Side	From its junction with Martello Road, north-westwards for a distance of 15 metres
Esplanade	South-west Side	From a point opposite the south eastern kerbline of Martello Road, north-westwards for a distance of 21 metres
Martello Road	Both Sides	From its junction with Esplanade, north-eastwards for a distance of 15 metres

**(iii) Schedule 3, Part B, Time Limited Waiting, 8am to 6pm Monday to Saturday inclusive, maximum stay 2 hours, no return within 1 hour, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following item shall be deleted as follows:

South Road	North-east Side	From the south-eastern boundary of Nos. 24 and 26 South Road, north-westwards to the southeastern boundary of No. 16 South Road, 114 metres south of the junction with South Way
South Road	North-east Side	from From the south-eastern boundary of No.10 South Road, north-westwards to a point 12 metres southeast of its junction with the south-eastern kerbline of South Way

2. In the list of restrictions for Peacehaven, delete item 1(a)1 (Roderick Avenue) and add the following item:

Roderick Avenue	North Side	From a point 13.5 metres north of its junction with South Coast Road, for a length of 6 metres in a northerly direction. 3 bays perpendicular to the kerb across the width of the carriageway
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3. In the list of restrictions for Seaford, the following items shall be deleted as follows:

Warwick Road	South-west Side	From a point 11 metres north-west of the north-western kerb line of Sutton Park Road, north-westwards for a distance of 6 metres
Warwick Road	South-west Side	From a point 16.4 metres south-east of the south-eastern kerbline of Stafford Road south-eastwards for a distance of 18 metres

4. In the list of restrictions for Seaford, the following items shall be added as follows:

Warwick Road	South-west Side	From a point 21.5 metres north-west of the north-western kerbline of Sutton Park Road north-westwards for a distance of 30 metres
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**(iv)** Schedule 6, Disabled Persons Parking Places, that this Schedule be amended as follows:

1. In the list of restrictions for Barcombe, the following items shall be added as follows:

Deans Meadow	North-east Side	From the boundary of numbers 13 and 15 Deans Meadow, north-westwards for a distance of 6.6 metres
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2. In the list of restrictions for Newhaven, the following items shall be added as follows:

High Street	North-west Side	From a point 62 metres from its junction with Bridge Street, south-westwards for a distance of 20 metres
Western Road	South Side	From the eastern building line of number 97 Western Road, westwards for a distance of 6.6 metres

3. In the list of restrictions for Seaford, the following items shall be added as follows:

Warwick Road	South-west Side	From a point 11 metres north-west of the north-western kerb line of Sutton Park Road, north-westwards for a distance of 6.6 metres
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**(v)** Schedule 19(a), School Keep Clear Marking, No Stopping, Mondays to Fridays, 8am-5pm, (except August) that this Schedule be amended as follows:

1. In the list of restrictions for Peacehaven, the following items shall be added as follows:

Edith Avenue	West Side	From a point 1 metre north of the boundary of numbers 31 and 31a Edith Avenue, southwards for a distance of 31 metres
Roderick Avenue	East Side	From a point opposite the boundary of numbers 40a and 42 Roderick Avenue, southwards for a distance of 51.5 metres

**(vi)** Schedule 19, School Keep Clear Marking, No Stopping, Mondays to Fridays, 8am-9.30am and 2.45-4pm, (except August) that this Schedule be amended as follows:

1. In the list of restrictions for Seaford, the following item shall be deleted as follows:

Millberg Road	South-east Side	From a point 5 metres north-west of the boundary of Nos. 78 and 80 Saltwood Road north-west, then north-east for a distance of 22.2 metres
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2. In the list of restrictions for Seaford, the following item shall be added as follows:

Millberg Road	South-east Side	From its junction with Saltwood Road, north-eastwards for a distance of 13 metres
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Saltwood Road	North-east Side	From its junction with Millberg Road, south-eastwards for a distance of 10 metres

**(vii) Schedule 15, Part A, Taxis Only at any time, that this Schedule be amended as follows:**

1. In the list of restrictions for Peacehaven, the following item shall be deleted as follows:

Roderick Avenue	North Side	From a point 13.5 metres north of its junction with South Coast Road, for a length of 6 metres in a northerly direction. 3 Taxi bays perpendicular to the kerb across the width of the carriageway
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2. In the list of restrictions for Seaford, the following item shall be deleted as follows:

Broad Street	North-east Side	From a point 1.5 metres north-west of the north-western boundary of No. 4 Shepway Parade, Broad Street, south-eastwards for a distance of 21 metres
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**(viii) Schedule 14, Part C, Taxis Only Mondays to Saturdays 8am-6pm, that this Schedule be amended as follows:**

1. In the list of restrictions for Seaford, the following item shall be added as follows:

Broad Street	North-east Side	From a point 1.5 metres north-west of the north-western boundary of No. 4 Shepway Parade, Broad Street, south-eastwards for a distance of 21 metres
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**(ix) Schedule 20, Ambulances Only at any time, that this Schedule be amended as follows:**

1. In the list of restrictions for Seaford, the following item shall be deleted as follows:

Warwick Road	South-west Side	From a point 21.5 metres north-west of the north-western kerbline of Sutton Park Road north-westwards for a distance of 12 metres
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**(x) Schedule 22, Prohibition of Stopping on the footway at any time, that this Schedule be added:**

1. In the list of restrictions for Newhaven, the following items shall be added as follows:

High Street	Both Sides	For its entire length
Meeching Road	Both Sides	From its junction with High Street, south-eastwards for a distance of 19 metres
St Lukes Lane	Both Sides	From its junction with High Street, north-westwards for a distance of 22 metres

**(xi) Schedule 23, Loading Bay all hours on all days, that this Schedule be added:**

1. In the list of restrictions for Newhaven, the following item shall be added as follows:

High Street	South-east Side	From a point 20 metres from its junction with Bridge Street, south-westwards for a distance of 13 metres
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THE COMMON SEAL of )  
EAST SUSSEX COUNTY COUNCIL )  
was affixed hereto )  
on the xx day of xxxxxxxx )  
Two Thousand and xxxxxx )  
in the presence of:- )

#### AUTHORISED SIGNATORY

H & T Ctte. 2.4.74 – para 4.2 joint report of Director of Legal & Community Services & County Engineer - Para 4.

## **EAST SUSSEX COUNTY COUNCIL**

### **ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 & TRAFFIC MANAGEMENT ACT 2004**

#### **The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014 Amendment No \* Order 202\***

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52, 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") as amended, the Road Traffic Act 1991 (as amended), Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

#### **1. Commencement and citation**

This Order may be cited as "The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014 Amendment No.\* Order 202\*" and shall come into effect on xxx xxx xxx

#### **2. When this Order comes into effect:**

- (a) The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014, as amended, shall have effect except as hereinafter contained.

- (i) In article 1 Interpretation delete the definition of resident and replace with the following definition:

"resident" for the purpose of this Order means a person whose usual place of abode is at premises the postal address of which is in any street or property within the boundaries of the zones shown on the Lewes Permit Zones map of the Order Plans, provided that the street is not private;

#### **(ii) The Order Plans shall be amended as follows:**

<b>The map tiles below shall be revoked</b>	<b>The map tiles below shall be inserted</b>
	Overview Revision *
LH102	LH102 Revision 1
LK103 Revision 1	LK103 Revision 2
LN110	LN110 Revision 1
LP103	LP103 Revision 1

### 3. Revocations

The following Orders and associated Amendment Orders are hereby revoked in their entirety:

Lewes (Various Roads, Lewes) (Prohibition and Restriction of Waiting and Disabled Persons Parking Places) Order 1989
The East Sussex (Lewes Town Centre) (Parking Places) Experimental Traffic Order 2006
The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Experimental Traffic Order 2006
The East Sussex (Lewes Town Centre Extension) (Parking Places) Experimental Traffic Order 2006
The East Sussex (Lewes Town Centre Extension) (Waiting and Loading Restriction) Experimental Traffic Order 2006
The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment No.1 2014
The East Sussex (Lewes Town Centre Extension) (Waiting and Loading Rest) Traffic Regulation Order 2007 Amendment 2013 No.1
The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Traffic Regulation Order 2007 Amendment 2008 No.1
The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Traffic Regulation Order 2007 Amendment 2013 No.1
The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2015 No.1
The East Sussex (Lewes Town Centre Extension) (Waiting And Loading Restrictions) Traffic Regulation Order 2007 Amendment Order 2015 No.1
The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2013 No.1
The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2012 No.2
The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2013 No.1
The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order No.1 2014
The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2008 No.1
The East Sussex (Lewes Town Centre)(Parking Places) Traffic Regulation Order 2007
The East Sussex(Lewes Town Centre)(Waiting and Loading Restriction) Traffic Regulation Order 2007

THE COMMON SEAL of EAST SUSSEX )  
COUNTY COUNCIL was affixed )  
hereto on the       day of       two )  
thousand and       in the presence of:- )

Authorised Signatory

H & T Ctte. 2.4.74 - para 4.2 joint report of Director of  
Legal & Community Services & County Engineer - para 4.



Committee	<b>Regulatory Planning Committee</b>
Date	<b>14 July 2021</b>
Report by	<b>Director of Communities, Economy and Transport</b>
Subject	<b>Development Management Update</b>
Purpose	<b>To inform Members about matters relating to: (i) enforcement and site monitoring, undertaken under delegated powers for the eight months period between 1 October 2020 and 31 May 2021; (ii) appeals; and (iii) development management performance for the period 1 April 2020 to 31 March 2021.</b>
Contact Officer:	<b>Sarah Iles – 01273 481631</b>
Local Members:	<b>All</b>

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## **SUMMARY OF RECOMMENDATIONS**

**The Committee is recommended to note the report.**

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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT**

Note: Due to previously cancelled meetings, this report, with the exception of Section 4, covers the eight months for the period from 1 October 2020 to 31 May 2021, inclusive.

### **1. Enforcement**

1.1 In the period between 1 October 2020 and 31 May 2021, inclusive, there were 34 new complaints about alleged breaches of planning control. Of the new cases, 29 were resolved within the reporting period and fourteen older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of May 2021 was nine. This represents a decrease of nine in the number of cases that were outstanding at the end of the previously reported period (1 January 2020 – 30 September 2020).

1.2 In respect of specific cases, some Members will recall that the Council had been dealing with a breach of planning control at a site called Dunly Wood, Cross-in-Hand, involving the importation, deposit, processing and storage of waste situated in an area of ancient woodland within the High Weald Area of Outstanding Natural Beauty. A planning application seeking the regularisation of the unauthorised activity was submitted, but subsequently refused by the Planning Committee on 10 March 2021. The Committee resolution also included undertaking enforcement action in order to remedy the breach of planning control. Following the Committee's decision and the refusal of planning permission, an Enforcement Notice was served on the operator and landowners on 31 March 2021. No appeal was made against the Enforcement Notice and it took effect on 7 May 2021. The Notice requires: (i) the immediate cessation of the importation of waste; (ii) the unauthorised waste use to cease and the clearance of the waste from the site within a specified period; and (iii) the removal of all plant and machinery associated with the processing/management of waste. The period for compliance with all requirements of the Notice expires on 7 August 2021 and officers are monitoring progress. Members will be updated on progress with the site in future reports.

1.3 Another site where formal enforcement action was taken relates to Appletree Cottage, Staplecross. Waste materials had been deposited in an area of woodland, within the High Weald

Area of Outstanding Natural Beauty. A planning application seeking the retention of the deposited waste materials was submitted but refused by the Planning Committee on 18 December 2019. An Enforcement Notice was served on the landowners on 20 December 2019, requiring the removal of the waste materials and a hedge to be replanted, but an appeal was made against the Notice, which put it into abeyance. An appeal was also made against the refusal of planning permission. Both appeals were subsequently dismissed, although the Inspector varied the time for compliance with the Enforcement Notice from November 2020 to November 2021, which was to allow the works to be carried out during periods which would avoid potential harm to protected species taking into account delays in the consideration and determination of the appeals due to the Pandemic. Following the outcome of the appeals, the landowner has removed the imported waste materials and the hedge has been replanted. The Enforcement Notice has therefore been complied with and the case is resolved.

1.4 Appendix 1 of this Report provides details of cases resolved and received within the period 1 October 2020 and 31 May 2021, together with details of the status of all current cases. Additional details and information on these cases can be obtained from the relevant officers listed at the end of this Report.

## **2. Site Monitoring**

2.1 General site monitoring of minerals and waste sites, both chargeable and non-chargeable, has on the whole been suspended due to the Pandemic. Some sites have required monitoring, such as the Newhaven Port Access Road and Bexhill-Hastings Link Road, and this has been undertaken where possible. It is not yet clear when a full site monitoring regime will resume.

## **3. Appeals**

3.1 There is currently one outstanding appeal, which is in relation to the refusal of planning permission for a waste wood recycling operation at Holley's Woodshaving, Squires Farm Industrial Estate, Palehouse Common. This application was refused by the Planning Committee in February 2020. All relevant information has been submitted to the Planning Inspectorate and third parties notified of the appeal. Due to the significant period of time that has elapsed since submissions were made, officers have enquired with the Planning Inspectorate when we can expect a decision to be issued. We have been advised that the appeal is currently waiting to have an Inspector allocated to the case before it can be progressed. Members will be updated on progress in future reports.

## **4. Development Management**

4.1 The Growth and Infrastructure Act 2013 introduced new measures and consequences in terms of the planning performance of planning authorities. Where authorities are not adequately performing their planning function of determining relevant planning applications within prescribed timescales, they can be designated as being in "special measures". Under this provision, the power for determining planning applications can be taken away from local authorities, and applicants can choose to have their application determined by the Planning Inspectorate. We are required to submit quarterly statistical returns and there are penalties for failing to submit two or more quarters of data and, once applied, the penalties will be reflected in the performance statistics published. Additionally, if an application is not determined within 26 weeks and extensions of time have not been agreed with the applicant, planning authorities have to return the planning application fee to the applicant.

4.2 The Government publishes criteria for determining whether or not to place local planning authorities in "special measures". One measure is the average percentage figure for the timely determination of major development applications over two years. The threshold for designation is currently at 60% of applications being determined within a 13 week period, or within a timeframe agreed with the applicant. The Government also introduced monitoring performance on non-major planning applications, the threshold for which is 70%. However, the monitoring of performance on non-major applications relates to District/Borough/Unitary authorities and not County Councils.

Therefore, the performance on the determination of the non-major County Council developments (Regulation 3) will not be included in the performance figures measured by the Government, although we continue to monitor and report on our own performance.

4.3 In terms of performance, for the period April 2020 to March 2021 (inclusive) of the relevant applications, 100% of County Matter applications (waste and minerals proposals) were determined within 13 weeks or within an agreed extension of time, and 94.73% of County Council applications (for the County Council's own development proposals) were also determined within 8 weeks or within an agreed extension of time, both of which clearly exceed the targets set by Government and locally. With respect to the Government measures regarding performance for major applications (in this instance County Matters), the outturn figure for the 24 months ending December 2020 was 94.7% of major applications determined within the relevant timescale, which is well above the current 60% threshold.

4.4 The table below sets out the number and types of applications/queries dealt with for the financial year 2020/21.

Type	2020/2021
County Council applications determined	20
County Matter applications determined	7
Applications withdrawn	3
Non-material amendment applications determined	6
Lawful Development certificates	0
Prior Notification	1
Formal Pre-Application Advice	15
"Do I need planning permission" requests	15
Minerals/Waste Safeguarding and other consultations	27

## **5. Contact Officers**

5.1 Members with any queries about enforcement or site monitoring matters should contact either Sarah Iles (01273 481631) or Robert Shapter (01273 335218). Members with queries relating to County Matter and Regulation 3 applications should contact either Jeremy Patterson (01273 481626) or Sarah Iles.

RUPERT CLUBB

Director of Communities, Economy and Transport  
02 July 2021

Local Members: All

## **BACKGROUND DOCUMENTS**

Current Enforcement, Monitoring, Planning Application and Appeal Files.  
MasterGov Database.

**TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN 1 OCTOBER 2020 AND 31 MAY 2021**

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
1/1	August 2018	Court Lodge Farm, Etchingam Road, Burwash, Etchingam	Unauthorised animal incinerator	<p>A complaint was received that an animal incinerator had been installed on the boundary of the property. A site visit was carried out, which confirmed the substance of the complaint, and discussions were held with the landowner. The purpose of the incinerator was for disposing of fallen stock solely from the farm, no animal carcasses were imported to the site. A planning application (RR/823/CM) was submitted in April 2019 for the retention and use of the incinerator but was subsequently returned due to insufficient information. A further planning application (RR/826/CM) was submitted, which proposed an alternative location for the incinerator. However, following representations made to the application, the applicant withdrew the application in October 2019.</p> <p>The landowner has since confirmed that the incinerator is not being used and is likely to be scrapped. In the meantime, the incinerator is being stored on the land, which is not considered to be development and no further enforcement action is required.</p>
1/2	April 2019	Land adjacent to Appletree Cottage, Staplecross	Importation and deposit of waste	<p>A complaint was received that building and construction waste was being imported into and deposited at this site. A site visit was undertaken which confirmed the substance of the complaint. A letter was sent to the landowner explaining the need for planning permission and that such an application was unlikely to be supported given the site's location within the countryside and the High Weald Area of Outstanding Natural Beauty.</p> <p>The landowner submitted a planning application seeking to regularise the breach of planning control. The application (RR/828/CC) was considered by the Planning Committee on 18 December 2019 and planning permission was refused. The Committee resolution included undertaking enforcement action to secure the removal of the waste materials and an Enforcement Notice was served on the landowners on 20 December 2019. The Notice required the cessation of the importation of waste; the</p>

				<p>removal of the waste; and the restoration of the site, including the replacement of the hedgerow that was removed to facilitate the deposit of the waste.</p> <p>The landowner submitted appeals against both the refusal of planning permission and the Enforcement Notice and both appeals were dealt with through the written representations procedure. The Planning Inspectorate dismissed both appeals but varied the period for compliance with the Enforcement Notice to November 2021 (from November 2020). This extension of time was considered necessary to avoid extensive works being undertaken during periods which may affect protected species.</p> <p>The landowner recently advised officers that the requirements of the Enforcement Notice have been fully met, and this has been confirmed by a site visit. Therefore, the Enforcement Notice has been complied with, and no further enforcement action is required.</p>
1/3	July 2019	Land at Battle Wood, Mountfield	Importation and deposit of waste (soils)	<p>A complaint was received that a local resident had excavated a highway bank and had deposited the soils onto land belonging to another person. A joint site visit was undertaken with officers from Rother District Council and East Sussex Highways, which substantiated the nature of the complaint. Officers contacted the landowner where the soil was deposited, who subsequently placed the matter in the hands of his own solicitor, who wrote to the local resident requiring him to remove the imported waste from the landowner's land.</p> <p>After contact with the landowner, Rother District Council served two Enforcement Notices in respect of the unauthorised engineering works to the highway bank. The recipients of the Notices submitted appeals against the Notices to the Planning Inspectorate and the appeals were dealt with through the written representations procedure. Rother District Council has since received the Planning Inspector's decision, which was to vary some of the requirements of the Enforcement Notice and to dismiss the appeal. The remedial works to the highway bank are currently being undertaken, but not using the original materials that were deposited in Battle Wood. Rother District Council are monitoring compliance with the requirements of the Enforcement Notice.</p> <p>Given the small quantity of imported soils involved in the site this Authority has been investigating, and the apparent absence of harm, it has been decided to take no further action in respect of this matter.</p>

1/4	August 2019	New Look Driveways, AS Farm, The Warren, Crowborough	Importation, deposit and storage of waste (soils and hardcore)	<p>A joint site visit undertaken by officers from this Authority and the Environment Agency found that a significant quantity of waste materials comprising soils, sub-soils and hardcore had been imported into the site and deposited. The soils appeared to be being processed on site. A letter was sent to the operator requesting details of the nature and purpose of the activity.</p> <p>A site meeting with the operator was held and the operator admitted that the waste had been imported into the site from clients' sites and stated that he wanted to remove this imported waste from the site. A timescale for the waste removal was agreed with the operator.</p> <p>A recent site visit and meeting has been held with the operator, which confirmed that the imported waste materials have been removed from the site. Therefore, the breach of planning control has been resolved and no further enforcement action is required.</p>
1/5	February 2020	Perrylands Farm, Hackhurst Lane, Lower Dicker	Importation, deposit storage and burning of waste	<p>A complaint was received alleging that waste was being imported, deposited and burnt at this site. An initial site visit was carried out and a very small bonfire site was found, along with a deposit of hardcore.</p> <p>There were other planning issues identified on the site which fall within the remit of Wealden District Council. A joint site visit had been arranged with an officer from Wealden District Council, but this was impacted by the Coronavirus Pandemic.</p> <p>A further site visit has now been undertaken, which noted that a pole barn has been constructed on the site. This is a matter for Wealden District Council, who have been informed of the matter. There is no breach of planning control for this Authority, as Waste Planning Authority, to deal with and no further action is required.</p>
1/6	March 2020	Quarry Cars, Unit 5B Quarry Road Industrial Estate, Newhaven	Importation, deposit and breaking of end of life vehicles	<p>Officers attending the Industrial Estate in connection with other matters noticed what appeared to be end of life vehicles being stored on the site. A subsequent site visit found the operators on site, who explained that they were a garage that serviced vehicles, but a significant element of their business was recycling parts from end of life vehicles and scrapping the remaining body shell. The requirements for planning permission and Environmental Permitting was explained to the operators who decided that because the site is on a very short-term lease, and the landowner is seeking planning permission to re-develop the site, they would not be seeking to regularise this</p>

				<p>breach of planning control through a planning application. A timescale was agreed with the operators to clear the site.</p> <p>A further site visit has now been carried out and the end of life vehicles have been cleared from the site. The breach of planning control has therefore been resolved and no further enforcement action is required.</p>
1/7	May 2020	Ken Fowler Demolition, The Barn, Nabscott Farm, Lower Dicker	Importation and deposit of waste (bricks)	<p>A complaint was received that waste materials, comprising bricks, were being imported into and deposited at the site. An initial site visit was undertaken which did not find anything to support the complaint. The site has the benefit of a planning permission granted by Wealden District Council and a joint site visit with an officer from Wealden District Council was due to be arranged. However, due to the Covid-19 pandemic, a joint site visit was not carried out.</p> <p>This matter has now been passed to Wealden District Council to deal with as any potential planning issues at the site are outside the remit of the County Council as Waste Planning Authority. No further enforcement action is required.</p>
1/8	June 2020	Binky's Farm, Station Road, Buxted	Importation and deposit of waste soils	<p>A complaint was received that waste soils were being imported into the site and deposited, before being formed into a bund along the bank of the River Uck. The site is part of the river flood plain. An initial site visit was undertaken by officers from this Authority, and a joint site visit with an officer from Wealden District Council and a site meeting with the landowner was to be undertaken to fully assess the situation. However, due to the Covid-19 pandemic a joint site visit was not carried out.</p> <p>Wealden District Council have now met with the landowner and confirmed that there is no breach of planning control. No further enforcement action is required.</p>
1/9	June 2020	Land off Langley Close, Bexhill-on-Sea	Deposit of waste	<p>A complaint was received that waste materials were being tipped on an area of land behind residential garages. A site visit was carried out, which identified that a large amount of domestic and construction waste had been deposited. Land adjacent to the site is currently being developed for housing, which has created a secluded area which could be attracting fly-tipping.</p> <p>A further site visit has been undertaken and the deposited waste has been removed from the site. The area of land has also now been cordoned off to prevent further deposits of waste. The breach of planning control has been resolved and no further</p>

				action is required.
1/10	July 2020	Born Again Plastics, Oak Ferrars Farm, Piltown	Breach of Conditions (outside storage)	<p>Officers attending the site in connection with another matter noticed that waste plastics were being stored outside the area permitted by the planning permission that relates to the site (WD/719/CM). A meeting was held with the operator and a timescale agreed for him to return the site to compliance with the planning condition.</p> <p>Further site visits have been undertaken and the site is now back in compliance with the planning conditions that are attached to the planning permission that relate to the site. The breach of planning control has therefore been resolved and no further enforcement action is required.</p>
1/11	August 2020	AM Skip and Plant Hire, Hazelbank, London Road, Maresfield	Breach of Conditions (noise and dust)	<p>A complaint was received alleging that the site, which has the benefit of a planning permission (WD/327/CM) granted by this Authority, was not being operated in accordance with the conditions that are attached to the planning permission. A period of unannounced site monitoring was undertaken, which confirmed most of the details contained within the complaint.</p> <p>A meeting was then held with the operator and a period allowed for the operator to take remedial action to bring the site back into compliance with the planning conditions. The main issues were the noise being emitted by the site exceeding the permitted levels and the retail sales being undertaken from the site. Regarding the noise levels, these have been monitored and fall within the levels permitted by the planning condition.</p> <p>In regard to retail sales, the operator does not allow customers to attend the site to collect materials, they are delivered by his vehicles to customer's sites, which allows materials that would otherwise be directed to landfill to be recycled, which assists in meeting central Government's aim of directing waste away from landfill. This is not considered to be a breach of the retail sales planning condition.</p> <p>These breaches of condition have therefore been resolved. No further enforcement action is required at this time and the site will continue to be monitored periodically.</p>
1/12	August 2020	58 Windsor Way, Polegate	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into the site and deposited. A site visit was undertaken, during which a meeting was held with the landowner. It was noted that there was a significant quantity of scrap metal stored</p>



				<p>within a building at the site. A timescale was agreed for the removal of this scrap metal from the site.</p> <p>A further site visit has been carried out, which confirmed that the landowner has removed the waste materials from the site. The breach of planning control has therefore been resolved and no further action is required.</p>
1/13	September 2020	Firgrove Business Park, Firgrove Road, Cross-in-Hand	Importation, deposit, storage and breaking of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into the site, and then being broken for their recyclable parts before the remaining chassis was scrapped. A site visit was undertaken which confirmed the substance of the complaint. A meeting was held with the landowner and a timescale agreed for him to either submit a planning application seeking to regularise the activity or to clear the site of end of life vehicles.</p> <p>Working with the landowner and tenant, the end of life vehicles have all been removed from the site and the site restored to the condition it was in prior to the vehicles being imported. The breach of planning control has therefore been resolved and no further action is required.</p>
1/14	September 2020	Land off Eastbourne Road, Pevensey Bay	Disposal of liquid waste to land.	<p>A complaint was received that tankers were disposing liquid waste to land at this location. An initial site visit was undertaken and the Environment Agency also informed.</p> <p>Further enquiries were made into this matter and numerous site visits carried out. Nothing has been found to indicate that any waste has been imported into or deposited at the site. No breach of planning control identified, and no further action is required. Should further complaints be received, the matter can be reinvestigated.</p>

**TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED AND RESOLVED BETWEEN 1 OCTOBER 2020 AND 31 MAY 2021**

	DATE LPA BECAME AWARE OF BREACH	SITE	NATURE OF CASE	CURRENT POSITION
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2/1	October 2020  <i>NB – This is a separate case to that shown in Row 2/25.</i>	Little England Farm, Hadlow Down	Importation and deposit of waste	<p>A complaint was received that waste materials had been deposited on the site. A joint site visit was undertaken with an officer from Wealden District Council and during the visit a meeting was held with the site manager. The site manager explained that the reason for the waste materials being on site was for the maintenance/repair of the existing agricultural tracks on the farm.</p> <p>The materials were examined and appeared to be suitable and proportionate for their intended use and were to be used for this purpose in the near future, thus complying with Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015.</p> <p>As the works are considered to be permitted development, there is no breach of planning control and no further action is required regarding this matter.</p>
2/2	October 2020  <i>NB – This is a separate case to that shown in Table 3, Row 3/4.</i>	Allsworthy, Hailsham Road, Stone Cross	Importation, deposit and burning of waste	<p>A complaint was received that waste was being brought into the site and was being burnt. A site visit was undertaken, which did not confirm the nature of the complaint. There were several caravans on the site which had people living in them.</p> <p>Contact was made with the landowner, who strongly denied that any waste material had been imported into the site. She stated that she was, in fact, in the process of clearing waste from the site. The only burning that had been undertaken was green waste that had originated on the site, which is considered to be incidental to the use site.</p> <p>The site has been visited on several occasions since, and no fresh importation of waste materials have been noted. Therefore, there is no breach of planning control insofar as this Authority is concerned, in its capacity as Waste Planning Authority. Wealden District Council have been informed of the caravans on the site and it is for them to consider whether there has been any breach of planning control in respect of their remit.</p>
2/3	October 2020	Ockham House, Silverhill, Robertsbridge	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising hardcore, had been imported into and deposited at this site. A site visit was undertaken, and a meeting held with the landowner's son, who explained that the hardcore was required on the site for the purposes of maintenance and repair of an existing agricultural track.</p> <p>The track and materials were examined by the attending officer, which confirmed the</p>

				<p>details provided by the landowner's son. These works were considered necessary and proportionate for the maintenance and repair of this track and fell under Part 6 of the Town and Country (General Permitted Development) (England) Order 2015.</p> <p>As the works are permitted development, there is no breach of planning control and no further action is required by this Authority.</p>
2/4	October 2020	Land at the rear of the Bull Public House, Ticehurst	Importation and deposit of waste wood	<p>A complaint was received that wood waste was being imported into and stockpiled in a field at the rear of the Bull Public House. A site visit was undertaken which confirmed the details contained within the complaint. A meeting was held with the landowner who explained that the field has historically been used by the village for a charity bonfire night celebration, which had been cancelled because of lockdown restrictions imposed due the Coronavirus pandemic.</p> <p>The landowner was willing to clear the site of the imported waste and a timescale for this clearance was agreed. A further site visit has been carried out which confirmed that the landowner has cleared the site of the imported waste and has burnt the site derived green waste that formed the majority of the stockpile, which is not considered to be a breach of planning control.</p> <p>The breach of planning control has been resolved and no further enforcement action is necessary.</p>
2/5	November 2020  <i>NB – This is a separate case to that shown in Row 2/8.</i>	Lower Barn Farm, Junction Road, Staplecross	Importation and deposit of waste	<p>A complaint was received that lorry loads of waste, comprising soils, were being imported into and deposited at the site. A site visit was undertaken and during the course of this visit a meeting was held with a director of the operating company, who explained that the imported waste materials were required to raise the levels of the land to improve the drainage of a glamping site.</p> <p>Checks with Rother District Council revealed that the glamping site did not have the benefit of planning permission.</p> <p>As the importation of soils was in connection with an engineering operation to improve the drainage of the glamping site, and the glamping site required planning permission, it was agreed that Rother District Council would deal with both operations.</p> <p>Therefore, there is no further action required by this Authority as Waste Planning</p>

				Authority.
2/6	November 2020	Plot 38, Groombridge Grove, Groombridge	Importation and deposit of waste	<p>A complaint was received that a number of breaches of planning control were taking place at the site, including the importation and deposit of waste, burying of waste, storing of caravans and creation of a new access onto the public highway. Contact was made with Wealden District Council who confirmed that permitted development rights had been removed from the site by an Article 4 Direction.</p> <p>A joint site visit was arranged with an officer from Wealden District Council. During the site visit a meeting was held with a male on the site who was working on behalf of the landowner, who had recently purchased the site. In regard to the importation of waste, the workman stated that one lorry load of topsoil had been purchased by the landowner and imported into the site in order to be graded out to level some deep ruts on the site (the ruts had been seen by the WDC officer during an earlier visit to the site). As the topsoil had been purchased, was of good quality, and did not materially raise the level of the land, it was deemed that no further action was required.</p> <p>The works that were being undertaken were clearing the undergrowth and general tidying up of the site after many years neglect and in the course of these works a small quantity of asbestos, which had been buried on the site prior to the current owner's stewardship, was discovered. The landowner, at the time of the site visit and meeting, was planning for this material to be disposed of by a suitably qualified operator.</p> <p>In relation to the other alleged breaches of planning control, these are matters which fall within the remit of Wealden District Council, who are dealing with them. Therefore, no further action is required by this Authority.</p>
2/7	January 2021	Unit 10 Granary Business Centre, Broad Farm, Hellingly	Importation, deposit and breaking of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into the industrial unit and broken up for spare parts, before the residual shell of the car was scrapped. Several site visits have been undertaken and nothing has been seen that would confirm the details contained within the complaint. There were no car shells, engine parts, body panels, stockpiles of vehicle fluids or stains on the ground.</p> <p>No breach of planning control has been found and, therefore, no further action is required.</p>

2/8	<p>January 2021</p> <p><i>NB – This is a separate case to that shown in Row 2/5.</i></p>	Lower Barn Farm, Junction Road, Staplecross	Importation, deposit and burying of waste	<p>East Sussex County Council and Rother District Council both received complaints alleging a number of breaches of planning control at this site, including the importation, deposit and burying of waste, unauthorised engineering operations and the felling of trees in ancient woodland in the High Weald Area of Outstanding Natural Beauty.</p> <p>A joint site visit and meeting was arranged with the landowner and Rother District Council where the various complaints were examined and discussed. There was no waste imported and buried in the location identified by the complainant. A new farmyard storage area had been constructed with an earth bund around it and there was storage of an end of life lorry. Some trees had been felled in an area of ancient woodland.</p> <p>In respect of matters pertinent to this Authority, there was no waste found to be buried on the site and the landowner agreed to remove the end of life vehicle.</p> <p>In respect of the bunded yard area, the landowner has agreed to seek regularisation in the form of a planning permission from Rother District Council.</p> <p>Regarding the tree felling the landowner was advised to consult the Forestry Commission for their advice/assistance. Officers have also advised the Forestry Commission directly of this aspect of the complaint.</p> <p>There is no breach of planning control for this Authority to deal with and no further action is required.</p>
2/9	January 2021	38 West Close, Polegate	Importation and deposit of waste wood	<p>A complaint was received that waste wood, comprising tree trunks and tree rounds, were being imported into and deposited at the above site. A site visit was undertaken which confirmed the details of the complaint.</p> <p>Contact was made with the landowner who confirmed that the waste wood tree trunks and rounds had been imported into the site from his business as a tree surgeon. The intention being to allow this wood to season and then cut the wood up to be used as logs for the wood burner fitted in the property. The requirement for planning permission and an Environmental Permit for the importation, deposit and processing of waste wood was explained to the landowner who immediately agreed to cease any further importation of waste wood into the site</p>

				<p>It was agreed in this instance, due to the small amount of waste wood involved, that the landowner could cut up the wood on site for logs subject to no further importation of waste wood into the site; the cutting being undertaken during the normal working period of the day; and the cutting only undertaken when weather conditions would not cause sawdust to escape from his property onto neighbouring property.</p> <p>The breach of planning control has been resolved and no further action is necessary.</p>
2/10	January 2021	Allied Waste Management, Squire Farm Industrial Estate, Easons Green	Breach of conditions (outside loading and unloading of waste)	<p>A complaint was received that the site was not being operated in accordance with the conditions that are attached to the planning permission relating to the site (WD/737/CM), particularly in relation to Condition 4 the loading and unloading of waste outside of the building.</p> <p>Several site monitoring visits were undertaken, all unannounced, none of which identified any breaches of the condition highlighted in the complaint, or any breaches of the other conditions attached to the planning permission.</p> <p>No breach of the planning conditions and no further enforcement action is required.</p>
2/11	February 2021	4 Windover Way, Lower Willingdon	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into and deposited at the site. An initial site visit appeared to confirm the details contained within the complaint, with a skip being used to bulk up building and construction waste.</p> <p>A joint site meeting was arranged with the landowner and officers from Wealden District Council. During this, the landowner admitted that he was running his pond business from these premises, which are residential, and he also brought back waste from client sites. The planning implications of the waste importation was explained to him and he agreed to immediately cease the importation of waste to the site.</p> <p>Therefore, insofar as this Authority as Waste Planning Authority is concerned, the breach of planning control has been resolved and no further action is necessary.</p>
2/12	February 2021	Shortwood Farm, Freezels Lane, Bexhill-on-Sea	Importation, deposit and burning of waste	<p>A complaint was received that waste materials were being imported into and deposited at the site, before being burnt. A joint site visit was undertaken with an officer from Rother District Council and during this visit a meeting was held with the landowners.</p> <p>The landowners admitted that they had held small bonfires, but strongly denied</p>

				<p>importing waste into the site. They explained that they had inherited the site from their parents and all the materials seen by officers were already on site when the property came into their ownership. They explained that they were in the process of clearing the site, with a view to selling the site once the clearance had been completed.</p> <p>The landowners were provided with advice about what materials could be burnt on the site and encouraged to apply for the relevant Exemption from the Environment Agency.</p> <p>There is no breach of planning control and no further action is required.</p>
2/13	February 2021	Luxury Car Spares, Hoads Farm, Sedlescombe	Importation, deposit and breaking of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into the site and broken up to recycle parts and panels.</p> <p>A joint site visit was undertaken with an officer from Rother District Council. During this site visit a meeting was held with the operator, who stated that all their parts were sourced and imported from America and no end of life vehicles were imported and broken up for parts. This was confirmed by what was observed during the site visit.</p> <p>There is no breach of planning control and no further action is required.</p>
2/14	March 2021	3 Thorne Farm Cottages, Ninfield Road, Bexhill-on-Sea	Importation, deposit and burning of waste	<p>A complaint was received that waste materials were being imported into and deposited at the site, before being burnt. A joint site visit was undertaken with an officer from Wealden District Council and during this visit a meeting was held with the landowners. The landowners admitted that they had lit a small bonfire but strongly denied importing waste into the site. This was confirmed by what was seen during the site visit.</p> <p>The landowners were provided with advice about what materials could be burnt on the site and encouraged to apply for the relevant Exemption from the Environment Agency.</p> <p>The complaint also raised issues regarding materials deposited at the bottom of the garden. An area of hardstanding on the site had clearly been in existence for a long period of time, using what appeared to be construction/roofing waste materials. This was confirmed by historic aerial photographs and is immune from planning enforcement action.</p> <p>There is no breach of planning control and no further action is required.</p>

2/15	March 2021	Lower Spring Garden Wood, Toll Lane, Maresfield	Importation and deposit of waste soils	<p>A complaint was received that soils had been imported into and deposited at this site. A site visit was undertaken which confirmed the details contained within the complaint. Contact was made with the landowner and a site meeting was arranged, which was also attended by the operator.</p> <p>The landowner explained that the purpose of the importation of the soils was to even very rutted ground out so that he could use a tractor over the land. This was considered to be an engineering operation, which required planning permission from Wealden District Council, as the Local Planning Authority. The landowner has been advised of this and the matter has been referred to Wealden District Council who are dealing with it.</p> <p>No further action is required by this Authority in its capacity as Waste Planning Authority.</p>
2/16	March 2021	Pyrite Industries, Swan Barn Road, Hailsham	Importation, deposit and storage of waste tyres	<p>A complaint was received that waste tyres were being imported into the site and deposited. The County Council granted planning permission in March 2020 for a waste tyre recycling facility at this location (WD/831/CM) and a site visit confirmed that these works were in conjunction with the planning permission and were therefore authorised.</p> <p>There is no breach of planning control and no further enforcement action is required.</p>
2/17	March 2021	SEMH School, Reef Way, Hailsham	Breach of conditions (Approved plans)	<p>A complaint was received that ducting on the roof of the School was visible, which the complainant believed was a breach of the planning conditions that are attached to the planning permissions that relate to the site.</p> <p>A site visit was carried out and the development checked. The complainant's viewpoint is elevated above the site by some 15 metres so effectively looks down onto the roof of the School, hence the ducting being visible.</p> <p>The planning permissions relating to this site have all been checked and there are no breaches of any of the conditions that are attached to them. The development is in accordance with the approved details.</p> <p>No breach of planning control and therefore no further enforcement action is required.</p>



2/18	March 2021	Staplecross Methodist School, Staplecross	Unauthorised development	<p>A complaint was received that construction works were being undertaken at the site which did not have the benefit of planning permission. A site visit was carried out and discussions held with the Head Teacher, which confirmed that works to provide a single storey extension to the reception area were being undertaken.</p> <p>A planning application (RR/3433/CC) to regularise the works was submitted and subsequently approved under delegated powers.</p> <p>The breach of planning control has been resolved and no further action required.</p>
2/19	April 2021	Expert Skip Hire, Cradle Hill Industrial Estate, Seaford	Breach of conditions (Hours)	<p>A complaint was received that the construction of the new Waste Transfer Building was being undertaken outside the permitted hours of the Construction Management Plan, which forms part of the planning conditions that are attached to the planning permission for the site (LW/786/CM).</p> <p>Contact was made with the operator, who was reminded of the time limitations for construction works on the site.</p> <p>The complainant was informed of the action taken and was satisfied with this as a method of resolving the complaint.</p> <p>The breach of planning control has therefore been resolved and no further enforcement action is required.</p>
2/20	April 2021	Heaven Farm, Lewes Road, Furners Green	Importation and deposit of waste soils	<p>A complaint was received that large quantities of soils were being imported into, deposited, and graded out at the site. A site visit was undertaken which confirmed the details contained within the complaint.</p> <p>Contact was made with Wealden District Council, who confirmed that they too had received complaints concerning this operation, and they were in the process of contacting the landowner's son who wished to discuss the situation with them.</p> <p>As this matter appears to be an engineering operation that Wealden District Council is already dealing with, there is no further action required by this Authority as the Waste Planning Authority.</p>

2/21	April 2021	125 Eastbourne Road, Willingdon	Importation and deposit of waste.	<p>A complaint was received that waste materials generated from the landowner's house clearance company were being imported into and deposited at the site. The complaint also contained several other issues, all of which fell outside of the County Council's remit as Waste Planning Authority</p> <p>An unannounced site visit was undertaken, during which a meeting was held with the landowner who admitted a very small quantity of waste had been deposited on the site for a short period, because of restrictions imposed to fight the coronavirus pandemic. The landowner arranged for the immediate removal of this small quantity of waste, which therefore resolved the breach of planning control.</p> <p>In relation to other issues contained within the complaint, the complainant has been referred to the relevant agencies/authorities that have responsibility for them. No further action is required by this Authority.</p>
2/22	May 2021	Montague Farm, Hankham Hall Road, Westham	Importation and deposit of waste/ unauthorised lorry movements	<p>A complaint was received that large earth moving lorries were using lanes in this area to access a site to deposit waste. Following investigations, it transpired that the materials being transported by these vehicles were being taken to a local site to further the development of agricultural barns, which have the benefit of planning permission granted by Wealden District council.</p> <p>There is no breach of planning control and no further action is required.</p>
2/23	May 2021	The Old Coach House, Framfield Place, Framfield	Importation, deposit and burning of waste	<p>A complaint was received that commercial and industrial waste was being imported into this site and burnt. An unannounced site visit was undertaken, during which a meeting was also held with the landowner.</p> <p>The landowner denied that any waste was being imported into the site and stated that the bonfires were to burn site derived green waste. This appeared to be borne out by what was seen during the site visit. The landowner was reminded what could and could not be burnt at the site.</p> <p>No breach of planning control identified and no further action required.</p>
2/24	May 2021	15 The Holt, Hailsham	Importation, deposit and burning of waste	<p>A complaint was received alleging that waste materials were being imported into the site and being burnt. A joint site visit with an officer from Wealden District Council was undertaken, during which a meeting was held with the occupants, who strongly denied</p>

				<p>that any waste had been imported into the site.</p> <p>There was no evidence of any burn sites seen during the site visit and the only waste stored on the site was several bags of grass clippings that originated from the garden of the premisses.</p> <p>Therefore, there is no breach of planning control and no further action is required.</p>
2/25	<p>May 2021</p> <p><i>NB – This is a separate case to that shown in Row 2/1.</i></p>	<p>Little England Farm, Main Road, Hadlow Down</p>	<p>Importation and deposit of waste</p>	<p>A complaint was received that waste materials were being imported into and deposited at the site. A site visit was carried out and a meeting subsequently held with the landowner, who stated that the materials were being imported into the site in connection with the compliance of the requirements that are attached to an Enforcement Notice served by Wealden District Council.</p> <p>There is no breach of planning control for this Authority to deal with and the matter is being managed by Wealden District Council.</p>
2/26	<p>May 2021</p>	<p>Paternoster Wood, Cat Street, Upper Hartfield</p>	<p>Importation and deposit of soils</p>	<p>A complaint was received that lorry loads of soil were being imported into the site and deposited. A site visit was undertaken and during this visit a meeting was held with the landowner and the operator responsible importing the material. The landowner explained that the soils were required on the site to create a motocross track for her son.</p> <p>The requirement for planning permission for this type of engineering operation and use was explained to the landowner and she was referred to Wealden District Council's Planning department. Wealden District Council were also informed of this situation by the attending officer.</p> <p>No further action required by this Authority.</p>
2/27	<p>May 2021</p>	<p>Morgans Farm, Cowbeech Road, Rushlake Green</p>	<p>Importation and deposit of waste</p>	<p>A complaint was received that waste materials were being imported into the site and being deposited. A site visit was undertaken, during the course of which a meeting was held with the landowner. It was explained that the majority of the works were in connection with the erection of a new farmhouse and two new agricultural barns, both of which have the benefit of planning permission granted by Wealden District Council.</p> <p>There were some engineering works taking place at the site which were not covered by</p>

				<p>the existing planning permissions and the landowner was advised to seek advice from Wealden District Council's Planning department, who were also informed of these works by the attending officer.</p> <p>There is no breach of planning control for this Authority to deal with and no further action is required.</p>
2/28	May 2021	Lower Stoneham Farm, Stoneham Lewes	Unauthorised earthworks, importation of waste	<p>A complaint was received that unauthorised earthworks were taking place at this site. A site visit was undertaken which appeared to confirm the details contained within the complaint and contact was made with the landowner, who explained that he had obtained permission for these works from Lewes District Council</p> <p>Research of Lewes District Council's online planning register confirmed that an Agricultural Determination had been granted for these engineering works in October 2020 (LW/20/0615) and the works appeared to be in accordance with the plans and documents that form part of the application.</p> <p>Therefore, there is no breach of planning control and no further action is required by this Authority.</p>
2/29	May 2021	Eastlands Farm, The Stream, Catsfield	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils, were being imported and deposited at this site. A site visit was undertaken, during the course of which a meeting was held with the landowner, who explained that the materials were being imported into the site in connection with a new agricultural barn development that has the benefit of planning permission granted by Rother District Council. This was borne out by what was seen during the site visit.</p> <p>There is no breach of planning control and therefore no further action is required by this Authority as Waste Planning Authority.</p>

**TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN 1 OCTOBER 2020 AND 31 MAY 2021 AND AS YET UNRESOLVED.**

	DATE LPA BECAME AWARE OF	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
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	BREACH			
3/1	January 2021	Haulaway Ltd, Polegate Yard, Summerhill Lane, Polegate	Breach of Condition (Noise)	<p>A complaint was received that this site, and the case listed below (3/2), were breaching the condition relating to the amount of noise that can be emitted from the site during operations.</p> <p>Limited monitoring by officers has been carried out and noise monitoring by an independent contractor is in the process of being arranged.</p>
3/2	January 2021	Hailsham Roadways, Woodside Depot, Polegate	Breach of Condition (Noise)	<p>A complaint was received that this site, and the case listed above (3/1), were breaching the condition relating to the amount of noise that can be emitted from the site during operations.</p> <p>Limited monitoring by officers has been carried out and noise monitoring by an independent contractor is in the process of being arranged.</p>
3/3	April 2021	Crockstead Farm Hotel, Halland	Importation and deposit of waste – soils	<p>A complaint was received that waste materials, comprising soils, were being imported into the site and deposited.</p> <p>A site visit was undertaken, during the course of which a meeting was held with the operator undertaking the works, who admitted that materials had been imported into the site to improve an existing access track and to improve the land.</p> <p>At the time of the site visit, the landowner was away. A letter has been sent to the landowner and a reply is currently awaited.</p>
3/4	May 2021  <i>NB – This is a separate case to that shown in Table 2, Row 2/2.</i>	Allsworthy, Hailsham Road, Stone Cross	Importation, deposit and burning of waste	<p>A complaint has been received that waste materials were being imported into the site and were being burnt.</p> <p>An initial site visit has been undertaken and efforts are being made to contact the landowner.</p>

3/5	May 2021	LS Vehicle Recycling, Lower Stoneham Farm, Lewes	Importation and breaking of end of life vehicle for their parts	<p>Whilst visiting another site at this location, the attending officer found this end of life vehicle recycling operation, which does not have the benefit of planning permission.</p> <p>Discussions were held with the site operator, who stated his intention to obtain planning permission and all the other necessary licences and permits that are required.</p> <p>The operator has been advised to seek pre-application advice and details are currently awaited.</p>
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**TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION**

	<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
4/1	August 2019	Penfold Driveways, AS Farm, The Warren, Crowborough	Importation, deposit and processing of waste (soils and hardcore)	<p>A joint site visit undertaken by officers from this Authority and the Environment Agency found that a significant quantity of waste materials, comprising soils, sub-soils and hardcore, had been imported into the site and deposited. The soils were being processed on site by means of a screener. A letter was sent to the operator requesting details of the nature and purpose of the activity and a response was received.</p> <p>Since the previous correspondence, further contact was made with the operator, who advised the Environment Agency that some key people involved in the company had suddenly left and set up a rival company, leaving the operator to sort out the issues at this site. Further discussions were ongoing regarding agreeing a timescale for the removal of the materials.</p> <p>As a result of the Coronavirus pandemic lockdowns, the operator had not been able to remove much of the waste that is stored on the site. However, since the lockdown has been eased, progress has been made and some of the waste has been removed. The site is continuing to be monitored by officers to ensure all the waste is removed. Officers will continue to monitor the site and liaise with the Environment Agency.</p>

4/2	January 2020	Meadow Farm, Road Hill, Isfield	Importation and deposit of Waste (soils and hardcore)	<p>In 2018 a complaint was received alleging that lorry loads of waste materials, comprising soils and hardcore, had been imported into the site and deposited. Joint site visits were undertaken with officers from the Environment Agency and Wealden District Council, and meetings were also held with the landowner and operators. Wealden District Council invited an application which sought to retain the deposited materials on site to be used in several engineering operations. That authority eventually decided that they could not entertain such an application and returned the application and fee to the landowner.</p> <p>The matter was been referred back to the County Council to deal with as a County Matter. Officers held an initial site meeting with the landowner (February 2020). At that time the whole area was so waterlogged as to be impassable, and the removal of the materials was not feasible. Since the initial meeting, the Coronavirus Pandemic prevented further progress in this matter. However, contact has been maintained with the landowner in order to progress matters.</p> <p>A meeting was then held with the landowner and an initial course of action, that of moving the bunds of material to outside of the crown spread of the trees was agreed.</p> <p>Initially there had been no progress made because of the waterlogged ground conditions and the site needed a considerable period of dry weather to improve the ground conditions to allow work to start. However, works are now due to commence soon and once these bunds have been moved, a further assessment will be carried out.</p>
4/3	July 2020	Rideout Agricultural, Dunly Wood, Cross-in-hand	Importation, deposit and processing of waste	<p>A complaint was received that waste materials were being imported into the site, deposited and processed. An officer undertook an initial site visit but was refused entry to the site by the operator. Contact was made with the landowner and a site meeting arranged. During the course of the meeting with the landowner, the substance of the complaint was confirmed.</p> <p>The landowner was provided with an “in principle” view that a planning application seeking to regularise the use of the site would be unlikely to be supported. However, the landowner stated that he would support the operator’s application seeking to regularise this breach of planning control.</p> <p>A planning application (WD/847/CM) was subsequently submitted and refused by the</p>

				<p>Planning Committee on 10 March 2021. An Enforcement Notice was served on the landowner and operator on 31 March 2021, requiring the waste use of the site to cease and the site to be cleared of all the waste materials, plant and equipment. No appeal was made against the Enforcement Notice and the period of time for compliance with the requirements of the Enforcement Notice expires on 7 August 2021</p>
4/4	August 2020	187 London Road, Hailsham	Importation, deposit and storage of waste	<p>A complaint was received that waste materials were again being stored in the rear garden of this site. The County Council had previously dealt with matters at this site, which resulted in the service of an Enforcement Notice in 2015, and which is still extant.</p> <p>A site visit was undertaken which confirmed the substance of the complaint. A letter was sent to the landowner, reminding him of the existence of the Enforcement Notice and providing him with a short timescale in which to return the site to compliance with the requirements of the Enforcement Notice. The landowner was also reminded that it is an offence to breach the Enforcement Notice and that he has previously been convicted of this offence.</p> <p>A further site visit was carried out and it was noted that some of the waste had been removed from the site. Due to various circumstances, the landowner wrote to officers requesting an extension of time to complete the removal of the waste removal. An extension of time was granted and, after this had expired a further site visit was carried out. Disappointingly, there was still waste being stored within the rear garden of the property, which continues to be in breach of the Enforcement Notice and therefore a criminal offence.</p> <p>The landowner was Summoned to appear at Hastings Magistrates for failing to comply with the requirements of the Enforcement Notice. This case was initially listed for hearing on 29 January 2021, but was been deferred to 29 June 2021 because of the backlog of cases caused by the lockdown restrictions imposed to fight the Coronavirus pandemic.</p> <p>In view of this, and to try and resolve the matter without the need for a further prosecution, thereby saving the Court's time and Council expense, the landowner has been given a further opportunity to clear the site. If this is done by 11 June 2020, then the County Council will discontinue proceedings against the landowner.</p>



				The landowner's response is awaited and the site will continue to be monitored.
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