



## REGULATORY COMMITTEE

## PLANNING COMMITTEE

**MEETING 10.30 am WEDNESDAY, 17 APRIL 2024**

### **COUNCIL CHAMBER, COUNTY HALL, LEWES**

**MEMBERSHIP** - Councillor Tom Liddiard (Chair)  
Councillors Philip Lunn (Deputy Chair), Abul Azad, Godfrey Daniel,  
Kathryn Field, Eleanor Kirby-Green and Pat Rodohan

### **A G E N D A**

1. Minutes of the meeting held on 13 March 2024 (*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 Parking Review 2023-24 (*Pages 5 - 30*)  
Report by the Director of Communities, Economy and Transport
6. Development Management Update (*Pages 31 - 54*)  
Report by the Director of Communities, Economy and Transport
7. Any other items previously notified under agenda item 4

PHILIP BAKER  
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9 April 2024

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**NOTES:**

- (1) Members are reminded that copies of all representations received are available for inspection in the Members' Room**
- (2) 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](http://www.eastsussex.gov.uk/yourcouncil/webcasts/default)**

## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 13 March 2024.

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PRESENT Councillors Tom Liddiard (Chair), Philip Lunn (Deputy Chair), Abul Azad, Godfrey Daniel, Kathryn Field, Eleanor Kirby-Green and Pat Rodohan

ALSO PRESENT Councillors Gerard Fox, Steve Murphy, Peter Pragnell and Christine Robinson

### 28. MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2023

28.1 The Committee approved as a correct record the minutes of the meeting held on 15 November 2023.

### 29. APOLOGIES FOR ABSENCE

29.1 There were no apologies for absence.

### 30. DISCLOSURES OF INTERESTS

30.1 There were none.

### 31. URGENT ITEMS

31.1 There were none.

### 32. REPORTS

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

### 33. VARIATION OF CONDITION 2 OF PLANNING PERMISSION WD/3252/CC, TO REMOVE ALL OBLIGATIONS CONCERNING AN ON-SITE PARKING PROVISION FOR DROP-OFF AND PICK-UP (THE "KISS AND DROP") AT BURFIELD ACADEMY

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

33.2 Mr George Charalambous, the agent for the applicant spoke against the recommendation to refuse planning permission.

33.3 Councillor Gerard Fox, the Local Member spoke in support of the recommendation.

33.4 The Committee Members have considered the report and agreed with the officer's conclusion and reason for recommendation set out in paragraph 8 of the report.

33.5 The Committee unanimously RESOLVED to refuse planning permission for the reasons set out in paragraph 8.1 of the report.

34. TRAFFIC REGULATION ORDER - U3016 HARROW LANE, ST LEONARDS ON SEA

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

34.2 Councillor Peter Pragnell, the Local Member spoke in support of the recommendations.

34.3 The Committee Members have considered the report and agreed with the officer's conclusion and recommendations set out in paragraph 3 of the report.

34.4 The Committee unanimously RESOLVED to:

1) Not uphold the objection to the draft Order as set out in paragraph 2.2 of the report; and

2) Recommend to the Director of Communities, Economy and Transport that the draft Traffic Regulation Order be made as advertised.

(The meeting ended at 11.12 am)

CHAIRMAN

Committee:	<b>Planning Regulatory Committee</b>
Date:	<b>17 April 2024</b>
Report by:	<b>Director of Communities, Economy and Transport</b>
Title of Report:	<b>Traffic Regulation Orders – Lewes Parking Review 2023-24</b>
Purpose of Report:	<b>To consider the objections received in response to the formal consultation on the draft Traffic Regulation Order associated with the Lewes Parking Review</b>
Contact Officer:	<b>Natalie Mclean – tel. 01273 482628</b>
Local Members:	<b>Sam Adeniji, Chris Collier, Johnny Denis, Carolyn Lambert, Wendy Maples, James MacCleary, Matthew Milligan, Sarah Osborne and Christine Robinson</b>

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## **RECOMMENDATIONS**

**The Planning Committee is recommended to:**

- 1. Not uphold the objections to the draft Order as set out in Appendix 1 of this report.**
  - 2. Uphold the objections, in part, 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 the Lewes District area are held on a priority ranking database, with those requests ranking high enough being progressed to consultation. Informal consultations ran from 22 September to 13 October 2023 to see whether there was enough public support to introduce further controls such as double yellow lines or changes to permit parking schemes in the district.
- 1.2 Feedback from the consultations led to formal proposals being developed. The formal consultation ran from 1 December 2023 to 5 January 2024. 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 1 December 2023. Notices and copies of the relevant plans were placed on posts and lamp-columns in the affected areas. Approximately 1050 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.
- 1.3 Copies of the formal proposals were sent to relevant County and District Councillors, Town and Parish Councillor's 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 electronic format.

1.4 During the formal consultation 241 items of correspondence were received. These included 175 objections and 66 items of support. Eight objections have since been withdrawn.

## **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. Plans and photographs showing the areas objected to are included in the Additional Information Pack

2.2 With regard to objections relating to Bishops Lane, Broad Street, Albion Street, East Street, Cleve Terrace, Court Road, Railway Lane, De Montfort Road, De Warrenne Road, Gundreda Road, Ferrers Road, Fort Road, Foundry Lane, Malling Street, Esplanade, Marine Parade, Downs View and Pelham Road as set out in Appendix 1, it is not considered that these objections provide sufficient grounds to warrant the modification or withdrawal of the proposals. The proposals are considered to provide for the most efficient use of parking space. It is considered that these objections should not be upheld.

2.3 Following consideration of the responses, it is recommended to modify the following proposal (summarised in Appendix 2):

- Fort Road, Newhaven – modify the proposal to withdraw the removal of the Time limited bays and continue with the TRO amendment to the existing no waiting at any time.

Officers are satisfied that the objections received to these proposals do provide sufficient grounds to warrant the withdrawal of the part of the proposal that would remove the time limited bays.

2.4 It is also recommended that all other proposals not objected to should be implemented as advertised.

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

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. Objections on one of the sites are considered to merit the withdrawal of part of the proposal. Officers consider that, for highway and road safety reasons, the remaining objections (as set out in Appendix 1) should not be upheld and the proposals in these areas should proceed as per the draft TROs as advertised.

3.2 It is therefore recommended for the reasons set out in this report, that the Planning Committee does not uphold the objections in Appendix 1, upholds in part the objections in Appendix 2, and recommends to the Director of Communities, Economy, and Transport that the Orders be made in part.

### **RUPERT CLUBB**

Director of Communities, Economy and Transport

## **Appendix 1 – Proposals where objections are recommended to not be upheld and are proposed to be implemented as advertised**

### **1. Site 1 Bishops Lane, Ringmer (Councillor Johnny Denis)**

- 1.1 The proposal at this location is to introduce new no waiting at any time restrictions on both sides of the road in Bishops Lane.
- 1.2 One objection has been received from a local resident with no given reason for the objection. Sixteen items of support were received on this proposal.
- 1.3 The proposal follows a request from Ringmer Parish Council, to stop vehicles parking at the junction.
- 1.4 Officers are unable to consider the objection as no grounds for the objection have been put forward. Officers have attempted to contact the objector via letter. No reply was received therefore officers are satisfied that there are grounds for the proposals to be withdrawn.
- 1.5 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.
- 1.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

### **2. Site 2 Broad Street, Seaford (Councillor Carolyn Lambert)**

- 2.1 The proposal at this location is to replace the current Taxi only bay with Loading and unloading only Monday to Saturday 8am to 6pm.
- 2.2 Four objections have been received, two of which have not given any grounds for the objections. One objection was on the grounds that they will not be able to park in Broad Street with their blue badge. The remaining objection is on the grounds that they do not agree with the proposed changes. Three items of support were received, one of those from Seaford Town Council.
- 2.3 The proposal follows a survey carried out by the Parking team showing that the Taxi Bay is underutilised.
- 2.4 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn. The survey shows that the bay is not often used by taxis, the proposal will introduce a loading bay in the area with an 8am to 6pm Monday to Saturday restriction which will allow blue badge holders to use the proposed bay for loading and unloading purposes. Outside the restriction times, the bay can be used by other vehicle users including blue badge holders. Currently blue badge holders can park for free in the Time limited bays in Broad Street and for up to three hours on the single yellow lines in Broad Street while correctly displaying their blue badge. At

present, blue badge holders are not permitted to use the taxi bay during restriction hours.

- 2.5 Councillor Lambert has confirmed her support for the proposal to be implemented.
- 2.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

### **3. Site 3 Albion Street and East Street, Lewes (Councillor Johnny Denis)**

- 3.1 The proposal at this location is to replace the existing Permit holders or pay and display Monday to Saturday 9am to 5pm maximum stay 2 hours with Permit holders only Monday to Saturday 8am to 8pm maximum stay 2 hours and change the existing permit holders only bays from 9am to 5pm to 8am to 8pm.
- 3.2 Three objections have been received. One objection is on the grounds that the change of the operational times is unnecessary. One objection is on the grounds that the proposal removes available space for visitors and shoppers. The remaining objection is from Councillor Maples on the grounds that removing the pay and display parking will affect local businesses and visitors. Eight items of support were received, out of which seven are residents to East Street and Albion Street.
- 3.3 The proposal follows requests from residents for additional permit holders spaces and extending the operational hours as parking in the area is in high demand and residents are having difficulties parking after 5pm.
- 3.4 The purpose of the proposal is to increase the provision of available parking for permit holders. Increasing the operational times until 8pm will provide a greater chance for residents to find a parking space after 5pm. Visitors parking is available nearby in the High Street, East Street and Little East Street car parks. Currently there are 28 Resident permits issued in the area, with only 12 Permit holders only spaces.
- 3.5 By removing the pay and display in Albion Road and East Street, the number of spaces for permit holders would increase by 16 spaces. In the period between April 2023 and March 2024 there have been 173 pay and display and 599 RingGo sessions purchased in Albion Street. In East Street, 97 pay and display and 617 RingGo sessions purchased. On average, 14 purchased sessions in Albion Street and 14 purchased sessions in East Street per week. Having considered the representations made, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 3.6 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.



- 3.7 **Recommendation:** To not uphold the objections and install the proposal as advertised.

#### **4. Site 4 Cleve Terrace, Lewes (Councillor Wendy Maples)**

- 4.1 The proposal at this location is to replace the existing Permit holders or Pay and display Monday to Saturday 8am to 6pm maximum stay 10 hours with Permit holders only Monday to Saturday 8am to 6pm.
- 4.2 Twenty-three objections have been received. Eighteen objections are on the grounds that flexibility for the different types of users will be lost. Tradesmen, visitors and health workers will not be able to use the bays for short term parking and that it will cost more to use visitor, trade or healthcare permits instead of pay and display. Three objections are on the grounds that by changing the bays into permit holders only, parents will not be able to use the bays to pick up their children from Southover School. One objection is on the grounds that the proposed change is not needed. One objection is on the grounds that the changes are not needed and that the change of the operational times does not makes sense. Two items of support were received.
- 4.3 Parking habits and technology have changed considerably in recent years and we need to adapt and develop schemes in line with these changes. In some locations we identified areas where changes to the parking restrictions could be considered. Following work carried out by the Parking Team, Cleve Terrace was identified as one of these areas. In this area it showed the shared use bays often remained empty making the cost for the pay and display machine being unsustainable. The average cost of a pay and display machine per annum is £1,800 transaction numbers no longer make this machine viable.
- 4.4 In the period between April 2023 and March 2024 there have been 131 pay and display and 578 RingGo sessions purchased in Cleve Terrace, 14 sessions on average per week or 2 sessions per day.
- 4.5 The proposal will not affect Healthcare or Trade permit users as those daily permits can be used in multiple locations throughout the day. Resident visitor permits can be purchased by residents. Short term parking for school drop off and pick up in time limited bays and pay and display bays is available in St Pancras Gardens, St Pancras Road and The Course. Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 4.6 At the time of writing, Councillor Maples has not replied to provide their views regarding the recommendation.
- 4.7 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **5. Site 5 Court Road, Lewes (Councillor Johnny Denis)**

- 5.1 The proposal at this location is to replace the existing Permit holders or Pay and display Monday to Saturday 9am to 5pm maximum stay 10 hours with Permit holders only Monday to Saturday 9am to 5pm.
- 5.2 Ten objections have been received and, one objection has since been withdrawn. Three objections are on the grounds that residents want to keep the available spaces for different types of visitors. Two objections are on the grounds that the restriction times need to be extended. One objection is on the grounds that by removing the pay and display parking in Court Road illegal parking will increase. One objector failed to state the grounds of their objection. One objection is on the grounds that the cost of pay and display near the town centre is outrageous and more spaces for shoppers at a reasonable price is need. The remaining objection is from Councillor Maples on the grounds that removing the pay and display parking will affect local businesses and visitors who need quick access to parking.
- 5.3 The proposal follows work carried out by the Parking team showing that parking habits have changed in Court Road. The team identified that pay for parking has reduced in Court Road, the number of sessions bought from the machine do not cover the average yearly costs.
- 5.4 In the period between April 2023 and March 2024 there have been 270 pay and display and 689 RingGo sessions purchased in Court Road, 18 sessions on average per week. The proposal will not affect Healthcare or Trade permit users as those daily permits can be used in multiple locations throughout the day and Resident visitor permits can be purchased by residents. Pay and display parking is still available nearby in Friars Walk car park with a maximum stay of 2 hours at a cost of £1.80.
- 5.5 In Zone D there is currently a shortage of residents bays with approximately 135 permit holders for every 100 bays. (i.e. 1.35 permit holders for every one bay). Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 5.6 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.
- 5.7 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **6. Site 6 Railway Lane, Lewes (Councillor Johnny Denis)**

- 6.1 The proposal at this location is to replace existing Permit holders or pay and display Monday to Saturday 9am to 5pm maximum stay 2 hours with Permit holders only Monday to Saturday 8am to 5pm.

- 6.2 Three objections were received. One objection is on the grounds that flexibility for visitors and healthcare workers will be lost. One objection is on the grounds that residents are not eligible for parking permits or resident visitor permits will lose available parking spaces. The remaining objection is from Councillor Wendy Maples on the grounds that many residents require daily care visits, and short-term parking will be lost. One item of support was received.
- 6.3 The proposal follows a request made for more permit spaces and a survey carried out by the Parking team showing that the cost of the pay and display machine in Railway Lane is unsustainable.
- 6.4 The purpose of the proposal is to increase the provision of parking for permit holders and ensure our parking schemes remain relevant and continue to support our local communities in the best ways we can. In the period between April 2023 and March 2024 there have been 16 sessions on average per week.
- 6.5 The proposal will not affect Healthcare permit users as those daily permits can be used in multiple locations throughout the day and Resident visitor permits can be purchased by eligible residents. Short term pay and display parking is available nearby in Friars Walk car park with maximum stay 2 hours costing £1.80 where currently in Railway Lane it costs £8.45.
- 6.6 In Zone D there is currently a shortage of residents bays with approximately 135 permit holders for every 100 bays. (i.e. 1.35 permit holders for every one bay) Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 6.7 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.
- 6.8 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **7. Site 7 De Montfort Road, Lewes (Councillor Wendy Maples)**

- 7.1 The proposal at this location is to replace the single Permit holders or Pay and display bay Monday to Friday 9am to 5pm with no waiting at any time.
- 7.2 Three objections have been received. One objection is on the grounds that parking in the area is in high demand and the removal of the bay is unnecessary. One objection is on the grounds that they do not think that the change is necessary because the issue is not only where the proposal is but where parking is on both sides of the road. The same objection mentions damage to parked vehicles caused by lorries in the past. The remaining objection is on the grounds that they could not find any information about the proposal and have objected.

- 7.3 The proposal follows safety concerns raised to the Parking team as emergency and other vehicles are having difficulties passing through when the parking bay is occupied.
- 7.4 The purpose of the proposal is to provide suitable space for larger vehicles to pass through. The proposal would resolve some of the concerns raised in the objections. Officers are unable to consider one of the objections as no grounds have been provided. Officers have attempted to contact the objector via email. No reply was received. Having considered the remaining objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 7.5 At the time of writing, Councillor Maples has not replied to provide their views regarding the recommendation.
- 7.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

#### **8. Site 8 De Warrenne Road, Lewes (Councillor Wendy Maples)**

- 8.1 The proposal at this location is to replace the existing Permit holders only with Permit holders or pay and display Monday to Saturday 9am to 5pm
- 8.2 Two objections have been received. One objection is on the grounds that the current pay and display bays in the area are not in use. The remaining objection is on the grounds that the change from Monday to Friday to Monday to Saturday is unnecessary.
- 8.3 The proposal follows a survey carried out by the Parking team showing that the bays are underutilised by permit holders.
- 8.4 The purpose of the proposal aims to better utilise the available kerb space by changing the use of underused bays to increase the number of spaces available for visitors of the facilities in the area such as the Hospital and B&Bs. The survey carried out by the Parking team shows that out of 12 visits, only one vehicle has been observed parked in the permit bays once. The survey also shows a higher usage of the current shared use bays compared to the permit holders only bays. Currently there are 6 Permit holders only bays, 14 Shared use bays and 0 Resident permits issued in De Warrenne Road. Any future Resident permit holders would be able to use the Shared use spaces for parking. Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 8.5 At the time of writing, Councillor Maples has not replied to provide their views regarding the recommendation.
- 8.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **9. Site 9 Gundreda Road and Ferrers Road, Lewes (Councillor Wendy Maples)**

- 9.1 The proposal at this location is to replace the existing Permit holders only with permit holders or time limited 4 hours no return within 2 hours Monday to Saturday 9am to 5pm
- 9.2 Sixteen objections have been received, one of which has been withdrawn. Eight objections are on the grounds that it is unfair for permit holders having to pay for a residents permit while visitors are having free parking and that it would make enforcement difficult. Four objections are on the grounds that the existing restrictions are not working, and the proposal will not make a difference. Four objections are on the grounds that there is no need for a change on the current restrictions because they work as it is, free parking would also encourage people to use their vehicles more instead of public transport and that it is a waste of time and resources. Within the sixteen objections, five also objected as they do not want pay and display machines outside their properties. Two items of support were received. Support is on the grounds that the proposal would free the road for visitors. None of the supporters hold a resident's permit.
- 9.3 The proposal follows a survey carried out by the Parking team showing that the bays are underutilised.
- 9.4 The purpose of the proposal aims to make better use of the available kerb space and to provide available short-term parking for visitors. There are 41 bays in Gundreda Road that permit holders can park in, 28 of these bays are for permit holders only. There are currently 7 resident permits issued to properties. In Gundreda Road there are 21 properties within the zone, out of which 17 have driveways. There are 48 bays in Ferrers Road that permit holders can park in, 40 of these are for permit holders only. There are 26 resident permits issued to properties. Out of the 44 properties in Ferrers Road, 43 have driveways. In the period between April 2023 and March 2024 there have been 192 purchased pay and display sessions in Ferrers Road, 4 sessions on average per week. In the period between April 2023 and March 2024 there have been 233 purchased pay and display sessions in Gundreda Road, 4 to 5 sessions on average per week. Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 9.5 At the time of writing, Councillor Maples has not replied to provide their views regarding the recommendation.
- 9.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

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

- 10.1 The proposal at this location is to replace a section of the existing no waiting at any time with a Time limited waiting bay 4 hours no return within 2 hours Monday to Friday 9am to 5pm.
- 10.2 Three objections have been received. Two objections are on the grounds of losing free parking. Objectors state that they are using the currently free proposed area to park their vehicles as they do not fit in their garage. One of the objections is on the grounds that the restrictions do not go far enough, they also want overnight parking and weekend restrictions. Two items of support were received, one of which is from Newhaven Cricket Club.
- 10.3 The proposal follows a request from the Transport Development Control team and Lewes District Council who own part of the land in question.
- 10.4 The purpose of this proposal is to make better use of the available kerb space and increase vehicle turnover. Due to the adverse impact of uncontrolled parking, time limited waiting bays will ensure effective enforcement. Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 10.5 Councillor MacCleary has confirmed his support for the proposal to be implemented.
- 10.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **11. Site 11 Foundry Lane, Lewes (Councillor Johnny Denis)**

- 11.1 The proposal at this location is a Traffic Regulation Order (TRO) amendment to the existing restricted zone at any time.
- 11.2 One objection has been received from a local resident on the grounds that the proposal is unclear.
- 11.3 The purpose of this proposal is to rectify an anomaly with the existing TRO. The TRO for the restricted area extends only one metre from Cliffe High Street so the proposal would extend the restriction for the full length of the restricted street. The proposal follows request made by East Sussex Highways due to vehicles inappropriately accessing the lane.
- 11.4 Officers contacted the objector to clarify what the aim of the proposal is, but no reply was received. The officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 11.5 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.

- 11.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

## **12. Site 12 Malling Street, Lewes (Councillor Johnny Denis)**

- 12.1 The proposal at this location is to replace a section of the Permit holders only bay with a Car club bay at any time.
- 12.2 One objection has been received on the grounds that one parking space will be removed and that parking in the area is in high demand.
- 12.3 The proposal follows a request made by the Transport Development Control team and relates to a measure that was secured as highway mitigation for a recent development.
- 12.4 The purpose of this proposal is to formalise the car club bay in Malling Street. The proposed car club bay is a planning requirement of the adjacent site at 68-74 Malling Street. The site used to be a garage several years ago before permission was granted for the residential scheme, now completed. The permission was granted by South Downs National Park Planning Authority. Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 12.5 At the time of writing, Councillor Denis has not replied to provide their views regarding the recommendation.
- 12.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

## **13. Site 13 Esplanade(Seaward side) and Marine Parade, Seaford (Councillor Carolyn Lambert)**

- 13.1 The proposal at this location is to replace the existing bays that are Time Limited 12 hours in any one day with Time limited 12 hour no return within two hours.
- 13.2 Fifty-five objections have been received. Fourteen objections have been received without given reason for the objections. Ten objections are on the grounds that a camper van ban is needed, four of which also request CCTV enforcement. Ten objections are on the grounds that they do not want any changes. Four objections are on the grounds that motorhomes and caravans need a designated parking area. Four objections are on the grounds that this proposal will displace the problem to adjacent roads. Four objections are on the grounds that the “no return within 2 hours” will not work and that they want “no return within 12 hours”. Three objections are on the grounds that they do not want any restrictions. Two objections are on the grounds that it will be a waste of money as there is no enforcement. One objection is on the grounds that the proposal will not solve the current problems. One objection is on the grounds that the proposal will affect local residents as they will not be able to park on

the seafront for long periods. One objection is on the grounds that the proposal will deter visitors which help the local businesses in Seaford. One objection is on the grounds that a much better, more timely and comprehensive review is required. Nineteen items of support have been received but with request for stronger enforcement in the area.

- 13.3 The proposal follows requests to resolve the issue with the current restrictions.
- 13.4 The purpose of this proposal is to stop long term parking. At present the restriction allows free parking for up to 12 hours in any one day for motor vehicles. The current restriction is difficult to enforce, and requests from residents were received to seek a solution to this. The outlined proposal will allow vehicles to park for free for 12 hours before needing to move. The no return restriction would apply every day of the week and will apply to all vehicles. Officers are unable to consider fourteen of the objections as no grounds have been provided. Officers have attempted to contact the objectors but no replies have been received. Having considered the remaining objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 13.5 Councillor Lambert has confirmed her support for the proposal to be implemented.
- 13.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

#### **14. Site 14 Esplanade, Seaford (Councillor Carolyn Lambert)**

- 14.1 The proposal at this location is a parking area of Time limited 12 hour no return within two hours and an extension of the existing no waiting at any time.
- 14.2 Thirty-six objections have been received. Twelve objections have been received without grounds for the objections. Four objections are on the grounds that they do not want any changes. Three objections are on the grounds that echelon parking bays for cars only is needed. Two objections are on the grounds that caravans and motorhomes need a designated parking area. Two objections are on the grounds that this proposal will displace the problem to adjacent roads. Two objections are on the grounds that they do not want any restrictions. Two objections are on the grounds that the “no return within 2 hours” will not work and that they want “no return within 12 hours”. One objection is on the grounds that the proposal will not solve the current problems. One objection is on the grounds that they want “No parking except cars or motorcycles” 22:00 to 07:00. One objection is on the grounds that it will be a waste of money as there is no enforcement. One objection questions the enforcement of the proposed changes. One objection is on the grounds that the restriction does not reflect on the environment issues and that a caravan/motorhome ban is needed. One objection is on the grounds that resident parking permits and overnight caravan/motorhomes ban is needed. One objection is on the grounds that there is no provision for motorhome



parking and that the proposal will deter visitors which help the local businesses in Seaford. One objection is on the grounds that there are no issues to grant the changes and that resident parking permits are needed. One objection is on the grounds that caravan/motorhome ban is needed as well as CCTV enforcement. Five items of support have been received but with comments that in order for the restrictions to work, adequate enforcement would be needed.

- 14.3 The proposal follows a request from Seaford Town Council.
- 14.4 The purpose of this proposal is to resolve the issue of long-term parking in this area. As there are no restrictions to the area, long term parking cannot be enforced against, and requests were received from residents to seek a solution to this. The outlined proposal will still allow 12 hours free parking, but on the seaward side it will not allow the vehicle to return within 2 hours. The no return restriction would apply every day of the week and will apply to all vehicles. Officers are unable to consider fourteen of the objections as no grounds have been provided. Officers have attempted to contact the objectors, no replies have been received. Having considered the remaining objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 14.5 Councillor Lambert has confirmed her support for the proposal to be implemented.
- 14.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

#### **15. Site 15 Downs View, North Chailey (Councillor Matthew Milligan)**

- 15.1 The proposal at this location is to formalise the existing Blue badge holders bay.
- 15.2 Four objections have been received from local residents. Two on the grounds that the disabled bay is mostly empty. Two objections are on the grounds that the location of the bay is not in a suitable place for the resident.
- 15.3 The proposal follows a request to formalise the advisory disabled bay following a request by the current applicant.
- 15.4 Having considered all of the objections and that the applicant meets the criteria for a formal disabled bay, officers are satisfied that there are not sufficient grounds to withdraw the proposal.
- 15.5 At the time of writing, Councillor Milligan has not replied to provide their views regarding the recommendation.
- 15.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

**16. Site 16 Pelham Road, Seaford (Councillor Carolyn Lambert)**

- 16.1 The proposal at this location is to extend the operational times of the existing taxi bay from Monday to Saturday 8am to 6pm to Monday to Sunday 8am to 6pm.
- 16.2 One objection has been received from a local resident with no given reason for the objection. One item of support was received from Seaford Town Council.
- 16.3 The proposal follows requests by Lewes District Council Licensing team and MOPs to increase the time of the taxi bay as currently drivers are having to drop off customers in the middle of the road because the bay is occupied on Sundays, and it is not enforceable.
- 16.4 The purpose of this proposal is to allow taxi drivers to drop off and pick up customers safely. Officers are unable to consider the objection as no grounds have been provided. Officers have attempted to contact the objector via email. No reply was received therefore officers are satisfied that there are no grounds for the proposals to be withdrawn.
- 16.5 Councillor Lambert has confirmed her support for the proposal to be implemented.
- 16.6 **Recommendation:** To not uphold the objection and install the proposal as advertised.

## Appendix 2 – Proposals where objections are upheld in part

### **1. Site 17 Fort Road, Newhaven (Councillor James MacCleary)**

- 1.1 The proposal at this location is to remove the existing the time limited bays and TRO amendment to the existing no waiting at any time.
- 1.2 Four objections have been received on the grounds that parking spaces will be lost. One item of support was received.
- 1.3 The proposal follows a report that the time limited bays are not required.
- 1.4 Having considered the objections, officers are satisfied that there are sufficient grounds to withdraw the proposed removal of the time limited bays but to continue with the TRO amendment to the existing no waiting at any time.
- 1.5 Councillor MacCleary has confirmed his support for the modified proposal to be implemented.
- 1.6 **Recommendation:** To uphold, in part, the objections and to modify the proposal by withdrawing the removing of the TRO restriction from the Time limited bays and amend the TRO for the no waiting at any time restriction.

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## 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 \*) 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.

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

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

Bishops Lane	East Side	From its junction with Lewes Road, northwards for a distance of 9.5 metres.
Bishops Lane	West Side	From its junction with Lewes Road, northwards for a distance of 11 metres.

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

Allington Road	Both Sides	From the prolongation of the boundary between the buildings known as No.18 Church Road and No.2 Allington Road from a point 7.9 metres north-east, north-eastwards to its junction with Church Road.
Church Road	West Side	From the south-eastern corner of the building known as No.1 Allington Road from a point 5 metres, north-westwards for a distance of 19 metres.

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

Marshall Lane	Both Sides	From its junction with Meeching Road, south-westwards for a distance of 4 metres.
Marshall Lane	North-west Side	From a point 4 metres south-west of its junction Meeching Road, south-westwards for a distance of 20 metres.
Marshall Lane	North-west, South-west and South Side	From a point 24 metres south-west of its junction with the north-western kerbline of Meeching Road, south-westwards, south-eastwards and north-eastwards to a point 45 metres south-west of the south-eastern kerbline of Meeching Road.
Marshall Lane	South-east Side	from a point 24 metres south-west of its junction with Meeching Road, south-westwards and south-eastwards to a point 40 metres south-west and south-east of its junction with Meeching Road.

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

Glynn Road	Both Sides	From the prolongation of the boundary between No.2 Glynn Road and No.4 Glynn Road from a point 8m south-eastwards, to its junction with Pelham Rise.
Pelham Rise	West Side	From the south-eastern corner of the building known as No. 2 Glynn Road, south-westwards for a distance of 31 metres.
Marshall Lane	Both Sides	From its junction with Meeching Road for its entire length.

**(ii) 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 items shall be deleted as follows:

Fort Road	North-east Side	From a point 18 metres south-east of the south-eastern building line of Nos. 29 to 41 Mariners Wharf, south-eastwards for a distance of 5 metres (echelon bays)
Fort Road	North-east Side	From a point 23 metres south-east of the south-eastern building line of Nos. 29 to 41 Mariners Wharf, south-eastwards for a distance of 6 metres

**(iii) Schedule 6, Part A, Disabled Persons' Parking Places**

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

Downs View	South-east Side	From the prolongation of the boundary between No.10 Downs View and No.11 Downs View south-eastwards for a distance of 6.6 metres
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**(iv) Schedule 7, Part A, Free Parking Places, Waiting Limited to 12 hours in any one day — No Caravans that this Schedule be amended as follows:**

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

Esplanade	South-west Side	Perpendicular to the kerb, from a point 7 metres north-west of the north-west kerbline of Edinburgh Road north-westwards to a point 28 metres south-east of the south-east kerbline of Claremont Road, a distance of approximately 336 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of West View south-eastwards to a point 15 metres north-west of the north-west kerbline of St John's Road, a distance of approximately 33 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of St John's Row' south-eastwards to a point 15 metres north-west of the north-west kerbline of The Causeway, a distance of approximately 31 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of The Causeway south-eastwards to a point 15 metres north-west of the north-west kerbline of Ringmer Road a distance of approximately 79 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of Ringmer Road south-eastwards to the south-east boundary of No.35, a distance of approximately 32 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of The Causeway south-eastwards to the south-eastern boundary of No.35, a distance of approximately 150 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of Dane Road south-eastwards to a point 15 metres north-west of the north-west kerbline of West View, a distance of approximately 239 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of West View south-eastwards to a point 15 metres north-west of the north-west kerbline

		of The Causeway, a distance of approximately 103 metres.
Marine Parade	South-west Side	In echelon, from a point 38 metres north-west of the north-west kerbline of Dane Road north-westwards for a distance of 52 metres.
Marine Parade	South-west Side	In echelon, from a point 103 metres north-west of the north-west kerbline of Dane Road north-westwards for a distance of 63 metres.
Marine Parade	South-west Side	In echelon, from a point 60 metres south-east of the south-east kerbline of Edinburgh Road south-eastwards for a distance of 60 metres.
Marine Parade	South-west Side	In echelon, from a point 133 metres south-east of the south-east kerbline of Edinburgh Road south-eastwards for a distance of 89 metres.
Marine Parade	South-west Side	From a point 6 metres south-east of the north-west kerbline of Edinburgh Road south-eastwards for a distance of 52 metres.

**(v) Schedule 7, Part B, Free Parking Places, Waiting Limited to 12 hours no return within 2 hours — No Caravans that this Schedule be added as follows:**

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

Esplanade	South-west Side	Perpendicular to the kerb, from a point 7 metres north-west of the north-west kerbline of Edinburgh Road north-westwards to a point 28 metres south-east of the south-east kerbline of Claremont Road, a distance of approximately 336 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of West View south-eastwards to a point 15 metres north-west of the north-west kerbline of St John's Road, a distance of approximately 33 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of St John's Row' south-eastwards to a point 15 metres north-west of the north-west kerbline of The Causeway, a distance of approximately 31 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of The Causeway south-eastwards to a point 15 metres north-west of the north-west kerbline of Ringmer Road a distance of approximately 79 metres.
Esplanade	North-east Side	From a point 15 metres south-east of the south-east kerbline of Ringmer Road south-eastwards to the south-east boundary of No.35, a distance of approximately 32 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of The Causeway south-eastwards to the south-eastern boundary of No.35, a distance of approximately 150 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of Dane Road south-eastwards to a point 15 metres north-west of the north-west



		kerbline of West View, a distance of approximately 239 metres.
Esplanade	South-west Side	In line with kerb, from a point 15 metres south-east of the south-east kerbline of West View south-eastwards to a point 15 metres north-west of the north-west kerbline of The Causeway, a distance of approximately 103 metres.
Marine Parade	South-west Side	In echelon, from a point 38 metres north-west of the north-west kerbline of Dane Road north-westwards for a distance of 52 metres.
Marine Parade	South-west Side	In echelon, from a point 103 metres north-west of the north-west kerbline of Dane Road north-westwards for a distance of 63 metres.
Marine Parade	South-west Side	In echelon, from a point 60 metres south-east of the south-east kerbline of Edinburgh Road south-eastwards for a distance of 60 metres.
Marine Parade	South-west Side	In echelon, from a point 133 metres south-east of the south-east kerbline of Edinburgh Road south-eastwards for a distance of 89 metres.
Marine Parade	South-west Side	From a point 6 metres south-east of the north-west kerbline of Edinburgh Road south-eastwards for a distance of 52 metres.

**(vi) 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 items 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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2. In the list of restrictions for Seaford, the following items shall be deleted as follows:

Pelham Road	West Side	From a point 15 metres south of the south-western kerb line of Dane Road southwards for a distance of 38 metres.
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**(vii) Schedule 14, Part D, Taxis Only 8am-6pm that this Schedule be added as follows:**

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

Pelham Road	West Side	From a point 15 metres south of the south-western kerb line of Dane Road southwards for a distance of 38 metres.
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**(viii) Schedule 16, Part A, Loading Bay Monday to Saturday 8am-6pm that this Schedule be added as follows:**

1. In the list of restrictions for Seaford, the following items 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 19, Part C, School Keep Clear Marking, No Stopping, Mondays to Fridays, 8am- 5pm on entrance markings that this Schedule be added as follows:**

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

Wellgreen Lane	North Side	From a point 40 metres south-east of the entrance to the private car park serving Carr's Cottage south-eastwards for a distance of 25.56 metres.
Wellgreen Lane	North Side	From a point 0.5 metres south-east of the entrance to the private car park serving Carr's Cottage south-eastwards for a distance of 25.56 metres.

**(x) Schedule 19, Part B, No Stopping, Mondays to Fridays, 8am-4pm, (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:

Cripps Avenue	West Side	From the prolongation of the boundary between No.10A Cripps Avenue and No.12 Cripps Avenue from a point 3.9 metres, north-eastwards for a distance of 25.56 metres.
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**(xi) Schedule 20, Part A, Car Club Bay At Any Time that this Schedule be added as follows:**

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

Meridian Way	North-west Side	From a point 15 metres from its junction with Greenwich Way north-eastwards for a distance of 6.6 metres.
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**(xii) Schedule 21, Part A, Waiting Area Parking Places Limited to 12 hours no return within 2 hours that this Schedule be added as follows:**

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

Esplanade	South-east Side	From the south-eastern boundary of No. 35 south-eastwards for a distance of 132 metres.
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THE COMMON SEAL of )  
EAST SUSSEX COUNTY COUNCIL )  
was affixed hereto )  
on the xx day of xxxxxxx )  
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, No Stopping 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, No Stopping 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, No Stopping and Loading Restrictions) Traffic Regulation Order 2014, as amended, shall have effect except as hereinafter contained.

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

The map tiles below shall be revoked	The map tiles below shall be inserted
LM104	LM104 Revision *
LN108	LN108 Revision *
LO108	LO108 Revision *
LL108	LL108 Revision *
LM108	LM108 Revision *
LM109	LM109 Revision *
LP107	LP107 Revision *
LK107	LK107 Revision *
LM107	LM107 Revision *
LP105	LP105 Revision *
LL107	LL107 Revision *
LJ104	LJ104 Revision *
LK104	LK104 Revision *
LK105	LK105 Revision *
LL105	LL105 Revision *
LK110	LK110 Revision *
LG104	LG104 Revision *
LJ109	LJ109 Revision *

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.

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Committee	<b>Regulatory Planning Committee</b>
Date	<b>17 April 2024</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 period between 1 October 2023 and 31 March 2024; and (ii) development management performance for the period 1 April 2023 to 31 March 2024.</b>
Contact Officer:	<b>Sarah Iles – 01273 481631</b>
Local Members:	<b>All</b>

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## **RECOMMENDATIONS:**

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

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

### **1. Enforcement**

1.1 In the period between 1 October 2023 and 31 March 2024, inclusive, there were 16 new complaints about alleged breaches of planning control. All of the new cases relate to “County Matter” sites. Of the new cases, 6 were dealt with and completed within the reporting period and 4 older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of March 2024 was 38. This represents an increase of 6 in the number of cases that were outstanding at the end of the previously reported period (1 July 2023 – 30 September 2023).

1.2 It is acknowledged that there has been a small increase in the number of outstanding cases, which can be attributed to a number of factors. Primarily, the scale and complex nature of some of the cases has consumed a considerable amount of officer time and in turn has meant that less pressing cases do not get resolved as swiftly as they could be. Although some cases do involve more officer time than others, the focus is on achieving the best outcome and often negotiated outcomes are not only more cost effective, but can achieve a better outcome than resorting to formal enforcement action. Also, where joint/multiple agency visits are required, it can take longer for arrangements to be made. A further factor is that there have been staffing changes within the Planning Policy and Development Management Team, with there remaining some current vacancies. Notwithstanding these factors, the enforcement service continues to be effective and provided proactively.

1.3 Appendix 1 of this report provides details of cases resolved and received within the period 1 October 2023 and 31 March 2024, 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 The resumption of the site monitoring regime has continued to progress well and in the period between 1 October 2023 and 31 March 2024 41 formal site monitoring visits were carried out. None of the monitoring visits have raised any significant issues.

2.2 Formal site monitoring will be part of an ongoing programme.

### 3. Development Management

3.1 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.

3.2 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.

3.3 In terms of performance, for the period April 2023 to March 2024 (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 100% 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 2023 was 100% of major applications determined within the relevant timescale, which is clearly well above the current 60% threshold.

3.4 The table below sets out the number and types of formal applications/queries dealt with for the financial year 2023/24.

Type	2023/2024
County Council applications determined	20
County Matter applications determined	11
Cross Boundary Applications	0
Applications withdrawn	7
Non-material amendment applications determined	2
Lawful Development certificates	3
Prior Notification	0
Formal Pre-Application Advice	7
“Do I need planning permission” requests	28
Minerals/Waste Safeguarding and other consultations	40
EIA Screening Opinion requests	5



#### **4. Contact Officers**

4.1 Members with any queries about enforcement or site monitoring matters should contact either Sarah Iles (01273 481631) or Marcus Berrisford (01273 335218). Members with queries relating to County Matter and Regulation 3 applications should contact either Kiran Sajjan (01273 481595) or Sarah Iles.

#### **RUPERT CLUBB**

Director of Communities, Economy and Transport

Local Members: All

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**TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN 1 OCTOBER 2023 AND 31 MARCH 2024**

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
1/1	August 2023	Rear of 51/52 Caves Road, St Leonards on Sea.	Deposit of spoil.	<p>A complaint was received that spoil arising from a development at 51/52 Caves Road was being deposited on adjacent land, giving rise to concerns regarding the stability of the cliffs. A site visit was carried out which confirmed the substance of the complaint. Land to the rear of 52 Caves Road appears to have been excavated, and sheet piling and gabions installed. Spoil, consistent with the excavated area, was noted to have been deposited next to the site.</p> <p>A letter was sent to the landowner of the property where the spoil had originated from, but no response was received. There are complications regarding the ownership of the land where the spoil had been deposited as the land is 'Disclaimed Land' and falls to the remit of the Crown Estate. A letter was sent to the Crown Estate and a response received indicating that no action would be taken.</p> <p>The site has been monitored and no further spoil has been deposited. Contact was made with Hastings Borough Council, who have subsequently advised that the work carried out to the rear of 52 Caves Road, whilst unauthorised, assists with the cliff stability and they are not requiring its removal.</p> <p>No further action is required by this Authority.</p>
1/2	September 2023	Allied Waste, Unit 8 Squires Farm Industrial Estate, Palehouse Common, Framfield.	Dust arising from site activities and excessive noise	<p>A complaint was received that excessive noise and dust was emanating from activities at the site, which is an authorised waste transfer station. An initial inspection was undertaken and there was no evidence of a breach.</p> <p>Further site monitoring has taken place and no breaches of planning control identified. No further enforcement action is required and the site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>

1/3	January 2023	Cherry Tree Nursery, Hawkhurst Road, Flimwell	Importation and burning of waste	<p>A complaint was received that waste materials were being imported to the site and also that burning was taking place. A joint site visit with an officer from Rother District Council was undertaken but access to the site was denied. Contact was made with the occupier of the site and a further joint site visit carried out.</p> <p>Discussions were held with the occupier who confirmed that he had been given notice to quit the site by the landowner. He indicated that he was having to clear/tidy up the site (after over 25 years occupation) prior to handing it back and admitted to burning materials, including plastic from the old poly tunnels. The materials imported to the site were two loads of subsoil to be used for levelling and making good the ground.</p> <p>Following discussions with officers, the occupier agreed that only green/wood waste from within the site would be burnt. Officers have monitored the site to ensure no further materials are imported and a final inspection is due to be carried out to check that the site is cleared as specified by the occupier.</p> <p>The occupier has now left the site and the breach of planning control has been resolved. No further enforcement action is required.</p>
1/4	June 2023	Land at The Meadow - Rear of 4 Stream Cottages, Maynards Green Road, Horam	Importation and deposit of waste from landscaping business.	<p>A complaint was received regarding the importation and deposit of waste, and storage of other items, associated with a local landscaping business.</p> <p>A site visit was carried out but it was not possible to gain full access to the site. A letter was sent to the person understood to be responsible for the use of the site (not the landowner) but no response was received.</p> <p>A further site visit was carried out, which confirmed that no further waste had been imported. Discussions were held with the occupiers of a nearby property and a subsequent conversation with the landowner confirmed that matters had been resolved. The breach of planning control has been resolved and no further enforcement action is required.</p>

**TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED AND RESOLVED BETWEEN 1 OCTOBER 2023 AND 31 MARCH 2024**

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
2/1	October 2024	31 Badlesmere Road, Eastbourne	Transfer and bulking up of waste.	<p>A complaint was received that a skip was being used for commercial purposes at a residential property. A site visit was carried out which noted the presence of a skip, but also that building works were taking place at the property.</p> <p>Further site visits have been carried out and the building works have been completed and the skip removed.</p> <p>No breach of planning control identified and no further action is required.</p>
2/2	October 2023	Land to the north of Buxted High Street (off Station Road), Buxted	Unauthorised waste transfer station/burning of waste	<p>A complaint was received that waste materials were being imported and burning was taking place, as well as the site being used for residential purposes, which does not have the benefit planning permission (this latter point would be for Wealden District Council to consider).</p> <p>Following investigations and discussions with relevant parties it transpired that the land had been purchased by a third party. The new landowner attended the County Court to obtain a possession order to remove the trespassers from the site. However, the occupiers of the site have put in a counter claim for adverse possession and the matter is unresolved.</p> <p>In planning enforcement terms, any action would be taken against the owner of the land or anyone with a legal interest in the land. Whilst the ownership is in question, there is no action that this Authority, as Waste Planning Authority, can take. However, the matter has been referred to both the Environment Agency and Environmental Health, who have the power to take action against the occupiers of the land and/or anyone responsible for unauthorised waste activities.</p>
2/3	December 2023	187 London Road, Hailsham	Unauthorised waste related	<p>A complaint was received that waste related activities, including by a skip company, were taking place at the property. There is also an extant Enforcement Notice for the</p>

			activities. Possible breach of extant Enforcement Notice	site prohibiting scrap metal and other waste related activities.  A site visit was carried out but no evidence found to substantiate the complaint. No breach of planning control has been identified and no further enforcement action is required. The site will, however, be monitored periodically to ensure there are no breaches of the Enforcement Notice.
2/4	January 2024	Corner of Dursley Road and Ashcombe Road, Eastbourne	Waste transfer associated with caged flatbed vehicle	A complaint was received that waste was being stored on a vehicle parked on the street and that another vehicle transports waste to the parked vehicle. Once full, the vehicle is removed and replaced with another one.  A site visit was carried out and a caged flatbed vehicle containing some waste was observed. There was no evidence that waste was being stored other than on the vehicle. Checks were made which confirmed the vehicle was taxed and had a current MOT.  No breach of planning control was identified and there is no action for this Authority to take. However, the matter has been raised with other regulatory bodies who may be able to take any necessary action.
2/5	January 2024	Ministry of Metals, Station Road, Forest Row,	Site in breach of Planning Permission WD/874/CM	During a site monitoring visit it was noted that end of life vehicles were being stored at the site and the site was not being used in accordance with its planning permission.  A letter was sent to the operator and the site has since been cleared. The breach of planning control has been resolved and the site will continue to be monitored in accordance with the Council's Site Monitoring Policy.
2/6	February 2024	Lyes Farm, North Street, Hellingly	Burning of plastic waste	A complaint was received that a company was using the site for storage and that the burning of plastic waste was taking place. Prior to undertaking a site visit, an Officer from the Environment Agency visited the site and spoke to the person responsible for the burning.  The burning has subsequently ceased and there is no breach of planning control and no further action is required by this Authority.

**TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN 1 OCTOBER 2023 AND 31 MARCH 2024 AND AS YET UNRESOLVED.**

	<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
3/1	December 2023	Land adjacent to Upper Crabb Cottage, Wellbrook Hill, Five Ashes, Mayfield	Importation and deposit of waste.	<p>A complaint was received that a significant quantity of waste materials (soils) had been imported to the site and also that burning takes place.</p> <p>A joint site visit was carried out with an officer from Wealden District Council, which confirmed that materials had been imported, as well as other uses going on at the site.</p> <p>A site meeting was held with the landowner who stated that the soil had been imported for landscaping purposes and for alterations to an existing pond. He also indicated that he would be applying to Wealden District Council for a business yard at the site. During discussions it was suggested that the landscaping works could be incorporated into one planning application with the proposed business yard use.</p> <p>Further discussions are taking place as to the most appropriate way to progress matters. In the meantime, no further materials have been imported to the site.</p>
3/2	December 2023	Malling Farm, Down Street, Piltdown,	Importation and deposit of waste soils.	<p>A complaint was received that waste materials (soils) were being imported to the site. A site visit was carried out and lorries entering/leaving the site were observed. Discussions were held with the landowner, who agreed to cease the importation of any further materials.</p> <p>A further site meeting was held with the landowner, who explained that the soil had been imported to improve and extend an existing track and also to raise/level a boggy area. The materials used were clean soils. A programme of remedial works has been agreed and the site is being monitored to ensure compliance.</p>
3/3	January 2024	Bowen Park Farm, Park Lane, Laughton,	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported to the site. A joint site visit with officers from Wealden District Council was carried out, which confirmed the substance of the complaint. During the course of the site visit, discussions were held with the landowner who stated that the materials had been imported in</p>

				<p>connection with landscaping works related to the conversion of farm buildings, which had the benefit of planning permission. The officer from Wealden District Council advised that the extent of the land covered by the planning permission for the conversion did not extend to the area where the materials had been deposited.</p> <p>Following the site visit, a letter was sent to the landowner, who has subsequently appointed an agent to deal with the potential submission of a planning application to regularise the use of the imported materials. The matter is ongoing.</p>
3/4	February 2024	Oaklands Farm, Newick Lane, Heathfield,	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported and spread on the land. A joint site visit with an officer from Wealden District Council was carried out and a meeting held with the landowner and their planning agent. There was evidence of imported materials and the landowner stated these were for works around the farm.</p> <p>It transpires there is an extant Enforcement Notice on the site (served by Wealden District Council) which relates to the unauthorised use as a ground workers commercial storage yard and depot. The Enforcement Notice requires this use to cease and also for plant, machinery, vehicles to be removed. It also requires rubbish, rubble and debris to be removed.</p> <p>As the Enforcement Notice requires the removal of waste materials, it is considered that this Authority should wait for compliance with the Notice and then assess if there are further steps that need to be taken to resolve any other breaches of planning control.</p>
3/5	February 2024	Land off Tower Street, Heathfield,	Importation and processing of waste timber	<p>A complaint was received that waste timber was being imported and processed at the site. Significant tree works have been authorised at the site recently and it is unclear if this is what the complaint relates to.</p> <p>A joint site visit with officers from Wealden District Council is to be carried out and access to the site is being arranged.</p>
3/6	February 2024	Magreed Farm, Magreed Lane, Broad Oak, Heathfield	Importation and deposit of waste. General site condition.	<p>A complaint was received about waste materials being imported to the site and deposited. Due to the history of the site, a joint site visit with officers from Wealden District Council is currently being arranged.</p>



3/7	March 2024	Land adjacent to Star House, Down Street, Piltdown	Deposition of soil and storage of scrap cars.	<p>A complaint was received that waste soil was being imported to the site, scrap vehicles stored and vegetation was being allowed to encroach onto the highway. A site visit was carried out, and whilst it wasn't possible to gain access to the site, from the adjoining road it was possible to see piles of soil within the site as well as several vehicles. There was no evidence of vegetation encroaching onto the highway.</p> <p>Details of the landowner have been obtained and a letter is due to be sent to them.</p>
3/8	March 2024	Hundred Acre Lane, Streat	Waste accumulation	A complaint was received that quantities of waste were accumulating at the site. A site visit is due to be carried out.
3/9	March 2024	Land at Westfield Down, Main Road, Westfield	Raising levels of the land with waste materials.	Concerns have been raised that an area of land to the north of a new housing development has been raised with waste materials. A site visit is due to be carried out.
3/10	March 2024	Old Coghurst Farm, Rock Lane, Guestling	Importation and deposit of waste (Related PP - RR/2024/200/P)	A complaint was received that waste materials have been imported to create a crossover and track, associated with a permission granted by Rother District Council. A site visit is due to be carried out.

**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	January 2020	Meadow Farm, Road Hill, Isfield	Importation and deposit of waste (soils and hardcore)	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

				<p>application and fee to the landowner.</p> <p>The matter was then 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 was maintained with the landowner in order to progress matters.</p> <p>A further meeting was then held with the landowner and an initial course of action was agreed, which was the moving of the bunds of material to outside of the crown spread of the trees. 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 were then commenced to remove the bunds and a subsequent site inspection noted that the landowner had moved the imported materials away from the crown spread of the affected trees.</p> <p>Numerous inspections have been carried out and a meeting held with the landowner. Further works to resolve the breach of planning control were identified and agreed with the landowner, together with a timetable for their completion. Officers are monitoring the site to review progress. A further site meeting with the landowner is being scheduled to check progress with the remedial works.</p>
4/2	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. A site visit was undertaken, during 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 was sent to the landowner and a meeting was subsequently held with the site manager who explained that the materials were imported to improve the land for equestrian grazing.</p> <p>The materials imported included soils, which contained a significant quantity of hardcore, metal and plastics, which would eventually work through to the finished surface of the site. This material was not considered to be suitable for its intended purpose and, after considering the situation, the County Council required the materials to be removed and the original landform to be restored. The operator/landowner was</p>

				<p>given an initial timescale for these remedial works to be undertaken.</p> <p>A planning agent has been appointed by the landowner, who has recently been in contact with officers regarding the submission of a planning application to regularise the breach of planning control.</p>
4/3	June 2021	Former HT Drinks Site, Endeavour Works, Beach Road, Newhaven	Importation and bulking up of waste tyres.	<p>A complaint was received that waste tyres were being imported into this site and were being bulked up. A joint site visit was undertaken with an officer from the Environment Agency, which confirmed the substance of the complaint.</p> <p>A meeting and subsequent correspondence was had with the site operator and agent, and the requirement for planning permission and an environmental permit explained. The operator stated his intention to apply for planning permission and an environmental permit, and a timescale was agreed for him to submit the necessary applications.</p> <p>The agreed timescale for the submission of a planning application expired without any application being submitted. Officers therefore undertook a further site visit to check the situation at the site. This confirmed that the site was continuing to be used for the unauthorised waste activity.</p> <p>Further contact was made with the operator, who stated that the planning application was being prepared and would be submitted in the next few days. No planning application was forthcoming, and the unauthorised activity continued. A Temporary Stop Notice was therefore served on the landowner, operator and interested parties on 12 November 2021, which ceased the waste activity on the site.</p> <p>Following the service of the Temporary Stop Notice, the operator submitted a planning application (LW/860/CM) relating to the waste tyre processing on the site, including by pyrolysis. However, due to proposed changes to the planning application, it was withdrawn in January 2024. The operator has now engaged a new agent and intends to submit a revised planning application within the next few months.</p> <p>In the meantime, the site is continuing to be monitored and only the storage and baling of tyres is taking place which, whilst unauthorised, is not presently causing any apparent harm.</p>
4/4	June 2021	Spring Valley Farm,	Importation and	<p>A complaint was received that household waste was being imported into this site in</p>

		West Street Lane, Maynards Green	deposit of household waste	<p>small vans by different operators and deposited.</p> <p>A joint site visit was carried out with the Environment Agency, which confirmed the details contained within the complaint. A meeting was also held with the landowner, who agreed to halt any further importation into the site and to clear the site of the waste that had already been imported.</p> <p>There are a number of issues relating to the site and, due to the landowner's circumstances, multiple agencies are working with the landowner and his family to ensure that no further waste materials are imported and that the site is cleared.</p> <p>Site visits and meetings with the landowner have been undertaken, which confirmed that the importation of waste into the site has ceased. Various factors have prevented any significant removal of the imported waste from the site. However, officers are maintaining contact with other agencies and the landowner, and also ensuring that the importation of waste materials to the site does not resume.</p>
4/5	November 2021	Hazelwood, Cansiron Lane, Cowden, Edenbridge	Importation and deposit of waste (soils)	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported into the site and deposited. A site visit was undertaken, during the course of which a meeting was held with the landowner. It was noted that a significant quantity of soils and hardcore had been imported into the site. The landowner explained that some of the materials were required to build up pond banks on the site, and more material was required to landscape a steep bank on the site.</p> <p>In order to try and resolve this matter, a further site meeting was arranged with the landowner, his operator and officers from the Environment Agency and Wealden District Council. The landowner agreed to submit a planning application to Wealden District Council to seek regularisation of the engineering works to the bank and he also agreed to remove the stockpile of waste materials from the site.</p> <p>A final site visit is due to be carried out to ensure that any surplus material has been removed from the site as agreed.</p>
4/6	March 2022	Land to the rear of Sussex Oak, Oak Lane, Blackham	Importation and deposit of waste - soils	<p>A complaint was received that waste materials, comprising soils, were being imported and deposited at the site. A site visit was carried out and a chance meeting with the operator and landowner held. It was identified that subsoil had been imported to the site, with the intention to level an area of land and re-plant it as an orchard and mixed</p>

				<p>leaf woodland.</p> <p>Following the site visit, a formal letter was sent to the landowner and a response received. According to the landowner, since owning the property, he had spent several years clearing historic waste tipped on the site, which resulted in an area of uneven and unproductive land. The landowner's intention was to restore this land and a small amount of topsoil was required to complete this.</p> <p>A further site visit is required to ensure the works have been carried out as set out by the landowner and also that no further waste soils have been imported.</p>
4/7	June 2022	Skilton's Skips, AS Farm, The Warren Crowborough	Importation and deposit of waste	<p>A complaint was received regarding a potential skip business being operated from the site. An initial site visit was carried out which confirmed the nature of the complaint. Further site visits were then undertaken and discussions held with the operator.</p> <p>There are adjoining sites which have also been investigated; matters have been complicated by landownership issues and boundary disputes. A letter was sent to the person understood to be the overarching landowner regarding the various issues. A further site meeting was held with the landowner in January 2024, which identified various options to regularise matters. A further letter has since been sent to the landowner following that meeting and a response is awaited.</p> <p>In the meantime, the site is continuing to be monitored by officers.</p>
4/8	June 2022	Old Concrete Works, Tilley Lane, Boreham Street	Deposit/burning of waste	<p>A complaint was received that waste materials were being imported to and burnt at the site. An initial site visit was carried out but access to the site was denied. Following discussions with the landowner, a comprehensive site inspection was arranged and undertaken. This identified a significant quantity of waste materials that appeared to have been imported to the site, although the landowner stated that some were site derived following excavations and the construction of a new barn on the site, as well as waste concrete products left at the site from its former use.</p> <p>Following the site visit and meeting, a letter was sent to the landowner and a response received. The importation of any further waste materials ceased.</p> <p>Due to the complexity and scale of the site, a further site meeting was held with the landowner/their representatives and additional officers from this Authority. This</p>

				<p>meeting identified specific remedial works to be undertaken to address some of the breaches of planning control.</p> <p>An Enforcement Notice is in the process of being prepared to be served on the landowners, which will prevent the importation of further materials and secure specific works to be carried out. Officers are maintaining regular contact with the representatives of the landowners.</p>
4/9	June 2022	AM Skips & Plant Hire, Hazelbank, London Road, Maresfield,	Breach of conditions – noise and site layout	<p>During a site monitoring visit it was noted that the layout of the site was not in accordance with the approved plans. Subsequent complaints were also received regarding excessive noise emanating from the site and its operations.</p> <p>Numerous site visits were carried out and meetings held with the operator and also the Environmental Health Officer (EHO) from Wealden District Council (WDC). In respect of noise, WDC have previously served a Noise Abatement Notice on the operator and the EHO identified certain measures which could be implemented to address the noise issues, such as acoustic fencing. However, such measures require planning permission due to their scale.</p> <p>The operator submitted a planning application (WD/876/CM) for the erection of three metres high boundary treatment (acoustic fencing) to the north-western boundary of the site. The application was approved under delegated powers (August 2023) and the fencing had to be installed within six months of the date of the decision (February 2024).</p> <p>Notwithstanding the submission of a planning application to address the noise issues at the site, with regard to the remaining breaches no satisfactory progress had been made to resolve these. Consequently, a Section 330 Notice (Requisition for Information) was served on the operator as a precursor to the instigation of formal enforcement proceedings. A response to the Notice was received.</p> <p>A further site inspection has been carried out, which confirmed that the acoustic fencing had been installed. However, the overall site layout remains in breach of the approved plans for the site and further action is now being considered in order to bring the site back into compliance with its planning permission.</p>
4/10	July 2022	The Plantation,	Importation,	A complaint was received regarding a significant number of lorries entering the site and

		Ersham Road, Stone Cross	processing and deposit of waste	<p>depositing waste materials. A joint site visit with an officer from the Environment Agency was undertaken and a chance meeting with the landowner held. It was noted that a substantial volume of waste materials, including what appeared to be trommel fines, hardcore, subsoil and timber, had been imported to the site and deposited. Processing plant was also noted to be on the site.</p> <p>The landowner stated he was carrying out works associated with a Prior Notification approval he had in relation to raising the levels of land to return it to productive agricultural use. However, the scale of the works goes beyond this and the nature of some of the materials stockpiled were unsuitable for this use. The landowner was advised to cease any further works, including the importation of any further materials, pending the outcome of investigations.</p> <p>Due to the scale and nature of the works, a Planning Contravention Notice was served on the landowner and a "Time and Place" meeting held, which was attended by the landowner, his solicitor, and other representatives. Since that meeting, a further, extensive site inspection was undertaken with the landowner, in addition to a later joint site meeting with officers from Wealden District Council and the landowner.</p> <p>A letter was sent to the landowner further to the various site meetings and the Council's position was set out. Since then, further discussions and site meetings have taken place and various options regarding resolving matters considered.</p> <p>No further waste materials have been imported to the site. Soil testing was carried out on the imported materials in order to assess the suitability of them for use on the land. The results identified that the materials are not suitable for use on the land. Extensive further testing has been carried out and arrangements are being made for the waste materials to be removed from the site to an authorised place of disposal.</p> <p>Officers are continuing to regularly monitor the site and contact is being maintained with representatives of the landowner.</p>
4/11	September 2022	Sussex Waste Management, Whitworth Road, St Leonards-on-Sea	Breach of conditions (numerous)	<p>During a site monitoring visit, a number of breaches of the planning permission for the site (HS/817/CM) were noted. Discussions were held with the operator and the breaches pointed out. A further site meeting was held with the operator and his agent in order to agree how to resolve the breaches.</p>

				<p>A planning application to vary conditions attached to the planning permission and attempt to regularise matters was submitted but could not be validated. A revised planning application (HS/869/CM) to vary conditions was submitted and subsequently approved under delegated powers. However, the recently approved planning application does not resolve all the breaches of planning control at the site.</p> <p>A further planning application (HS/884/CM) was submitted and is currently under consideration. In the meantime, the site is being monitored.</p>
4/12	October 2022	East Lodge, Glynleigh Road, Westham	Importation and deposit of waste	<p>Complaints were received regarding waste being imported to the site. A site visit was carried out, which confirmed the complaints. Contact was made with the landowner, who was advised to cease the importation of any further materials. A further site meeting was then held with the landowner, who stated that the materials had been imported in order to repair tracks and raise levels of land prone to waterlogging. Processing of some of the materials was also being undertaken to make them suitable for use.</p> <p>No further materials were imported and several site meetings held with the landowner/their representatives. Soil testing was carried out on the imported materials, the results of which concluded that the materials were not suitable for use on the land.</p> <p>The stockpiles of materials have subsequently been removed and a final site visit is due to be carried out to ensure the site has been cleared.</p>
4/13	November 2022	Sussex Timber Products Limited, Owlsbury Depot, Hadlow Down Road, Crowborough	Importation, processing and storage of waste	<p>A complaint was received that waste materials were being imported to the site, processed and stored. It was also alleged that waste was being stored in a manner to cause structural concerns and risk of slippage onto the adjoining highway. An initial site visit was carried out, which confirmed the existence of a significant quantity of waste at the site and also potentially unsafe/dangerous structures.</p> <p>A further site visit was carried out and a meeting held with the operator and an officer from Wealden District Council's Building Control. A programme of remedial works was agreed in order to make safe the unstable retaining structure. A subsequent site visit confirmed that the remedial works had been carried out.</p> <p>In respect of the waste materials at the site, these have been generated from the operator's business and are used in groundworks. However, a planning application</p>



				was submitted to Wealden District Council for a new building and use on the site, which would result in the current operations and use of the site ceasing. The planning application has subsequently been approved and a final site visit is required to confirm whether the case can be closed.
4/14	November 2022	FM Conway Ltd, North Quay Road, Newhaven	Breach of conditions and excessive emissions	<p>During a site monitoring visit it was noted that the site layout was not in full accordance with the planning permission for the site (LW/840/CM) and also that details pursuant to several conditions were outstanding. Contact was made with Environmental Health Officers at Lewes District Council concerning potential breaches of the Environmental Permit in relation to emissions.</p> <p>Numerous site visits and meetings have taken place. The operator has submitted details pursuant to some of the outstanding conditions and also undertaken significant works regarding emissions and breaches of the Environmental Permit. Noise attenuation fencing has also been installed and improvements to operating practices implemented.</p> <p>Whilst positive progress has been made to resolve the various matters, there remain outstanding issues relating to both the planning permission and Environmental Permit. Further site meetings have been held and officers are working positively and proactively with both the operator and Lewes District Council.</p> <p>A planning application (LW/886/CM) has been submitted in relation to increasing the height of the stack and is currently under consideration.</p> <p>Matters are ongoing and officers continue to work collaboratively with the relevant parties and a further planning application to regularise the layout of the site is expected to be submitted.</p> <p>The site is also continuing to be monitored as part of the Council's Site Monitoring Policy.</p>
4/15	February 2023	Land adjacent to reservoir, Cottage Hill, Rotherfield	Use of land by skip business	A complaint was received that the land was being used by a skip business and waste was being brought back to the site. A site visit was carried out and an area of land with two skips found. The land is unregistered and attempts to find the landowner have been unsuccessful. Investigations into the alleged skip company have also not produced any tangible results.

				Further site visits are planned in order to monitor the use of the site and identify any persons of interest. Warning notices will be placed at the site and other avenues of investigation are also being followed.
4/16	February 2023	Land north-east of Eridge Road, Crowborough	Importation and deposit of waste: Landraising.	<p>A complaint was received that waste materials were being imported and deposited, resulting in a change to the landform. A site visit was carried out which confirmed the substance of the complaint and noted that significant quantities of materials had been imported, raising the levels of the land.</p> <p>Investigations and liaison with Wealden District Council have identified a complex planning history for the site, including two planning permissions - one for a timber storage barn and storage container on the southern part; and one for the erection of a building to store wood and manufacture timber fencing products on the northern part of the site. It is, however, unclear whether these permissions allow for the alterations of the levels of the land, which would account for the imported materials, or whether the materials have been imported solely as a means of disposal.</p> <p>Further investigations are being carried out and a joint inspection with officers from Wealden District Council and the Environment Agency is due to be carried out. Letters are being sent to the landowner and other interested parties in advance of a site meeting.</p>
4/17	March 2023	Timber Yard, Limekiln Forest Road, Eridge Green, Crowborough	Importation, deposit and burning of waste.	<p>During a visit to another site in the locality, officers noticed what appeared to be the storage and burning of waste materials. The primary use of the site appears to be a timber yard, but some of the items noted on site were not consistent with that use.</p> <p>There is no relevant planning history for the site and investigations are continuing. Attempts are being made to contact the landowner and a further site visit is due to be carried out.</p>
4/18	March 2023	Former Hunt Stables, Catsfield, Battle	Importation and deposit of waste	A complaint was received that waste materials (soils) were being imported and deposited at the site. A site visit was carried out and discussions held with the landowner. The landowner stated that the purpose of the materials was to create a base for a building/barn and they would be applying to Rother District Council (RDC) for permission. He advised that the matter was with his solicitor.

				Following further contact with RDC, no planning application which would incorporate the materials has been submitted. Further investigations are currently taking place.
4/19	March 2023	Greenacres, London Road, Battle	Importation and deposit of waste	<p>A complaint was received regarding waste materials (soils and hardcore) being imported to the site. A site visit was carried out which confirmed the substance of the complaint, however no one was present. Officers have been liaising with the Environment Agency, who also have an interest in the site.</p> <p>Contact was subsequently made with the landowner and a site meeting held. The landowner confirmed that some materials had been imported, but also that a large amount of the material had originated from within the site following various building projects. The landowner stated it was their intention to improve the area of land and create a wildflower meadow.</p> <p>A further site meeting was held with the landowner, their representative and various officers from this Authority, including an Ecologist and Landscape officer. Various options to resolve the matter have been discussed and a programme of works has been agreed. The landowner is intending to submit a planning application to regularise matters and this is currently being prepared.</p> <p>In the meantime, officers are in regular contact with the landowner.</p>
4/20	March 2023	Tanyard Farm, Hooe Road, Ninfield, Battle	Importation and deposit of waste: soils and scrap vehicles:	<p>A complaint was received regarding the importation of waste materials to the site, including lorries entering at night. A site visit was carried out which confirmed the substance of the complaint. Following the site visit a letter was sent to the landowner, however no response was received and a chaser was sent. Officers are liaising with officers from other agencies as well as gathering further information from other sources.</p> <p>In the meantime, during a further site inspection it was noted that burning was taking place and officers observed an unattended bonfire at the site. As the landowner has failed to respond to correspondence, they have been issued with a warning letter and a Planning Contravention Notice will now be served on them.</p>
4/21	April 2023	Land off Norlington Lane, Ringmer	Importation and deposit of waste	A complaint was received regarding waste materials (hardcore) being imported to the site. A site visit was carried out which noted a significant quantity of hardcore on the site. The land is unregistered and there is no recent planning history for the site.

				<p>Following further site visits and speaking to occupiers of nearby properties, the landowner has been identified and an initial letter is to be sent to ascertain the purpose for the deposit of materials on the site.</p>
4/22	April 2023	Bellhurst Farm, Tilley Lane, Boreham Street,	Importation and deposit of waste	<p>A complaint was received regarding waste materials being imported to the site. During an initial site visit, officers were unable to gain entry. Contact was made with the landowner and a joint site visit with an officer from the Environment Agency arranged.</p> <p>During the course of the visit it was noted that a significant quantity of waste materials, comprising mostly hardcore, but including plastics and metals, had been imported to the site. The landowner stated that he has planning permission for a barn and the materials are to provide a base/foundation for that. There were various other works being undertaken, including excavations for the creation of a car parking area and the siting of storage containers.</p> <p>Following the site visit, further investigations have taken place. Officers from Wealden District Council have now visited the site and are pursuing action regarding changes of use and other unauthorised developments that have taken place. Officers from Wealden District Council have also confirmed that there is no planning permission for a new barn, despite the assertions of the landowner.</p> <p>Officers are liaising closely with Wealden District Council, prior to any further action being taken, to ensure the appropriate authority leads on any formal enforcement action.</p>
4/23	May 2023	Greenmeadow Farm, Holtye Road, Hammerwood, East Grinstead	Importation, deposit, levelling of material	<p>A complaint was received regarding waste materials being imported to the site. A site visit was carried out but access to the site was denied. Contact was made with the landowner and a site meeting arranged. During the site meeting, the landowner stated that the materials had been imported in association with a new access to the site and also other permissions granted by Wealden District Council.</p> <p>Following the site meeting, a letter was sent to the landowner and a detailed response was received. A response to that letter has been sent to the landowner and a meeting is to be held with the landowner and Wealden District Council, due to the potential overlapping activities and their connection with the planning permissions granted by Wealden District Council.</p>

4/24	May 2023	Ghyll Road Industrial Estate, Heathfield	Use of land and associated buildings by skip business	<p>Officers visited this site having become aware of the operator's interest in the site. On visiting it was apparent that the site was being used for a skip hire business and the building contained a significant quantity of waste.</p> <p>Discussions were held with the operator and a request for formal pre-application advice was submitted. A detailed pre-application advice response was provided and a planning application to regularise the use is currently awaited.</p> <p>Officers are continuing to monitor the site and also liaise with the Environment Agency, who also have an interest in the current unauthorised use of the site.</p>
4/25	June 2023	(Former) Broad Oak Primary School, Scotsford Road, Broad Oak, Heathfield	Alleged car repair, vehicle breaking and woodwork taking place	<p>A complaint was received that the site was being used for vehicle repairs/breaking and also woodworking, which was causing a noise nuisance. A site visit has been carried out and although no one was present on site, it was clear the former school building and premises are being used for residential purposes.</p> <p>There were several vehicles on site and some had the appearance of being repaired, but there was no evidence of any vehicle breaking/dismantling. There was some evidence of woodworking taking place in a covered outside area.</p> <p>The breach of planning control is a change of use from educational to residential and discussions are currently taking place with officers in the Property team of the Business Services Department, with a view to a planning application being submitted to regularise the temporary change of use.</p>
4/26	June 2023	Giffords Farm, Battle Road, Dallington	Importation and deposit of waste, creation of haul road and infilling of a pond.	<p>A complaint was received regarding the importation of waste for a number of purposes at the site. An initial site visit was undertaken but officers were unable to gain access.</p> <p>A joint site visit with the Environment Agency was subsequently undertaken and discussions held with the landowner. Some of the works relate to a planning permission for the infilling of a lagoon and pond, and the erection of a barn, granted by Rother District Council (RDC) and the matter has been referred to RDC to check compliance.</p> <p>Notwithstanding this, there was evidence of the importation of waste materials elsewhere on the site and of the creation of a large pond. A letter was sent to the</p>

				<p>landowner following the site visit but no response was received. A warning letter regarding the lack of response was sent to the landowner, but still no response was received.</p> <p>A Planning Contravention Notice was therefore served on the landowner in January 2024. Unfortunately, the landowner has not responded to the Planning Contravention Notice, which is an offence, and a final reminder is being sent to the landowner prior to the instigation of prosecution proceedings in relation to his failure to respond.</p>
4/27	September 2023	Land off Hempstead Lane, Hailsham.	Use of land as a waste site.	<p>A complaint was received that waste materials (soils and hardcore) were being imported to and stored at the site. A site visit was carried out which confirmed the substance of the complaint. Contact was made with the operator and a site meeting held.</p> <p>Initially the operator indicated he would submit a planning application to regularise the use of the site. However, following discussions with the Environment Agency, the operator has decided not to pursue this and is looking for an alternative site.</p> <p>Officers are maintaining contact with the operator and seeking cessation of the use and clearance of the site.</p>
4/28	September 2023	Land at Lunsford Cross Farm (now known as Church Stand Farm), Peartree Lane, Ninfield.	Importation/deposit of waste, plus other issues.	<p>A complaint was received that waste materials were being imported to and deposited at the site, as well as the unauthorised use of the land for residential purposes and other matters. An initial site visit was carried out, which supported the nature of the complaint, but it was not possible to gain full access to the site.</p> <p>A multi-agency site visit has subsequently been carried out which identified a number of issues for the various regulatory bodies to deal with. Following the site visit, the landowner has made contact with officers and a further site visit and meeting with the landowner is being arranged.</p>