

Agenda Item 6

Development Management Matters – Quarterly Update

1st April – 30th June 2017

Enforcement

New cases received:	20
Total cases resolved:	24
Outstanding cases being investigated:	12

Site Monitoring

Non-chargeable site monitoring visits:	14
Chargeable site monitoring visits:	2

Little Exceat Farm, South Chailey



Little Exceat Farm, South Chailey



Little Exceat Farm, South Chailey



Little Exceat Farm, South Chailey

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: East Sussex County Council, County Hall, St Anne's Crescent Lewes, East Sussex BN7 1UE. ('the Council')

To:

1. Mr Luke Field of:
 - a. 57 South Way, Lewes, BN7 1LY; and
 - b. Little Exceat Farm, South Chailey, Lewes, BN8 4QH

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control within paragraph (a) of Section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Little Exceat Farm, South Chailey, Lewes, BN8 4QH which is shown edged in thick black on the Plan attached to this Notice ('the Land').

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the unauthorised change of use of land from agriculture to use of land for the deposit, storage and processing of waste.

The term "waste materials" includes but is not exclusively soil, sub-soils, hardcore, construction and demolition waste, wood, concrete, bricks, paving slabs, plastics, metals, cable and carpet.

4. REASONS FOR ISSUING THIS NOTICE

The Council considers that it is expedient to take enforcement action because:

1. It appears the above breach of planning control has occurred within the last ten years.
2. The Council has refused planning permission for this waste operation on this site.
3. The unauthorised development seeks to recycle a limited volume of household waste which is managed at the site and the operator has not demonstrated that a larger volume could be reasonably managed by a process which is further up the waste hierarchy and which delivers the best overall environmental outcome, thereby conflicting with Policy WMP3b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.
4. The development is located within a small farm yard which is used for agricultural purposes including the husbandry of livestock. Consequently, the development compromises the effectiveness of the farm to function as an agricultural unit, due to the change of use of an

agricultural building and to the introduction of activities which represent potential hazards to animals within the farm. As such, the development conflicts with Saved Policies CT1 and ST3 (a) and (d) of the Lewes District Local Plan 2003 and the Core principles of the National Planning Policy Framework 2012.

5. The use of the application site as a waste transfer station is out of character with the countryside locality and results in activities which are likely to result in an adverse effect on the amenity of occupiers of nearby residential properties and in the locality generally thereby conflicting with Policy WMP 25 (a) and (b) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3(a), (c) and (d) of the Lewes District Local Plan 2003.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the importation of all waste materials
2. Cease the use of the land for the deposit and storage of waste materials and return the land to agriculture by carrying out the following works on the land:
 - i. Remove from the land all waste materials that have been deposited on the land; and
 - ii. Remove any plant, machinery, equipment and any other structures and materials associated with the waste use of the site.

6. TIME FOR COMPLIANCE

1. One day after this notice takes effect.
2. Four weeks after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 12th June 2017 unless an appeal is made against it beforehand.

Dated 9th May 2017

Signed: Philip Baker

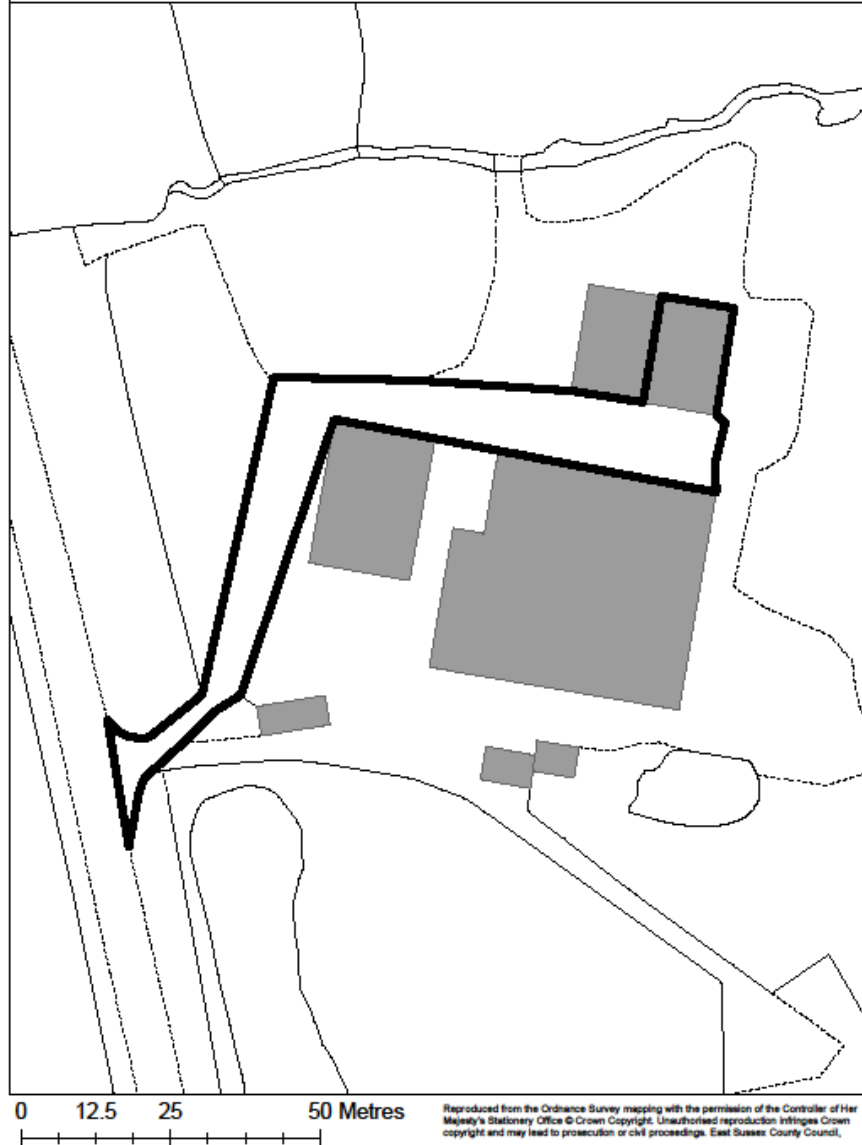
Philip Baker LLB (Hons)
Assistant Chief Executive, Governance Services

on behalf of:
East Sussex County Council
County Hall
St Anne's Crescent
Lewes
East Sussex
BN7 1UE

Nominated Officer: Robert Shapter
Telephone Number: 01273 335218
THERE IS A RIGHT OF APPEAL DETAILS OF WHICH ARE SET OUT IN THE EXPLANATORY NOTE SENT WITH THIS NOTICE



ENF/LW/2016/0049 & LW/785/CM
Little Exceat Farm, South Road, South Common,
South Chailey BN8 4QH



The Old Poultry Farm, Rattle Road, Westham



The Old Poultry Farm, Rattle Road, Westham



Troy Recycling, Croft Works, Hailsham

Extracts from the planning permission (WD/774/CM):

In pursuance of the powers delegated to me by the Governance Committee on behalf of the County Council on 30 January 2003 I hereby GRANT PLANNING PERMISSION for use of building and yard for the processing and storage of ferrous and non-ferrous scrap metal and waste electrical and electronic equipment. Unit 3b Croft Works, Diplocks Way, Hailsham, East Sussex, BN27 3JF in accordance with your application validated by the East Sussex County Council on and the plans and particulars submitted in connection therewith and subject also to due compliance with the condition(s) specified hereunder:-

4. The use of the site shall be for the importation, storage, sorting, processing, treatment and transfer of ferrous and non ferrous scrap metal and waste electronic and electrical equipment only. No other waste materials shall be imported, stored, sorted or transferred at the site, unless with the prior written agreement of the Director of Communities, Economy and Transport.

5. There shall be no processing or treatment of materials other than within the building.

Troy Recycling, Croft Works, Hailsham



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