

Committee	Regulatory Planning Committee
Date	14 August 2019
Report by	Director of Communities, Economy and Transport
Subject	Development Management Update
Purpose	To inform Members about development management matters relating to enforcement and site monitoring, undertaken under delegated powers for the three month period between 1 April and 30 June 2019.
Contact Officer:	Sarah Iles – 01273 481631
Local Members:	All

SUMMARY OF RECOMMENDATIONS

The Committee is recommended to note the report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. Enforcement

1.1 In the period between 1 April and 30 June 2019, inclusive, there were eighteen new complaints about alleged breaches of planning control. Of the new cases, fifteen were resolved within the reporting period and three older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of June 2019 was eleven. This means there was no increase or decrease in the number of cases and maintains the same number of cases that were outstanding at the end of the previously reported quarter.

1.2 The relatively low number of new cases received during the last quarter is surprising, given the usual seasonal nature of some aspects of the waste industry. In previous years, this quarter has seen up to thirty two new cases received. Several of the new cases have been in connection with planning permissions granted by the District/Borough Councils and so not a waste planning matter, but they still need to be investigated. It is also noticeable that on a number of sites the Council has worked jointly with officers from District/Borough Councils and also the Environment Agency. Joint working is considered to be a key element to resolving certain issues with sites and the Council is very fortunate to have excellent working relationships with other authorities/agencies.

1.3 Appendix 1 of this Report provides details of cases resolved and received within the period 1 April and 30 June 2019, 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 Site monitoring of all minerals and waste sites has continued, but has to be accommodated within limited resources and alongside the enforcement service. Site monitoring can be broken down into two specific categories: chargeable and non-chargeable. Chargeable site monitoring relates to authorised landfill and minerals sites; and non-chargeable relates to all other sites for which the Council has granted planning permission. The fees for chargeable monitoring visits are set by Government and are currently £397 for active sites and £132 for dormant/inactive sites.

Within the category of non-chargeable sites, this covers waste sites as well as the Council's own developments, although the majority of monitoring visits are to active waste sites.

2.2 During the last quarter twenty five non-chargeable site monitoring visits were carried out. No substantive breaches of planning control were found to be occurring, and those minor breaches identified during the course of the monitoring visits have either been rectified, or further action is required before they are considered resolved. No chargeable site monitoring visits were undertaken during the last quarter.

3. Contact Officers

3.1 Members with any queries about site monitoring or enforcement matters should contact either Sarah Iles (01273 481631) or Robert Shapter (01273 335218).

RUPERT CLUBB
Director of Communities, Economy and Transport
06 August 2019

Local Members: All

BACKGROUND DOCUMENTS

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

TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED SINCE APRIL 2019

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
March 2019	Smartwaste Recycling Ltd, Endeavour Works, Beach Road, Newhaven	Breach of Conditions (Site layout and height of stockpiles)	<p>Officers undertaking a monitoring visit to the site noticed that the site was not laid out in accordance with the approved plans, and that waste was being stored on the site above the permitted levels.</p> <p>A meeting was held with the operator, who admitted that the site was in breach of the conditions and requested a short period of time in which to be allowed to restore the site back to compliance with the planning conditions. A timescale until 31st May 2019 was agreed.</p> <p>Officers continued to make regular visits to the site and also held meetings with the operator. The most recent visit showed that the site had returned to compliance with the approved site plan and that the small quantity of waste being stored on the site was back below the approved maximum permitted height level. The breaches of conditions have therefore been resolved and no further enforcement action is necessary. The site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>
March 2019	Sweethayes Farm, London Road, Hurst Green	Importation and deposit of waste	<p>A complaint was received that waste soils were being imported into the site and deposited. A site visit was undertaken which confirmed the substance of the complaint. A meeting was then held with the landowner, who stated that she believed that all the relevant permissions were in place and that the soils were being imported as part of a permission for a new barn.</p> <p>Whilst this matter was being investigated, Rother District Council received a further planning application for the demolition of an existing barn and the erection of a replacement. Further meetings were held with the operator, the planning agent and an officer from Rother District Council, during the course of which it was agreed that the agent would explore the possibility of not proceeding with the barn that has planning permission, but instead pursuing the planning application for the demolition of the old barn and the erection of a replacement, which would incorporate the use of the imported soils. No further waste materials are to be imported into the site until the planning situation with Rother District Council has been resolved. There is no breach of planning control for East Sussex County Council to pursue and the matter is being dealt with by the District Council.</p>
March 2019	Sunnyside, Hackhurst Lane, Lower Dicker	Importation and deposit of waste	<p>A complaint was received that waste soils were being imported into and deposited at this site. A joint site visit was undertaken with an officer from the Environment Agency, which confirmed the substance of the complaint</p> <p>Contact was made with the landowner and a site meeting held with the landowner, officers from this Authority, the Environment Agency and Wealden District Council. It was apparent that the landowner had arranged for the materials to be imported into and graded out over the site in order to level it and then seek planning permission to erect a dwelling house on the site. This is considered to be an engineering operation which falls within the remit of Wealden District Council, who is now dealing with this matter in its entirety. There is no further action required by East Sussex County Council in its capacity as Waste Planning Authority.</p>

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TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2019 AND RESOLVED

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
April 2019	Land at The Meads, 12 Isherwood, Battle	Importation and deposit of waste	<p>A complaint was received that waste was being imported into and deposited at a field at this location. A site visit was undertaken which did not support that complaint, but it was clear that substantial works had been undertaken which appeared to be in connection with a planning application that had been submitted to Rother District Council.</p> <p>Contact was made with the case officer who confirmed that the application was under consideration. This officer also attended the site and examined the works and stated that they did not appear to be as stated in the planning application and that Rother District Council would deal with this breach of planning control. Therefore no further action is required by East Sussex County Council.</p>
April 2019	58 Windsor Way, Polegate	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into and deposited at this site. A site visit was undertaken by officers, which confirmed that there were 4 one tonne bags of waste wood on the site. Contact was made with the landowner who stated that he had stored them temporarily on this site after being forced to vacate another site nearby and, since the officer's initial site visit, the waste wood had been removed from the site.</p> <p>A further site visit was undertaken which confirmed that the bags of waste wood had been removed from the site. The breach of planning control has therefore been resolved and no further action is required.</p>
April 2019	Batts Farm, Batts Bridge Road, Piltown	Importation and deposit of waste	<p>Officers passing the site noticed that a significant quantity of waste chalk had been imported into and stockpiled on the site. Enquiries revealed that this importation was in connection with a new access track, which had been granted planning permission by Wealden District Council in connection with the development of a new house on the site.</p> <p>There is no breach of planning control and no further action is required.</p>
April 2019	Bunkers Hill Farm, Swing Gate Hill, Burwash Common	Importation, deposit and burning of waste	<p>Officers passing the site noticed that a quantity of waste, comprising soils, sub soils, hardcore and green waste had been imported into and deposited at the site. Contact was made with the operator, who stated that the site had been operated for a number of years as a yard for his tree surgery/landscaping business and he had regularly brought back green waste from clients' sites to burn at this location.</p> <p>The operator stated that he would not be able to provide sufficient evidence to support a Certificate of Lawfulness application and it was explained to him that the County Council would not find itself able to support an application seeking to regularise the burning of green waste on the site, given the site's location in the countryside and the High Weald Area of Outstanding Natural Beauty. The operator agreed to cease any further importation and burning of green waste into the site.</p> <p>The operator was also advised to seek planning advice in regard to: (1) the raising of land levels at the site to improve drainage; (2) the demolition of the existing decrepit agricultural barn and replacement with a new barn with a</p>

			<p>change of use; and (3) changing the use of the site from agriculture to a mixed use of agriculture and forestry. As these were matters to be dealt with by the Local Planning Authority, he was directed to Rother District Council to seek this advice.</p> <p>No further action is currently required by this Authority, although the site is continuing to be monitored.</p>
April 2019	Unit 35 Granary Business Centre, Broad Farm, Hellingly	Importation, deposit and breaking of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into the site and broken up, before being removed and scrapped.</p> <p>Officers made several visits to the site and at no time has the site either been occupied or has any evidence been uncovered that would support the complaint. Contact was made with the landowner, who stated that the tenants are motor car enthusiasts who race bangers as a hobby and no vehicles are broken for spares or scrapped at the site.</p> <p>No breach of planning control identified and no further action is required by this Authority.</p>
May 2019	Bardown Farm, Bardown Road, Stonegate	Importation and deposit of waste	<p>A complaint was received that excessive waste materials were being imported into the site in connection with a planning permission granted by Rother District Council, and that these waste materials were being graded out on the land outside of the area approved by the planning permission.</p> <p>A joint site meeting was arranged with the landowner and an officer from Rother District Council. During the course of this site meeting it was clear that the waste quantities being imported to the site was in accordance with the planning permission granted by Rother District Council and were not deemed to be excessive for that planning permission. There is no breach of planning control and no further action is required by this Authority.</p>
May 2019	Ferndale, Nursery Lane, Nutley	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising hardcore, were being imported into and deposited at this site, and development works consisting of a new vehicle hardstanding, gates and fencing had been erected, which the complainant alleged were all undertaken without planning permission.</p> <p>A site visit was undertaken, during the course of which it was found that the hardcore had been used to level a slope on the public right of way that runs past the site and there had been recent development as described by the complainant. The hardcore had also been deposited to facilitate entry through the new gateway access. Due to the potential impact on a public right of way, the matter has been passed to the County Council's Rights of Way Team for information/action as they deem appropriate. With regard to the unauthorised development of the hardstanding, gates and fencing, this has been passed to Wealden District Council for any necessary action.</p> <p>There is no breach of planning control for this Authority, as Waste Planning Authority, and no further action required.</p>
May 2019	3 Copse Close, St. Leonards-on-Sea	Importation, deposit and bulking up of waste in a skip	<p>A complaint was received that building and construction waste was being imported into the site and bulked up in a skip before being removed from the site. A site visit was undertaken which confirmed that a skip was on site and also that it contained building and construction waste, but there was nothing contained within the skip to identify the origin of the waste.</p> <p>Contact was made with the landowner who confirmed that he was a builder, but categorically denied that the waste in the skip was imported into the site, stating that it was generated from improvement works that he was carrying out to his own property. This appeared to be confirmed by what the attending officer had seen during the site visit.</p>

			<p>The siting of skips to manage waste materials arising from the site does not require planning permission, providing it is not used for imported waste materials. No breach of planning control identified and no further action is required.</p>
May 2019	Hoads Farm, Moat Lane, Sedlescombe	Importation, deposit and grading out of waste material on land	<p>A complaint was received alleging that waste materials were being imported into the site and graded out in order to raise the level of the land. A site visit was carried out and a meeting held with the landowner and an officer from Rother District Council where it was noted that the imported waste materials, comprising mostly soils and sub soils, also contained a significant quantity of hardcore, metals and plastics. The imported materials had been graded out over an area approximately 25 metres by 20 metres.</p> <p>The landowner advised that he wanted to soften the slope that exists in this area of the site in order to reduce the risk of animals being harmed due to ground conditions. The works were considered to be an engineering operation, as opposed to purely the disposal of waste, and Rother District Council is dealing with the matter. It is understood that the District Council have advised the landowner to remove the imported waste from the site.</p> <p>No further action is required by this Authority.</p>
May 2019	Toke Farm, Main Road, Icklesham	Deposit of waste tyres	<p>A complaint was received that waste tyres were being stored at the farm and were a fire risk to neighbours. A site visit was undertaken, during the course of which a meeting was held with the landowner, who explained that the two rows of tyres were providing a physical barrier to his sheep to prevent them accessing neighbours' gardens and to also prevent the sheep from being able to access grass clippings thrown into the farm.</p> <p>The tyres are being used as boundary treatment and as a method of containment and is it not considered a waste disposal matter. No breach of planning control and no further action is required.</p>
May 2019	Yard on North side of Menzies Road, St. Leonards-on-Sea	Importation, deposit and storage of waste	<p>A complaint was received that waste materials were being imported into the site, deposited and burnt. A site visit was undertaken which confirmed the substance of the complaint.</p> <p>Discussions were held with the site manager, who stated that a small area of the yard had been sublet to a house clearance operator and this operation had become unmanageable and had spread across the site. The requirement for planning permission for this type of waste operation was explained to the site manager. The waste operator was subsequently given notice to quit and a further site visit confirmed that the site had been cleared all of the imported waste materials and the unauthorised use ceased.</p> <p>Breach of planning control resolved and no further action is required.</p>
June 2019	Randalls Farm, Whitesmith	Importation, deposit and processing of waste	<p>A complaint was received that hardcore was being imported into the site and being crushed. A site visit was undertaken, which confirmed that there was a stockpile of hardcore on the site but this appeared to have been in situ for some time. A meeting was held with the landowner who explained that the hardcore was site derived and had been generated from the demolition of a large agricultural barn.</p> <p>The hardcore was being retained on site because the landowner had been granted planning permission from Wealden District Council to construct four residential dwellings and the hardcore was intended to be used to facilitate that development. At the time of the meeting, no hardcore had been crushed on the site.</p> <p>There is no breach of planning control and no further action is required by this Authority.</p>

June 2019	Horstedpond Farm, Little Horsted, Uckfield	Importation and deposit of waste	<p>A council officer driving past the site noticed approximately 20 lorry loads of soil had been deposited in a field. Following enquiries, the officer met the landowner who stated that the soils were site derived and had been generated from a barn development on the farm that had planning consent from Wealden District Council. The waste soils had been placed in the field to be graded out to level a small depression in that field.</p> <p>The works are considered to be permitted development and not a breach of planning control. No further enforcement action is required.</p>
June 2019	Marley Ropes, Ropemaker Business Park, Hailsham	Importation and deposit of waste	<p>A complaint was received that hardcore was being imported to a pond at this location. A site visit was undertaken and it transpired that the hardcore was needed to create a temporary access road in order to de-silt the pond and remove waste, such as shopping trolleys, from the pond.</p> <p>The works are considered to be permitted development and do not require specific planning permission. No breach of planning control and no further action is required.</p>
June 2019	Lansdowne Secure Childrens Home, Hawks Road, Hailsham	Breach of Condition (traffic/parking)	<p>A complaint was received that the conditions relating to the management of construction traffic were being breached and causing dangers to other road users. The site was monitored by officers and, although cars were parked on the road outside the site, the road in this location is straight and has good visibility, so it was not considered to be a hazard to other road users. Furthermore, there are no parking restrictions on this road and therefore no limitations on parking.</p> <p>No breach of condition identified and no further enforcement action is required.</p>

TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2019 AND AS YET UNRESOLVED.

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
April 2019	Tarring Neville Quarry, Newhaven	Importation and deposit of waste	<p>A complaint was received that lorry loads of waste materials, comprising soils, sub soils and plastics, had been imported into and deposited in the quarry. A site visit was carried out which confirmed the substance of the complaint.</p> <p>Contact was made with the landowner who stated that the access gates had been forced open and the lorry loads of waste had been deposited without their permission or knowledge. Once they became aware of the situation, the gates were re-secured and they were taking steps to arrange for the removal of this waste from the quarry.</p> <p>The removal of this waste has been complicated by the fact that there is a pair of nesting peregrine falcons on the site and these birds are a protected species under the Wildlife and Countryside Act 1981. It is a criminal offence to interfere with these birds when they are nesting, which would include works to remove the imported waste. Therefore the landowners have been requested to remove the waste only after the birds breeding season is over (April – August). The site will continue to be monitored to ensure the waste materials are removed after this time.</p>

April 2019	Land adjacent to Appletree Cottage, Staplecross	Importation and deposit of waste	<p>A complaint was received that building and construction waste was being imported into and deposited at this site. A site visit was undertaken which confirmed the substance of the complaint. A letter was sent to the landowner explaining the need for planning permission and that such an application was unlikely to be able to be supported given the site's location within the countryside and also the High Weald Area of Outstanding Natural Beauty.</p> <p>The landowner and the originator of the waste have both contacted officers and stated that they will be submitting a planning application seeking to regularise this breach of planning control, despite the advice we have provided. A planning application (RR/828/CM) has now been submitted but is not yet valid for consideration.</p>
April 2019	Upper Lodge Farm, The Broyle, Ringmer	Importation and deposit of waste	<p>The operators of this site contacted the County Council to advise that some waste chalk had been imported and that they were going to import more materials in order to construct a patch repair to their leaking slurry lagoon. A site meeting was arranged with the operator, where the repair was discussed including the suitability of the waste chalk as a method for repairing the leak in the slurry lagoon.</p> <p>A further site meeting was held with the landowners and the operator and alternative methods of repair were discussed. The landowner is now seeking to empty the slurry lagoon and construct a full repair along the inner wall of the slurry lagoon using a high content clay material. They will also seek advice from the County Council before undertaking the repair to ascertain whether the works are permitted development or whether they require planning permission. It was agreed that the chalk already imported to the site could be used to repair existing tracks and hardstanding on the site. In the meantime, the site is continuing to be monitored and contact maintained with the landowner.</p>

TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
July 2015	Holleys Yard, Squires Farm Industrial Estate, Easons Green	Importation, deposit and storage of waste wood	<p>This matter originally came to the Council's attention in 2012 when an operator imported a significant quantity of waste wood into this site and then vacated the site without clearing the waste wood. The Environment Agency undertook a prosecution against a director of the company, and the County Council supported this prosecution and gave evidence in court. One of the Directors of the company was convicted of the offence and was sentenced to a Community Service Order of 200 Hours of unpaid work. There was no requirement for the Director to pay for the costs of clearing the land. Consequently, the waste wood remained on the site.</p> <p>In order to protect the County Council's position, it was considered appropriate to serve an Enforcement Notice on the landowners, and interested parties, requiring the removal of the waste wood. An Enforcement Notice was therefore served on 2 February 2016. No appeal was made against the Enforcement Notice and it took effect on 4 March 2016. Following the service of the Enforcement Notice, the Environment Agency made further progress in their case against the company that was responsible for importing the waste wood into this site. The outstanding company Director was arrested on a warrant and appeared at Lewes Crown Court on 22 August 2016 for sentence, after he had entered a guilty plea at an earlier hearing. He was sentenced to one year's imprisonment.</p>

			<p>The site has been regularly monitored and the landowners have been in contact with officers concerning a proposal for an operation at the site which would provide the finance to help with the disposal of the waste wood.</p> <p>A planning application (WD/820/CM) which seeks to address the waste wood stockpile on the site has now been submitted and is currently under consideration.</p>
April 2018	Skip It Containers, North Quay Road, Newhaven	Breach of Conditions (height of stockpiles)	<p>A site monitoring visit was undertaken, during which it was noticed that the height of the waste stockpiled on the site exceeded the structures that were containing it and, where there were no retaining structures, the height of stockpiled waste exceeded 4 metres. Conditions attached to the planning permission for the site (LW/539/CM) limit the height of stockpiled waste and the levels of waste noted on the site were found to be in breach of these conditions.</p> <p>Meetings were held with the operator, but the situation did not improve. The Environment Agency has been involved with the site in connection with this issue and officers have provided evidence to support their case. The operator has now vacated the site and it has been taken over by another operator who is in the process of clearing the accumulated waste.</p> <p>Progress is continuing to be made in reducing the level of stockpiled waste on the site and monitoring is continuing to ensure the reduction in stockpile heights continues to enable operations to be in compliance with the conditions attached to the planning permission for the site.</p>
June 2018	D.R.S. Pattenden, Little Exceat Farm, South Chailey	Breach of Condition (buffer zone and hours of operation)	<p>A site monitoring visit was undertaken, during the course of which it was noted that the scheme to maintain a buffer zone on the western and northern boundaries of the site had not been maintained and had failed. A meeting was held with the operator and a timescale for re-establishing these buffer zones was agreed. A further site visit was carried out, which confirmed the buffer zone had been re-established and the site brought back into compliance with the planning permission (LW/492/CM).</p> <p>However, further complaints were received that the site was operating outside the permitted hours of operation. Additional site monitoring, including at weekends, was undertaken to establish whether there were further breaches of planning control.</p> <p>Initially, no breaches were identified but site monitoring outside the permitted hours continued and some breaches were observed. Consequently, a Breach of Condition Notice was served on the operator for failing to comply with the permitted hours of operation of the site.</p> <p>Regular out of hours monitoring of the site has taken place in connection with the Breach of Condition Notice, and no breaches of the Notice have been observed. A further period of site monitoring will be undertaken in order to check continued compliance.</p>
July 2018	Born Again Plastics, Oak Ferrars Farm, Batts Bridge Road, Piltown, Uckfield, TN22 3XR	Breach of Condition (storage and processing of waste)	<p>A monitoring visit to the site noted that waste was being stored outside the permitted waste storage area, and also that waste was being processed outside the building. A meeting was held with the operator who stated that this has been in part caused by the collapsing market for agricultural plastics and that he is trying to source other outlets for the waste.</p> <p>Site monitoring has continued and contact maintained with the operator. The reason for the build up of waste</p>

			<p>plastics on the site is because the main outlet for this waste, China, has closed its borders to the importation of waste materials and the “knock on” effect of this is to totally depress market prices to such an extent that it is not profitable, at the moment, to collect and bale this waste. In order to attempt to rectify the breaches of planning control the operator has severely curtailed the importation of waste to this site and is paying for loads to be removed.</p> <p>Further site visits have noted that the level of waste stored on the site is continuing to reduce; however the recycling market for these plastics remains very poor with the operator still having to pay a “gate fee” to dispose of this waste properly. The operator is continuing to monitor the level of waste imported into the site in order to try and maintain an overall reduction in the levels of waste at the site and thereby resolve the breach of planning control.</p> <p>Regular meetings have continued to be held with the operator who states that the market for commercial plastics waste is easing with gate fees being reduced, and he is continuing to make progress in reducing waste levels on the site. Most recently it was noted that the site has returned to compliance with regard to the stockpile heights condition. There remains some waste stored outside the permitted area and officers will continue to monitor the site.</p>
August 2018	Court Lodge Farm, Etchingam Road, Burwash, Etchingam	Unauthorised animal incinerator	<p>A complaint was received that an animal incinerator had been installed on the boundary of the property. A site visit was carried out, which confirmed the substance of the complaint, and discussions were held with the landowner. The purpose of the incinerator is for disposing of fallen stock from the farm.</p> <p>Planning permission is required for the installation of the incinerator and contact was made with the landowner's planning consultant. A planning application (RR/823/CM) was submitted for the retention of the incinerator, but was subsequently withdrawn following advice from officers.</p> <p>A further planning application (RR/826/CM) has now been submitted, which is proposing an alternative location for the incinerator. The application is not yet valid for consideration.</p>
November 2018	Upper Lodge Farm, The Broyle, Ringmer	Importation and deposit of baled waste	<p>A complaint was received that a significant quantity of baled waste had been deposited on the farm. A site visit was undertaken, which confirmed the substance of the complaint. Contact was made with the landowner who stated that he had been paid a small amount of money in order to have the waste stored on site for a short period of time.</p> <p>This matter is now subject of a wider criminal investigation by the Environment Agency. The investigation is ongoing and officers are continuing to liaise with the Investigating Officer and have provided a statement in support of the investigation.</p> <p>In the meantime, officers are continuing to monitor the site to ensure further waste is not imported.</p>
January 2019	Uckfield Community Technical College, Downsview Crescent, Uckfield	Breach of Conditions (Usage, floodlighting and landscaping)	<p>A complaint was received that (1) the all weather pitch was not being operated in accordance with the agreed Operational Management Policy; (2) the floodlights were spilling over into the neighbouring residential gardens; and (3) the planting scheme had not been implemented, which were all requirements of the planning permission (WD/3095/CC) that relates to this development.</p> <p>Numerous site visits were undertaken, including during evenings when the floodlights were being used, and it was</p>

			<p>found that the use of the pitch was in accordance with the Operational Management Policy, and the flood lights were not spilling into residential gardens. However, further visits are being undertaken to monitor the use of the facility to identify if there are any breaches of the conditions attached to the planning permission.</p> <p>With regard to the planting scheme, contact was made with personnel at the College, who advised that the landscaping scheme had been implemented, but that some maintenance was required and which was in the process of being arranged. At this stage, it has not been established whether there is a breach of planning control and a further site visit will be undertaken and the works assessed once they have been completed.</p>
March 2019	Three Oaks Waste Water Treatment Works, Three Oaks	Unauthorised development/Breach of Conditions (site layout)	<p>An officer undertaking a meeting at the site with the operators noted that the development was not in accordance with the approved plans and that a larger sized kiosk had been erected in a different location, and also that the operational land had been extended. A further meeting with the operator was held and, following this meeting and subsequent correspondence, it was confirmed that the installation of the larger kiosk was considered to fall within the operator's permitted development rights and does not require specific planning permission.</p> <p>However, the operator still needs to apply for retrospective planning permission for the extension to the operational area (change of use) and associated security fencing (due to its height adjacent to a highway). A planning application is currently awaited.</p>