

Committee	Regulatory Planning Committee
Date	15 January 2020
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 October and 31 December 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 October and 31 December 2019, inclusive, there were twelve new complaints about alleged breaches of planning control. Of the new cases, nine were resolved within the reporting period and nine older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of December 2019 was thirteen. This represents a decrease of six in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 In respect of specific cases, Members will recall that the Council has been dealing with a breach of planning control at Appletree Cottage, Staplecross, involving the deposit of waste materials in an area of woodland, within the High Weald Area of Outstanding Natural Beauty. A planning application seeking the retention of the deposited waste materials was submitted, but subsequently refused by the Planning Committee on 18 December 2019. The Committee resolution also included undertaking enforcement action in order to remedy the breach of planning control. Following the Committee's decision and the refusal of planning permission, an Enforcement Notice was served on the landowners on 20 December 2019. If no appeal is made against the Enforcement Notice, it will take effect on 28 January 2020. The Notice requires the immediate cessation of the importation of waste and the clearance of the site within a specified period. The Notice also requires the hedge that was removed to facilitate the deposit of the waste to be replanted. Officers will monitor the site to ensure compliance and Members will be updated in future reports.

1.3 Although it was necessary to serve a formal Enforcement Notice in respect of the unauthorised deposit of waste at Appletree Cottage, as Members will note from the tables in Appendix 1 to this report, most enforcement cases are dealt with and resolved informally, without the need to resort to formal action. Whilst the preference is to deal with matters informally, there are times when this isn't possible. When necessary, formal enforcement action is therefore taken when considered expedient to do so, including any follow up action such as prosecution or direct action.

1.4 Appendix 1 of this Report provides details of cases resolved and received within the period 1 October and 31 December 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 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. Monitoring of large County Council developments, such as the Newhaven Port Access Road and Bexhill-Hastings Link Road, is also undertaken.

2.2 During the last quarter twelve non-chargeable site monitoring visits were carried out. No breaches of planning control were identified during these monitoring visits. 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
07 January 2020

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 OCTOBER 2019

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
1a	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 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. It was later confirmed that the installation of the larger kiosk was considered to fall within the operator's permitted development rights and did not require specific planning permission. However, retrospective planning permission for the extension to the operational area (change of use) and associated security fencing (due it its height adjacent to a highway) was required.</p> <p>A planning application (RR/834/CM) was submitted and considered by the Planning Committee at its meeting on 18 December 2019. The Committee resolved that planning permission be granted, subject to the variation of a s106 Legal Agreement and the imposition of conditions. Breach of planning control has therefore been resolved and no further action is required. The site will be monitored as part of the Council's Site Monitoring Policy.</p>
1b	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 and deposited in the quarry. A site visit was carried out which confirmed the substance of the complaint. 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 steps were being taken to arrange for the removal of this waste from the quarry.</p> <p>The removal of the waste was complicated by the fact that there was a pair of nesting peregrine falcons on the site and these birds are a protected species under the Wildlife and Countryside Act 1981. Consequently, the landowners were requested to remove the waste only after the birds' breeding season was over.</p> <p>A further site visit has now been undertaken, which confirmed that all the waste materials had been removed from the site. The breach of planning control has therefore been resolved and no further action is required.</p>
1c	July 2019	8 Grovelands Road, Hailsham	Importation, deposit and storage of waste	<p>A complaint was received that the occupier of this site was importing scrap metal into the site and depositing it in the rear garden. A site visit and meeting with the occupier was undertaken, which confirmed the substance of the complaint and also identified that other waste items were being stored at the site. A timescale for the cessation of the activity and the clearance of the site was agreed.</p> <p>Further, regular site visits and meetings with the landowner were undertaken. The site has now been cleared of all the imported scrap metal and waste and therefore the breach of planning control has been resolved. No further action required.</p>

1d	August 2019	Hump 'N' Dump, Unit 15 Old Cement Works, South Heighton	Breach of Conditions (outside unloading/storage of waste)	<p>Officers in the area in connection with another matter noticed that, after some years, the site was again being used as a waste transfer station. A site meeting was held with the operator who explained that he was operating a house clearance/rubbish collection service using flatbed vans. It was explained that the planning permission was limited to the importation, deposit and processing of skip waste only and that all waste had to be unloaded within the building. The operator was also advised that the waste processing activity would require authorisation from the Environment Agency by means of an Environmental permit.</p> <p>The operator subsequently found alternative premises. The site has been monitored and the waste has now been removed and the operator has vacated the site. The breach of planning control is therefore resolved and no further enforcement action is required.</p>
1e	August 2019	Small Grove, Rotherfield Hill, Rotherfield	Importation, deposit and bulking up of waste in a skip	<p>Over the past two years the County Council has received regular complaints that a skip sited on the verge outside the site has been used by the landowner to bulk up building and construction waste from the landowner's business operations. Meetings have been held with the landowner, who has strongly denied the allegation and stated that all the building and construction waste deposited in the skip has been site derived from extensive renovation works at the house. There has been nothing contained within the waste stored in the skip that would identify its original source.</p> <p>A further complaint was received that again building and construction waste had been imported into the site and bulked up in a skip. A further site visit confirmed that the skip is still in situ. A Planning Contravention Notice was therefore served on the landowner and a response received, again stating that all waste in the skip had originated from the site itself.</p> <p>Officers have undertaken further visits to the site, which noted that the skip previously sited on the verge had been removed and no further skips have been seen at the site. There is no breach of planning control identified and no further action is required.</p>
1f	August 2019	Skilton Skips, AS Farm, The Warren, Crowborough	Importation, deposit and bulking up of waste in skips and Roll-on Roll-off containers	<p>A joint site monitoring visit undertaken by officers from this Authority and the Environment Agency found that the operator of this company, who was supposed to be using the site for the storage of vehicles, skips and plant only, was importing waste into the site, sorting and bulking it up before removal to an authorised waste transfer station.</p> <p>Given the small quantity of waste concerned, the operator was given a short timescale to clear the site of all the imported waste and to return the site back to purely the storage of vehicles, plant and empty skips. During this time period the site was monitored by officers from both the Environment Agency and this Authority.</p> <p>A further site visit has now been undertaken and it was noted that the waste materials imported to the site had been removed. The breach of planning control is therefore resolved and no further action is required.</p>
1g	August 2019	Bunkers Hill Farm, Swing Gate Hill, Burwash Common	Importation, deposit, storage and burning of waste (soils, sub-soils, hardcore and green and wood	<p>This breach of planning control was originally discovered by officers earlier in the year, when it was noticed that soils, sub soils, hardcore and green waste had been imported into the site and deposited. A site meeting was held with the operator, who stated that he had been running a tree surgery business from this site for 18 years and had been bringing back green waste from his clients' sites to burn. In regard to the soils, sub-soils and hardcore, these materials were imported into the site in order to raise land levels in a</p>

			waste)	<p>low lying area of the field which was constantly waterlogged.</p> <p>The operator agreed to seek advice from Rother District Council concerning certain planning issues at the site, and also to cease any further importation of waste into the site until the planning situation had been resolved.</p> <p>Despite these assurances, officers passing the site on a further occasion noticed that waste wood was being burnt on the site and on another occasion a waste operator appeared to be in the process of delivering waste to the site. In order to try and ascertain the scale and nature of the activities taking place on this site, Planning Contravention Notices were served on the landowner, the site operator and the two waste companies who it was believed had delivered waste materials to this site. Responses to the Notices were received.</p> <p>Further site visits have now been undertaken and also a site meeting held with the operator. No more waste has been imported into the site and therefore the breach of planning control has been resolved. No further enforcement action is required, but the site will be monitored periodically.</p>
1h	September 2019	Lindenhurst, Ghyll Road, Crowborough	Importation and deposit of builders waste in the front garden	<p>A complaint was received that building and construction waste had been imported into the site and deposited. A site visit was carried out which confirmed the substance of the complaint and also that areas of the garden appeared to have been excavated and levelled. Initial research of the property did not identify any relevant planning permission which would cover this development.</p> <p>Contact was made with the landowner who stated that the hardcore had been imported in order to raise the level of the land at the rear of the property in order to extend the patio. The landowner has been advised to contact Wealden District Council to ascertain whether a planning application is required for this development.</p> <p>Wealden District Council has been informed of this matter and no further action is required by this Authority in its capacity as Waste Planning Authority.</p>
1i	September 2019	Allied Waste Management Ltd Squires Farm Industrial Estate, Easons Green	Breach of Condition (unloading waste outside the waste transfer building)	<p>A complaint was received that the operator was unloading waste asbestos in the open yard at the rear of the waste transfer station, which is a breach of condition 4 attached to the planning permission that relates to the site. An initial site visit was carried out, which did not identify any breaches of planning control.</p> <p>Following further investigations and discussions with the operator and complainant, no breach of planning control has been identified and no further action is required. The site will be monitored as part of the Council's Site Monitoring Policy.</p>

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

	DATE LPA BECAME AWARE OF	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
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	BREACH			
2a	October 2019	Greenacres, Mill Lane, Chailey	Breach of Conditions (working outside approved hours and parking of vehicles on the highway)	<p>A complaint was received that contractors undertaking the development were parking outside the site whilst working, which is a breach of condition 3 attached to Planning Permission LW/3396/CC. A site visit was undertaken which confirmed the substance of the complaint.</p> <p>A site meeting was held with the site manager and the breach of condition explained. The site manager requested a short period of time in which to make alternative arrangements, which was agreed.</p> <p>A further complaint was received that in addition to parking outside the site, works were being undertaken outside the approved hours for construction. Numerous further site visits have been undertaken and there has been no evidence of parking outside the site by contractors or work undertaken outside the permitted hours.</p> <p>The breach of condition has been resolved and no further action is necessary.</p>
2b	October 2019	Carters Field, Coach and Horses Lane, Danehill	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising chalk, were being imported into the site and deposited. A site visit was undertaken which appeared to show that one lorry load of chalk had been imported into the site.</p> <p>Contact was made with the operator, who stated that the chalk was required to maintain/repair the existing agricultural track on the site. This is considered to be permitted development and does not require specific planning permission. No breach of planning control and no further enforcement action is required.</p>
2c	October 2019	Hill Croft Farm, Royal Oak Lane, Crowhurst	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported at the farm and deposited. A site visit was undertaken, during the course of which a meeting was held with the landowner's son.</p> <p>It was explained that the importation of these materials was necessary in order to facilitate the development of an agricultural barn, which has the benefit of planning permission granted by Rother District Council. The materials being imported appeared to be suitable and proportionate for their intended use and were deposited in the appropriate location for the proposed agricultural barn.</p> <p>There is no breach of planning control and therefore no further action is required by this Authority. Rother District Council has been advised of the complaint received and the outcome of the investigations by Officers.</p>
2d	October 2019	Hare Farm, Stubb Lane, Brede	Importation and deposit of waste	<p>A complaint was received that waste soils had been imported into the site and deposited on an agricultural field. A site visit was undertaken, during the course of which a meeting was also held with the landowner.</p> <p>The landowner explained that no waste had been imported into the site, but an area of the field had been regraded in order to remove a step in the land which was a hazard when managing animals in the field. As this was not a matter involving the disposal of waste, the landowner was advised to seek planning advice from Rother District Council as to whether a planning application would be required to regularise the works</p>

				<p>that have been undertaken.</p> <p>The details of the matter have been passed to Rother District Council for information/action as they deem appropriate. No further action is required by this Authority as Waste Planning Authority.</p>
2e	October 2019	Units 7 A & 7B, Quarry Road Industrial Estate, Newhaven	Importation, deposit and breaking of end of life vehicle	<p>A complaint was received that end of life vehicles were being imported into the site and were being broken up for parts. A joint site visit was undertaken with an officer from the Environment Agency, which confirmed the substance of the complaint</p> <p>A meeting was held with the site operator, where the planning situation and the requirement for an Environmental Permit were explained. The operator agreed to clear the site and a timescale for this clearance to be achieved was agreed.</p> <p>A further joint site visit was carried out with the Environment Agency after the agreed time period had expired, and it was noted that the operator had cleared the end of life vehicles and vacated the site. The breach of planning control has therefore been resolved and no further action is required.</p>
2f	November 2019	Little Orchard, Tidebrook Lane, Wadhurst	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported and deposited into a field at this site. A joint site visit was undertaken with an officer from Wealden District Council, which confirmed the substance of the complaint.</p> <p>Enquiries were made with a workman at the house, who confirmed that the materials had been generated from a garage development being undertaken within the residential curtilage of the property.</p> <p>Further enquiries were made with the landowner who confirmed the explanation provided by the employee, and stated that the waste arisings were deposited in the field in order to level the land. The landowner is now liaising with Wealden District Council in order to submit the necessary planning applications to regularise the unauthorised garage development and the engineering operation in the adjacent field.</p> <p>There is no breach of planning control for this Authority as Waste Planning Authority and no further action is required.</p>
2g	November 2019	Dower House Farm, Possingworth Lane, Waldron	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported into a field at this site and deposited.</p> <p>A site visit was undertaken, which confirmed the substance of the complaint. However, further enquiries revealed that none of the materials had been imported; the soil stockpile had been generated from top soil that had been scraped back in order to facilitate a barn extension that has the benefit of planning permission granted by Wealden District Council. The hardcore was from the existing barn base, which had been removed to allow for the base for the new extension.</p> <p>The matter has been referred to Wealden District Council for information/action as they deem appropriate and no further action is required by this Authority.</p>
2h	November 2019	Fowler Salvage and Reclamation, The Barn,	Importation, deposit and processing of	<p>A complaint was received that the operator of the site was bringing building and construction waste back to the site and processing it. A joint site visit was carried out with an officer from Wealden District Council.</p>

		Nabscott Farm, Lower Dicker	waste building and construction materials	<p>There was no evidence of building and construction waste being processed at this site.</p> <p>Wealden District Council has granted planning permission (subject to a s106 Legal Agreement) for the use of the site for the storage of reclaimed building materials. An agricultural field outside of the reclamation yard site is also being used to store plant and equipment associated with the reclamation company, which the operator will seek to regularise by the submission of a further planning application to Wealden District Council.</p> <p>There is no breach of planning control for this Authority as Waste Planning Authority to deal with, and no further action required.</p>
2i	November 2019	96 Attfield Walk, Eastbourne	Importation and deposit of waste materials	<p>A complaint was received that waste materials, comprising household goods, were being imported into and deposited at the site. The complainant also alleged that waste materials were being processed in the rear garden of the property.</p> <p>A joint site visit was undertaken with an officer from the Environment Agency, which found that some household waste, consisting of furniture, had been deposited on the forecourt of the garage attached to the site. Contact was made with the occupier who subsequently arranged for this material to be removed. There was no evidence to support the part of the complaint that waste processing was taking place within the rear garden.</p> <p>Following information from the occupier that the waste had been removed, a further site visit was undertaken, which confirmed that the site had been cleared of all waste. Therefore, the breach of planning control has been resolved and no further action is required.</p>

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

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
3a	October 2019	Land to the rear of Mead Cottage, Crowhurst Road, Catsfield	Importation, deposit and burning of waste	<p>A complaint was received that waste was being imported into this site and burnt. Numerous site visits have been carried out, but nothing has been found that would support the complaint.</p> <p>Investigations are continuing and further site visits will be carried out.</p>
3b	December 2019	Reef Way, Hailsham, Site of SEMH school	Breach of Conditions (Noise and mud on the highway)	<p>A complaint was received that the site is not being developed in accordance with the conditions attached to the Planning Permission that relates to the site (WD/3400/CC).</p> <p>A site visit has been carried out and discussions held with the contractor. The works undertaken are enabling works and the contractor has been reminded of the conditions attached to the planning permission. Further investigations are being carried out and the site is continuing to be monitored.</p>

3c	December 2019	Ace Recovery, Downs Villas, South Heighton	Importation, deposit, storage and processing of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into the site and broken up. An initial site visit has been undertaken which confirmed the details contained within the complaint.</p> <p>Contact has been made with the operator and a joint site visit with an officer from Lewes District Council is in the process of being arranged.</p>
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TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
4a	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>A planning application (WD/820/CM) which sought to address the waste wood stockpile on the site was submitted, but this was subsequently withdrawn by the applicant. A new planning application (WD/836/CM) has been submitted and is currently under consideration.</p>
4b	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 solely from the farm, no animal carcasses are to be imported to the site.</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. A further planning</p>

				<p>application (RR/826/CM) was submitted, which proposed an alternative location for the incinerator. However, following representations made to the application, the applicant withdrew the application and is currently considering further alternative locations within the site.</p> <p>The incinerator is not in use and officers are monitoring the situation.</p>
4c	April 2019	Land adjacent to Appletree Cottage, Staplecross	Importation and deposit of waste	<p>A complaint was received that building and construction waste was being imported into and deposited at this site. A site visit was undertaken which confirmed the substance of the complaint. A letter was sent to the landowner explaining the need for planning permission and that such an application was unlikely to be supported given the site's location within the countryside and also the High Weald Area of Outstanding Natural Beauty. Despite officers advising that the proposal would be unlikely to be supported, the landowner proceeded to submit a planning application seeking to regularise the breach of planning control.</p> <p>The application (RR/828/CC) was considered by the Planning Committee on 18 December 2019 and planning permission was refused. The Committee resolution included undertaking enforcement action to secure the removal of the waste materials and an Enforcement Notice was served on the landowners on 20 December 2019. The Notice requires the cessation of the importation of waste; the removal of the waste; and the restoration of the site, including the replacement of the hedgerow that was removed to facilitate the deposit of the waste.</p> <p>Unless an appeal is made against the Enforcement Notice, it takes effect on 28 January 2020 and has to be complied with, in full, by 30 November 2020. Officers will monitor the site and Members will be updated in future reports.</p>
4d	July 2019	Unit 8 Quarry Road Industrial Estate, Newhaven	Importation, deposit and breaking up of end of life vehicles	<p>A complaint was received that end of life vehicles were being imported into and deposited at the site, before being broken up for parts. A joint site visit was undertaken with an officer from the Environment Agency, which confirmed the substance of the complaint. During the course of this visit a meeting was held with the operator who confirmed that some vehicle breaking was taking place on the site.</p> <p>A timescale was agreed with the operator in order to clear the site of the end of life vehicles and, following the expiry of the timescale, officers from both the County Council and the Environment Agency undertook a joint site visit and held a meeting with the operator. Although the operator had not totally cleared the site, it was noted that significant progress had been made. A further timescale has now been agreed with the operator during which he will complete the clearance of end of life vehicles. Officers will continue to monitor the site.</p>
4e	July 2019	Land at Battle Wood, Mountfield	Importation and deposit of waste (soils)	<p>A complaint was received that a local resident had excavated a highway bank and had deposited the soils onto land belonging to another person. A joint site visit was undertaken with officers from Rother District Council and East Sussex Highways, which substantiated the nature of the complaint. The works on the highway are being dealt with by officers from Rother District Council and East Sussex Highways, whilst the deposited waste materials are being dealt with by this Authority.</p> <p>Officers contacted the landowner where the waste was deposited, who subsequently placed the matter in the hands of his own solicitor, who wrote to the local resident requiring him to remove the imported waste from the landowner's land.</p>

				<p>Subsequent to contact with the landowner, Rother District Council has now served two Enforcement Notices in respect of the unauthorised engineering works to the highway bank. The recipients of the Notices have submitted appeals against the Notices to the Planning Inspectorate and the appeals are being dealt with through the written representations procedure.</p> <p>Until the outcome of appeals is known, it is considered unreasonable to require the landowner of the site being investigated by this Authority to remove the deposited waste soils, as they may be required to be used to reinstate the bank where they originated.</p> <p>All the regulatory authorities are maintaining close contact with each other to ensure that the matter is resolved, and officers will continue to monitor the site.</p>
4f	August 2019	Penfold Driveways, AS Farm, The Warren, Crowborough	Importation, deposit and processing of waste (soils and hardcore)	<p>A joint site visit undertaken by officers from this Authority and the Environment Agency found that a significant quantity of waste materials, comprising soils, sub-soils and hardcore, had been imported into the site and deposited. The soils were being processed on site by means of a screener. A letter was sent to the operator requesting details of the nature and purpose of the activity and a response was been received.</p> <p>Since the previous correspondence, further contact has been made with the operator, who has advised the Environment Agency that some key people involved in the company have suddenly left and set up a rival company, leaving the operator to sort out the issues at this site. Further discussions are ongoing regarding agreeing a timescale for the removal of the materials and contact is being maintained with the operator and the Environment Agency.</p>
4g	August 2019	New Look Driveways, AS Farm, The Warren, Crowborough ,	Importation, deposit and storage of waste (soils and hardcore)	<p>As with the above site, a joint site visit undertaken by officers from this Authority and the Environment Agency found that a significant quantity of waste materials comprising soils, sub-soils and hardcore had been imported into the site and deposited. The soils appeared to be being processed on site. A letter was sent to the operator requesting details of the nature and purpose of the activity.</p> <p>A further site meeting with the operator has now been held. The operator admitted that the waste had been imported into the site from clients' sites, and stated that he wanted to remove this imported waste from the site. A timescale for the waste removal has been agreed with the operator and during this time period the site will continue to be monitored by officers from both the County Council and the Environment Agency.</p>
4h	August 2019	Pyrite Industries, C13 S.M. Tidy Industrial Estate, Ditchling Common	Breach of Conditions (processing outside the building and storage of waste)	<p>Officers attending the site in connection with another matter noticed that the site was not in compliance with planning conditions that are attached to the planning permission relating to the site. However, because the operator was at the time seeking planning permission for an alternative site in another area of the County it was decided not to institute formal enforcement action immediately, because should that planning application be successful, then the operator would be moving the operation from this site.</p> <p>The operator was therefore advised that the County Council would await the outcome of the planning application, but should the application be unsuccessful, then the County Council would expect the site to be returned to compliance with the planning conditions, or an application submitted seeking to regularise the changes that had taken place on the site. The planning application for the alternative site was withdrawn by the applicant on 5 July 2019.</p>

				<p>Officers attended the site again and found it still to be in breach of the planning conditions. The operator has since submitted a further planning application (WD/831/CM) for another site in East Sussex, which is currently under consideration. The operator has been advised that further action regarding the breaches at the existing site will be put into abeyance pending the outcome of the current planning application. In the meantime, the site will continue to be monitored.</p>
4i	September 2019	ATW Clearances, Quarry Road Industrial Estate, Newhaven	Unauthorised Waste Transfer Station	<p>A complaint was received alleging that a waste transfer operation was being run from the site. A site visit was carried out which confirmed the substance of the complaint. It was noted that a significant quantity of household waste was stored in the warehouse, and further waste was stored in a skip outside the building, and also on two flatbed Ford transits parked in the yard outside the building. At the time of the site visit no one was present on site.</p> <p>Contact was subsequently made with the operator and a formal letter sent to him. Following a response from the operator and further discussions, the site is to be cleared and vacated. A final site visit is due to be carried out to ensure compliance.</p>
4j	September 2019	Land adjacent to Kings Hill Bungalow, Hurst Green	Importation and deposit of soils	<p>A complaint was received that a significant quantity of soil has been imported into a field at this location. A site visit was carried out which confirmed the substance of the complaint. A letter was sent to the landowner and discussions undertaken.</p> <p>The landowner intended to use the soil, together with other materials from within their land, to create a bund and wildflower meadow and also infill a ha-ha at the property. However, following discussions with Rother District Council, it is not considered that the various proposals can be supported. Consequently, the landowner has been advised that the soils should be removed from the site and discussions are ongoing regarding a timescale for this. In the meantime, officers are monitoring the site to ensure further materials are not imported.</p>