

TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN 1 JANUARY 2023 AND 30 JUNE 2023

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
1/1	June 2021	Paul's Mini Skips, Unit 13 Chaucer Industrial estate, Dittons Road, Polegate	Change of Use of site	<p>A complaint was received that part of this site, which is an authorised waste transfer station, had been changed into a containerised self-storage operation. A site visit was undertaken which confirmed the details of the complaint. Contact was made with the site operator, and the requirement for a change of use planning application was explained to the operator, who stated that he would apply for planning permission seeking to regularise this change of use.</p> <p>A planning application (WD/856/CM) was submitted, but was subsequently withdrawn before determination. A revised application (WD/862/CM) was then submitted and was due to be considered by the Planning Committee at its meeting in April 2022. However, the application was withdrawn prior to the meeting taking place.</p> <p>The operator then submitted a planning application to Wealden District Council, seeking to regularise the storage use as “stand alone” use and separate it from the existing waste use. The application was refused by the District Council and this Authority then served three Breach of Condition Notices on the operator, requiring the self-storage use to cease; the containers to be removed; and the site layout to be in accordance with the approved plans.</p> <p>Following the service of the Notices, a site meeting was held with the operator and his representative. A further planning application was submitted to Wealden District Council and subsequently approved.</p> <p>Following the approval of the planning permission by Wealden District Council, a formal letter has been sent to the operator confirming that no further action will be taken in respect of the Breach of Condition Notices.</p> <p>The breach of planning control has been resolved and no further enforcement action</p>

				required. The site will continue to be monitored as part of the Council's Site Monitoring Policy.
1/2	October 2021	Hole Farm, Westfield Lane, Westfield	Breach of Conditions (hours of operation, noise, additional plant, landscaping)	<p>Two complaints were received alleging that the site was breaching a number of the conditions attached to the planning permission for the site (RR/724/CM). These were: unapproved machinery being used on site (Condition 2); site operations exceeding permitted noise levels (Condition 3); landscaping works not having been completed (Condition 4); operating outside the hours permitted (Condition 6); and machinery operating outside permitted hours (Condition 7).</p> <p>An unannounced site visit was undertaken which identified a number of breaches of conditions, including the fact that the site was not laid out in accordance with the approved plans (Condition 1) and willow screening had not been planted (Condition 4). The site visit also confirmed that there was unauthorised machinery on the site.</p> <p>A letter was sent to the new operator of the site to advise him of the complaint and the outcome of the site visit, and advising him, if he wished to continue to operate the site without complying with the existing conditions, that a new planning application would need to be submitted to seek to regularise these breaches.</p> <p>Following a delay in progress, a site meeting was held with the landowner, operator and their representative. The landowner indicated that he was considering seeking an alternative use for the site and that the operator will be clearing and vacating the site in early 2023.</p> <p>A further site inspection was carried out which confirmed that the operator had vacated the site. The breach of planning control has been resolved and no further enforcement action required. The site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>
1/3	February 2022	Land at Renby Lakes, Forge Road, Eridge	Importation and deposit of waste (soils)	<p>A complaint was received that waste materials, comprising soils, were being imported and deposited at the site.</p> <p>A joint site visit with an officer from Wealden District Council was carried out and it was noted that a volume of materials had been deposited in a field. The materials comprised clean soil and sub-soil, and mostly what appeared to be dredgings from the nearby lake. It was also noted that an area of hardstanding/car parking appeared to</p>

				<p>have been created and facilities provided, potentially for recreational use of the site.</p> <p>The site has been monitored and no further materials have been imported. The use of the site for a private/commercial fishing venture is not a matter for this Authority in its capacity as Waste Planning Authority. No further action required.</p>
1/4	February 2022	Burfield Academy, Oaklands Way, Hailsham	Breach of Condition - Kiss and Drop not being used	<p>A complaint was received that the School was not operating the Kiss and Drop facility, which was resulting in congestion on local roads and parents were, allegedly, repeatedly parking across residents' driveways and blocking access.</p> <p>Planning permission (WD/3252/CC) for the School was granted in 2015, which included the provision and use of a "kiss and drop" facility. Following the complaint, an initial site visit was carried out, which confirmed that the vehicular gates to the School were shut and only pedestrian access allowed.</p> <p>A site meeting was held with representatives of the School, Academy Trust and Highways Officers to discuss and assess the current situation. The School confirmed that the kiss and drop facility was not in operation. Initially this was due to the pandemic and the need for additional circulation space within the grounds to allow for social distancing. Since the lifting of restrictions, concerns were raised regarding the safe operation of the kiss and drop. The School commissioned a health and safety report, which concluded that there were significant concerns regarding the operation of the kiss and drop.</p> <p>In order to try and improve the situation, the School have been preparing a Travel Plan to encourage alternative means of transport/travel to the School. Other measures which could be implemented have also been reviewed, such as parking/waiting restrictions in order to reduce traffic hazards in the immediate vicinity of the School.</p> <p>There are currently other issues surrounding the site, which will result in the temporary relocation of the pupils to another education facility in Hailsham. This will enable the kiss and drop facility and configuration of the site to be reviewed.</p> <p>Wealden District Council has recently granted planning permission for temporary accommodation at the Phoenix Academy in Hailsham, which will facilitate the relocation of pupils from Burfield Academy whilst works to the building are undertaken. These works are anticipated to take up to 24 months. Given the current situation,</p>

				<p>there is no further action to be taken in respect of the use of the Kiss and Drop facility, although the Council will maintain contact with the School/Academy Trust with regards to plans for this facility once the School re-opens to pupils.</p>
1/5	June 2022	Sweethayes Farm, London Road, Hurst Green	Importation and deposit of waste	<p>A complaint was received regarding the importation and deposit of waste materials (soils) at the site. There is an extant planning permission for the construction of a replacement barn, granted by Rother District Council, and it was understood the materials were being imported for that purpose and for the creation of a track. However, the development was not in full accordance with the planning permission.</p> <p>Officers have liaised closely with Rother District Council and the Environment Agency and further site visits have been carried out to identify the full extent of the works and which regulatory body is appropriate to take the lead. No further materials have been imported to the site.</p> <p>Following discussions and a review of the case, the works at this stage are considered to be in relation to the planning permission granted by Rother District Council. Therefore, there is no further action required by this Authority in its capacity as Waste Planning Authority.</p> <p>However, officers will remain in contact with officers at both the Environment Agency and Rother District Council and take any necessary action should the situation change.</p>
1/6	October 2022	Eastbourne E-Waste, 1 Huggetts Lane, Lower Willingdon	Importation, storing, processing, recycling, transportation and exporting of electronic waste and recycled waste products	<p>A complaint was received that waste electrical items were being imported and processed at the property. A site visit was carried out which confirmed the substance of the complaint. Discussions were held with the landowner, who confirmed that electrical goods are brought to the site and then dismantled, with the precious metals extracted and melted down, and other components sold or recycled.</p> <p>An initial letter was sent to the landowner, but no response received. A further, chaser letter was sent and a reply received. A further meeting with the landowner and inspection of the site has since been carried out.</p> <p>The scale and “hobby” nature of the activities are not considered to constitute a material change of use and planning permission is not, therefore, required. However, due to the use of hazardous substances and internal building works, the relevant</p>

				<p>regulatory authorities (East Sussex Fire & Rescue, Environmental Health and Building Control,) have been notified.</p> <p>No breach of planning control has occurred and no further enforcement action required by this Authority.</p>
1/7	October 2022	Land at Clearview, Nursery Lane, Wivelsfield Green	Importation, deposit and burning of commercial waste	<p>A complaint was received that waste was being imported to the site, stored and then burnt. A site visit was carried out and a chance meeting held with the landowner. There was evidence of burning, which the landowner claimed was from material from land within his ownership. There was also a quantity of general building material around the site. The landowner indicated that much of these materials were related to his son's business, but that he would shortly be moving to a unit on an industrial estate in Burgess Hill and so these materials would be removed.</p> <p>The landowner stated that they were in the process of converting several buildings and materials stored on the site were also from those works.</p> <p>The planning situation regarding the storage and disposal of waste was explained to the landowner, who was also advised that the site would be monitored.</p> <p>The site has been monitored and following a recent site visit, no evidence of imported waste or burning was found. The breach of planning control has therefore been resolved and no further enforcement action is required. Officers will, however, periodically visit the site.</p>
1/8	October 2022	The Coal Yard (now Pyrite Industries), Station Road, Hailsham	Breach of Condition - noise survey to be carried out.	<p>During a site monitoring visit it was noted that a noise survey had not been submitted, which was required by a condition attached to the planning permission for the site (WD/831/CM). The operator advised that they were not fully operational and that little shredding of tyres had been taking place, which was one of the main reasons for the noise survey being required.</p> <p>Following the site visit, the operator confirmed their position and also that they are currently reviewing operations at the site due to changes in the market. Further correspondence was sent to the operator.</p> <p>Officers have monitored the site and it still does not appear to be fully operational. Therefore, at this stage, a noise survey would not serve the intended purpose. No</p>

				further enforcement action required; however the site will continue to be monitored as part of the Council's Site Monitoring Policy.
1/9	November 2022	St Thomas Primary School, Corseley Road, Groombridge	Erection of a fence	<p>A complaint was received that a fence had been erected at the front of the School and, due to its height and positioning, was creating a safety hazard for pedestrians and road users. A site visit was carried out, which confirmed the existence of the fence and also that due to its height it did not benefit from being permitted development. Options for resolving the matter were presented to the School.</p> <p>Due to the project being led and funded by the School, the matter was referred to Wealden District Council to deal with. No further action is required by this Authority.</p>
1/10	November 2022	Expert Skips, Endeavour Works, Newhaven	Breach of Conditions - surface water management and dust management	<p>During a site monitoring visit it was noted that two conditions attached to the planning permission for the site (LW/765/CM) had not been complied with. A letter was sent to the operator regarding the outstanding matters.</p> <p>Details pursuant to the outstanding conditions were submitted and subsequently approved. Breach of planning control resolved and no further enforcement action required. The site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>
1/11	December 2022	Upper Clayhill Farm, Uckfield Road, Ringmer	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported and deposited at the site. A joint site visit was carried out with officers from the Environment Agency, which confirmed the substance of the complaint. During the course of the site visit, a lorry arrived at the site and proceeded to tip a load of soil, which according to the driver was being done to raise the levels of the land as it is susceptible to flooding.</p> <p>Investigations have been carried out and discussions held with Lewes District Council (LDC). The deposit of the materials was apparently to create a temporary track to facilitate repair works at a solar farm, which was granted permission by LDC. The situation is being monitored by LDC, who has required the removal of the track on completion of the repair works at the solar farm.</p> <p>No further action is required by this Authority as Waste Planning Authority.</p>

TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED AND RESOLVED BETWEEN 1 JANUARY 2023 AND 30 JUNE 2023

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
2/1	January 2023	Land at East Quay adjacent to Brett Aggregates Limited, Fishers Wharf, East Quay, Newhaven Port, Newhaven	Use of land for aggregate storage outside area approved by Planning Permission LW/799/CM/EIA	<p>A complaint was received that aggregates (sand and gravel) were being stored in a location outside the area approved by the planning permission for the site. A site visit was carried out and a meeting held with the operator.</p> <p>Materials, which have been imported by ship, are being stored in this area. The operator has leased the land from the Port Authority and use the area solely for storage of imported materials - no processing of the materials.</p> <p>The land is classed as operational port land and the use of this land for the storage of marine imported aggregates is considered to be Permitted Development.</p> <p>Accordingly, there has been no breach of planning control and no further action is required. However, the site will be monitored during routine monitoring of other sites in the vicinity.</p>
2/2	January 2023	Land at East Quay, Fishers Wharf, Newhaven,	Burning of waste	<p>During the course of a site visit to a nearby site, it was brought to Officers' attention that burning of waste was taking place at this site. Further investigations confirmed evidence of burning.</p> <p>The site has been monitored and no further burning has taken place. At this stage, the breach of planning control has been resolved. However, the site will be monitored periodically to ensure burning of waste does not resume.</p>
2/3	January 2023	Courtlands Place Farm, Cowbeech Road, Hailsham	Importation and burning of waste	<p>A complaint was received that waste materials were being imported to the site and burnt. Contact was made with the landowner who confirmed that soils had been imported to raise the levels of the floor in a barn, but adverse weather had delayed the works.</p> <p>A site visit was carried out and a meeting held with the landowner. During the site visit it was noted that a few loads of clean soil had been stockpiled near the barn, ready for incorporation into the barn floor. The volume of materials was considered</p>

				<p>proportionate to its intended use. No evidence of burning was found.</p> <p>There has been no breach of planning control and no further action is required.</p>
2/4	January 2023	Land at Old Lane, Crowborough	Importation and storage of waste	<p>A complaint was received that land was being used for the importation and storage of waste materials. A site visit was carried out but the only items found were the stacked sections of a dismantled prefabricated garage.</p> <p>No unauthorised waste use was identified and no further action is required.</p>
2/5	February 2023	Land off Pebsham Lane, Bexhill-on-Sea,	Earthworks and burning of waste	<p>A complaint was received that earthworks were being undertaken along with burning of waste. A site visit was carried out, which identified a small quantity of waste on site, together with a mini digger and road roller. Green waste on the site appeared to be site derived. Engineering operations had taken place to level areas of the site and create bunds around it.</p> <p>From investigations it transpired that a motorcycle training company had acquired the site and was in the process of establishing an area for their training. The matter is being dealt with by Rother District Council, as the relevant planning authority, and no further action is required by this Authority.</p>
2/6	February 2023	Isenhurst Farm, off A267 Mayfield Road, Cross-in-Hand	Importation and deposit of waste	<p>A complaint was received regarding the importation and deposit of waste. Following discussions with Wealden District Council (WDC) and the Environment Agency (EA), the waste imports appear to be incidental to other uses occurring at the site and are not primarily a waste use.</p> <p>Consequently this Authority, as Waste Planning Authority, is not pursuing any further action. However, contact will be maintained with WDC and the EA in the event the situation changes.</p>
2/7	February 2023	Rideout Agricultural Ltd, Dunly Wood, Mayfield Road, Cross-in-Hand, Heathfield	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported to and deposited at the site, which was potentially in breach of an extant Enforcement Notice previously served on the operator of the site.</p> <p>A site visit was carried out and a meeting held with the operator. There was no evidence of imported waste materials, other than road sweeper slurry stored in a lagoon, which is not the subject of the Enforcement Notice.</p>

				No breach of planning control has occurred and no further enforcement action is required by this Authority.
2/8	March 2023	Born Again Plastics, Oak Ferrars Farm, Piltdown	Breach of conditions – storage of baled waste	<p>A complaint was received that baled waste was being stored outside the area permitted by the planning permission for the site. A site visit was carried out, which confirmed the substance of the complaint. During the site visit, discussions were held with the operator who stated that within the following week two loads of baled waste would be leaving the site, which would significantly reduce the amount stored at the site.</p> <p>Further visits have been carried out and which noted that the excessive storage of waste had reduced. Breach of planning control resolved and no further enforcement action required. The site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>
2/9	March 2023	Land adjacent to Mariola, Alice Bright Lane, Crowborough	Importation, deposit and burning of garden waste	<p>A complaint was received that green waste was being imported to the site and burnt. A site visit was carried out and a meeting held with the landowner. The landowner stated that the green waste had originated from within the site. Tree and hedge works and some site clearance had taken place and this was what was being burnt. There was no evidence to suspect that waste had been imported.</p> <p>The site has been monitored and no breach of planning control identified. No further action required.</p>
2/10	March 2023	Bunkers Hill Farm, Burwash Common	Importation and deposit of waste	<p>A complaint was received that waste soils and hardcore were being imported to the site and deposited. A site visit was carried out and a meeting held with the landowner, who stated that clean soil had been imported to provide extra support for a new water containment pond he had created. The hardcore arose from works around the site and the landowner intends to use this for repairs to tracks on his land.</p> <p>The works undertaken are considered to be an engineering operation rather than waste disposal and the matter has been referred to Rother District Council for action as they deem appropriate.</p> <p>There is no breach of planning control for this Authority, as Waste Planning Authority, to deal with.</p>

2/11	April 2023	Land at Perrymans Lane, Uckfield	Importation and deposit of waste	<p>A complaint was received that waste soils were being imported to alter the levels of land. A site visit was carried out and a meeting held with the landowner, who confirmed that a small quantity of subsoils had been imported to fill a small undulation and that topsoil would be imported and the area seeded and planted.</p> <p>Due to the limited nature of the works and the clean soils used, it is not considered any further action is required by this Authority as Waste Planning Authority. The landowner was advised to contact Wealden District Council, as the relevant planning authority, for any further proposed development at the site.</p>
2/12	May 2023	Messens Farm, Potmans Lane, Bexhill	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported into and deposited at the site. A site visit was carried out and discussions held with the landowner, who stated that the works are in association with the creation of an equestrian sand school, which has the benefit of planning permission from Wealden District Council.</p> <p>Observations on site and a review of the relevant planning permission confirmed this. However, the application documents and approved drawings do not show any alterations of land levels or the importation of materials for this purpose. The matter has therefore been referred to Wealden District Council for any action they deem appropriate. No further action required by this Authority.</p>
2/13	May 2023	Suez Waste Transfer Station, Potts Marsh Estate, Westham	Breach of conditions – odour, dust and litter	<p>A complaint was received that operations at the site were causing excessive odour, dust and litter and that these were affecting adjoining units on the industrial estate. A site visit was carried out and discussions held with the operator.</p> <p>During the site visit operations were observed and no evidence to substantiate the complaint noted. However, the operator was reminded of the conditions attached to the various permissions relating to the site and the need to adhere to them.</p> <p>No breach of planning control was identified and no further action required. The site will continue to be monitored as part of the Council's Site Monitoring Policy.</p>
2/14	June 2023	Land at East Quay adjacent to Brett Aggregates, Fisher's Wharf, East	Dust arising from aggregate storage area	<p>A complaint was received regarding excessive dust arising from the stockpiles of aggregates in the area adjacent to the Brett Aggregates site. A site visit was carried out and a meeting held with the operator and their Health & Safety Advisor. It was explained that there had been issues with the dust suppression system, but that this</p>

		quay, Newhaven Fort		<p>was now fixed and would be deployed as necessary to contain any dust from the stockpiles.</p> <p>The storage of aggregates in this area is considered to be Permitted Development (see entry 2/1 above) and there is no breach of planning control. However, officers have liaised with Environmental Health Officers at Lewes District Council and will monitor the site when in the area at other nearby sites.</p>
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TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN 1 JANUARY 2023 AND 30 JUNE 2023 AND AS YET UNRESOLVED.

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
3/1	January 2023	Allsworthy, Hailsham Road, Stone Cross	Deposit and burning of waste	<p>A complaint was received that waste was being imported to the site and burnt. A joint site visit with officers from Wealden District Council was undertaken and discussions held with the landowner. The landowner denied that any waste had been imported, although the site had been subject to fly-tipping in the past. The landowner confirmed that burning had taken place, but this was confined to waste arising from the site during extensive clearance of a large field area. Other waste on the site had arisen from the demolition of an outbuilding and was due to be removed.</p> <p>Although a limited amount of waste materials was present at the site, given the landowner's assertions regarding its origin, no firm evidence was apparent to support the complaint of imported waste.</p> <p>The site has been monitored and a further site meeting held with the landowner, during which there did not appear to be any increase in the waste on the site or further burning. It has been agreed with the landowner that another site meeting will be arranged before the case is closed.</p>

3/2	January 2023	Land to the south and west of Allsworthy, Hailsham Road, Stone Cross	Importation, deposit and burning of waste	<p>A complaint was received that waste items were being imported, deposited and burnt at the site. A joint site visit with offices from Wealden District Council was carried out, which confirmed the substance of the complaint. Whilst on site, a chance meeting with the landowner was held. The landowner stated that he undertook hotel clearances and items were taken back to the site. He confirmed that burning had taken place, but had been done in error by a couple of his employees.</p> <p>The landowner agreed to cease burning and importing waste, and to clear the site. A further site visit has been carried out, which noted that the site was substantially cleared and no further burning had taken place.</p> <p>A final inspection is to be carried out prior to the case being closed.</p>
3/3	January 2023	8 Grovelands, Hailsham	Importation, storage, bulking up and sorting of waste	<p>A complaint was received that the owner of the property was undertaking waste collection, bringing it back to the property and storing it in various disused vehicles/vans and also in the garage/back garden, before disposing of it elsewhere.</p> <p>Several site visits have been carried out and discussions held with the landowner. The planning situation has been set out and he has been advised that waste should not be brought back and stored at the property. Following each visit, the use subsides, but then resumes, leading to further complaints.</p> <p>Further unannounced monitoring of the site is scheduled to take place prior to the consideration of further enforcement action.</p>
3/4	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</p>

				from within the site would be burnt. Officers are monitoring the site to ensure no further materials are imported and the site is cleared as specified by the occupier.
3/5	February 2023	Land adjacent to reservoir, Cottage Hill, Rotherfield	Use of land by skip business	<p>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 so far been unsuccessful. Investigations into the alleged skip company have also not produced any tangible results.</p> <p>Further site visits are planned in order to monitor the use of the site and identify any persons of interest. Other avenues of investigation are also being carried out.</p>
3/6	February 2023	Randall's Farm, Broomham Lane, Whitesmith	Importation and deposit of waste	<p>A complaint was received that waste materials (soils and hardcore) were being imported to and deposited at the site. An initial site visit was carried out but officers were unable to gain access. Contact was made with the landowner and a site meeting held.</p> <p>During the site meeting the landowner explained that several years ago they had moved farms and some materials had arisen from that. Hardcore on site arose from digging out old building footings on the site and soil was from the erection of new farm buildings. Chalk is imported to the site for use on the floors of the cattle barns and in gateways and hardcore is also used for this purpose. Compost is also imported from the nearby composting facility and this is mixed with farmyard manure and used to improve the quality of the soil.</p> <p>The landowner also indicated that he wanted to import subsoil, mix it with compost and use it to raise the levels of a small area of boggy land. He has been advised to contact Wealden District Council, as the relevant planning authority, prior to undertaking any works in this area.</p> <p>Nothing was observed during the site visit which suggested that unauthorised waste activities are taking place. However, a final site visit is due to be carried out before the case is closed.</p>
3/7	February 2023	Land north-east of Eridge Road, Crowborough	Importation and deposit of waste: Landraising.	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

				<p>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.</p>
3/8	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>
3/9	March 2023	Former Hunt Stables, Catsfield, Battle	Importation and deposit of waste	<p>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.</p> <p>Following further contact with RDC, no planning application which would incorporate the materials has been submitted. Further investigations are taking place and a site visit with the Environment Agency is being arranged.</p>
3/10	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. Despite attending the site, no one was present and attempts are being made to contact the landowner.</p> <p>Officers have been liaising with the Environment Agency, who also have an interest in</p>

				the site, and a joint site visit is planned in early July.
3/11	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 has been received and a chaser is being sent.</p> <p>In the meantime, officers are liaising with officers from other agencies as well as gathering further information from other sources.</p>
3/12	April 2023	Land off Norlington Lane, Ringmer	Importation and deposit of waste	<p>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> <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>
3/13	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 for storage.</p> <p>Following the site visit, further investigations have taken place. Officers are now liaising with officers from Wealden District Council prior to any further action being taken.</p>

3/14	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 has now been received. Further consideration is currently being given to the matter.</p>
3/15	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 has now been submitted and is being dealt with.</p>
3/16	June 2023	Maresfield Household Waste Site, Batts Bridge Road, Maresfield	Breach of conditions - odour	<p>A complaint was received regarding excessive odours emanating from the site; however details of the complaint did not include specific dates/times of the odour. Officers have been in contact with the operator but it has not been possible to identify any particular instances which would have given rise to the complaint. The operator has stated that vehicular damage to a door on the building has resulted in the door being unable to close properly, but due to the location of the door this is unlikely to be the cause of any problem. Odour suppression units are also in operation.</p> <p>No breach of planning control has been identified at this stage. Officers will continue to monitor the site and liaise with the operator.</p>
3/17	June 2023	Quarry Farm, Bodiam,	Importation and deposit of waste	<p>A complaint was received regarding a significant number of lorries entering the site, and depositing waste materials (soils). Rother District Council have visited the site and been advised by the landowner that the works are in connection with an agricultural Prior Notification issued by this Authority.</p> <p>A site meeting has been arranged with the landowner for 7th July 2023 to assess the works and check they are in conformity with the details previously submitted by the landowner.</p>

3/18	June 2023	Oaklands Farm, Newick Lane, Heathfield,	Importation and deposit of waste (soils)	A complaint was received regarding waste materials being imported to the site. A site visit was carried out but officers were unable to gain access. A further site visit is currently being arranged.
3/19	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.</p>
3/20	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 is currently being arranged.</p>
3/21	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 to a local landscaping business.</p> <p>An initial site visit is due to be undertaken.</p>
3/22	June 2023	Bramley Farm, Bay Tree Lane, Polegate	Importation and deposit of waste	<p>A complaint was received regarding the importation and deposit of waste to the site.</p> <p>An initial site visit is due to be undertaken.</p>

TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
4/1	August 2019	Penfold Driveways, AS Farm, The Warren, Crowborough	Importation, deposit, and processing of waste (soils and hardcore)	<p>A joint site visit undertaken by officers from this Authority and the Environment Agency found that a significant quantity of waste materials, comprising soils, sub-soils and hardcore, had been imported into the site and deposited. The soils were being processed on site by means of a screener. A letter was sent to the operator requesting details of the nature and purpose of the activity and a response was received.</p> <p>Since the previous correspondence, further contact was made with the operator, who advised the Environment Agency that some key people involved in the company had suddenly left and set up a rival company, leaving the operator to sort out the issues at this site. Further discussions took place regarding agreeing a timescale for the removal of the materials. As a result of the Coronavirus pandemic lockdowns, the operator had not been able to remove much of the waste that was stored on the site. However, progress has now been made and some of the waste has now been removed.</p> <p>A further site visit has been undertaken, which found that a significant quantity of the imported waste material had been removed from the site. Officers have continued to monitor the site to ensure that ongoing progress is maintained. In addition, a letter is being sent to the overall landowner of the site regarding several uses on this site and adjoining sites.</p>
4/2	January 2020	Meadow Farm, Road Hill, Isfield	Importation and deposit of waste (soils and hardcore)	<p>In 2018 a complaint was received alleging that lorry loads of waste materials, comprising soils and hardcore, had been imported into the site and deposited. Joint site visits were undertaken with officers from the Environment Agency and Wealden District Council, and meetings were also held with the landowner and operators. Wealden District Council invited an application, which sought to retain the deposited materials on site to be used in several engineering operations. That authority</p>

				<p>eventually decided that they could not entertain such an application and returned the 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 due to be scheduled to check progress with the remedial works and it is anticipated this will be in early August.</p>
4/3	April 2021	Crockstead Farm Hotel, Halland	Importation and deposit of waste – soils	<p>A complaint was received that waste materials, comprising soils, were being imported into the site and deposited. 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</p>

				<p>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 given an initial timescale for these remedial works to be undertaken.</p> <p>Contact has been maintained with the landowner, who has had surveys and analysis of the materials undertaken. A planning agent has been appointed by the landowner and discussions regarding the resolution of the matter are ongoing.</p> <p>Officers are intending to shortly visit the site to assess the current situation.</p>
4/4	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. Following that conversation, the operator's agent contacted the County Council to state that there would be a delay in the submission of the application as he was away from work and a further extension of time was therefore agreed.</p> <p>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, and this application is currently under consideration. There have been</p>

				delays following the requirement for additional details relating to the proposal and the application currently has an extension of time for determination until 30 September 2023.
4/5	June 2021	Spring Valley Farm, West Street Lane, Maynards Green	Importation and deposit of household waste	<p>A complaint was received that household waste was being imported into this site in 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>
4/6	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>

4/7	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 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>
4/8	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.</p> <p>Further site visits have been undertaken and discussions held with the operator, who is seeking to regularise the use. There are adjoining sites which are also being investigated, which is complicated by landownership issues and boundary disputes. A letter is due to be sent to the person understood to be the overarching landowner regarding the various issues and how he intends to proceed. In the meantime, the site is continuing to be monitored by officers and other investigations are ongoing.</p>
4/9	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.</p> <p>Following the site visit and meeting, a letter was sent to the landowner and a response received. The further importation of any further waste materials has currently ceased.</p> <p>Due to the complexity and scale of the site, a further site meeting has been arranged</p>

				with the landowner and additional officers from this Authority, which is due to take place mid-July. The purpose of the site meeting is to identify specific works that can be undertaken to resolve the breach of planning control.
4/10	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 to 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 has now 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 is currently under consideration.</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 has been made to resolve these. Consequently, a Section 330 Notice (Requisition for Information) has been served on the operator as a precursor to the instigation of formal enforcement proceedings. Whilst a response to the Notice has been received, any further formal enforcement action is in abeyance pending the determination of the planning application.</p>
4/11	June 2022	Magreed Farm (previously Hilltop Farm), Magreed Lane, Broad Oak, Heathfield	Importation and deposit of waste, including building materials and disused vehicles.	<p>A complaint was received regarding the use of this site for the importation and storage of waste materials and other items. A site visit was carried out and discussions held with the landowners. During the site visit, it was noted that there was a considerable quantity of waste materials at the site, albeit in a relatively limited area.</p> <p>The landowners claimed that much of the waste was inherited from the previous owner when they purchased the farm and that they were in the process of gradually clearing the waste and disposing of it off site. There was no evidence to dispute this, and historic records tend to support this. The landowners were advised that no new waste should be imported to the site.</p>

				In order to ensure that the landowners are progressing the clearance of the historic waste, the site has been monitored periodically and a further site visit is due to be carried out before the end of July.
4/12	July 2022	The Plantation, Ersham Road, Stone Cross	Importation, processing and deposit of waste	<p>A complaint was received regarding a significant number of lorries entering the site and 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 this meeting, a further, extensive site inspection has been 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 has been sent to the landowner further to the various site meetings and the Council's position has been set out. A full response to that letter is currently awaited before consideration is given to the next steps required to resolve this breach of planning control.</p>
4/13	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</p>

				<p>planning application (HS/869/CM) to vary conditions was submitted and subsequently approved under delegated powers.</p> <p>However, the recently approved planning application does not resolve all the breaches of planning control at the site. The next steps required to resolve matters are currently being considered.</p>
4/14	October 2022	Sussex Mini Skips, Syles Cottages, Rickney Lane, Hailsham	Use of farm buildings for skip business involving the importation, bulking up, transfer, deposit and burning of waste	<p>A complaint was received that waste was being imported into the site and burnt. A joint site visit was carried out with an officer from the Environment Agency which confirmed the substance of the complaint. During the course of the site visit, discussions were held with the operator who confirmed the land in question was being used by his skip business.</p> <p>The operator indicated that he would seek planning permission to regularise the use of the site. Letters were sent to the operator, but no responses received. A Planning Contravention Notice (PCN) was therefore prepared and served on the operator.</p> <p>Since the service of the PCN, according to the operator, the site has been cleared and vacated. A final site inspection is required to confirm the breach of planning control has been resolved.</p>
4/15	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 have been imported and a site meeting with the landowner and other officers from this Authority has been arranged for mid-July. The purpose of the meeting is to identify any works that can be undertaken in order to resolve the breach of planning control.</p>
4/16	November 2022	Sussex Timber Products Limited, Owlsbury Depot,	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</p>

		Hadlow Down Road, Crowborough		<p>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 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.</p>
4/17	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 also 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.</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. Matters are ongoing and the next joint site meeting with an officer from Environmental Health and the site operator is scheduled for 5th July 2023.</p>
4/18	December 2022	Diplocks, Bishops Lane, Ringmer	Storage of animal carcasses	<p>A complaint was received that animal carcasses were being brought back to the site and transferred into storage containers, giving rise to odour issues and ground pollution. It was also alleged that autopsies of dead animals were taking place in the open. A joint site visit was undertaken with an officer from Trading Standards and discussions held with the operator at the site. At the time of the site visit, no carcasses were found to be at the site and no evidence of unauthorised storage.</p>

				<p>The site has been monitored periodically and no breaches of planning control have been identified. However, given the sensitive nature of the complaint, officers are continuing to carry out unannounced visits to monitor activities at the site.</p>
4/19	December 2022	Ministry of Metals, Former Household Waste Site, Station Road, Forest Row	Use of the site for scrap metal storage and processing	<p>A complaint was received that scrap metal was being imported to the site and stored in an unsafe and unsightly manner, particularly in relation to one of the boundaries of the site. A site visit was carried out, which confirmed the unauthorised use of the site. Discussions were held with the operator, who agreed to remove the metals stored along the boundary of the site. This was subsequently done.</p> <p>Although the site is a former household waste site, the use as a metal recycling facility does not have planning permission. The operator since submitted a planning application (WD/874/CM) which is currently under consideration.</p>