

Committee	<b>Regulatory Planning Committee</b>
Date	<b>20 July 2017</b>
Report by	<b>Director of Communities, Economy and Transport</b>
Subject	<b>Development Management Quarterly Update</b>
Purpose	<b>To inform Members about development management matters relating to enforcement and site monitoring, undertaken under delegated powers for the three month period between 1 April and 30 June 2017.</b>
Contact Officer:	<b>Sarah Iles – 01273 481631</b>
Local Members:	<b>All</b>

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## **SUMMARY OF RECOMMENDATIONS**

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

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

### **1. Enforcement**

1.1 In the period between 1 April and 30 June 2017, there were twenty new alleged breaches of planning control, all concerning waste related activities. Of the new cases, eighteen were resolved within the reporting period and six older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of June 2017 was twelve. This represents a decrease of four in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 The reduction in the number of outstanding cases continues to be encouraging, particularly given the limited resources available for dealing with enforcement matters. Joint working with other regulatory bodies continues to be a regular and important occurrence, as does participation in meetings and attendance at specific, specialist groups. Officers regularly support other regulatory bodies with enforcement matters, including prosecutions, and this support is reciprocated. Intelligence sharing is a key element to successful enforcement and officers fully support and welcome the strong working relationships that exist with other enforcement agencies.

1.3 A case worth highlighting is that at Little Exceat Farm, South Chailey. Following the refusal of retrospective planning permission for a waste transfer station at the site in question, an Enforcement Notice was served on the operator, landowner and other interested parties on 9 May 2017. No appeal was made against the Enforcement Notice and it therefore took effect on 12 June 2017. The Notice required the immediate cessation of the importation of waste and the clearance of the site within a specified period. Officers are monitoring the site to ensure compliance and are also in discussions with the operator in relation to finding an alternative site which would be suitable for his business.

1.4 Although it was necessary to serve a formal Enforcement Notice in respect of the unauthorised use at Little Exceat Farm, 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. There are multiple benefits to this approach, the main ones being the ability for officers to negotiate outcomes, which can often achieve a better result than if formal

action needs to be taken; a quicker resolution to breaches of planning control; and, less risk and cost to both the Council and contraveners. Whilst the preference is to deal with matters informally, there are times when this simply isn't possible. When necessary, formal enforcement action is taken when considered expedient to do so, including any follow up action such as prosecution or direct action.

1.5 Appendix 1 of this Report provides details of cases resolved and received within the period 1 April to 30 June 2017, together with details of the status of all current cases. Additional details and information on these cases can be obtained from the relevant officers listed at the end of this Report.

## **2. Site Monitoring**

2.1 Site monitoring of all minerals and waste sites is continuing, but has to be accommodated within limited resources and alongside the enforcement service. During the last quarter, fourteen non-chargeable site monitoring visits were carried out and two chargeable monitoring visits were undertaken.

2.2 It is important that site monitoring is undertaken for sites where the Council has granted planning permission – both in terms of County Matter developments and the Council's own developments. There are statutory requirements to monitor certain sites and it is also considered good practice. In addition to operational limitations on some sites, there are also longer term monitoring requirements relating to, for example, landscaping and ecological requirements. In this respect, it is important that site monitoring is undertaken to ensure that agreed conditions and mitigation measures are implemented and maintained.

## **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  
12 July 2017

Local Members: All

## **BACKGROUND DOCUMENTS**

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

**TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED SINCE APRIL 2017**

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
January 2017	Disused railway line, Anchor Lane Barcombe	Importation, deposit and burning of waste	<p>Officers attending the area in connection with another matter noticed that waste materials were being imported into the site and burnt. Contact was made with the landowner who explained that he used the site to store wood for his tree house construction company, but that the site was not secured and therefore people were able to access it and the importation, deposit and burning of waste was undertaken by trespassers (fly tipping). Following discussions, the landowner agreed to clear the site of the imported waste.</p> <p>Further site visits have been carried out which confirmed that the landowner has cleared the site of the imported waste materials. Breach of planning control resolved and no further action required.</p>
January 2017	Robsack Wood Primary School, St Leonards-on-Sea	Unauthorised development – Lighting	<p>A complaint was received that exterior lighting had been erected at the school, which did not have the necessary planning approval. A planning application (HS/3318/CC/1) was submitted to regularise the works and subsequently approved under delegated powers. Breach of planning control resolved and no further action required.</p>
January 2017	Troy Recycling, Croft Works, Hailsham	Breach of Conditions (Type of waste materials and outside processing)	<p>The site has planning approval for the collection, storage and processing of scrap metal. During a site monitoring visit, it was found that the operator was importing, storing and bulking up cardboard, plastics and paper, which was in breach of conditions attached to the planning permission for the site. Discussions were held with the operator, who indicated that he was considering either moving to another site, or submitting an application to vary the waste streams permitted on the existing site.</p> <p>Following further meetings and discussions, the operator decided not to pursue the planning application at this site and instead to relocate to more suitable premises. The site has subsequently been cleared of all the imported waste materials, plant and equipment and the operator has vacated the site. Breach of planning control resolved and no further action required.</p>
February 2017	Paul's Mini Skips, Chaucer Business Park, Polegate	Breach of Condition (Site layout and height of skips)	<p>A complaint was received that the site was not being operated in accordance with the conditions that are attached to the planning permission for the site. A site visit was undertaken which confirmed that end of life vehicles were being dismantled at the site, empty skips were being stored above the approved height and vehicles were being stored in an area that was exclusively reserved for baled waste.</p> <p>A meeting was held with the operator who agreed a timescale for the site to be returned to compliance with the conditions attached to the planning permission. Unfortunately the operator fell ill, which caused a delay in resolving this matter.</p> <p>However, following this period of illness, the operator has now returned to work. The site has been returned to being in compliance with the conditions attached to the planning permission. The breach of planning control has therefore been resolved. No further enforcement action required and the site will be monitored in accordance with the Council's Site Monitoring Policy.</p>

March 2017	JM Waste Management, Brett Drive, Bexhill-on-Sea	Breach of Condition (Outside storage of waste)	<p>A monitoring visit was undertaken to the site and during the course of which a breach of one of the conditions that are attached to the planning permission was noted, in that waste was being stored outside the waste transfer building. A meeting was held with the operator and a timescale for resolving the breach agreed.</p> <p>A further site visit has been carried out which confirmed that the outside storage of waste has ceased and the breach of planning control therefore resolved. No further enforcement action required and the site will be monitored in accordance with the Council's Site Monitoring Policy.</p>
March 2017	Wealden Joinery, Lews Farm, Rotherfield	Importation and deposit of waste	<p>A complaint was received that sawdust was being imported to the site and deposited. A joint site visit was undertaken with an officer from Wealden District Council, during the course of which discussions were held with the operator. The operator explained that he was in the process of installing plant at the site to dispose of the stockpiled sawdust, which is generated from his joinery company. A time period for the removal of the stockpile was agreed with the operator.</p> <p>Following the expiry of the agreed timescale, a further site visit was undertaken which confirmed that the operator had removed the sawdust stockpile and the site has been restored to its original condition. Breach of planning control resolved and no further action is required.</p>

**TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2017 AND RESOLVED**

<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
April 2017	Spring Cottage, Howbourne Lane, Buxted	Importation and deposit of end of life vehicles	A complaint was received that end of life vehicles were being imported into and deposited at the site. A site visit was undertaken which confirmed that there were various vehicles on site. These vehicles comprised touring caravans, and curtain sided trailers. In researching the history of the site, it transpired that the site had previously been investigated by officers from Wealden District Council in 2008 who found at that time that this activity had been going on at the site in excess of 10 years and was therefore immune from planning enforcement action. During the recent site visit, it was clear that there had been no apparent increase in the level of activity at the site and therefore there is no further action that this Authority can take.
April 2017	Land at The Dens, Churchsettle Lane, Wadhurst	Importation and deposit of end of life vehicles	A complaint was made to Wealden District Council that end of life vehicles were being deposited on farmland at this location. A site visit was undertaken which confirmed the details contained within the complaint. Contact was made with the landowner who agreed to remove the vehicles from the site and a short timescale was agreed to allow this to be done. A further site visit has been carried out which confirmed that the site had been cleared and restored. Breach of planning control resolved and no further action required.
April 2017	Badgers Mead Farm, Heathfield Road, Five Ashes	Importation and deposit of waste (soils)	Officers from this Authority observed waste soils being delivered into the site. A meeting was held with the landowner who stated that these materials were required in order to improve and extend the chicken runs at the farm and make the birds less susceptible to waterborne diseases. Given that the ground levels of the chicken runs have been raised by a significant level, the works are considered to be an engineering operation requiring planning permission. This matter has therefore been referred to Wealden District Council for information/action as they may deem appropriate. No further action is required by this Authority in its capacity as Waste Planning Authority.

April 2017	The Thorne/Little Thorne, Ninfield Road, Bexhill	Disposal of waste vehicle parts	A complaint was received that waste materials, comprising old vehicle parts, wheels and tyres, were being deposited at the site. A site visit confirmed the substance of the complaint. A site meeting was held with the operator who explained that the vehicle parts and tyres had been on the site for some time and he was in the process of clearing them all from the site. A timescale for the completion of the clearance of the site was agreed with the operator. A further site visit has been carried out, which confirmed that all the vehicle parts, tyres and wheels had been cleared. Breach of planning control resolved and no further action is required.
April 2017	Land at Hanging Birch Lane, Horam	Importation and deposit of waste ( hardcore )	A complaint was received that waste materials comprising, hardcore and road planings, had been imported into and deposited at the site. A site visit was undertaken, during the course of which a meeting was held with the landowner. The landowner explained that he had recently purchased the site, which encompasses an abandoned cherry orchard, and it was his intention to return the cherry orchard to production. The size of the access onto Hanging Birch Lane has been increased and the landowner has erected 2.4 metres high gates and increased the size of the hardstanding immediately inside the gates. All of these works are considered to require planning permission and the landowner has now submitted a planning application, which seeks to regularise these works, to Wealden District Council. The planning application is currently under consideration by that Authority and no further action is required by the County Council.
April 2017	Brook Lodge Farm, Pottery Lane, Brede	Importation and deposit of waste	A complaint was received that waste materials, comprising soils and hardcore, were being imported into this site. A site visit was undertaken and a meeting held with the landowner, who vehemently denied that any waste had been imported into the site. No evidence of imported waste was found during the site visit. No breach of planning control identified and no further action required.
April 2017	Warrenorth Farm, East Grinstead Road, North Chailey	Importation and deposit of waste (soils)	A complaint was received that waste materials were being imported into the site and deposited. A joint site visit with an officer from the Environment Agency was undertaken and discussions held with the landowner and operator. The landowner has recently purchased the site and had employed the operator to remove all the historically deposited waste on the site and return the land to pastureland suitable for the grazing of her horses. Once all the waste had been removed, the land was re-graded to reflect the surrounding landform and seeded with a suitable grass seed. Lewes District Council was consulted in regard to this matter and it was not deemed that the works taking place required planning permission. No breach of planning control and no further action required.
April 2017	Land south of Mayfield Lane, Wadhurst	Importation and deposit of waste	A complaint was received that trees were being removed in order that waste materials could be imported into and deposited at the site. A site visit was undertaken and it was found that no waste had been imported. However, a new access had been created, which is the subject of a planning application to Wealden District Council for retrospective approval for the works. There is no breach of planning control insofar as the County Council, as Waste Planning Authority, is concerned and no further action is required.
April 2017	Strawberry Hill Farm, Eridge Road, Tunbridge Wells	Importation and deposit of waste	A complaint was received that waste materials, comprising hardcore, builders' waste, and road planings were being imported into and deposited at the site. A site visit was undertaken which confirmed the substance of the complaint. Contact was made with the operator who explained that the waste was generated from his driveway business and it was his intention to recycle the materials into other driveway construction works, but he realised that planning permission would be required. The operator decided to vacate the yard and a short time period was agreed for him to remove the imported waste materials. A further site visit was carried out, which confirmed that the waste materials had been removed and the site restored. Breach of planning control resolved and no further action required.
May 2017	Crabtree Manor,	Importation and deposit	Complaints were received from two separate sources that waste materials were being transported along the A22 by

	Meres Lane, Five Ashes	of Waste (Soils)	tractors and trailers. The complainants were unable to assist with the destination for these waste materials. Officers therefore waited for the tractors along the A22 and followed one to its destination which was this site. The load that the tractor was hauling proved to be top soil which was required at this site for the completion of a small landscaping contract. The quantity of topsoil required at this location did not materially change the level of the land and was therefore not deemed to require planning permission. A meeting was held with the operator where the differing planning requirements were explained to him and he was advised to seek advice from planning authorities in future should he have any queries in regard to any works he was undertaking.  No breach of planning control and no further action required.
May 2017	Kitty Hawk Farm, Darp Lane, Ripe	Importation and deposit of waste (Chalk)	A complaint was received that waste materials were being imported into and deposited at this site. A site visit was undertaken which confirmed that waste chalk was being imported into the site and deposited on the land to form a new track across an agricultural field. Contact was made with the operator who explained that the new track was required because farm machinery was unable to access the field which was low lying and prone to being very wet and boggy for most of the year. The operator was advised of the need for planning permission for the works and the matter has been referred to Wealden District Council for information/action as they deem appropriate. No further action is required by the County Council as Waste Planning Authority.
May 2017	Smallgrove, Rotherfield Hill, Crowborough	Importation and deposit of waste ( Builders' waste)	A complaint was received that a skip was being used to bulk up waste materials that had not originated from within the site. A site visit was undertaken, during the course of which a meeting was held with the landowner. He explained that the skip was on the site because the house was undergoing extensive refurbishment and the skip was necessary to manage the waste generated from those works. The landowner stated that the location of the skip was dictated by the narrowness of the access drive to the site, which meant that a skip lorry could not physically negotiate the driveway to deposit the skip in the drive. The landowner indicated that he had suffered from passers by depositing their waste in his skip. As the skip is on the site for the purposes of managing waste generated from within the site there is no breach of planning control and no further action is required by this Authority.
May 2017	Bexhill/Hastings Wastewater Treatment Works, Pebsham, Bexhill	Breach of Condition (Odour)	A complaint was received that excessive odour was emanating from the site. The site has been monitored on several occasions and no odours have been detected. No breach of planning control identified and no further enforcement action required. The site will continue to be monitored in accordance with the County Council's Site Monitoring Policy.
May 2017	Frymans Cottage, Frymans Lane, Brede	Importation and deposit of waste (soils)	A complaint was received that waste materials, comprising soils, were being imported into and deposited at the site. A joint site visit was undertaken with officers from the Environment Agency and Rother District Council, which confirmed the substance of the complaint. Contact was made with the landowner who stated that works were in connection with a new agricultural barn development, which has the benefit of planning permission granted by Rother District Council. The information supplied by the landowner was subsequently verified and therefore there is no breach of planning control and no further action required.
May 2017	Holtye Croft, Cansiron Lane, Cowden	Importation, deposit and disposal of waste	A complaint was received concerning unauthorised works to a watercourse, and the importation and deposit of builders' waste in a wood at the rear of the residential premises. A site visit was undertaken and a meeting held with the landowner, who explained that the works to the watercourse were designed to stop a footpath in the wood being washed out. The requirement for Ordinary Watercourse Consent was explained and the landowner agreed to have the small culvert pipe removed. With regard to the builders' waste in the wood, the landowner inherited this when the land was purchased from the previous owner. The current landowner has now used an authorised waste disposal operator to remove this waste from the site. Breach of planning control resolved and no further action required.

May 2017	Lunsford Cross Quarry, Peartree Lane, Ninfield	Importation and deposit of waste	A complaint was received that waste materials were being imported into and deposited at the site. Checks revealed that the site has planning permission for the creation of an agricultural barn, which involved the levelling of the site in order to build the barn. No breach of planning control and therefore no further action required.
June 2017	Allied Waste, Unit 8 Knights Business Park, Squires Farm Industrial Estate, Easons Green	Breach of Conditions (Hours and outside storage of waste)	A complaint was received that the site was operating outside permitted hours and also that waste was being stored in skips in the yard outside the building. A site visit was undertaken, during the course of which discussions were held with the operator. The complainant stated that the site was operating before 8am, however the relevant planning permission allows the site to operate from 7am and therefore no breach of planning control was occurring. With regard to the outside storage of waste, the operator explained that they had a scheduled collection of a full Roll-On/Roll-Off skip on the following Monday morning and as they ran out of space in the waste transfer building on the Friday prior to the collection, they moved the loaded skip outside the building knowing it would be a very temporary measure. The Roll-On/Roll-Off was subsequently removed and the breach of planning control resolved. No further enforcement action required and the site will continue to be monitored in accordance with the County Council's Site Monitoring Policy.
June 2017	East Side, Newhaven	Importation and deposit of waste (soils)	A complaint was received that waste materials were being deposited at the site. A joint site visit was undertaken with an officer from Lewes District Council. The works being undertaken appear to be in connection with the new development of East Side, for which Lewes District Council has granted a number of planning permissions. Lewes District Council will be checking the relevant permissions to ensure that the works are not a breach of planning control. There is currently no breach of planning control insofar as the County Council, as Waste Planning Authority, is concerned, and no further action is required.

**TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2017 AND AS YET UNRESOLVED.**

<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
April 2017	Remove It, The Old Poultry Farm, Rattle Road, Westham	Importation and deposit of waste (House Clearance)	<p>A complaint was received that waste materials from house clearances were being imported and deposited at the site. A site visit was undertaken which confirmed the details contained within the complaint. Contact was made with the operator who stated that he was in the process of clearing the site and vacating it because he had been given notice to quit by the landowner. The existing buildings are to be demolished and a new block of industrial units are to be constructed.</p> <p>The operator commenced clearing of his area of the site and then the landowner commenced the demolition of the buildings. Whilst doing this, the landowner lit a bonfire containing waste materials, including items containing asbestos. The Environmental Health Officer for Wealden District Council subsequently served a Notice on the landowner under the Environmental Protection Act 1990. This requires the landowner to undertake surveys of the demolition site to assess the level of contamination and to arrange for the correct removal of any contaminated materials. In conjunction with this Notice, no-one is currently allowed to enter the site until these surveys have been completed. This Authority is liaising with all the other Regulatory Authorities who are involved in this site and the case is ongoing.</p>
June 2017	New Lodge Farm,	Importation, deposit and	A complaint was received that waste materials were being imported into this site, deposited and burnt. A site visit

	Nettlesworth Lane, Vines Cross	burning of waste	was undertaken which confirmed the substance of the complaint. A meeting was held with the landowner, who explained that he had allowed members of his family to bring waste materials into the site to dispose of them by burning. The landowner was advised that such an activity required planning permission and, given the nature of the activity, it was not considered acceptable. The landowner agreed to immediately cease the unauthorised activity and clear the waste and burnt residue from the site. The site will be monitored by officers to ensure that the clearance of the site is undertaken and that no further importation and burning of waste takes place.
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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
April 2013	St Mary's School, Maynards Green	Unauthorised development	<p>A complaint was received that the school had carried out unauthorised development by creating a new car park at the site. A site visit confirmed the nature of the works and that the development required planning permission. After receiving pre-application advice from officers, a planning application (WD/3180/CC) was submitted in respect of this matter and this was due to be considered by the Planning Committee on 11 December 2013. However, due to ongoing negotiations with the adjoining property owner regarding a proposed land-swap, the application was withdrawn by the school pending the outcome of those negotiations.</p> <p>Following these negotiations, a planning application (WD/3227/CC) for a change of use (from agricultural to educational use) relating to area subject to the land swap was submitted and subsequently approved under delegated powers.</p> <p>A further planning application (WD/3364/CC), to regularise the works to the car park and other development, has now been submitted and is currently under consideration.</p>
October 2013	Diplocks Farm, Chalvington	Importation and deposit of waste	<p>Officers noticed that a significant quantity of waste materials comprising chalk, end of life vehicles and household and builders' waste had been stockpiled on the site. Evidence of burning of green waste was also present. A joint site meeting with the Environment Agency and the landowner was held. The landowner was advised that the activity required planning permission, but would be unlikely to be supported and that the importation of waste should cease and the site be cleared. The landowner stated that it was his intention to clear the site of the imported waste.</p> <p>Officers, in conjunction with officers from the Environment Agency, continued to undertake regular site visits and meetings with the landowner to ensure that the phased clearance of this site was carried out. In order to protect the Council's position, a Planning Contravention Notice was served on the landowner, to which a response was received. The landowner commenced the phased removal of the waste from the site. Some waste was removed and there was initially no indication that further waste materials had been imported to the site. Clearance of the waste materials had been continuing. However, the landowner suffered a period of ill health and was unable to work.</p> <p>Further site visits were subsequently carried out, including with officers from the Environment Agency. It was noted that further waste appeared to have been imported to the site and there was also evidence of further burning</p>

			<p>taking place. Consequently, an Enforcement Notice was served on the landowners on 28 November 2016. No appeal was made against the Enforcement Notice and it became effective on 29 December 2016. The Enforcement Notice requires: (i) the immediate cessation of the importation, deposit, and disposal (including burning) of waste; and (ii) various areas to be cleared of waste and waste residue within twelve months of the Enforcement Notice taking effect.</p> <p>Officers are continuing to regularly monitor the site to ensure compliance with the requirements of the Enforcement Notice.</p>
January 2015	KPS Composting, Boathouse Farm, Isfield	Breach of conditions (site layout and volume of waste)	<p>A complaint was received that waste wood processing was not taking place in the area approved and that the site was exceeding the total quantity of waste that was permitted to be imported into the site (the permitted volume of waste is limited to 50,000 tonnes/annum). Discussions were held with the manager of the site, who stated that the area for the waste wood processing had been moved to a different part of the site for health and safety reasons. Figures provided for the volume of imported material showed that in the last year, nearly 54,000 tonnes of waste material had been imported to the site, some 4,000 tonnes above the permitted level.</p> <p>A planning application was submitted relating to altering the location of the wood waste processing and amending the limitation on the quantity of waste materials, but was not valid due to further information being required. A meeting with local residents was held to discuss their concerns regarding activities at the site, and there have been further discussions with the operator.</p> <p>A revised planning application (WD/782/CM) was submitted and is being considered by the Planning Committee under Agenda Item 5 of this meeting.</p>
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 has 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. Given the circumstances of this particular case, a suitable period of time for the clearance of the site was given (until 4 March 2018).</p> <p>Since 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>Officers are maintaining contact with the landowners to facilitate the removal/clearance of the waste wood from the site and the case is ongoing.</p>

January 2016	Bexhill to Hastings Link Road (Combe Valley Way) - Decoy Overbridge	Breach of Condition (Noise)	<p>A complaint was received that excessive noise is being generated from the Link Road now that it is open to traffic. The complainant also raised concerns that vehicles using the Link Road were visible from distant views. The location of the relevant acoustic barriers has been checked and it is considered that they have been constructed in accordance with the approved drawings.</p> <p>Noise monitoring over a period of two weeks was carried out and the results analysed. A report was prepared and has been reviewed to ascertain whether the noise levels at this location are in accordance with the predicted levels.</p> <p>Given that the Link Road has now been open for over twelve months, it was considered appropriate that a further period of noise monitoring should be undertaken for comparison purposes. In addition, noise monitoring is being undertaken throughout the wider scheme.</p>
May 2016	Land to the North of Leeds Lane, Five Ashes	Importation and deposit of waste materials	<p>A complaint was received that waste materials were being imported into and deposited at the site. A site visit was undertaken which confirmed the substance of the complaint. Contact was made with the occupier who stated that the purpose of the importation was to improve the track through the wood for his animals in order to be able to move them across the land and not across roads, which would incur expensive veterinary costs for tuberculosis testing.</p> <p>The position regarding the requirement for planning permission was explained to the tenant farmer, and he was requested to cease any further activity until a joint site meeting with all the regulatory authorities concerned had been arranged. A further joint site meeting took place, and it was noted that the tenant farmer had completed the works to the track. The imported waste appears not to have any stability and was noted to have already started to slip. It was considered that the works to the track were excessive and unnecessary, and amounted to a waste disposal operation.</p> <p>The tenant farmer was requested to remove the imported waste from the site. A further site visit noted that some waste may have been removed, but that there remained a quantity of waste on the site which still needs to be removed.</p> <p>Officers have continued to liaise with all the regulatory authorities in order to provide the landowner with cohesive view of what is required in order to resolve this matter. Subsequently, the landowner and agent were contacted and given a timescale for removal of the imported waste materials.</p> <p>A further meeting has now been held with the agent, and a phased programme of works has been agreed. The various regulatory authorities will continue to monitor the progress of these works.</p>
June 2016	Penfold Driveways, The Warren, Crowborough	Unauthorised development	<p>A complaint was received by the Environment Agency that waste was being imported into and deposited at the site. A joint site meeting was arranged with all the various regulatory authorities and the operators to discuss the various issues at the site. It was clear during the course of the site meeting that the importation, deposit and processing of waste was taking place at the site.</p> <p>A pre-application site meeting with the operators took place and the operator's agent contacted officers to confirm that a planning application would be submitted. However, no application has been forthcoming and the operator has now appointed a new agent who has contacted officers with a view to expediting the submission of the planning application. In the meantime, the site is being monitored.</p>

July 2016	LF to Waste, Little Exceat Farm, South Chailey	Unauthorised waste transfer Station	<p>This breach of planning control was found by officers during the course of a visit to another part of the site. The operator had moved from Upper Lodge Farm in Ringmer and originally intended to use this site purely for the storage of vehicles and equipment, with all waste materials being taken directly to an authorised waste transfer station. However, officers attending the farm in connection with another matter noted that the operator had imported waste into the site. The operator was contacted who stated that it was his intention to submit a planning application in order to attempt to regularise the planning situation at this site.</p> <p>A planning application (LW/785/CM) was submitted and considered by the Planning Committee on 19 April 2017. Planning permission was refused with a recommendation for immediate enforcement action. An Enforcement Notice was subsequently served on the landowner and operator on 9 May 2017 and, as no appeal was made against the Enforcement Notice, it became effective on 12 June 2017. Officers are monitoring the site to ensure the requirements of the Notice are complied with.</p>
November 2016	Allsworthy, Hailsham Road, Stone Cross	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into the site and deposited. A joint site visit with an officer from the Environment Agency was carried out and this confirmed the substance of the complaint. A letter was sent to the landowner, who contacted officers and a site meeting was held. A time period for removal of the waste imported into the site was agreed.</p> <p>The landowner has made significant progress in clearing the site of the imported waste, despite suffering a family bereavement and suffering ill health, and remains committed to completing the clearance of the waste. Site monitoring and contact with the landowner will continue in order to support the landowner in the effort to clear the site.</p>
February 2017	Freedom Powerchairs Ltd, Upper Lodge Farm, The Broyle, Ringmer	Importation and deposit of waste	<p>A complaint was received that old UPVC window frames were being imported into this site and processed. A site visit was undertaken which confirmed the details contained within the complaint. A meeting was held with the landowner where the requirement for planning permission for this type of operation was explained. A further site meeting was also held with the operator and discussions were undertaken concerning the planning requirements for activities at the site.</p> <p>The operator was given a timescale in which to either submit a planning application to regularise the unauthorised development, or to cease the use of the site for waste processing and clear the site of the imported waste.</p> <p>The operator failed to submit a planning application within the agreed timescale, or clear the site of the imported waste. The County Council is therefore preparing to instigate formal enforcement proceeding against the landowner and operator.</p>