

Committee	Regulatory Planning Committee
Date	11 October 2017
Report by	Director of Communities, Economy and Transport
Subject	Development Management Quarterly Update
Purpose	To inform Members about development management matters relating to enforcement and site monitoring, undertaken under delegated powers for the three month period between 1 July and 30 September 2017.
Contact Officer:	Sarah Iles – 01273 481631
Local Members:	All

SUMMARY OF RECOMMENDATIONS

The Committee is recommended to note the report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. Enforcement

1.1 In the period between 1 July and 30 September 2017, there were fifteen new alleged breaches of planning control, all concerning waste or minerals related activities. Of the new cases, nine were resolved within the reporting period and five older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of September 2017 was thirteen. This represents an increase of one in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 Despite there being a small increase in the number of outstanding cases, overall we are continuing to maintain a low number of outstanding cases which is encouraging. Certain cases consume more time than others, but in general cases are resolved swiftly.

1.3 As has been highlighted in previous reports, an important aspect of the enforcement work undertaken continues to be joint and collaborative working with a number of other regulatory agencies and bodies. This is important in order to be able to deal with matters in a comprehensive and effective manner. Joint working also complements the resources available for dealing with enforcement and helps to provide a consistent approach when dealing with operators and landowners. It can be the case that where planning enforcement powers may be lacking to address a particular issue, powers available to other regulatory bodies can be used to better effect, and vice versa.

1.4 In terms of specific cases, it has been necessary to serve an Enforcement Notice in relation to unauthorised activities at Upper Lodge Farm in Ringmer. The site was being used for the importation and processing of old UPVC window frames, without the benefit of planning permission. Although the operator indicated that a planning application would be submitted, nothing was forthcoming and it was considered appropriate and necessary to instigate formal enforcement proceedings. Consequently, an Enforcement Notice was served on the operator, landowners and other interested parties. The Notice requires the immediate cessation of the importation of waste and the clearance of the site within a specified period. However, an

appeal has now been made against the Notice, which puts it in abeyance pending the outcome of the appeal. Further details of the appeal are contained in paragraph 3.2 below.

1.5 Appendix 1 of this Report provides details of cases resolved and received within the period 1 July to 30 September 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 has continued, but has to be accommodated within limited resources and alongside the enforcement service. However, despite this, during the last quarter eighteen non-chargeable site monitoring visits were carried out and six chargeable monitoring visits were undertaken. It should be noted that the monitoring visits recorded here relate to formal, pre-arranged visits. This does not, therefore, include monitoring visits that are undertaken during the course of an enforcement investigation/monitoring – such as monitoring hours of operation following a complaint.

3. Appeals

3.1 Two new appeals have been received in the last quarter. The first is against the Council's decision in March 2017 to refuse planning permission for the demolition and replacement of the existing waste transfer station building to enable continued use of the site as a waste transfer station at Unit 3 Cradle Hill Industrial Estate, Cradle Hill Road, Seaford. Notification that the appeal is valid has been received from the Planning Inspectorate, but a start date for the appeal has not yet been given. It is likely that the matter will be dealt with by way of written representations. Members will be advised of the outcome of the appeal in future reports.

3.2 The second is against the Enforcement Notice that was served in relation to the unauthorised importation, deposit and processing of waste materials at Upper Lodge Farm, The Broyle, Ringmer (see paragraph 1.4 above). The Notice required the cessation of the activity and the clearance of the site. The appellant has appealed on "Ground (a)": that planning permission should be granted for the activity, and has requested that the matter is dealt with by way of a Hearing. Confirmation that the appeal is valid is currently awaited from the Planning Inspectorate and Members will be advised of the outcome of the appeal in future reports.

4. Contact Officers

4.1 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
03 October 2017

Local Members: All

BACKGROUND DOCUMENTS

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

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

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 further proposed development at the site would require planning permission. After receiving pre-application advice from officers, a planning application was submitted in respect of this matter. 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. Following these negotiations, a planning application for a change of use (from agricultural to educational use) relating to area subject to the land swap was submitted and subsequently approved.</p> <p>A further planning application to regularise the works to the car park and allow for other development was then submitted. However, due to concerns raised regarding the proposal, the School are no longer proposing to undertake the further works that were the subject of the planning application, and have therefore withdrawn the application.</p> <p>The hardstanding created is considered to be permitted development and as no further works are now proposed to take place, there is no breach of planning control and no further enforcement action is required. The School has been encouraged to discuss any future proposals with its neighbours.</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 revised planning application (WD/782/CM) was submitted and was approved by the Planning Committee on 20 July 2017.</p> <p>Breach of planning control resolved and no enforcement further action required. The site will be monitored in accordance with the County Council's Site Monitoring Policy.</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 was being generated from the Link Road following it being opened. The complainant also raised concerns that vehicles using the Link Road were visible from distant views. The location of the relevant acoustic barriers was checked and it was confirmed that they have been constructed in accordance with the approved drawings.</p> <p>Noise monitoring over a period of two weeks was carried out in April 2016 and the results analysed. A report was prepared and reviewed to ascertain whether the noise levels at this location were in accordance with the predicted</p>

			<p>levels. Given that the Link Road had been open for over twelve months, it was considered appropriate that a further period of noise monitoring be undertaken for comparison purposes. In addition, noise monitoring has been undertaken throughout the wider scheme.</p> <p>The further noise monitoring has now been undertaken and the results have shown that noise from vehicles using the Link Road is not exceeding the predicted levels and no breach of planning control is occurring. No further enforcement action required and monitoring of the overall scheme will continue in accordance with the County Council's Site Monitoring Policy, and the requirements of the planning permission.</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.</p> <p>The operator contacted the County Council to request extensions to the period of time for compliance with the Notice for clearance of the site. The operator was given two short additional periods to comply with the Enforcement Notice, with the assurance that the Council would not prosecute him for non-compliance during those periods. At the end of the second period a further site visit was carried out, which noted that the site had been cleared of all the waste. There was some equipment left on the site but it was considered that it was not in the public interest to prosecute the landowner for this minor breach of the requirement of the Enforcement Notice. The Enforcement Notice remains extant and will provide continued protection at this site against further importations of waste.</p> <p>The site will be monitored on a periodic basis to ensure continued compliance with the requirements of the Enforcement Notice.</p>
June 2017	New Lodge Farm, Nettlesworth Lane, Vines Cross	Importation, deposit and burning of waste	<p>A complaint was received that waste materials were being imported into this site, deposited and burnt. A site visit 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.</p> <p>A further site visit has been undertaken and no more waste has been imported into the site and burnt. Therefore the breach of planning control has been resolved and no further enforcement action is required.</p>

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

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
July 2017	Malling Farm, Down Street, Piltdown	Importation, deposit and burning of waste	<p>Complaints were received that waste materials were being imported into the site by lorries and deposited. A site visit was undertaken and during the course of the site visit a meeting was held with the landowner. The landowner explained that there had been two deliveries of builders' sand to the farm for construction projects, and there were two other loads of hardcore which were required for the repair of existing farm tracks. These works are considered to be permitted development, and therefore there is no breach of planning control and no further action is required in this regard.</p> <p>With respect to the burning of waste, this waste was generated from within the farm site and the landowner burnt it to dispose of it. The landowner was advised of the restrictions concerning the burning of waste and agreed to cease any further burning.</p> <p>Further monitoring of the site has been undertaken and no evidence found of any further burning being undertaken. Breach of planning control has therefore been resolved and no further action required.</p>
July 2017	Spillane Plant Hire, A22 Polegate By Pass, Polegate	Importation, deposit, storage and processing of waste	<p>A complaint was received that waste materials, comprising hardcore, were being imported, deposited, stored and processed (crushed) at the site. A site visit was undertaken and a meeting held with the operator. There was a significant quantity of hardcore on the site and the operator explained that the hardcore was generated from his groundworks business and brought back to the yard in order to process and recycle it into other groundwork projects.</p> <p>The requirement for planning permission and authority from the Environment Agency was explained to the operator, who decided to remove the hardcore from the site. A small timescale was agreed with the operator to allow him to remove the waste from the site.</p> <p>A further site visit has been carried out which noted that the hardcore had been removed. Breach of planning control resolved and no further action required.</p>
July 2017	Broomfield Farm, Stalkers Lane, Chiddingly	Importation and deposit of waste (chalk)	<p>A complaint was received that waste chalk was being imported into the site and deposited. A joint site visit was undertaken with an officer from the Environment Agency which confirmed the substance of the complaint. Chalk had been laid to create an access track across a field and also to create a base for an agricultural barn. This was in accordance with a planning permission granted by Wealden District Council and therefore there is no breach of planning control and no further action is required by this Authority.</p>
July 2017	Land to south of Vert Wood, Lewes Road, Laughton	Importation and deposit of waste	<p>A complaint was received that waste was being imported into the site and being burnt. A site visit was undertaken and it was found that there was a traveller encampment on the site. There was no waste on the site nor was there any evidence of waste being burnt on the site.</p> <p>Discussions were held with Wealden District Council (WDC), who stated that this is a regular summer traveller's camp which is permitted by the landowner and WDC consider that it is immune from planning enforcement action.</p> <p>No breach of planning control and no further action required by this Authority.</p>

August 2017	Dewbrook Farm, Vines Cross Road, Horam	Importation, deposit and storage of waste (old garden equipment)	<p>An officer visiting the site in connection with another matter noticed that there was a significant quantity of lawn mowers and garden equipment on the site, with some of this equipment being partially covered by vegetation. A site meeting was arranged with the landowner who stated that he operates a garden machinery repair business in Hailsham and that he used these machines to obtain spare parts.</p> <p>Enquiries were made with Wealden District Council and it appears that they had served an Enforcement Notice on the landowner of this site in 1991 for the change of use of land from agriculture to the use of land for the repair and servicing of agricultural and horticultural machinery and motor vehicles. The landowner appealed against this enforcement notice and the appeal was dismissed.</p> <p>As Wealden District Council has an extant enforcement notice in place in regard to this matter, there is currently no further action required by this Authority.</p>
August 2017	Green Wood, Forest Lane, Punnetts Town	Importation and deposit of waste (hardcore)	<p>A complaint was received that waste materials were being imported into the wood and deposited. A site visit was undertaken and it was found that culverts were being constructed at a number of points within the wood.</p> <p>The County Council's Flood Risk Management Team has become involved and traced the operator. A meeting was held with the operator who agreed to remove the culverts and the associated hardcore, part of which has now been done and the site is being monitored by officers from the Flood Risk Management Team. However, there is no breach of planning control and no further planning enforcement action is required.</p>
August 2017	Smallgrove, Rotherfield Hill, Crowborough	Importation, deposit and bulking up of waste in a skip	<p>A complaint was received that builders' waste was being imported into the site and bulked up in a skip. A site visit was undertaken which confirmed that the skip was in place. A meeting was held with the landowner who explained that the site was undergoing significant re-development and the skip was required on site to receive waste from that development. No waste was being imported into the site from elsewhere.</p> <p>The details provided by the landowner were borne out by what was seen during the site visit. No breach of planning control and no further action required.</p>
August 2017	Highfield Farm, The Broyle, Ringmer	Importation, deposit and burning of waste	<p>A complaint was received that waste materials were being burnt at the site. A joint site visit was carried out with an officer from the Environment Agency and during the course of this visit a meeting was held with the landowner.</p> <p>The landowner explained that very occasionally he burnt waste cardboard and wooden pallets that were generated from his farm business. The planning permission requirements and the Environment Agency authorisations were explained to the landowner and he agreed to immediately cease this activity on his land and find alternative methods of legitimately disposing of these waste streams.</p> <p>Breach of planning control has therefore been resolved and no further action required.</p>
September 2017	Land at East Quay, Tide Mills, Newhaven	Unauthorised development	<p>A complaint was received that development (earth moving and vegetation clearance) was taking place at this site without planning permission. A site visit was carried out and a meeting held with the Port Manager. The works carried out were ecological works that are required in relation to a planning permission granted by Lewes District Council for a new deep water berth. No breach of planning control and no further action required by this Authority.</p>

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

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
July 2017	PJG Group, Unit 2, Bowlings Corner, Marley Lane, Battle	Unauthorised development	<p>The operator at this site has been regularly storing waste on the rear of lorries and in skips at the site. The frequency of the use of the site for this type of activity is considered to require planning permission. The operator has been advised of this requirement and has stated that he intends to submit a planning application in connection with this matter.</p> <p>The situation is being monitored by officers to ensure that either a planning application is submitted or the use of the site for the importation and storage of waste ceases.</p>
August 2017	125 Eastbourne Road, Willingdon	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into and deposited in the front and side gardens of this residential premises. A site visit confirmed the substance of the complaint.</p> <p>A site meeting was arranged with the landowner who explained that a tenant at the house had started a house clearance business and had failed to make adequate provision for the onward disposal of the waste materials that he had collected, so he brought them back to the house and deposited them in the garden.</p> <p>The importation of waste into the site has now ceased and the landowner himself is supervising the clearance of the waste from the site. A timescale for the removal of the waste has been agreed with the landowner and he has undertaken to provide the Council with regular updates on the progress being made. Officers will also monitor the site on a regular basis.</p>
September 2017	JM Waste Management, Brett Drive, Bexhill	Breach of Conditions (storage of waste)	<p>Officers, attending the area in connection with other matters, noticed what appeared to be waste materials that were being stored outside of the waste transfer building. A site visit confirmed that this was happening, which is a breach of one of the conditions attached to the planning permission that relates to the site.</p> <p>Further monitoring is being undertaken and contact is to be made with the operator to require him to return the site to compliance with the planning conditions.</p>
September 2017	Sussex Waste Management. Whitworth Road, St. Leonards-on-Sea	Breach of Conditions (pre-commencement)	<p>This site has planning permission and an Environment Agency permit to operate as a Waste Transfer Station, the most recent planning permission (HS/759/CM) being granted in November 2015. There were a number of pre commencement conditions attached to this planning permission concerning the waste transfer pad, the recycled material bays, bay push walls and the site drainage. To date none of these conditions have been discharged</p> <p>A site visit was undertaken recently to try and meet the operator to get an update on the current situation at the site. The operator was not available but it was noted that the waste treatment pad had been constructed and was in use.</p> <p>Contact was made with the operator who stated that he had been concentrating all his efforts on raising the finance to purchase the site and therefore he had not sought to discharge the outstanding conditions. He has put the matter in the hands of his planning agent to get the outstanding conditions discharged.</p> <p>The site will continue to be monitored and contact will be maintained with the agent to ensure the required details are</p>

			submitted and the site operated in accordance with the planning permission.
September 2017	AM Skip & Plant Hire, London Road, Maresfield	Breach of Conditions (hours of operation)	<p>A complaint was received that the site was being operated outside the hours permitted by the conditions that are attached to the planning permission that relates to the site. Initial site monitoring has been undertaken, which appears to confirm the details of the complaint.</p> <p>A letter has been sent to the operator, and a response is currently awaited. Ongoing monitoring of the site is continuing to be undertaken.</p>
September 2017	4 Faversham Road, Eastbourne	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported into and stored in the front and rear gardens of this site, which is a residential end of terrace house. A site visit has been carried out which confirmed the substance of the complaint.</p> <p>A letter has been sent to the landowner and a response is currently awaited.</p>

TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
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 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>A recent site monitoring visit was undertaken with an officer from the Environment Agency. During the site visit a meeting was also held with the brother of the landowners, who is undertaking the site clearance on the landowners' behalf as they are both too ill to undertake this. He stated that he would be able to complete the clearance of the areas of the site covered by the Enforcement Notice before the period of time for compliance expires.</p> <p>Officers will continue to regularly monitor the site.</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>A further site visit was recently undertaken and the waste wood was still on site. Officers have tried to assist the landowners with possible means of legitimate disposal of the waste wood, however little progress has been made by the landowner.</p> <p>Officers will continue to monitor the site.</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 did not have any stability and was noted to have started to slip. It was considered that the works to the track were excessive and unnecessary, and amounted to a waste disposal operation. The tenant farmer was therefore requested to remove the imported waste from the site.</p> <p>Some materials were removed and 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. A phased programme</p>

			<p>of works was agreed and a further site meeting has been held with the landowner's agent and the tenant. It was hoped that the agreed programme of works would be completed before the onset of poorer weather, but recent conditions have made it difficult for machinery to access the site. Therefore an extension of time has been agreed for the works to be completed by the end of May 2018, and the site will continue to be monitored.</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.</p> <p>Officers have continued discussions with the operator's agent who now states that they are proposing works on the site that have not previously been discussed and which could possibly be unsupportable. No final details or plans have been submitted as yet and officers have arranged a joint site visit with the Environment Agency in order to assess the current situation at the site.</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. The landowner made significant progress in clearing the site of the imported waste, despite suffering a family bereavement and suffering ill health, and has remained committed to completing the clearance of the waste.</p> <p>Further site visits have been maintained, as has contact with the landowner, and more progress is being made in clearing the site of the imported waste. The site will continue to be monitored.</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. 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. Formal enforcement proceedings were therefore instigated against the landowner and operator and an Enforcement Notice was served on 10 July 2017. An appeal was made against the Enforcement Notice. However, it was then noted that there was a technical error in the explanatory note which accompanied the Enforcement Notice. Whilst this did not materially affect the Notice itself, it was decided by the Council that the Enforcement Notice should be withdrawn and then immediately re-issued with an amended explanatory note. The first Enforcement Notice was withdrawn on 22 August 2017 and the second Enforcement Notice was served on 29 August 2017.</p>

			An appeal against the Enforcement Notice has been made to the Planning Inspectorate, which puts the notice in abeyance. Confirmation that the appeal is valid is currently awaited.
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 will continue to liaise with all the other Regulatory Authorities who are involved in this site.</p> <p>There has currently been no change in this situation and the case is ongoing.</p>