

**WSCD040**





## NON-FEES SITE INSPECTION REPORT

<b>Site address:</b>	Park Farm Cottage Broxmead Lane, Bolney, RH175RJ
<b>Planning reference:</b>	WSCC/077/11/BK
<b>Date of visit:</b>	18/02/2014
<b>Start:</b>	11.00
<b>Finish:</b>	12.00
<b>Duration:</b>	1 hour
<b>Report written up:</b>	19/02/2014
<b>Weather:</b>	Rain / Cold / Wind
<b>Persons present:</b>	Richard Agnew WSCC, Kirstie May WSCC, Stephen Kinchington EA Crime Team Nick Page PJ Brown

### **Site inspection notes**

We met with SK in the layby on the A23 just before the site entrance and proceeded to drive into the site via the A23 entrance and park in the hard-core area to the left of the wheel wash.

NP pulled in behind us and we went through the introductions and put on PPE and wet weather gear.

I explained the purpose of the site visit was the requirement to monitor all waste related planning permissions and that this site had come to the top of the pile.

NP stated he understood but was keen to point out that this was not one of his sites and that he would do his best to answer the questions but may need to refer back to the office for specific points.

We started the visit looking at the hardcore area. This area is a level site surrounded by trees to the west and an earth bund to the east. The area extends to the north into a quite steep sloping field. The site is littered with old portable office accommodation, drainage pipes, fuel containers, and approximately 30 6 yard skips. At the far point of the site there is a considerable pile of construction and



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demolition waste which appear to be part bladed into the ground extending the area out into the field. I asked NP the reason for the waste pile, which he said was for constructing tracks within the planning permission area. I said that I had issues with this as 1, the material should be stored within the planning permission boundaries and 2, from the look of the site the material was being deposited to the land to extend the hard-core area. At this point SK added that if the material was for construction of road ways he would consider the material not fit for purpose due to the amount of non-inert material present. NP stated that that was his guess but was not familiar with the site operations and would have to ask when Bob returned from annual leave.

I said I had concerns that the entire area of hard-core and associated materials stored there did not benefit from planning permission. I said that it may be that part of it had been around for a significant length of time and they could investigate that aspect. However, due to NP not being familiar with the site, I suggested that a second site visit took place on the 4<sup>th</sup> March when those from PJ Brown that understood the site would be able to attend. It was agreed that we would reconvene in 2 weeks.

After we had finished with this area we walked as a group to the main construction area. At that point I jokingly asked NP where the operations from Holmbush Farm had relocated. NP responded that they had not left the site and they were importing and processing waste at the site. Both RA and KM, at that point, said planning permission had expired on the site and all processing should have been finished and the site vacated by June 1<sup>st</sup> 2013. I then suggested that NP return to the office to check on his understanding of what his planning permission status is. I agreed that this matter should also be included within the forthcoming planning meeting as that was a second operation that did not benefit from planning permission.

We then looked at the top soil storage pile which is within the area identified for the construction of the gallop. The planning application identifies the development boundary as immediately both sides of the gallop with the area in the middle excluded from the development area. The discussion revolved around the material which is destined for top dressing the bund not being stored within the approved area. However, initial thoughts are that the material had been placed into storage within very close proximity to the final destination and screened by the bund construction; this would not be a significant risk if left in position. This needs to be checked back in the office.

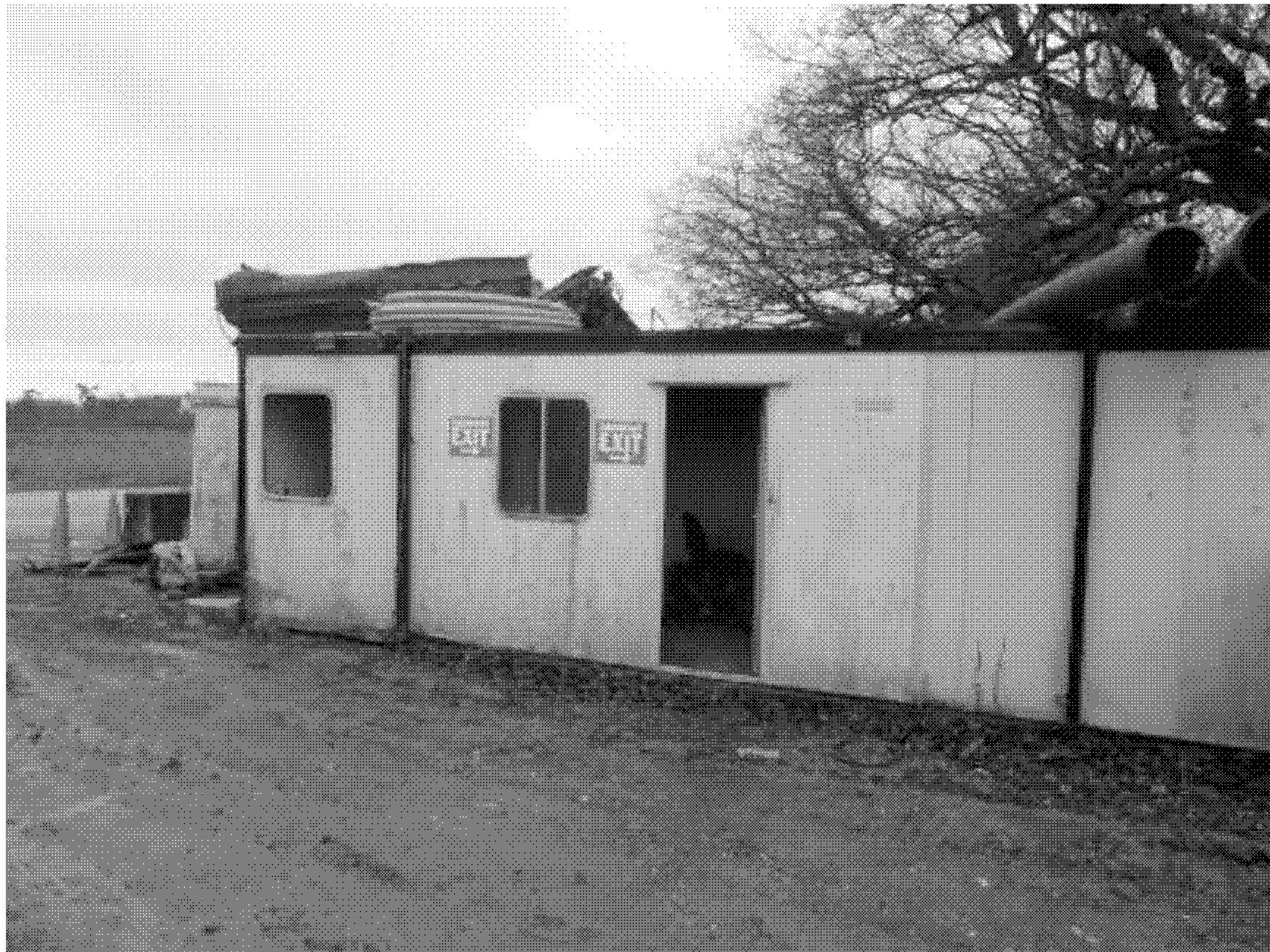


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The general positioning of material for the bund looks compliant, however, it was very difficult to move around the site and therefore was not checked for compliance. This will be picked up on the next visit.

**29 photographs were taken and filed on: 18/02/14**

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# NON-FEES SITE INSPECTION REPORT





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# NON-FEES SITE INSPECTION REPORT





Site photographs of deposition area, taken 18 February 2014













**WSCD043**





## NON FEES SITE COMPLIANCE INSPECTION REPORT

<b>Site address:</b>	Park Farm Cottages, Broxmead Lane, Bolney, West Sussex, RH17 5RJ
<b>Planning reference:</b>	WSCC/077/11/BK (Equine Rehabilitation Centre)
<b>Date of visit:</b>	17 July 2015
<b>Start time:</b>	10:10
<b>Finish time:</b>	11:05
<b>Duration of visit:</b>	55 minutes
<b>Report written up:</b>	27 July 2015
<b>Weather:</b>	Breezy, cool, overcast, dry
<b>Persons present:</b>	Kirstie May (WSCC) Anna Whitty (WSCC) Stephen Kinchington (EA) Michael Martin (MSDC) Nick Page (PJ Brown) Bob Penticost (PJ Brown)

### **Site inspection notes**

The visit was organised as a joint authority inspection in order to try to regularise the uses taking place on the wider site and particularly in terms of the 'operators compound' situated to the north west of the site, outside the red line of the planning permission. These notes relate to my experiences of the visit. Due to the nature of the visit, I was not able to observe everyone's conversations.

This area has been subject to conjecture for some time, but a planning application was made to retain it just prior to the date of the visit. It was made to MSDC because of original advice from Richard Agnew for the retention of the area as an operation compound. However, the application is for the use of the area as a waste transfer station along with the retention of the use of an operating base and has since been transferred to WSCC.

The visit consisted of a walking tour of the area in question and the permitted area. Photographs DSCN3130 to DSCN3139 show the operational compound, the contents of which included portacabins; new palletted bricks and blocks and other building materials; a number of skips of various sizes, some full of a material identified at the time of the visit as road salt and empty; bits of plant; a power screener and shovel; and stockpiles of inert, screened material



## NON FEES SITE COMPLIANCE INSPECTION REPORT

ready to be sent out to another site. To the far western extent of this area, photographs DSCN3138 and DSCN3139 show the area of land that had been the subject of a previous investigation. At the time of the visit it did not appear that there had been any further infilling activity in this area. During this portion of the visit I discussed the outstanding conditions attached to the planning permission with Mr Page. He informed me that PJ Browns had not been commissioned to construct the horse walker or the stabling block, and that this would be carried out by the landowner. I requested contact details for the landowner in order to establish the status of these conditions.

Following this, we made our way around the 'gallop' area of the permission site. Photographs DSCN3140, DSCN3141 and DSCN3142 show the inert materials from the haul road that ran across the site. Photograph DSCN1343 shows the attenuation pond which had been installed in order to receive the water from the spring (found within the trees to the left of photograph DSCN3145), and to confer ecological benefit to the development. This pond, along with its outfall receptor area can also be seen in photograph DSCH3146. Here, we assessed the noise levels and then climbed to the top of the bund to listen to the sound of the A23. There was a great difference in noise level. Mr Page informed me that the installation of the bund had made a perceptible difference to several of the houses along Broxmead Lane. Photographs DSCN3144 to DSCN3148 were taken at the top of the bund.

From here, we returned to the cars which had been parked just inside the access to the site, in order to discuss the findings from the visit, and to talk about what was expected to happen next. Ms Whitty asked some questions pertinent to the planning application (particularly in respect of the access to the site). Following some final pleasantries, Ms Whitty and I left the site.

### **Findings from the inspection**

<b>Conditions</b>	<b>Summary Description</b>	<b>Finding</b>
1	Commencement	Compliant
2	Approved plans	Compliant
3	Written notification prior to commencement	Compliant
<b>4</b>	<b>Schedule of materials and finishes</b>	<b>Under investigation</b>
<b>5</b>	<b>Horse-walker</b>	<b>Under investigation</b>
6	Fencing and gates	Compliant
7	Positioning of temporary buildings, skips or static plant	Compliant
8	Construction plan – bund	
9	Controls over the use of the site as a	Compliant



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	base of operation	
10	Processing of material on site	Compliant
11	Hours of operation	Compliant
12	Silencing of plant and machinery	Compliant
13	Decision notice	Not viewed
14	Availability of site records	Compliant
15	Controls over external lighting	Compliant
16	Scheme of dust suppression	Compliant
17	Bund phasing plan	Compliant
18	Revised landscaping scheme	Compliant
19	Care of top-soil	Compliant
20	Protection of trees	Compliant
21	Management of invasive species (Japanese Knotweed)	Compliant
22	Removal of trees	Compliant
23	Specification for pond	Compliant
24	Ecological enhancements	Compliant
25	Surface water drainage	Compliant
26	Watercourse buffer zone	Compliant
27	Archaeology	Compliant
28	Highway assessment	Compliant
29	Geotechnical Design and Construction plan	Compliant
30	Construction of bund and drainage	Compliant
31	Control of access to A23	Compliant
32	Implementation of access scheme	Compliant
33	Provision car parking	Compliant
34	Wheel cleaning	compliant

**19 photographs were taken and filed on: 17 July 2015**

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**Atrium updated? Yes**

### Summary of breaches

<b>4</b>	<b>Schedule of materials and finishes</b>	<b>Under investigation</b>
<b>5</b>	<b>Horse-walker</b>	<b>Under investigation</b>

### Statistics

<b>Total number of breaches</b>	<b>0</b>
<b>Number of conditions checked</b>	<b>34</b>
<b>% compliance</b>	<b>100%</b>

### Proposed course of action

#### **Condition 4:**

No development other than preparatory groundworks shall be carried out until a schedule of materials and finishes to be used for external walls and roof of the proposed treatment block, surfacing/surface edging (including sand school, horse walker, access routes, car park and exercise track) have been submitted to and approved in writing by the County Planning Authority. The



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approved scheme shall thereafter be implemented in full.

*Reason: In the interests of visual amenity and to ensure a development of high quality.*

**BREACH OF CONDITION:**

No such scheme has been submitted

**PHOTOGRAPHIC EVIDENCE**

Not applicable

**SIGNIFICANCE OF BREACH:**

Low priority

**ACTION REQUIRED BY SITE:**

Submission of scheme

**TIMESCALE:**

**By: TBA**

**Condition 5:**

No development other than preparatory groundworks shall be carried out until a plan detailing the proposed horse walker (including dimensions, materials and finishes) has been submitted to and approved in writing by the County Planning Authority. The approved plan shall thereafter be implemented in full.

*Reason: In the interests of visual amenity and to ensure a development of high quality*

**BREACH OF CONDITION:**

No such plan has been submitted

**PHOTOGRAPHIC EVIDENCE**

Not applicable

**SIGNIFICANCE OF BREACH:**

Low

**ACTION REQUIRED BY SITE:**

Submission of required plan

**TIMESCALE:**

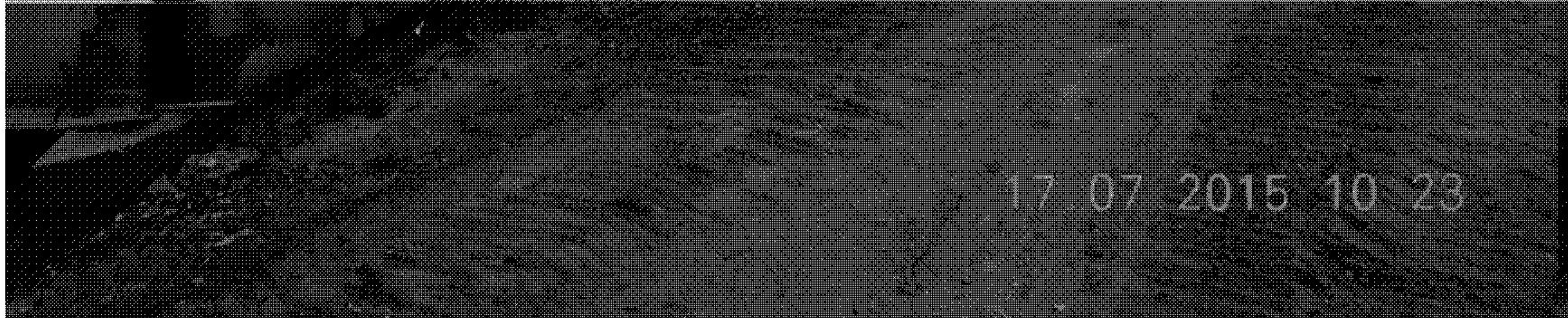
**By: TBA**

**Signature:** .....KM.....

**Date:** .....27/07/15.....



# NON FEES SITE COMPLIANCE INSPECTION REPORT





# NON FEES SITE COMPLIANCE INSPECTION REPORT





# NON FEES SITE COMPLIANCE INSPECTION REPORT





# NON FEES SITE COMPLIANCE INSPECTION REPORT





**WSCD044**





## SITE VISIT REPORT

<b>Date:</b>	08 October 2018
<b>Location:</b>	Park Farm Cottages, Broxmead Lane, Bolney, West Sussex, RH17 5RJ
<b>Topic:</b>	Enforcement multi agency visit
<b>Start time:</b>	10:05
<b>Finish time:</b>	13:00 (175 minutes)
<b>Report written up:</b>	09/10/11 October 2018
<b>Persons present:</b>	Kirstie May (WSCC) Michael Martin (MSDC) Stephen Kinchinton (EA) Dane Rawlins (Landowner) Phil Rowe (Agent for PJ Brown)(Part only)
<b>Photographs:</b>	107
<b>Location:</b>	G:\1. Enforcement & Compliance\Main Enforcement & Compliance Folder\Investigations\Cases by District\6. Mid Sussex\Park Farm, Bolney\2018.10.08 visit new case
<b>Atrium updated:</b>	11 October 2018

An allegation had been made that there were a number of breaches taking place on or adjacent to lands associated with Park Farm Cottage, although not directly related to planning permission WSCC/077/11/BK. Initially, it was understood that there were some unlawful bunds on the land either on or adjacent to or on Dan(e) Tree Farm (hatched blue on the attached plan); that the yard to the PJ Brown storage yard to the east (hatched in red) was being used for the processing of waste; that the permission area (hatched green) was being used as a landfill; and that an 'agricultural track' had been created out of waste (half by PJ Brown and the landowner, and half by KSD Environmental Services Ltd). A multi-agency visit was organised because of the breadth of breaches identified following SK's first site visit the week before. Additionally, a householder application which included the construction of screening bunds had been received by MSDC in relation to Dan Tree Farm (also known as Dane Tree Farm). The application pack alleged that the bund to the south of the property was needed because of the landfill, but this area had no permission for such an activity.

I arrived in the layby on the A23 to the north of the access as advised, where I changed into my PPE and met Mr Martin. We



## SITE VISIT REPORT

walked along the verge to the site access and made our way onto the site.

Here we were met by Mr Kinchinton, Mr Rowe and Mr Rawlins and once introductions had been made we made our way east along the haul road toward the site compound. Mr Rowe advised that it was the intention of PJ Brown to apply for a Certificate of Lawful Use (CLU) for the compound area, stating that it had been used as compound for more than 10 years and so had become lawful through passage of time. I asked for confirmation that this CLU was only for the storage and operational depot aspect of the site, because I had it on record that it had not been used for the processing of waste (visits to site in 2014/15). Mr Rowe asked whether this information had been collected as a PCN. I advised that it had not, but that I had taken notes and photographs at the times of my visits. I noted that there appeared to be no landfilling activity on this part of the site, as shown in photographs DSCN0244 to DSCN0248 taken along this path.

In the compound Mr Rowe again stated his intention to request a CLU for the compound area identifying that it had been used as such for 'many years'. It was agreed that, because the use that was being applied for was not County Matter, such an application would be made to MSDC and that WSCC would comment on it if necessary.

Mr Kinchinton advised that the compound area appeared to be clearer and tidier than during his previous visit. Mr Rowe confirmed that the crusher and screener observed previously had been moved to another site, and that previously they were in this location for storage purposes. Photographs DSCN0249 to DSCN0256 were taken during the walk around of the site compound, and show various plant, empty skips, and storage containers. Additionally, there were 2 separate stockpiles: one of crushed brick (DSCN0250); and another of aggregate (DSCN0249). Mr Kinchinton again confirmed that these stockpiles appeared lower than during his previous visit. Mr Rowe advised that this was a working yard and that nothing should be read into this reduction of stockpile capacity.

Photographs DSCN0254 to DSCN0258 show the pair of soil bunds at the rear (north) of the compound. Mr Rowe confirmed that the southern most of these represented the boundary of the compound, and that it likely had been created from imported, screened material. The second, northerly bund was also created by PJ Brown, but out of site derived material. It was intended as a means of tidying the site after its use as a motocross track by the son of



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the landowner, and had been constructed at Mr Rawlins' request. This was confirmed by Mr Rawlins.

Photograph DSCN0259 was taken at the north-west of the compound, and shows the commencement of the farm track that had been identified during the previous visit by Mr Kinchinton. Mr Rawlins advised there had always been a track around the perimeter of the field, and that he wanted to improve it to facilitate access into the woodlands to the north and east, and to a newly acquired field to the south east where he was hoping to produce fodder for his horses. Mr Rawlins provided a brief history of his site ownership of approximately 20 years. He advised that this area of the farm had been 'largely derelict' when he acquired it, and that he was aiming to make use of the site to supplement his equine interests. He took pains to make sure that we all realised that he was a horse owner with a farm rather than a farmer with horses'. Although mention of the use of the south-eastern field was made in relation to growing a crop for hay for the horses, I was not fully clear whether this was considered an agricultural crop or not.

Mr Rawlins allowed that the track had widened in places, but that this had been as a result of the increasing size of farm vehicles. IN the main the track had been reinstated by making use of an historic track running across the site from the north east of the compound to the eastern extent. I asked whether a prior notification application had been made to MSDC and it was confirmed that it had not. I asked the size of the farm, and was advised that it was 123 acres. Mr Martin advised that the repair of such tracks were likely to not need express planning permission because they were likely to be covered by permitted development rights. However, the widening may need prior approval, although this would now need to be achieved with planning permission now that the works have taken place. Mr Rowe asked whether we were arguing that the track was not reasonably necessary for the purposes of agriculture. I responded that that was what the planning process was for. Mr Rawlins advised that he had employed a planning agent in respect of a new build that he was hoping for on the land, and that he was intending to discuss the matter with them. Mr Martin suggested a conversation with MSDC planning team also, which Mr Rawlins agreed was a good idea. At this point Mr Rowe departed because it was considered that the remainder of the visit did not concern the interests of PJ Brown.

We commenced to walk the track, down the slope at the north-west corner of the compound (photograph DSCN0259), along the line of the trees. The track in this location was largely made up of road planings (DSCN0260 is indicative, and DSCN0261) infilled with C&D



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waste to infill rutted areas (DSCN0262 is indicative, plus DSCN0263).

Rounding the corner, we headed in an easterly direction. Along the northern bank orangey red soil had been pushed into the tree line of the ancient woodland in varying amounts and at apparently various times (there was a variety of levels of vegetation regrowth). Photographs DSCN0263 to DSCN0276 were taken along this northern part of the track. Photograph DSCN0273 was taken on the south side of the track because the soil colour was so different. However, this was likely to be as a result of the capping of the historic landfilling activity that took place in this location. Mr Rawlins advised that there was an access into the woodland at the north-eastern corner of the path, as shown in photographs DSCN0275 to DSCN0281. All along this part of the track soils had been pushed off the track toward the trees, in many cases engulfing the base of tree trunks or pressing up against trunks higher up. MR Martin asked whether this area was, as he believed, ancient woodland, and Mr Rawlins advised that he understood the classification was in place, but believed that the trees were not old enough to be considered ancient. I advised that the classification was more to do with the soils in the woodland rather than the trees themselves. [Upon returning to the office, I checked and can confirm that the woodland to the north and east of the track is classified as ancient woodland]. Photographs DSCN0277 to DSCN0281 show the access, which was intended for vehicle parking and/or turning only. Further access into the woods was to be obtained on foot.

From here the path continued south. The material remained similar to that along the previous sections. Photographs DSCN0282 to DSCN0291 were taken from the north-eastern corner as the path heads more or less due south. This area by-passed the former landfill area and it was possible to see where areas of the landfill capping had been removed in order to control the collapse. Mr Rawlins advised that he believed that this area had now stabilised, and that there had not been any recent land slips. Approximately half way down this part of the track we approached a small clearing in the vegetation to the east of the track. Mr Kinchinton advised that there had been a large stockpile of chalky material in this location at the time of his previous visit, and observed that it was likely that this had now been spread across the top of the track here (photograph DSCN0292). Mr Rawlins advised that this had not been at his request, and that he was unhappy that the material had been placed here as it was not suitable for such a use. The ground underfoot became sticky, slippery and uneven. Additionally, KDS staff had been out and 'picked' the material placed here (rejects



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collected in the black plastic sacks observable in photographs DSCN0283 and onward. This work had taken place contrary to EA instructions.

The path changed direction, and we continued in an approximate south easterly direction. Photographs DSCN0293 to DSCN0316 were taken between this south eastern bend and the eastern corner of the site. Litter picking had taken place along this stretch, and considerable material had been pushed into the treeline. Damage to the trees here was apparent, with broken (DSCN0301) and scraped trunks (DSCN0304 and DSCN0307) clearly in evidence. This pushed material had severely engulfed the lower trunks of some trees (DSCN0303 as an example) and was leaving hard against others (DSCN0302). Mr Rawlins advised that he had acquired the small field to the east of the path, and that the reinstatement of the path was intended to facilitate access to it, and the woodland to the north. It was his intention to use this field to grow hay crops to feed his horses.

From closer inspection the material in the tree line appeared to be largely waste, with large hardcore, plastic, bricks, wood and other C&D waste along with textiles, and what appeared to be silt 'scrapings' from a concrete surface (such as a concrete pad) in evidence on the surface. There was a reasonable distance between the level of the track, and the ground level of the woodland, and so it was apparent that there was a considerable amount of tipped waste here. Mr Kinchinton again confirmed that this area had been tidied and picked over since his previous visit.

We rounded the corner, and continued to follow the track in an approximate south westerly direction. Photographs DSCN0317 to DSCN0337 were taken along this track for a short way, and show that the tipping/pushing into the treeline and the associated damage to those trees had continued. This area of the track was much less readily visible from elsewhere on the estate, and Mr Rawlins considered that this may have been the reason why such liberties had been taken here. He advised that at no point had he requested the removal of any trees, nor had he given permission for the excavation of the area prior to the deposit of material.

Photographs DSCN0338 to DSCN0348 were taken at the end of the track, where the large trench filled with mixed waste had been identified. Mr Kinchinton estimated that the excavated area had been emptied of waste and refilled with the excavated material, following his previous visit. Again, there was evidence that the trees around the periphery of the track had been disturbed and/or damaged (DSCN0339), although there was less evidence of the rubble that had been seen further back on the track.



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At this point we discussed likely next steps for each authority, and for the landowner. Mr Kinchinton advised that he would be writing to both Mr Rawlins and to KDS to formally advise them of the situation, and would expect to call individuals in for an interview under caution. Additionally, he would require some trench work to be carried out to see what had been placed to land below the surface dressing. Mr Rawlins asked whether he should ask KDS to perform this work, but Mr Kinchinton preferred that this work be carried out by an independent third party.

I advised that a Planning Contravention Notice would be served, and explained that this was a document to collect baseline data from all parties to inform what would happen next. I outlined that this document was intended to officially capture the discussion points that had arisen during the meeting, and completion of the document was required in limited time. Mr Rawlins agreed that he would complete the document to the best of his ability within the required timeframe. Mr Martin advised that he was obliged to wait for the results of the trench work and the PCN to advise whether the matter was a district or a county one.

Mr Rawlins asked whether it would be possible to screen the material that had been placed, and to use the 'decent stuff' to reinstate the track, or whether the whole lot would have to be removed. He was advised by all parties that the question could not be answered until the trenches had been dug and we had a better idea of what was under the top dressing. Mr Rawlins advised that he had written to KSD, telling them to stop working, and advising them of his dissatisfaction (and anger) over the way they had completed their work. I asked for a copy of that letter and provided contact details. Mr Kinchinton also requested a copy of the letter.

We returned the way that we had come, pausing at the clearing to get a better look at the plants (DSCN0349 and DSCN0350). During the walk back to the gate I asked what Mr Rawlins knew of the Dan Farm application. He advised that he was not involved in that process. I asked about the 'landfill to the south' that had been mentioned in the supporting documents. Mr Rawlins replied that he had heard about that on the morning of the visit, and was attempting to have that retracted. Mr Rawlins advised that he was unaware of any landfilling activity taking place, to the south of the application area or anywhere on his land.

Upon returning to the gate Mr Kinchinton, Mr Martin and I agreed to meet off site for a round up and returned to our vehicles. We met in the carpark of 'The Bolney Stage' public house to go over that



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which we had seen. Mr Kinchinton gave me a cd containing the photographs he had taken during his previous visit, for reference. I have uploaded these photographs to the file, for reference. I had understood Mr Rawlins to be genuine in his upset about the work that had taken place, and his desire to co-operate to put things right. I also suggested that he had been a bit naïve in his actions following the issues surrounding the former landfilling of the bomb craters. Both points were accepted. I asked how the circumstances of the works had come about, and was advised that a sign requesting hardcore had been placed onto the A23, and that KDS had responded. Mr Kinchinton described KDS as a small scale skip company, not usually dealing in 'muck away' or C&D waste, as evidenced by the hire vehicle that they had used to bring material onto the site in. He remained sceptical of KDS's intention to complete the works or to remediate those which had already been carried out. We speculated as to why the works had been carried out in such different ways on the various parts of the site.

Once these discussions had been completed, we separated. I returned to my vehicle and left.

### **Proposed course of action**

EA: write to landowner and operator. Request trenches. Interview under caution

WSCC: serve PCN

No further proposal can be made at this stage, because of the uncertainty of the works undertaken.

**Signature:**            **KM.....**

**Date:**                 **11 October 2018**



# SITE VISIT REPORT





# SITE VISIT REPORT





# SITE VISIT REPORT





# SITE VISIT REPORT









**WSCD047**

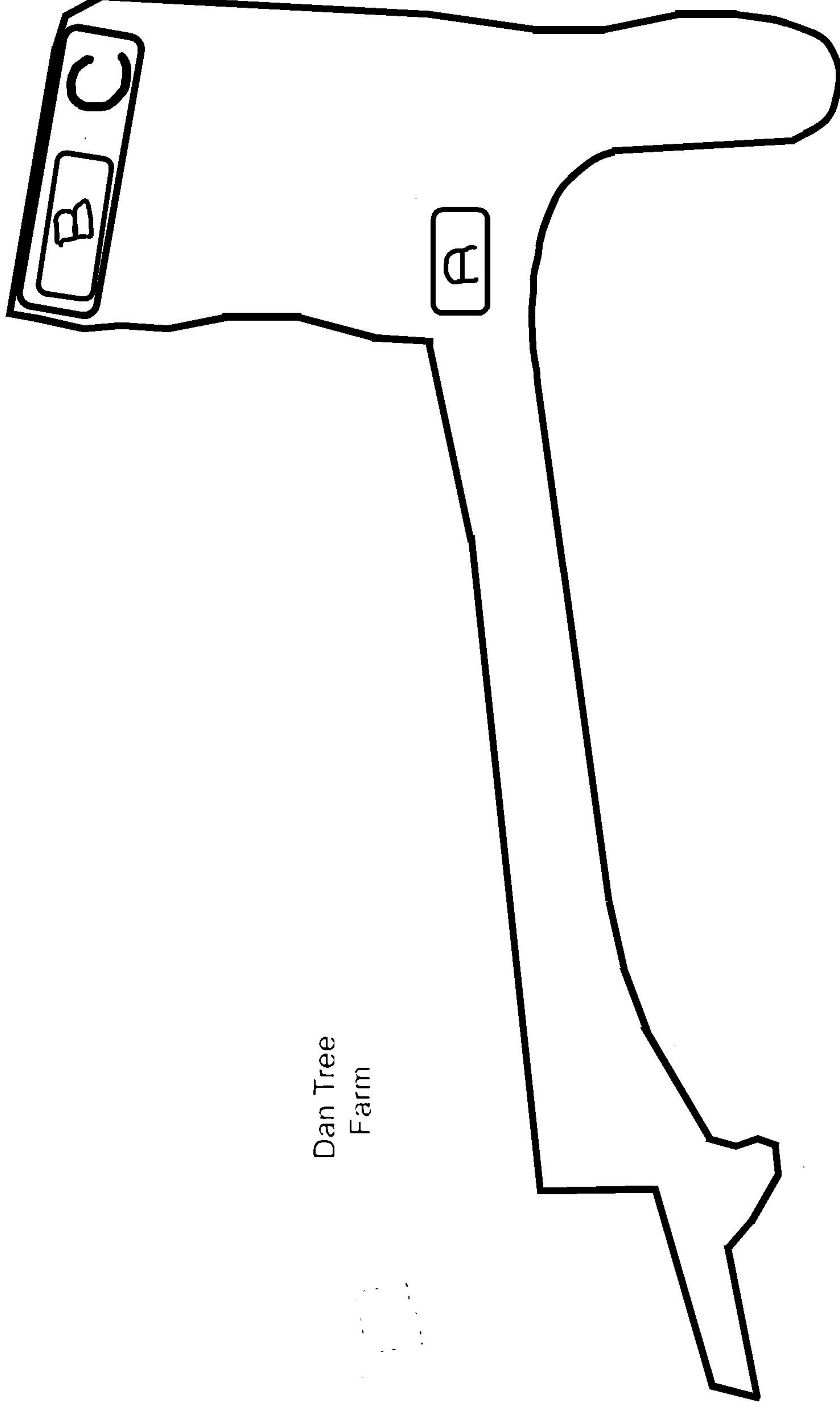








Dan Tree  
Farm



Track







**WSCD048**







**From:**  
**To:**  
**Cc:**  
**Subject:**  
**Date:**  
**Attachments:**

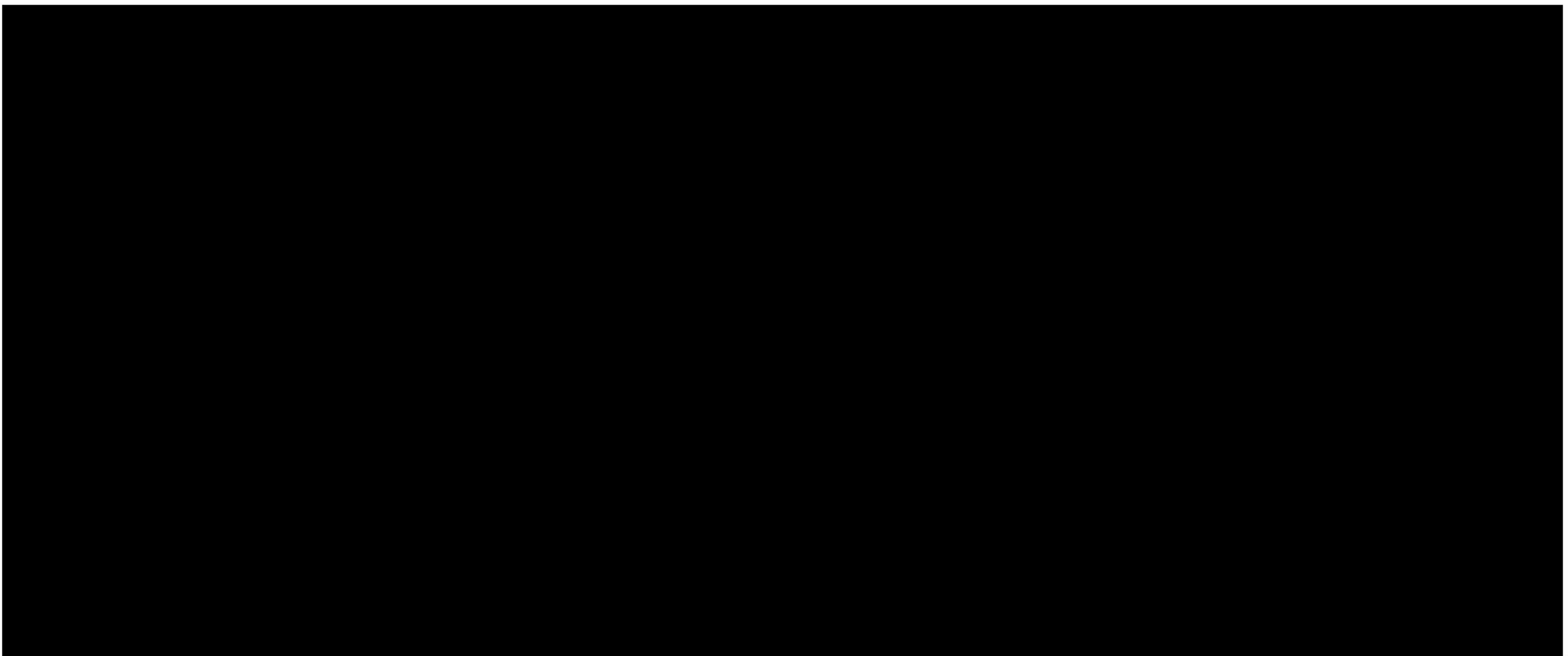
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Hi Michael

Please see the attached sheet. Apologies but this area is not one for us at WSCC as PJ Browns made it clear it was not associated in any way with our development of the bund. It is a construction compound used to store materials which come and go as the business dictates. I have told them they need to either remove the material or contact you to regularise the use of the site. I did make it very clear, on several occasions, that I was not inviting an application as on face value I could think of various policy's this type of development would be contrary.

Feel free to ring and discuss.

Regards,





**Park Farm Cottage, Boxmead Lane,  
Bolney RH175RT**

The area outlined in red, is being used as a storage compound for PJ Browns contracting business.

WSCC officers and the Environment Agency's Crime Team met with Nick Page and Bob Penticost from Browns on the 4<sup>th</sup> March 2014.

Bob said that this area was used for contracting equipment, materials storage, generators, and portable offices, which come and go as the business requires. None of the activities constituted waste development.

He was informed that the area had no planning permission and that a change of use had taken place which would need to be resolved through either removing all material and returning the land back to agriculture or applying to MSDC to retain the activity.

I was clear to point out that I was not inviting an application as I could see immediate areas of concern.



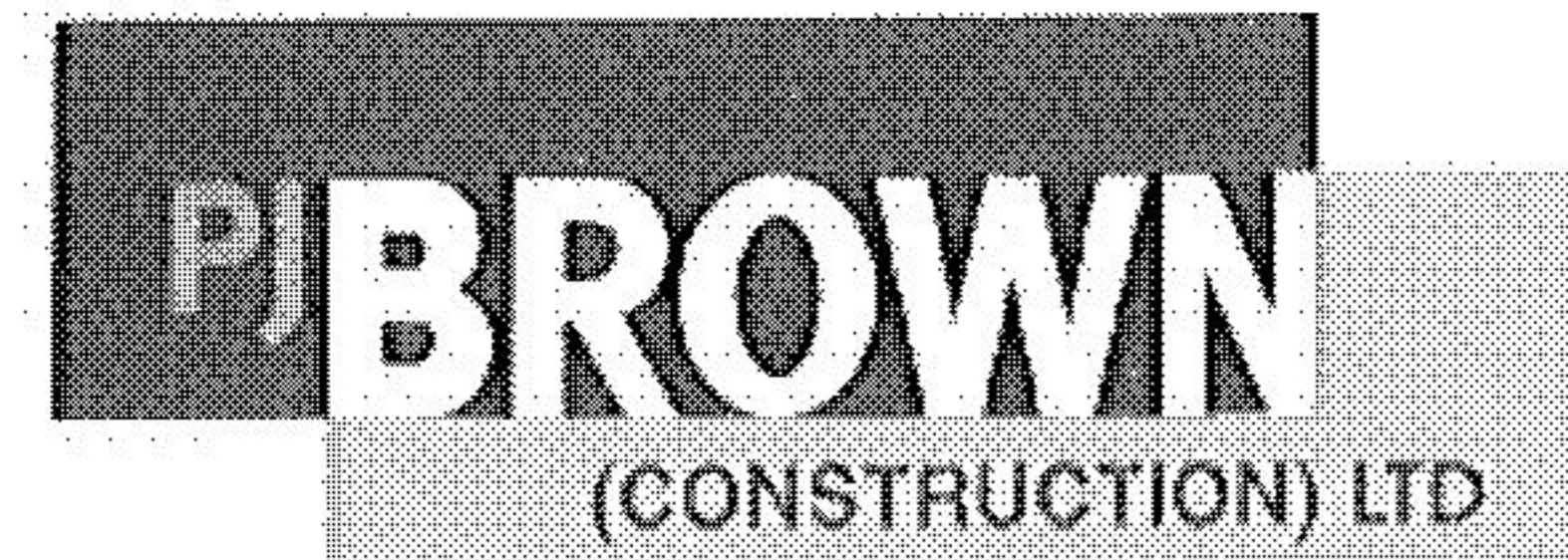


**WSCD049**









17<sup>th</sup> August 2012

West Sussex County Council  
County Planning  
County Hall  
Chichester  
West Sussex  
PO19 1RH

Burlands, Charlwood Road, Ifield Wood,  
Crawley, West Sussex RH11 0JZ  
Tel: 01293 544856  
Fax: 01293 571164  
Email: mail@pjbrown.co.uk  
Website: www.pjbrown.co.uk

Dear Jane

**Re: Planning Permission WSCC/077/11/BK – Park Farm Cottage, Bolney**

Please find enclosed information which we hope will enable you to discharge conditions 18, 21, 23, 24, 25 and 26 of the above planning permission.

All the information has been prepared by Tom La Dell Landscape Architects.

**Condition 18**

The revised landscaping scheme is shown on drawing no. 0738/12/2 Planting and Ecology.

It shows the proposed planting, meadow creation, pond details and hedge translocation to integrate the form of the mound into the surrounding landscape and provide significant habitat enhancement for wildlife. The shallower slopes of the bund below the tree and shrub planting on the eastern side are shown to be managed as meadow. The pond has been moved down the slope to the south so that it can be connected to the stream and provide a wetland habitat that is not surrounded by trees.

**Condition 21**

The details of the Japanese knotweed treatment are contained on drawing no. 0738/12/2 Planting and Ecology.

All imported soils will be subject to the Waste Management Regulations, Duty of Care waste transfer documentation and an Environmental Permit for the site. All soils will undergo strict analysis in accordance with the above prior to being delivered from their point of source. Any unsuitable soil, such as that containing seeds / root / stem of any invasive plant covered under the Wildlife and Country Act 1981 will be identified in the soil reports and prohibited from this site.

Registered in England.  
Registered Office:  
Burlands, Charlwood Road, Ifield Wood,  
Crawley, West Sussex RH11 0JZ  
Company Registration No: 02743978



### **Condition 23**

The details of the proposed pond are shown on drawing 0738/12/2 and 0738/12/3

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### **Condition 24**

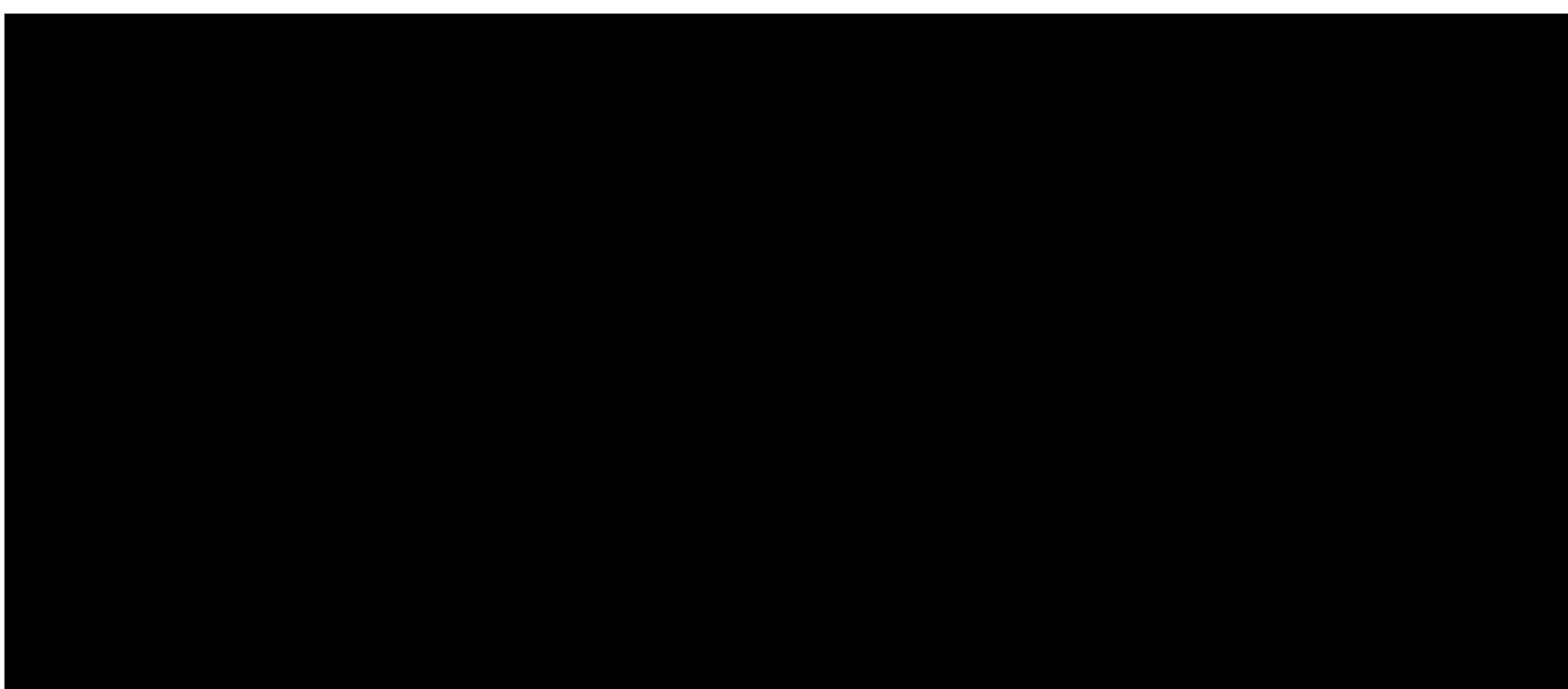
Details of the proposed ecological enhancements are shown on drawing no. 0738/12/2, with the pond detail on 0738/12/3. These create a substantial extension of the native tree and shrub planting established on the eastern side of the A23 and will provide a range of woodland and scrub habitats suitable for a variety of wildlife. This grades into meadow on its eastern side, and the transition from woodland and scrub, to meadow, to farmland is recognised as a valuable contribution to rural habitat creation. The pond has been designed to be online with the stream. The profile of the banks ensures that it will quickly colonise with marginal vegetation but the centre is deep enough that at least half the area will be maintained as open water in the long term and without regular maintenance. It is considered that this should be allowed to naturally colonise with locally native wetland plants.

### **Condition 25**

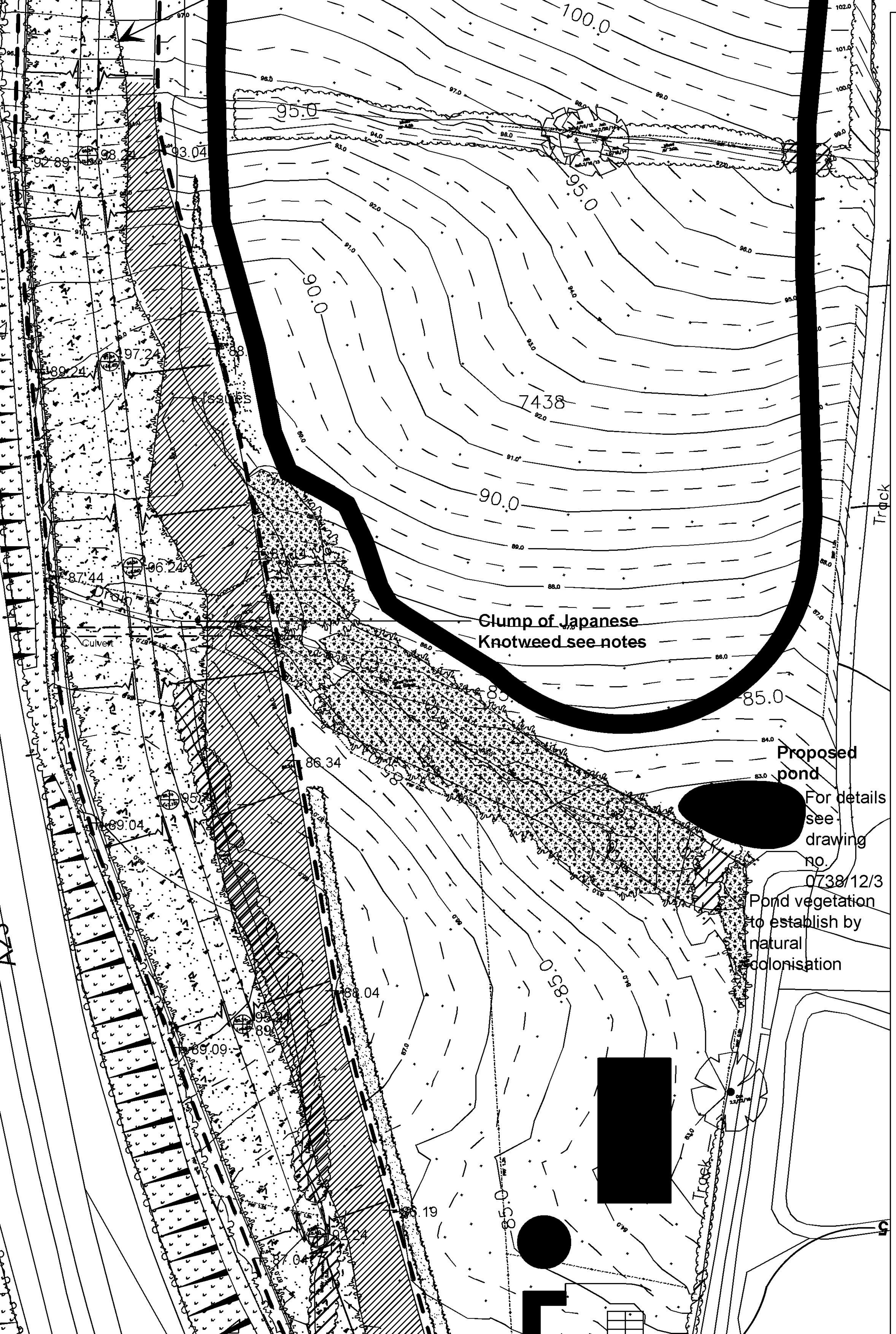
The surface water drainage during construction of the bund is shown on 0738/12/1 and 0738/06/3C. Surface water will be collected in open ditches and directed to the stream. These will continue to function once the bund is completed but run off will be minimal once the grassland, trees and shrubs have established.

### **Condition 26**

The woodland belt each side of the stream is very dense with mainly seedling alder, ash and sycamore, with native shrubs such as hazel. Any management scheme to bring more light to the woodland floor and the stream itself would require the removal of a very substantial number of trees and shrubs. Given the form of the trees, coppicing would not be effective. The pond has been designed to be online with the stream and create wetland habitats that will be sustainable in the long term and not require regular management to ensure that they would receive adequate sunlight.







**Clump of Japanese Knotweed see notes**

**Proposed pond**

For details see drawing no.

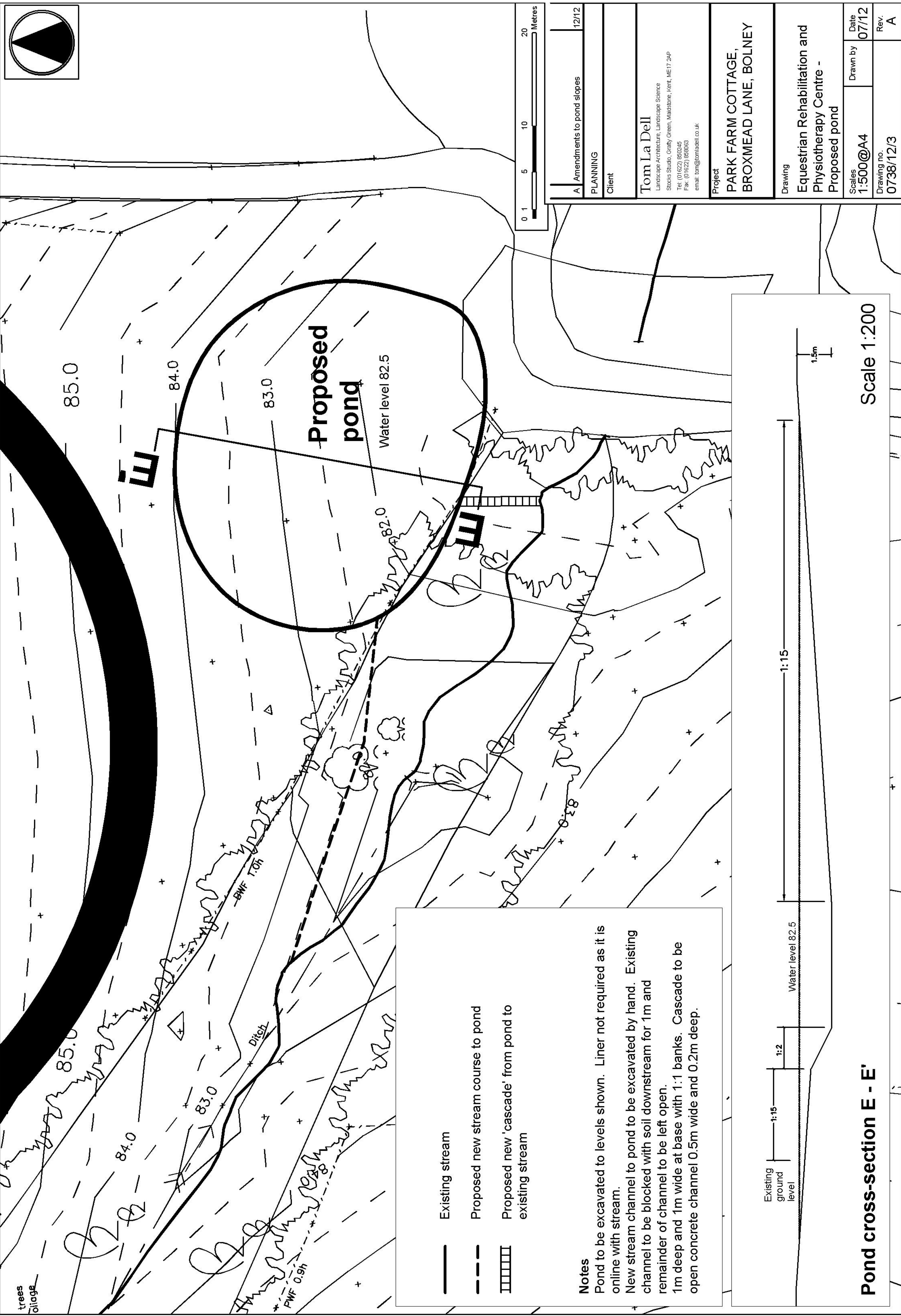
0738/12/3

Pond vegetation to establish by natural colonisation

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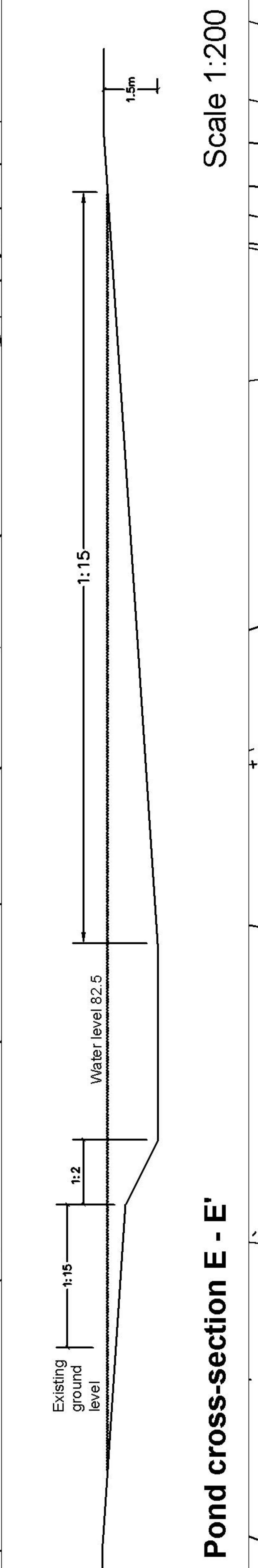
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A Amendments to pond slopes	12/12
PLANNING	
Client	
Tom La Dell Landscape Architecture, Landscape Science Stocks Studio, Grady Green, Maidstone, Kent, ME17 2AP Tel: (01622) 660049 Fax: (01622) 660053 email: tom@tomladedell.co.uk	
Project PARK FARM COTTAGE, BROXMEAD LANE, BOLNEY	
Drawing Equestrian Rehabilitation and Physiotherapy Centre - Proposed pond	
Scales 1:500@A4	Date 07/12
Drawing no. 0738/12/3	Rev. A

**Notes**  
 Pond to be excavated to levels shown. Liner not required as it is online with stream.  
 New stream channel to pond to be excavated by hand. Existing channel to be blocked with soil downstream for 1m and remainder of channel to be left open.  
 1m deep and 1m wide at base with 1:1 banks. Cascade to be open concrete channel 0.5m wide and 0.2m deep.







Hi Jane

With regard to condition 6, 31 & 32 of the above planning permission....

**Condition 6**

The site is currently almost completely enclosed by hedges, gates and post & wire fences, between 1m and 1.3m high. There is no requirement to erect any new gates or fences, other than to fill in two gaps with post & wire fence to match existing.

The attached drawing shows the existing post and wire fence highlighted in blue, the new post and wire fence highlighted in pink and the existing hedgerows highlighted in green.

**Condition 31**

Upon completion of the development, the site will be completely enclosed as described above, preventing vehicular access via the A23 for slow moving horseboxes and suchlike. There is also an existing 8 foot high solid metal gate (highlighted in yellow on the drawing) barring access to and from the A23. This gate is always left locked when unattended, to prevent travellers and other unwanted trespassers from entering the site. It will therefore be impossible for the owners or visitors to the development to mistakenly or otherwise use the A23 access after the bund is completed.

It is also worth noting that the specialist sport horses that will use this rehabilitation centre, can often be worth hundreds of thousands of pounds and so their owners would not want to risk their safety by pulling out in a slow moving horsebox straight onto the A23.

**Condition 32**

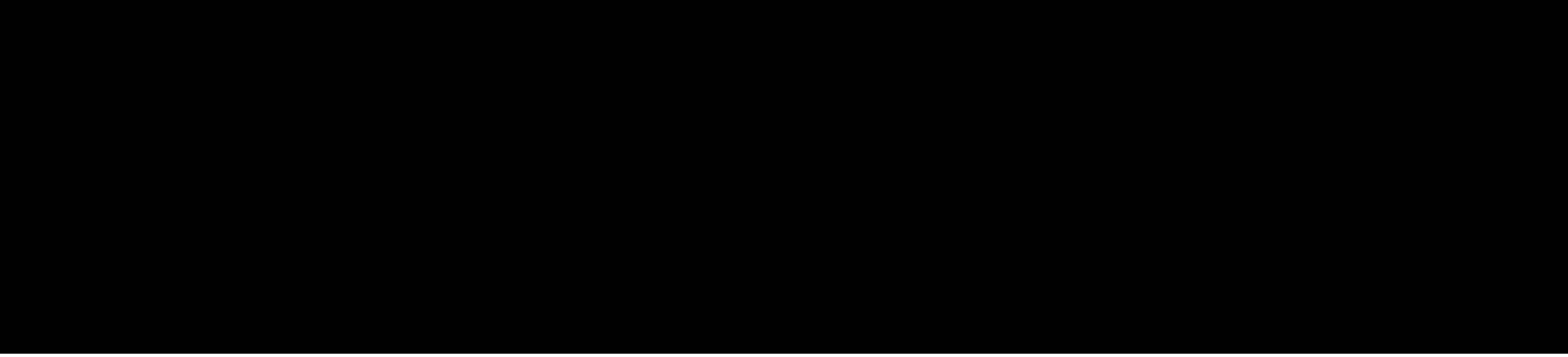
The above measures will be implemented in full. Only the haulage contractor's vehicles will use the A23 access in connection with the development.

I hope that the above is sufficient, but please don't hesitate to let me know if any other info is required.

Regards







Any works you do would be contrary to the planning permission which requires the conditions to be discharged prior to the works commencing. On other schemes this may not be so critical but given that the site is immediately adjacent to the A23 and has the potential to impact on a trunk road I would recommend that you wait for the Highways Authority to respond to the design issues before you do anything on site.

Kind regards  
Jane.

<p><u>Jane Moseley</u>   Principal Planner, Communities &amp; Infrastructure, <u>West Sussex County Council</u>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a></p>
--



Jane

I've just had a chat with my colleague who will be running this project...he has asked if it will be okay with you if we start stripping the topsoil from the footprint of the bund and construct the temporary hardcore haul roads? These two tasks alone will take a couple of weeks, so would like to get this done in advance of the other works.

What do you reckon?

Regards

Nick





**Subject:** RE: Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions

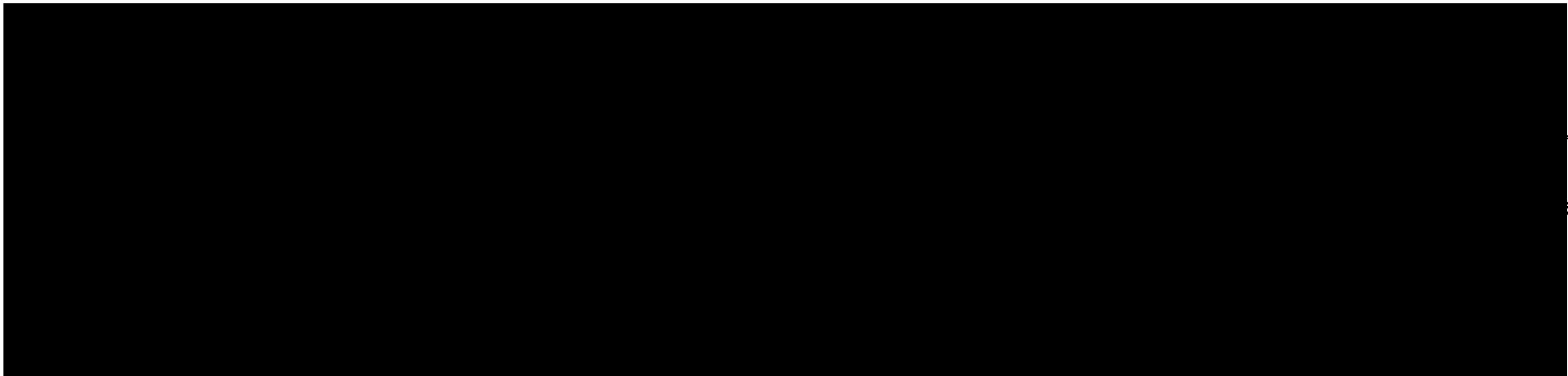
Nick

Re. installing a drainage culvert - I would be wary of carrying that work out without first hearing back from the Highways Authority about the detailed design issues. I have forwarded the DMRB Key Stages 2 and 3 information, along with the access details on to them I have chased them several times but have yet to hear back. I will keep chasing.

Kind regards  
Jane.

<p><u>Jane Moseley</u>   Principal Planner, Communities &amp; Infrastructure, <u>West Sussex County Council</u>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a></p>
--

Think sustainably. Do you have to print? Can you double side? Do you need colour?



Hi Jane

I'm just getting our architect to alter the pond slopes on the drawing, and I shall forward a copy when it's done.

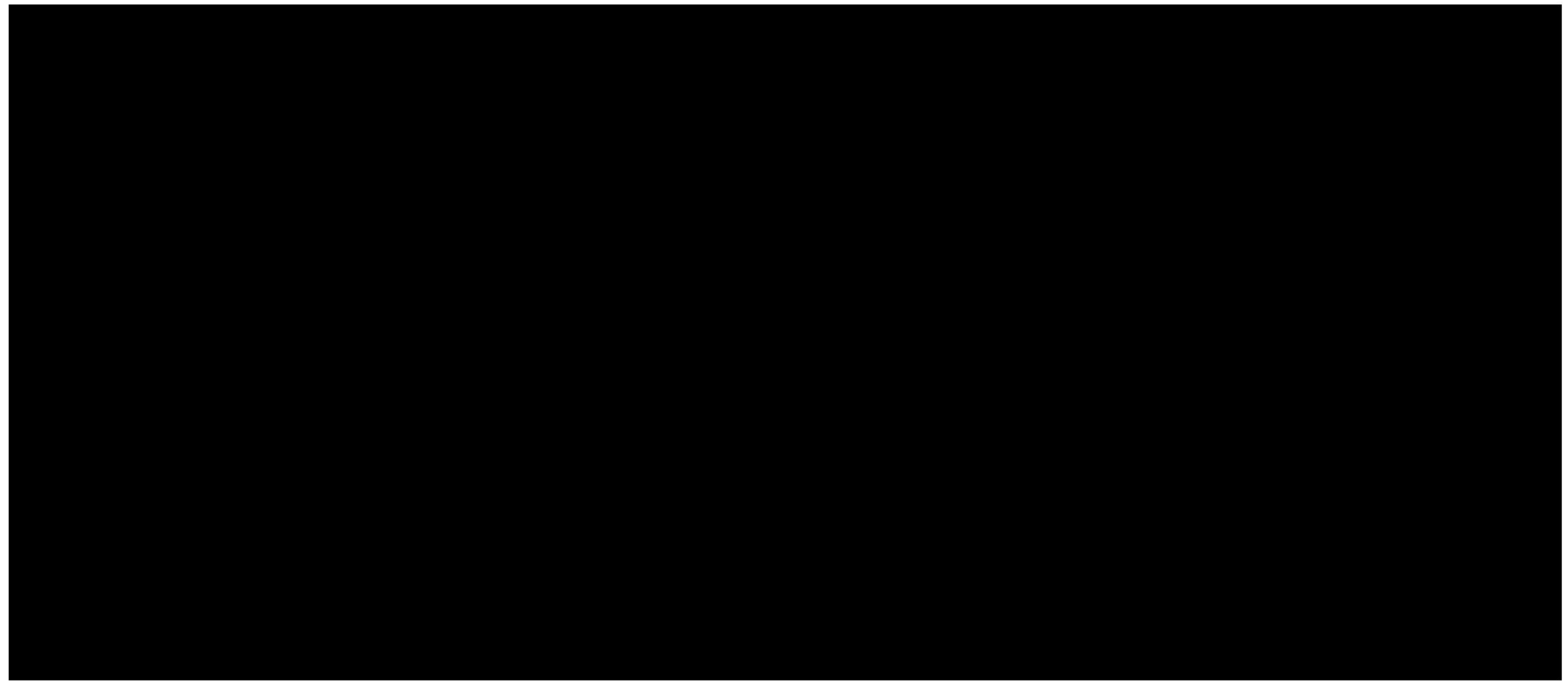
One of the first things we'll have to do on site is install a new drainage culvert, which will run under the bund. Would you be okay if we started that work now?

I know there are a handful of conditions still to discharge, but none that will have any bearing on this work. What do you reckon?

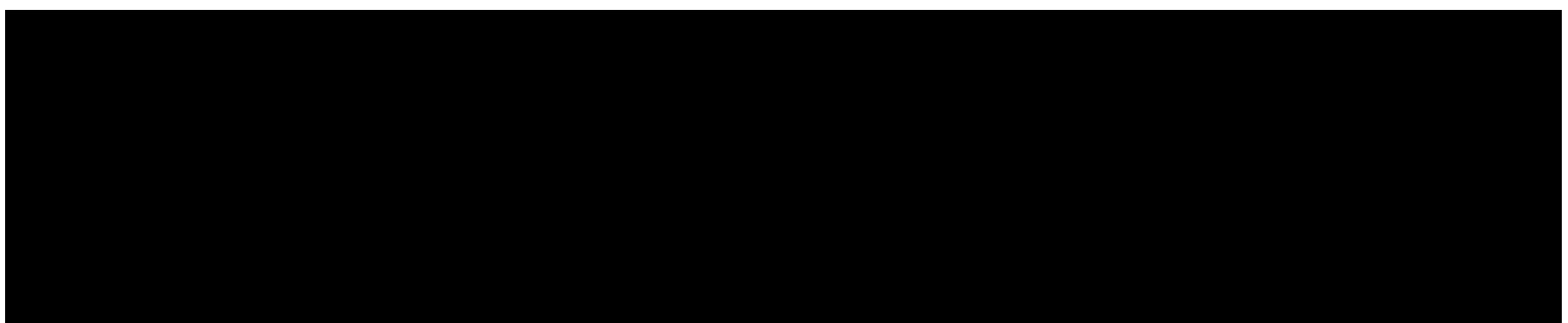
I think it's just the Key Stage reports to go now anyway isn't it – any comments on them yet from your colleagues?

Regards





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Thanks Jane

Re condition 23 - I confirm that the pond will not be stocked with fish.

Re condition 24 – I confirm that we shall use a conservation grade seed mix to include yellow rattle *Rhinanthus minor*.

Regards

Nick



**From:** [Jane.Moseley@westsussex.gov.uk](mailto:Jane.Moseley@westsussex.gov.uk) [mailto:Jane.Moseley@westsussex.gov.uk]

**Sent:** 27 November 2012 15:43

**Subject:** Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions

Nick

I have had feedback from our ecologist regarding the information submitted in relation to conditions 23 (pond scheme), 24 (ecological enhancements) and 26 (buffer zone) of the Park Farm Bund permission (WSCC/077/11/BK).

I can confirm that I can now **discharge condition 26**, subject to your implementation of the approved scheme.

With regards to condition 23, the ecologist has noted that a pond with a profile of 1:15 - 1:20 would be welcomed. You should provide confirmation that the pond will not be stocked with fish.

With regard to condition 24, more details of the meadow mix are sought. Limagrain MM is an amenity / sports range of grasses and the provenance of the AWF4 is unknown. A greater range of grass species is sought, employed from a specific conservation grade seed mix to include yellow rattle *Rhinanthus minor*.

I hope that is clear but if you want to clarify anything please come back to me.

I am still waiting for a response from the Highways Authority regarding the DMRB Key Stage reports.

Kind regards  
Jane.

Jane Moseley   Principal Planner, Communities & Infrastructure, <a href="http://www.westsussex.gov.uk">West Sussex County Council</a>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a>
---

A side of the pond that had a profile of 1:15 - 1:20 would be welcomed. Fish must not be stocked in this pond.

24

Prior to the commencement of the development hereby approved, details of proposed ecological enhancements, including enhancements to existing wet interests, shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall thereafter be implemented in full.

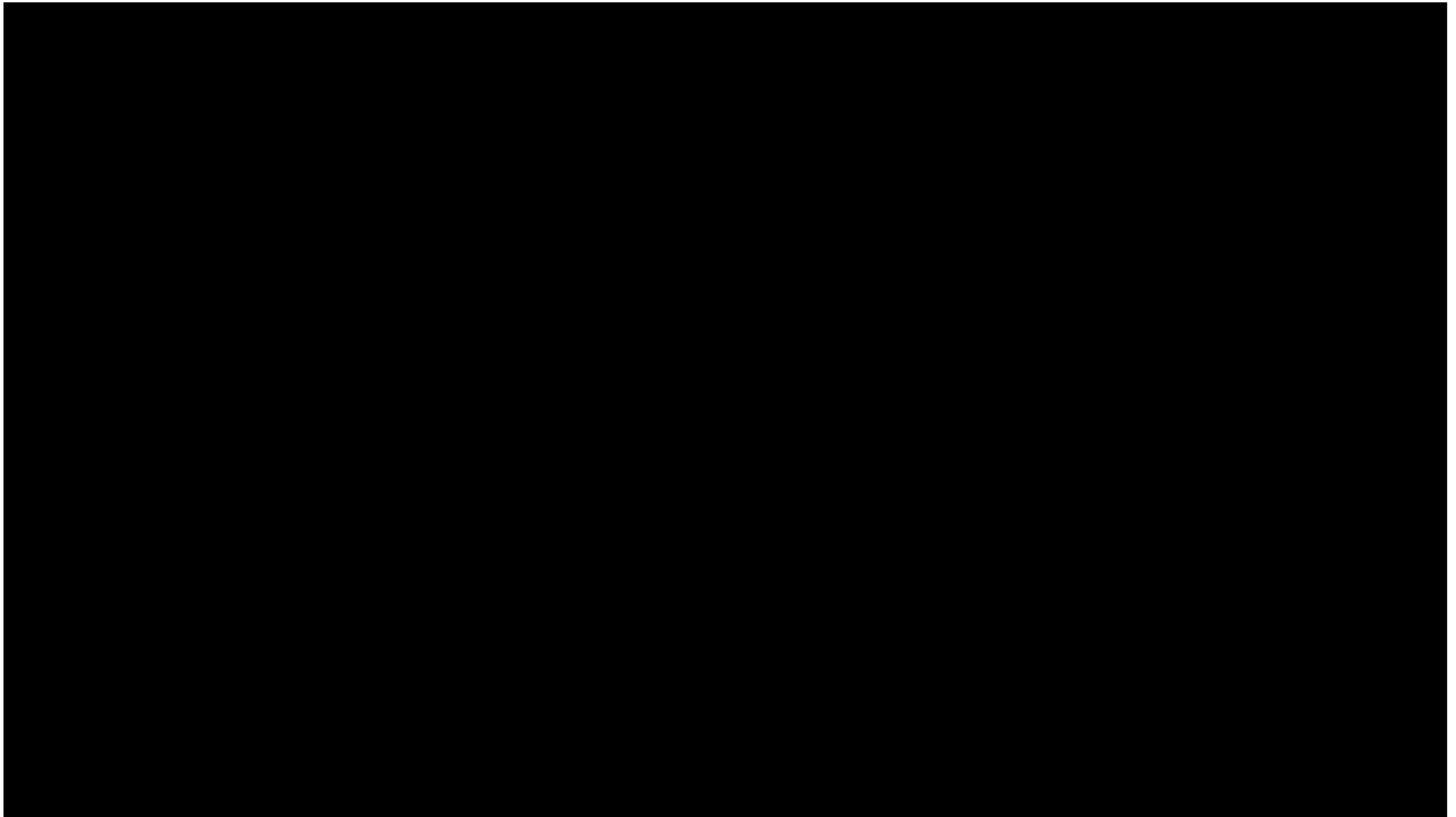
More details of the proposed meadow mix would be welcomed. Limagrain MM is an

26



Prior to the commencement of the development hereby approved a scheme for the provision and management of a buffer zone alongside the watercourse and during the pond creation shall be submitted to and agreed in writing by the County Planning Authority. The scheme shall include plans showing the extent and layout of the buffer zone; and details demonstrating how the buffer zone will be protected during development and managed/maintained in the long term. The approved scheme shall thereafter be implemented in full.

No objection to discharge



Afternoon Don. I'm not sure if I've sent this through before but either way, could you please confirm whether the attached are sufficient to discharge conditions 21, 23, 24, and 26 attached to WSCC/077/11/BK (decision notice attached).

If you could have your comments to me by 30 November I'd be most grateful indeed.

Thanks

Jane.

[attachment "Info re C18 21 23 24 25 26.pdf" deleted by Don Baker/PL/WSCC] [attachment



"0738-12-1 PLANNING Drainage 1\_1250 A2.pdf" deleted by Don Baker/PL/WSCC] [attachment  
"0738-12-3 PLANNING Proposed pond 1\_500 A4.pdf" deleted by Don Baker/PL/WSCC] [attachment  
"0738-12-2 PLANNING Landscape and ecology 1-1250 A2.pdf" deleted by Don Baker/PL/WSCC]  
[attachment "WSCC 077 11 BK Decision Notice.doc" deleted by Don Baker/PL/WSCC]

Jane Moseley   Principal Planner, Communities & Infrastructure, <a href="#">West Sussex County Council</a>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a>
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Thanks Jane

I shall pester the HA direct...!

Nick

**From:** Jane.Moseley@westsussex.gov.uk [mailto:Jane.Moseley@westsussex.gov.uk]

**Sent:** 14 December 2012 12:58

**Subject:** Re: FW: Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions

Apologies Nick - you had slipped down the list as I know you can't start work until we hear back from the Highways Agency (who you are free to chase yourself as well - details on the attached letter). I am getting nothing from them.

My ecology colleague has provided the following comments on the pond which are hopefully sufficient to move forward:

- Don't decrease the depth.
- One side at 1:15 is acceptable
- Just change the top two slopes (1:10 & 1:5) to 1:15.


He's in the middle of two appeals so bullet-pointed comments was all he could do.

I can confirm that I am happy to sign off the archaeology condition.

Jane.

Jane Moseley   Principal Planner, Communities & Infrastructure, <u>West Sussex County Council</u>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a>
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Hi Jane

I don't want to become a pest, but have you got an answer from your colleague yet, about the pond?

Also – are you able to sign off the archaeology condition?

I don't suppose there is any feedback yet about the Key stage 2 & 3 reports??

As I say – I don't want to be a nuisance keep chasing you, but we really need to get going with this project straight after Christmas...

Regards



**Sent:** 06 December 2012 14:38

**To:** 'Jane.Moseley@westsussex.gov.uk'

**Subject:** RE: Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions

Thanks Jane

I will get it updated and sent on to you.

At least I'm not going mad – I was sure I'd already sent you something to do with the archaeology!

Going back to condition 23 – the pond, our architect has asked if you could clarify a couple of things please.

- The current pond cross section drawing shows 3 different angles at the top, middle and bottom. Would you like all the slopes altered to 1:15 to 1:20 or just some (e.g. the top only)?
- Do you want the depth of the pond to stay the same, in which case the area will increase; or the area to stay the same, in which case the depth of the pond will decrease?

Regards

Nick

**From:** [Jane.Moseley@westsussex.gov.uk](mailto:Jane.Moseley@westsussex.gov.uk) [<mailto:Jane.Moseley@westsussex.gov.uk>]

**Sent:** 06 December 2012 14:18



**Subject:** RE: Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions

Nick -

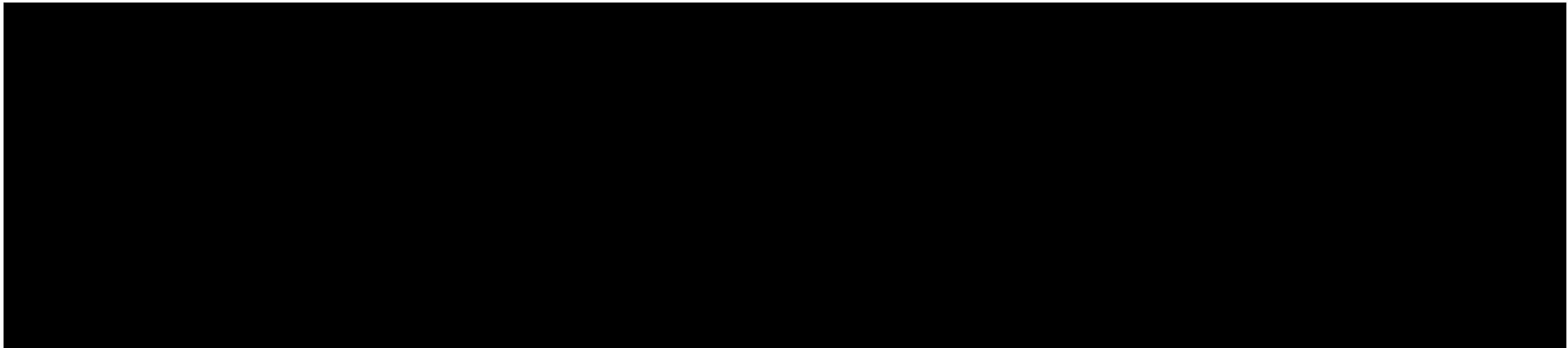


Apologies for being unclear. The last I heard of the situation was the attached - so I believe the brief you forwarded needs updating slightly.

Thanks  
Jane.

Jane Moseley   Principal Planner, Communities & Infrastructure, <u>West Sussex County Council</u>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a>
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Jane

Condition 23 – I'll chase our architect in a moment – as soon as he sends me the revised pond detail I shall send it over.

Condition 27 – I've just realised that I've not sent you anything re the archaeology yet – and this was one of the first things I got sorted (doh!). Please find attached proposal / quote from EAS Ltd, which explains the procedure. I shall ask them to prepare the written scheme of investigation and forward it on to you for approval asap.

Regards

[Redacted signature]

**From:** [Jane.Moseley@westsussex.gov.uk](mailto:Jane.Moseley@westsussex.gov.uk) [<mailto:Jane.Moseley@westsussex.gov.uk>]

**Sent:** 06 December 2012 12:00

[Redacted recipient name]

**Subject:** Bund at Park Farm, Bolney WSCC/077/11/BK - Discharge of conditions



Nick

I have just gone through the file to check where we are up to with regard to the discharge of conditions for the above and can confirm that we are awaiting, from you, information to discharge the following conditions:

- Condition 23 - pond details (as requested 27 November 2012);
- Condition 27 - archaeology: please confirm the current situation regarding this.
- Condition 28, 29, and 31: awaiting Highways Authority feedback.

I can confirm that in addition to previously discharged conditions I am happy to discharge:

- Conditions 21 (Japanese Knotweed - to be managed in accordance with the scheme set out in your letter of 17 August 2012);
- Condition 24 (Ecological Enhancements) - to be undertaken in accordance with the details set out in your letter of 17 August 2012, drawing numbers 0738/12/2 and 0738/12/3 (as updated by the revised pond drawing which remains outstanding), as updated by your email of 27 November 2012 confirming you are happy to update the seed mix to accord with the County Ecologist's request;
- Condition 26 (Buffer Zone) - to be managed in accordance with the details set out in your letter of 17 August 2012.

I hope that is clear but if you want me to clarify anything please let me know.

Kind regards

Jane.

<p>Jane Moseley   Principal Planner, Communities &amp; Infrastructure, <u>West Sussex County Council</u>   Location: Strategic Planning Business Unit, 2nd Floor Northleigh, County Hall, Chichester, PO19 1RH Internal: 56867   External: +44 (0) 1243-756867   E-mail: <a href="mailto:jane.moseley@westsussex.gov.uk">jane.moseley@westsussex.gov.uk</a></p>
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11<sup>th</sup> February 2013

West Sussex County Council  
County Planning  
County Hall  
Chichester  
West Sussex  
PO19 1RH

Attn: Jane Moseley

Dear Jane

Re: Planning Permission WSCC/077/11/BK – Park Farm Cottage, Bolney

In accordance with condition 3 of the above planning permission, we hereby give notice that we intend to commence the development on Monday 4<sup>th</sup> March 2013.

Yours sincerely



**WSCD050**







[REDACTED]  
**Sent:** Wednesday, September 11, 2024 11:23 AM

**To:** Andrew Clarke <[Andrew.Clarke@midsussex.gov.uk](mailto:Andrew.Clarke@midsussex.gov.uk)>

[REDACTED]  
**Subject:** RE: National Highways -Land at Dan Tree Farm - Additional information

Dear Andy,

Thank you for your email.

We have received a Transport Statement and a generic Travel Plan from the appellant. However, in our assessment, neither of these documents fully meets the requirements of the National Planning Policy Framework (NPPF) or Circular 01/2022. This position has been outlined in the National Highways Position Statement, which was submitted to the Inspector.

While our stance on these documents remains unchanged based on the information received to date, we remain open to further discussions should additional information or clarification be provided by the Appellant. We can also share our Technical Review and the documents we have reviewed, should this be of assistance.

To confirm, no departure from standards application has been received as of now.

Please feel free to contact me if you require further details or wish to discuss this matter further.

---

**From:** Andrew Clarke <[Andrew.Clarke@midsussex.gov.uk](mailto:Andrew.Clarke@midsussex.gov.uk)>

**Sent:** Tuesday, September 10, 2024 5:08 PM

[REDACTED]  
**Subject:** RE: National Highways -Land at Dan Tree Farm - Additional information

Dear Marius,

Further to the submission of the Transport Statement and Travel Plan and thereafter the comments of Mr Brownjohn in his Proof of Evidence regarding potential further discussions with National Highways on this matter, can you confirm whether any further information, transport assessments



or departure from standards applications have been received by NH and if so could copies of these documents be provided to the Council please?

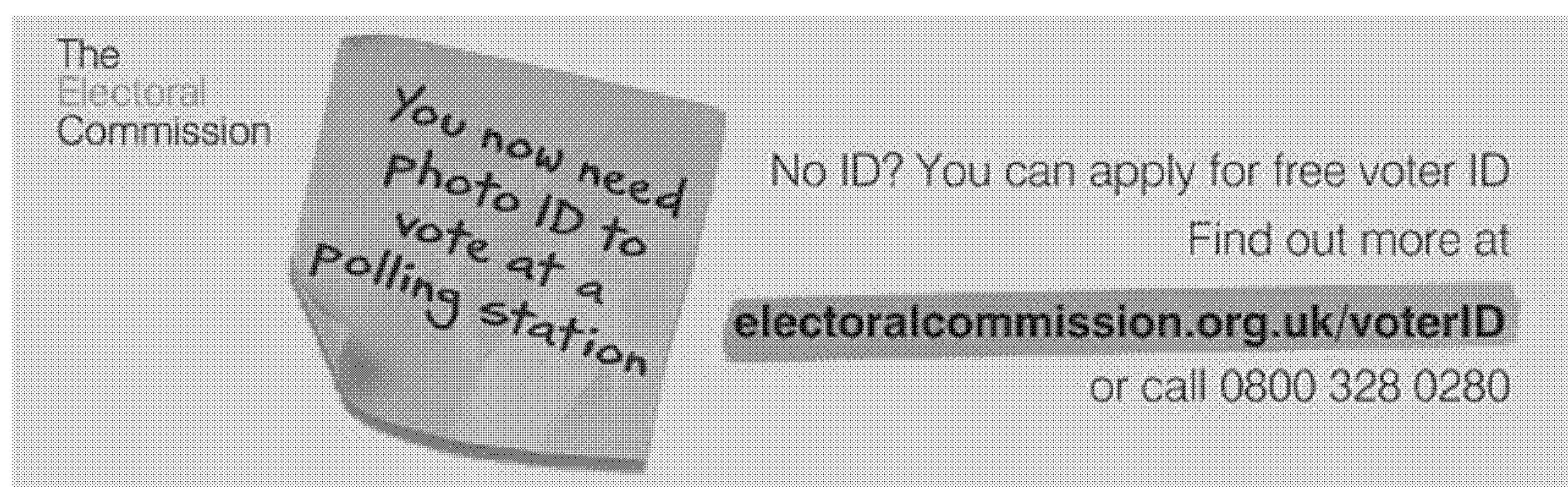
In the absence of any further information are we correct to assume your position that the Transport Statement and Travel Plan do not fully satisfy the requirements of the National Planning Policy Framework and Circular 01/2022 remains?

Thanks in advance.

Kind regards

Andy Clarke BSc (Econ), PGDip  
Senior Planning Officer  
Planning Investigation and Enforcement  
Mid Sussex District Council, Oaklands Road  
Haywards Heath, West Sussex, RH16 1SS  
Tel: +44 (0)1444 477332  
[Andrew.Clarke@midsussex.gov.uk](mailto:Andrew.Clarke@midsussex.gov.uk) <http://www.midsussex.gov.uk>

Working together for a better Mid Sussex



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Sent: Tuesday, August 27, 2024 2:56 PM

Dear Mr Brownjohn,

Thank you for your email and for providing the additional information, including the Transport Statement and Travel Plan; we appreciate your prompt response. We have taken the opportunity to review your revised draft Statement of Common Ground (SOCG) and comments made by the Council.

Hence, please find attached the updated draft, NH Bolney SOCG 270824, which now incorporates both the Council's comments and the Appellant's position. We hope this document reflects a more accurate and comprehensive understanding of the matters at hand.



Regarding the Transport Statement and Travel Plan, we note that these will require further review in line with current National Highways procedures. However, upon initial review, it appears that these documents may not fully satisfy the requirements of the National Planning Policy Framework (NPPF) and Circular 01/2022. We would be happy to discuss these points further to ensure alignment with the relevant standards.

Please do not hesitate to reach out if further discussions would be beneficial. We remain open to continued dialogue to resolve any outstanding matters.

Best Regards

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