

I am Peter John Brown of Rowgardenswood, Collendean Lane, Norwood Hill, Surrey, RH6 0HP, and I do solemnly and sincerely declare and say as follows:-

1. I am the Director of PJ Brown (Civil Engineering) Ltd, and I am giving this declaration in support of the appeal at "*Land east of Dan Tree Farm, A23, Bolney*" ("the Site"), as shown on the plan attached at **PB1**.
2. This statement serves to confirm that PJ Brown and associated Companies have continuously used the land east of A23 and north of Park Farm Cottage, Broxmead lane, Bolney, West Sussex, RH17 5RJ a mix of general open air storage (comprising of the storage and stationing of skips, shipping containers and onsite porta cabins, roll on roll off bins and the storage of Inert material as well as the storage and use of crushing and screening equipment for a period of well over 10 years prior to the service of the Enforcement Notice.
3. The site itself is a permitted Waste Facility (SR2008 No 11) and has now been permitted for several years. A brief description of that permit is relatively apt which is an "*inert and excavation waste transfer station with treatment*".
4. The start of our current activities on the site is most clearly evidenced by the invoice in mid-2007 for planings, aggregates and machinery which were stored on the relatively small area of land which I refer to as the compound.
5. Aerial Photos dating back to 2005 clearly show that the compound was already in existence, although it was not until 2007 that PJ Brown started using it for its current purpose for mixed waste and storage uses, and it was 2011/12 that we began operating from the site at the intensity that we do presently. This was prefaced by the sale of land, we had previously been operating from, for development purposes (Recycling Yard at Holmbush which has now become Kilnwood Vale) necessitating relocation and dependency on this yard.
6. Although the storage and waste uses were separate enterprises, they were both carried out in the same area and there were not separately occupied parts of the compound. Neither use was ancillary to the other.
7. The compound was separate to the rest of the farm which was in agricultural use. Work carried out on part of the farm to restore and level a bomb crater from the Second World War was carried out under agricultural permitted development rights which were permitted by 01/01232/AGDET. These works were unrelated to the waste and storage use taking place in the compound. The two areas were physically and functionally separate.

8. The site overall usage from 2008 to the present day has of course grown with that of PJ Brown and Associated companies, with varying levels of activity having taken place on the site, such as our involvement with the A23 works and crushing of road planings in 2013 and 2014 being one of our most prominent projects in the area, but the core premise of what the site has been used for has remained the same. As I have mentioned, the level of intensity of our activities on site would fluctuate, but the general character of the use has remained the same throughout our stay at the yard, namely the physical treatment/separation and storage of inert materials and aggregates.
9. The waste use involves the screening of mixed construction waste and the crushing of concrete and brick hardcore. Although there were times when the site would be busier, or quieter, there has been no significant change to the nature of how the compound has been used during the time since we began occupying the site.
10. The storage use relates to a wide range of materials and goods including shipping containers and skips, road planings, other road construction materials, and most predominantly recycled aggregates.
11. To give a rough history of the site we originally started working on the site as contractors to continue the land remediation started by and following SE Tipping going into administration, around 2004. During our works, the benefits of the location became apparent, and Mr. Rawlins and myself discussed the prospect of establishing a separate yard on the land for PJ Brown to use more permanently. We came to an agreement in roughly May of 2007, and the "Yard" became operational shortly thereafter.
12. We began using the yard for inert physical recycling works (Crushing, screening etc) around the same time of establishing the yard in late 2007 and, whilst both our own records and Finning UK Ltd's were not well kept at the time, I can confirm that the repair and maintenance works to the plant which is referred to in those documents does indeed relate to the appeal site, and not to our involvement with any works on the rest of the land at Bolney Park Farm.
13. The site is ideally located, with direct access onto the A23 and causes no issues to any of the surrounding areas or immediate neighbours, who have all prepared statements to that effect. The fact that no issues have been identified during our operations on the site has been a major factor in our continued operations on the site for the 10-year period prior to the service of the Enforcement Notice.

14. The site benefits from an existing entrance, and tarmacked access road leading to the site, both of which have been in place from long before we started using the site. They can be seen on aerial photos taken in 2005. The access has been granted planning permission, notwithstanding the fact that it has been in use for more than 18 years. Mr. Rawlins, and by virtue ourselves, both benefit from a right of way over the land owned by Ms. S. Wright, Mr. Rawlins through his land ownership, and ourselves through our tenancy on the site.
15. This site not only enables a local small business to continue to be able to employ a multitude of people but provides a circular service to the economy through the sale and reuses of recyclable materials produced whilst at the same time helping the Council to meet its own recycling targets.
16. The County Authority have known that we have been struggling to find alternative sites for such works since the closure of our previous yard in Holmbush. We have received no help in finding any alternative sites despite being very active in our desire to do so, and the recent decision at Kilmarnock Farm, as I understand, place significant concern over the future of the business should the Bolney site be forced to cease operating.
17. The loss of the appeal site and its capabilities would be a major blow to P J Browns ability to carry on its operations and could possibly result in significant losses regarding employment. We currently employ roughly 80 people, but this number includes sub-contractors and those who are self-employed. The number of PAYE employees would be in the region of 60.
18. Whilst I won't comment on the turnover generated by the site itself and its contribution to the companies profits, I will state that the appeal site forms an integral part of our operations, and is an important part to the functioning of the company itself. The site at Bolney allows us to remain competitive with our competitors who, instead of recycling the material they take from sites, deposit it to Landfill, and so the sites benefits are more ancillary to the companies' profits rather than driving the profits themselves.
19. We have looked at other sites, and I am aware that the County Authority have encouraged ourselves to seek accommodation at existing sites, but these sites are unsuitable on account that they don't have capacity for our activities, or the fact that they are owned by our competitors. Were we forced to relocate here, the simple issue would be that we would become beholden to our competitors, and we would cease being able to viably compete with them.

AND I make this solemn declaration consciously believing  
the same to be true and by virtue of the provisions of the  
Statutory Declarations Act 1835

DECLARED BY THE ABOVE NAMED PETER JOHN BROWN BEFORE ME

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Solicitor

THIS                      DAY OF                      2023

Exhibit PB1

