

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/D3830/C/23/3319435

A. APPELLANT DETAILS

Name

Mr P Brown

Company/Group Name

PJ Brown (Civil Engineering) Ltd

Address

Burlands
Charlwood Road
Ifield
West Sussex
RH11 0JZ

Preferred contact method

Email Post

A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice?

Yes No

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes No

Name

Mr Spencer Copping

Company/Group Name

WS Planning & Architecture

Address

WS Planning & Architecture, 5 Pool House
Bancroft Road
REIGATE
Surrey
RH2 7RP

Phone number

01737 225711

Email

admin@wspa.co.uk

Your reference

J004451

Preferred contact method

Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Mid Sussex District Council

LPA reference number (if applicable)

EF/18/0446

Date of issue of enforcement notice

28/02/2023

Effective date of enforcement notice

31/03/2023

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes No

Does the appeal relate to an existing property?

Yes No

Address

Land east of Dan Tree Farm
London Road
Bolney
West Sussex
RH17 5QF

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes No

Please describe the health and safety issues

The site is an active construction and demolition waste recycling site

What is your/the appellant's interest in the land/building?

Owner

Tenant

Mortgagee

None of the above

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

Yes No

(a) That planning permission should be granted for what is alleged in the notice.

The facts are set out in

see 'Appeal Documents' section

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

The facts are set out in

the box below

Refer to document titled "00 - J004451 - Grounds of Appeal letter" attached under Ground (a)

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development").

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action

against the matters stated in the notice.

The facts are set out in

the box below

Refer to document titled "00 - J004451 - Grounds of Appeal letter" attached under Ground (a)

(e) The notice was not properly served on everyone with an interest in the land.

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

The facts are set out in

the box below

Refer to document titled "00 - J004451 - Grounds of Appeal letter" attached under Ground (a)

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why.

The facts are set out in

the box below

Refer to document titled "00 - J004451 - Grounds of Appeal letter" attached under Ground (a)

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary.

The reasons are set out in

the box below

It is requested that the appeal be dealt with by way of a Public Inquiry as there is evidence that will need to be given under oath regarding the matters of the Ground (d) appeal, and the history of the hardstanding and change of use that is the subject of the enforcement notice. In addition to this, the matters to be considered under Ground (a) are complex, and technical in nature, and will require formal examination.

(a) How long do you estimate the inquiry will last?

4 day(s)

(b) How many witnesses do you intend to call?

14

(c) Is there any further information relevant to the inquiry which you need to tell us about?

Yes

No

If so, please explain the relevant information below

Ground (a) if all issues remain disputed - Planning Witness, Landscape Witness, Highway Witness, and Appellant to describe Business' economic needs for site

Ground (d) - 11 witnesses (Including Appellant) on factual matters as indicated in "00 - J004451 - Grounds of Appeal letter", if not submitted in written format (Affdavits / Statutory Declarations) during proceedings

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes No
2. Are there any planning reasons why a fee should not be paid for this appeal? Yes No

If no, and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee shown in the explanatory note accompanying your Enforcement Notice.

H. OTHER APPEALS

- Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

[see 'Appeal Documents' section](#)

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Mr Spencer Copping

Date

29/03/2023 09:19:11

Name

Mr Spencer Copping

On behalf of

Mr P Brown

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: GROUNDS AND FACTS
Document Description: Facts to support that planning permission should be granted for what is alleged in the notice.
File name: 04H - hla 394 PS01 Bolney Park Farm Planting Schedule September 20.pdf
File name: 04B - hla 394 01 Location and Block Plan September 20.pdf
File name: 04F - hla 394 04 Planting Plan September 20.pdf
File name: 04D - hla 394 03 sections A A and B B September 20.pdf
File name: 04C - hla 394 02 Existing and proposed contours plan September 20.pdf
File name: 00 - J004451 - Grounds of Appeal - 28 March 2023.pdf
File name: 04A - hla 394 R01 Bolney Park Farm LVIA September 20.pdf
File name: 05 - Application Highway Documents WSCC.077.11.BK.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: 02 - EF.18.00446 - Enforcement Notice & Plan.pdf

Completed by MR SPENCER COPPING

Date 29/03/2023 09:19:11