

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(AS AMENDED)**

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**PLANNING CONTRAVENTION NOTICE**

**REFERENCE NUMBER: EF/18/0446**

To: Mr PJ Brown

1. It appears to the Mid Sussex District Council ("the Council") being the Local Planning Authority for the purposes of Section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land")
2. The breach of planning control which may have occurred is specified in Schedule 2 below.
3. This notice is served on you as a person who;
  - (a) is the owner or occupier of the land or has any other interest in it;OR
  - (b) is carrying out operations in, on over or under the land or is using it for any purpose.
4. In exercise of their powers under Section 171C (2) and (3) of the Act the Council require you, so far as you are able, to give to them the following information in writing **WITHIN TWENTY ONE DAYS**, beginning on the day on which this notice was served on you:
  - (a) Please confirm your full name, job title and address, including post code, telephone number and email address.
  - (b) Please confirm the nature and description of the operation being carried out on the land stated in Schedule 1 and shown outlined in red on the plan attached to this Notice.
  - (c) Please confirm the date upon which the operation being carried out on the land stated in Schedule 1 and shown outlined in red on the plan attached to this Notice began.
  - (d) Please confirm your interest in the land stated in Schedule 1 and shown outlined in red on the plan attached to this Notice began.

- (e) Please confirm how long and from what date you have had interest in the land stated in Schedule 1 and shown outlined in red on the plan attached to this Notice began.
- (f) When did any company for which you are a director begin to import material onto the land?
- (g) When did any company for which you are a director begin to process material onto the land?
- (h) When did any company for which you are a director begin deposit material onto the land?
- (i) What tonnage of material is imported onto the land per annum by any company for which you are a director?
- (j) Please confirm the number of HGV deliveries to the land over the past a) 4 week period and b) 12 month period prior to the date of this Notice.
- (k) Please provide any tenancy or lease agreement, including details of any payments made or received, relating to the use of the land stated in Schedule 1 and shown outlined in red on the plan attached to this Notice
- (l) Please provide the following information in relation to the blue ducting shown in photo 1 on the Appendix 1 attached to this Notice:
  - i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (m) Please provide the following information in relation to the metallised fencing shown in photo 1 on the Appendix 1 attached to this Notice:
  - i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (n) Please provide the following information in relation to the concrete drainage sections shown in photo 2 on the Appendix 1 attached to this Notice:
  - i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (o) Please provide the following information in relation to the black ducting shown in photo 2 on the Appendix 1 attached to this Notice:
  - i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site

- (p) Please provide the following information in relation to the black plastic drainage sections shown in photo 3 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (q) Please provide the following information in relation to the yellow skip shown in photo 4 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (r) Please provide the following information in relation to the gate / barrier and associated mechanism shown in photo 5 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (s) Please provide the following information in relation to the metallised gates / tracks shown in photo 6 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (t) Please provide the following information in relation to the plastic pipes shown in photo 7 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (u) Please provide the following information in relation to the metallised wheelwash shown in photo 8 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site

- (v) Please provide the following information in relation to the black plastic drainage sections shown in photo 9 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (w) Please provide the following information in relation to the metalled tracks shown in photo 10 on the Appendix 1 attached to this Notice:
- i) a description of the item;
  - ii) for what purpose it is on the site;
  - iii) any intended use of the item;
  - iv) how long it has been present upon the site
- (x) Do you consider that planning permission (deemed or express) would be necessary for any of development, including that referred in questions b -w above, on the land? If no, please clarify why.
- (y) Do you intend to make a planning application for any of development, including that referred in questions b -w above, on the land? If no, please clarify why.
- (z) Please provide any other information you believe the LPA should consider in its assessment of the breach of planning control as stated in Schedule 2.

5. If you wish to make:

(a) an offer to apply for planning permission to vary the wording of the condition, or to refrain from carrying out operations or activities which represent a breach of planning control OR

(b) any representations about this notice

the Council, or representatives of the Council, will consider them at a time, day and date, mutually agreed, at the Planning Department, Mid Sussex District Council, Oakland's, Oaklands Road, Haywards Heath, when you will be able to make such offer or representation in person at that time and place.

Dated this 28<sup>th</sup> April 2022

Signed 

Andy Clarke

Senior Planning Officer – Planning Investigation and Enforcement

## SCHEDULE 1

Land to which this notice relates:

Land at Bolney Park Broxmead Lane, Bolney, West Sussex, RH17 5RU ("the Land") and as shown edged in red on the attached plan.

## SCHEDULE 2

Without planning permission, the change of use of land for the importation, processing, deposit and transfer of waste and storage of associated items

## WARNING

1. It is an offence to fail without reasonable excuse, to comply with the requirements of the notice within twenty one days, beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1000. Continuing failure to comply following conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in any particular. The maximum penalty on conviction of this offence is a fine of £5000.

## ADDITIONAL INFORMATION

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular they may issue an Enforcement Notice under s.172 of the 1990 Act, requiring the breach, or the injury to amenity caused by it, to be ceased.
4. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provide that should you otherwise become entitled (under Section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice or had you otherwise co-operated with the Council when responding to it.

PLEASE RETURN TO;

Divisional Leader for Planning and Economy  
Mid Sussex District Council  
Oakland's  
Oakland's Road  
Haywards Heath  
West Sussex  
RH16 1SS

MID SUSSEX DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING  
COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

Served On: Mr PJ Brown

Reference No: EF/18/0446

Further to the notice served on me the answers to the questions listed in Paragraph  
4 are as follows:

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Signed..... Dated.....