



**Proof of Evidence: Andrew Sierakowski  
BSc (Econ)Hons, MSc, GDL, LLM, MRTPI**

**Appendices: Part 6**

**WSCD026 – WSCD034**

Acting County Planning Manager, West Sussex County Council

**Appeal by PJ Brown (Civil Engineering) Ltd.**

**Land East of Dan Tree Farm, London Road,  
Bolney, West Sussex, RH17 5QF**

PINS Ref:  
APP/D3830/C/23/3319435  
MSDC Ref: AP/23/0042

August 2024



**WSCD026**





**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel: (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**

The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre: 01243 642118



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Peter Coleman  
Company Secretary  
PJ Brown Ltd  
Burlands  
Charlwood Road  
Ifield Wood  
Crawley  
West Sussex, RH11 0JZ

21 November 2018

Our reference: INV/2108/10/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Mr Coleman,


**Planning Contravention Notice, Section 171(A) of the Town and Country Planning Act 1990 (as amended); Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU**

You have been served with a Planning Contravention Notice under the above Act in relation to Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU, because it appears to the County Council that there has been a breach of planning control at the land. The Notice has been served on you as it appears that you are the current owner of the land.

You are required to provide, so far as you are able, the information laid out in paragraph 4 of the Notice, in writing, within 21 days of the date on which you receive this Notice. It is vital that you answer each part of each question as fully and as accurately as you can. Your attention is drawn to the Warning set out in paragraph 6 of the Notice which advises you of the penalty for either failing to respond to the Notice within 21 days or for making false or misleading statements in your reply.

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, County Development, Northleigh, West Sussex County Council, Tower Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

Yours sincerely



**Kirstie May**  
Compliance and Enforcement

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands,  
Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the deposit of waste on land within and adjacent to the perimeter track of land to the east of Dan Tree Farm and Park Farm Equine Rehabilitation Centre (commencing at grid reference 526789 124735)

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, and contact email address.</p>	
<p>(2) Please state your interest in the land (i.e. owner, occupier, tenant, lessee or other interest).</p>	
<p>(3) Please provide the full name and address of anyone with a joint interest in the land, including any additional company directors and any landowners (including their interest).</p>	
<p>(4) Please provide the full name and address of any mortgagee of the land mentioned in part 2 of this notice.</p>	
<p>(5) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	

<p>(6) When did the deposit of waste on/near the perimeter track mentioned in section 3 (henceforth "the track") begin?</p>	
<p>(7) Please indicate on the attached plan the approximate extent of your interest in the works undertaken on the track – i.e. the extent of your landownership/ leasehold/ tenantry, if relevant).</p>	
<p>(8) Provide an outline of the works undertaken by you on the perimeter track.</p> <p>Include the date of commencement and cessation of these works, plus any other dates you consider relevant.</p> <p>Indicate the area of works on the attached plan</p>	
<p>(9) What material did you use for the works undertaken as referenced above? Where was it sourced from?</p>	

<p>(10) How much material has been deposited to the land as referenced above?</p>	
<p>(11) Were you paid on <u>initial receipt</u> of this material?</p>	
<p>(12) Were you paid <u>to deposit</u> this material?</p>	
<p>(13) Did you pay for the material to be imported and/or deposited to the land?</p>	
<p>(14) Was this material processed <u>anywhere</u> on site (within the land holding of the landowner), prior to its deposition to the land?</p>	

<p>(15) Was planning permission (deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the commencement of these works?</p>	
<p>(16) Was planning permission (deemed or express) acquired following commencement of these works?</p>	
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for these works?</p>	
<p>(18) Do you intend to rectify the breach identified above?</p>	
<p>(19) How do you intend to rectify the breach identified in section 3 above?</p>	

<p>(20) When do you intend to rectify the breach identified above?</p> <p>Please provide an approximate timeline.</p>	
<p>(21) Do you have any comments in regard to the matter referred to above?</p>	

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 20 December 2018.**

## **5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

## **6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

## **7. ADDITIONAL INFORMATION**

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 21 November 2018

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **Served on:**

Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30  
New Road, Brighton, BN1 1BN



Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

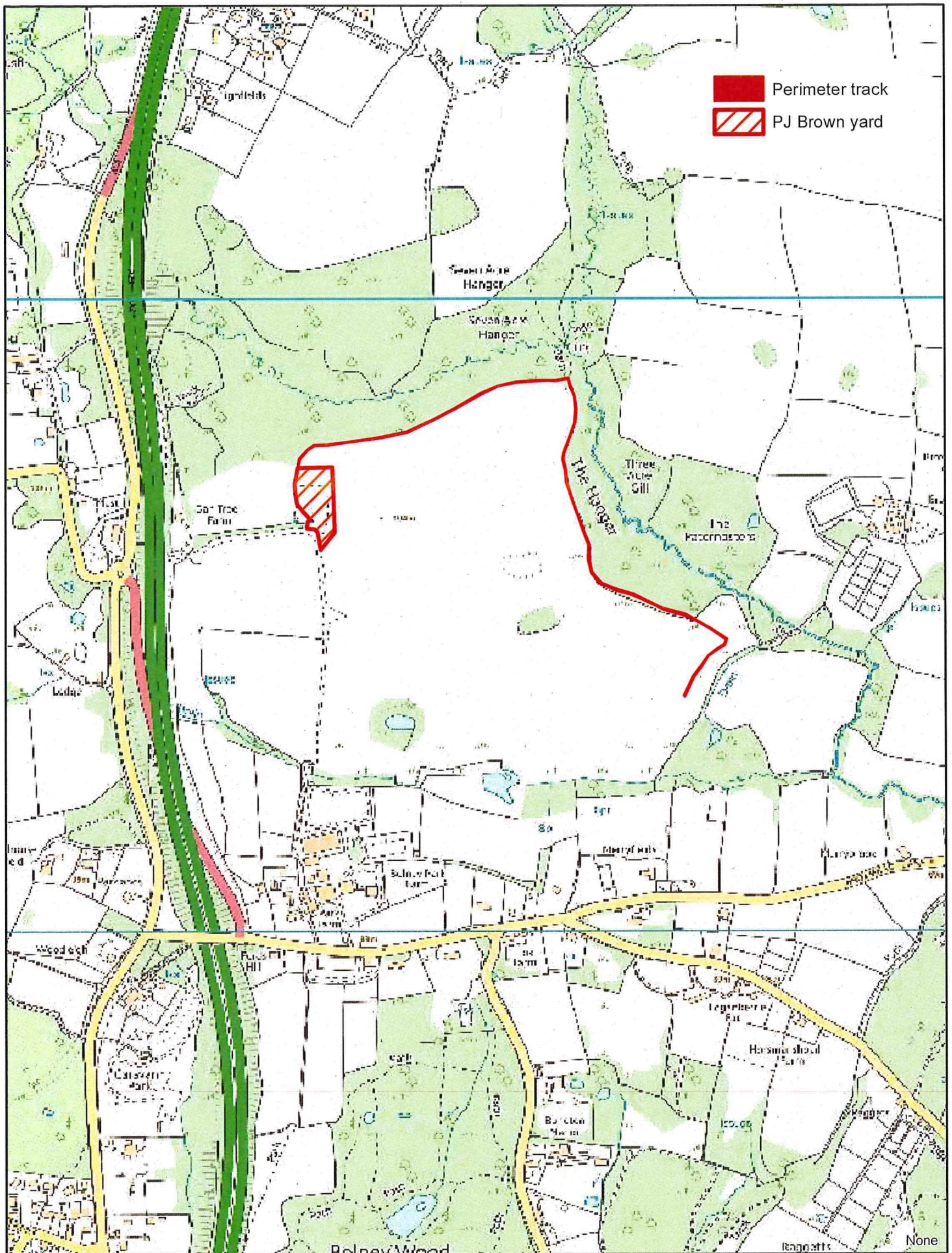
**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: ..... . . . . .

Dated: .....

\*



Perimeter track  
 PJ Brown yard

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 West Sussex County Council Licence No. 100023447

## Park Farm/Dan Tree Farm/ PJ Brown depot, Bolney

1:7,771



**WSCD027**



**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel: (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**

The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre: 01243 642118



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D Rawlins  
Bolney Park Farm  
Broxmead Lane  
Bolney  
West Sussex  
RH17 5RJ

21 November 2018

Our reference: INV/2108/10/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Mr Rawlins

**Planning Contravention Notice, Section 171(A) of the Town and Country Planning Act 1990 (as amended); Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU**

You have been served with a Planning Contravention Notice under the above Act in relation to Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU, because it appears to the County Council that there has been a breach of planning control at the land. The Notice has been served on you as it appears that you are the current owner of the land.

You are required to provide, so far as you are able, the information laid out in paragraph 4 of the Notice, in writing, within 21 days of the date on which you receive this Notice. It is vital that you answer each part of each question as fully and as accurately as you can. Your attention is drawn to the Warning set out in paragraph 6 of the Notice which advises you of the penalty for either failing to respond to the Notice within 21 days or for making false or misleading statements in your reply.

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, County Development, Northleigh, West Sussex County Council, Tower Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

Yours sincerely

Kirstie May  
Compliance and Enforcement

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the deposit of waste on land within and adjacent to the perimeter track of land to the east of Dan Tree Farm and Park Farm Equine Rehabilitation Centre (commencing at grid reference 526789 124735)

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-



<p>(1) Please confirm your full name and address including post code, and contact email address.</p>	
<p>(2) Please state your interest in the land (i.e. owner, occupier, tenant, lessee or other interest).</p>	
<p>(3) Please provide the full name and address of anyone with a joint interest in the land, including any additional company directors and any landowners (including their interest).</p>	
<p>(4) Please provide the full name and address of any mortgagee of the land mentioned in part 2 of this notice.</p>	
<p>(5) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	

<p>(6) When did the deposit of waste on/near the perimeter track mentioned in section 3 (henceforth "the track") begin?</p>	
<p>(7) Please indicate on the attached plan the approximate extent of your interest in the works undertaken on the track – i.e. the extent of your landownership/ leasehold/ tenantry, if relevant).</p>	
<p>(8) Provide an outline of the works undertaken by you on the perimeter track.</p> <p>Include the date of commencement and cessation of these works, plus any other dates you consider relevant.</p> <p>Indicate the area of works on the attached plan</p>	
<p>(9) What material did you use for the works undertaken as referenced above? Where was it sourced from?</p>	



<p>(10) How much material has been deposited to the land as referenced above?</p>	
<p>(11) Were you paid on <u>initial receipt</u> of this material?</p>	
<p>(12) Were you paid <u>to deposit</u> this material?</p>	
<p>(13) Did you pay for the material to be imported and/or deposited to the land?</p>	
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<p>(15) Was planning permission (deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the commencement of these works?</p>	
<p>(16) Was planning permission (deemed or express) acquired following commencement of these works?</p>	
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for these works?</p>	
<p>(18) Do you intend to rectify the breach identified above?</p>	
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<p>(21) Do you have any comments in regard to the matter referred to above?</p>	

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## **6. WARNING**

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## **7. ADDITIONAL INFORMATION**

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 21 November 2018

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**Served on:**

Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30  
New Road, Brighton, BN1 1BN

Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

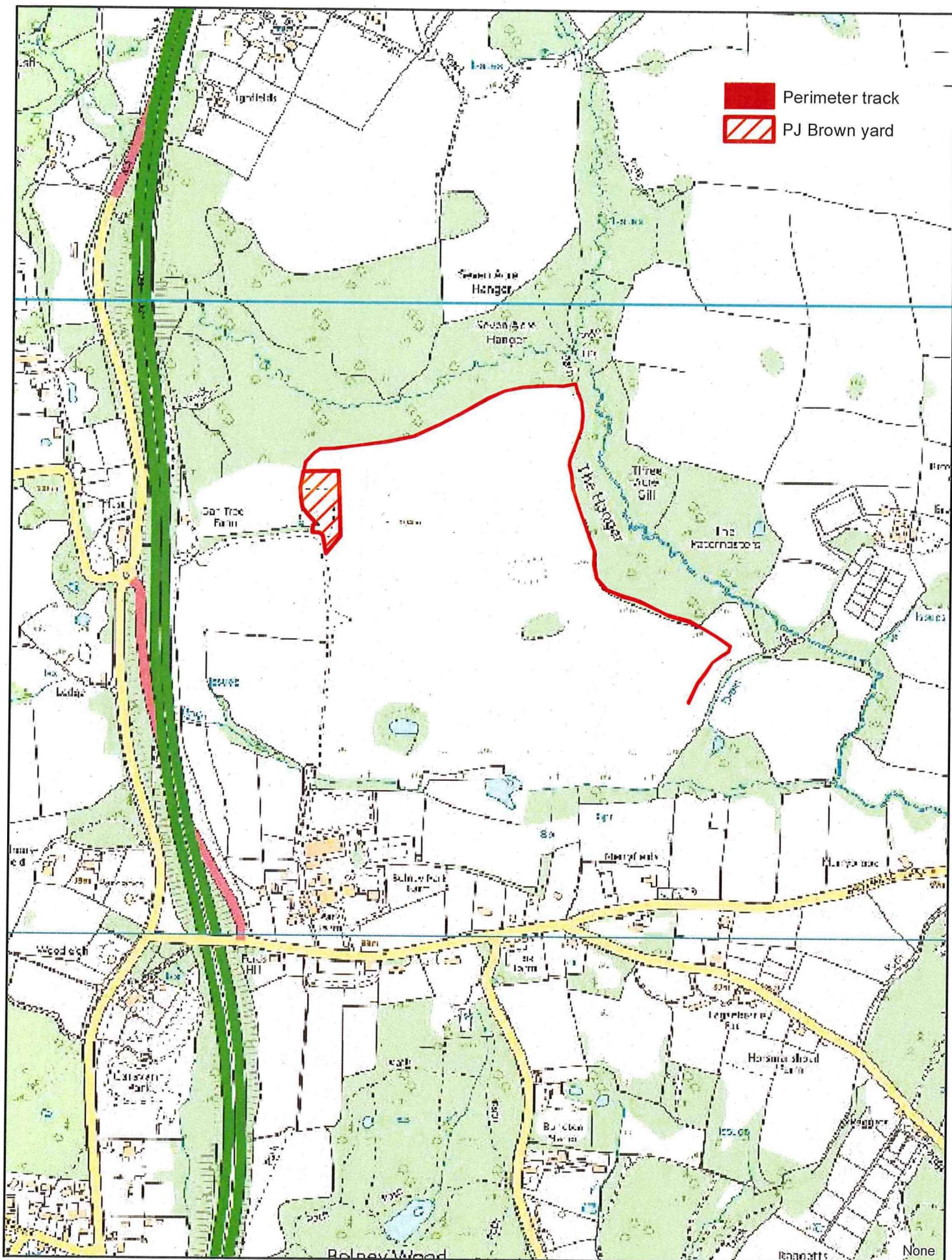
**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: ..... . . . . .

Dated: .....

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## Park Farm/Dan Tree Farm/ PJ Brown depot, Bolney

1:7,771



**WSCD028**





**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel. (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**

The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre: 01243 642118



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Mark Ratcliffe,  
Company Secretary,  
KSD Environmental Services Ltd  
30 New Road  
Brighton  
BN1 1BN

21 November 2018

Our reference: INV/2108/10/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Mr Ratcliffe,

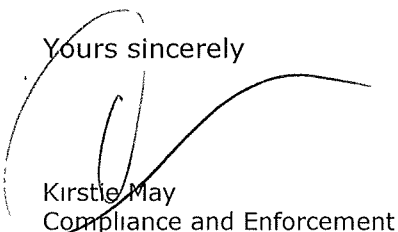
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Yours sincerely



Kirstie May  
Compliance and Enforcement

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PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30 New Road, Brighton, BN1 1BN

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

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*Without the benefit of planning permission, the use of land for the deposit of waste on land within and adjacent to the perimeter track of land to the east of Dan Tree Farm and Park Farm Equine Rehabilitation Centre (commencing at grid reference 526789 124735)*

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, and contact email address.</p>	
<p>(2) Please state your interest in the land (i.e. owner, occupier, tenant, lessee or other interest).</p>	
<p>(3) Please provide the full name and address of anyone with a joint interest in the land, including any additional company directors and any landowners (including their interest).</p>	
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**Dated:** 21 November 2018

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **Served on:**

Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
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Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30  
New Road, Brighton, BN1 1BN



Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

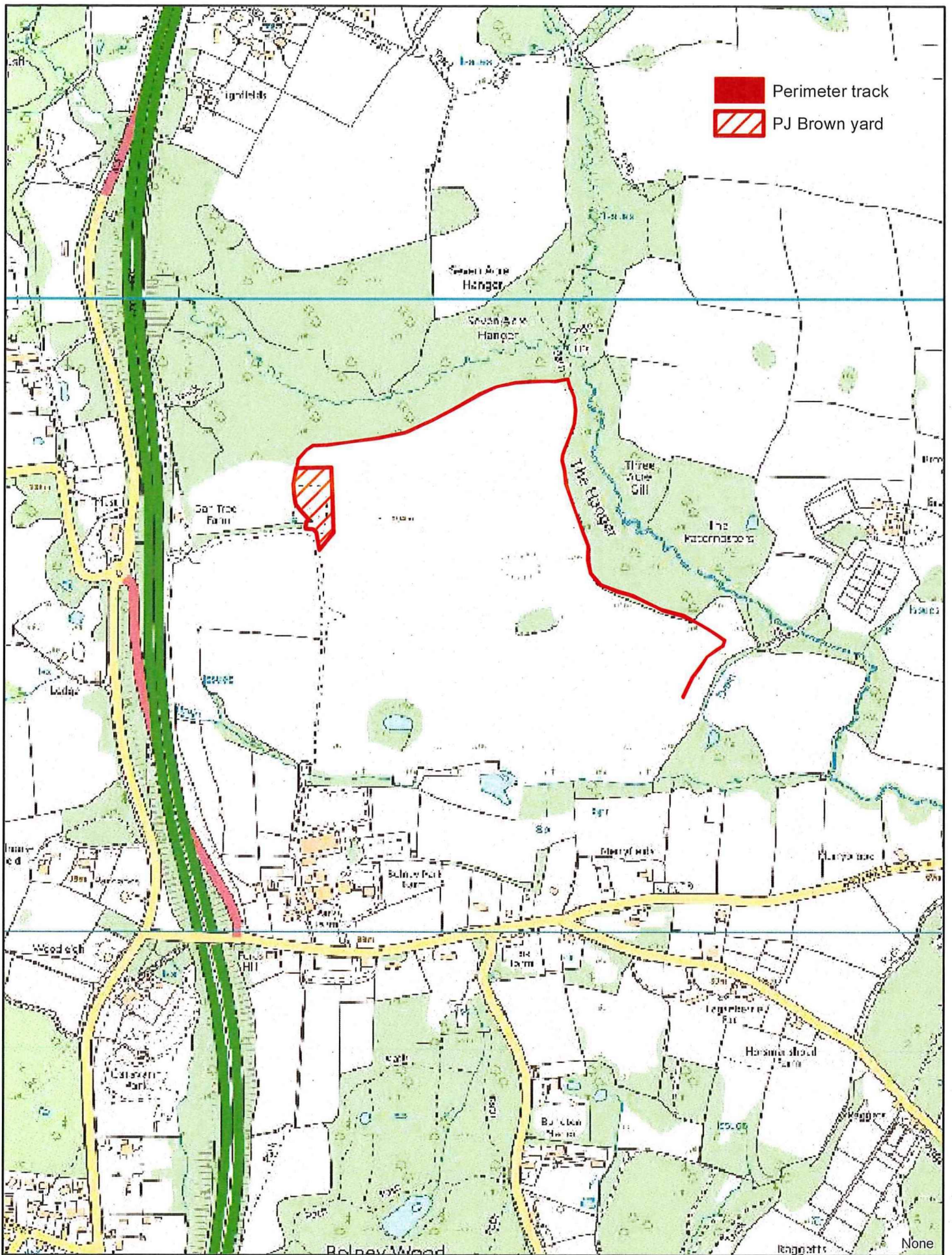
**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: . . . . .

Dated: .....

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 West Sussex County Council Licence No. 100023447

**Park Farm/Dan Tree Farm/ PJ Brown depot, Bolney**

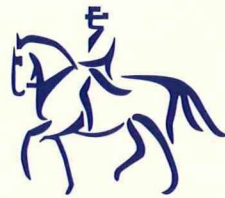
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**WSCD029**







Bolney Park Farm, Broxmead Lane,  
Bolney, West Sussex RH17 5RJ.

Planning contravention notice

5<sup>th</sup> December 2018

Ref Inv/2018/10/WSCC

Dear Sir

With reference to the above I enclose the required form and I would like to explain the situation At Bolney Park Farm.

We acquired the property on the 28<sup>th</sup> of February 1998. It was a dairy farm in need of large amounts of repair and renovation. The fields were in a very bad condition and much excavation had taken place. The fields were full of barbed wire and deep holes with a huge amount of metal and other detritus. The previous owner had tried to deal with some of this.

PJ Browns have used the yard at the top of the farm since 2004. They took over the land renovation from South east tipping when they went into receivership and have had many visits from the EA and council. I understand that they are clarifying the planning situation with the various authorities as a matter of urgency. Recent events and anything concerning the track has nothing to do with them.

Various tracks surrounded and crossed the property for cattle and machinery access. In addition many buildings had fallen into disrepair. Mid Sussex were very aware of this and many visits were carried out by Peter Rainier and Derek Penfold. Over the last Twenty years we have slowly brought the farm into its current state. The perimeter hardcore track under current discussion was always there long before we arrived. We decided over the last few years to improve this as it is essential to move machinery and gain access to the fields and woodlands and have done so as materials have allowed. I have done nearly all of this resurfacing work myself. In February of this year we were offered some materials to continue from KSD. All was well until the last corner was rounded. Mr Stephen Kinchington of the Environment agency visited and found a load of totally unsuitable materials dumped in front of a large hole. I have seen nothing like this previously. We immediately acted to have this material removed and within 14 days a further section of approximately 100 metres of material was removed down to soil level By KSD, under the independent supervision of Mr J. Harman from Sussex Groundworks. Mr Kinchington has since visited and observed the site.

I can only apologise, and assure you nothing like this will occur again. Mr Kinchington also advised me about using suitable materials and directed me to the EA website to obtain the correct exemptions for the future. We have worked hard to improve this property which is now fully operational as a working farm. I have a private equestrian unit here and am heavily involved in the Hickstead showground. I coach riders up to Olympic level in Dressage and spend much time travelling in addition to the farming activities that I undertake. We grow wheat Ryegrass and maize.

Sincerely Dane Rawlins

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the deposit of waste on land within and adjacent to the perimeter track of land to the east of Dan Tree Farm and Park Farm Equine Rehabilitation Centre (commencing at grid reference 526789 124735)

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, and contact email address.</p>	<p>Dane Rawlings Bolney Park Farm Broxmead Lane Bolney W. Sussex RH17 5R3</p>
<p>(2) Please state your interest in the land (i.e. owner, occupier, tenant, lessee or other interest).</p>	<p>OWNER</p>
<p>(3) Please provide the full name and address of anyone with a joint interest in the land, including any additional company directors and any landowners (including their interest).</p>	<p>None</p>
<p>(4) Please provide the full name and address of any mortgagee of the land mentioned in part 2 of this notice.</p>	<p>AS ABOVE</p>
<p>(5) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	<p>20+ years</p>

<p>(6) When did the deposit of waste on/near the perimeter track mentioned in section 3 (henceforth "the track") begin?</p>	<p>The track had been there long before I arrived Repair + maintenance ongoing in my time</p>
<p>(7) Please indicate on the attached plan the approximate extent of your interest in the works undertaken on the track - i.e. the extent of your landownership/ leasehold/ tenancy, if relevant).</p>	<p>Since I have been here I have done all maintenance</p>
<p>(8) Provide an outline of the works undertaken by you on the perimeter track.  Include the date of commencement and cessation of these works, plus any other dates you consider relevant.  Indicate the area of works on the attached plan</p>	<p>The track extends the entire perimeter in various states of repair over 20 years. I commenced improving surface approx 3 years ago</p>
<p>(9) What material did you use for the works undertaken as referenced above? Where was it sourced from?</p>	<p>Hardcore + road plantings as and when available Some taken from haul road access from during landfill</p>



<p>(10) How much material has been deposited to the land as referenced above?</p>	<p>unknown materials sourced intermittently. To surface existing hwy track.</p>
<p>(11) Were you paid on <u>initial receipt</u> of this material?</p>	<p>NO</p>
<p>(12) Were you paid <u>to deposit</u> this material?</p>	<p>NO</p>
<p>(13) Did you pay for the material to be imported and/or deposited to the land?</p>	<p>NO</p>
<p>(14) Was this material processed <u>anywhere</u> on site (within the land holding of the landowner), prior to its deposition to the land?</p>	<p>No but some sourced from internal road after landfill</p>

<p>(15) Was planning permission (deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the commencement of these works?</p>	<p>No in place for over 20 yrs</p>
<p>(16) Was planning permission (deemed or express) acquired following commencement of these works?</p>	<p>NO</p>
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for these works?</p>	<p>NO Track in place over 20 years.</p>
<p>(18) Do you intend to rectify the breach identified above?</p>	<p>unsuitable material (identified by Mr Kinchington removed within 14 days</p>
<p>(19) How do you intend to rectify the breach identified in section 3 above?</p>	<p>unsuitable material removed under independent supervision by Sussex groundworks within 14 days</p>

<p>(20) When do you intend to rectify the breach identified above?</p> <p>Please provide an approximate timeline.</p>	<p>Done within 14 days of Mr Kuchington's visit</p>
<p>(21) Do you have any comments in regard to the matter referred to above?</p>	<p>See attached letter please.</p>

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 20 December 2018.**

**5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

**6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

## 7. ADDITIONAL INFORMATION

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 21 November 2018

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**Served on:**

Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30  
New Road, Brighton, BN1 1BN

Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

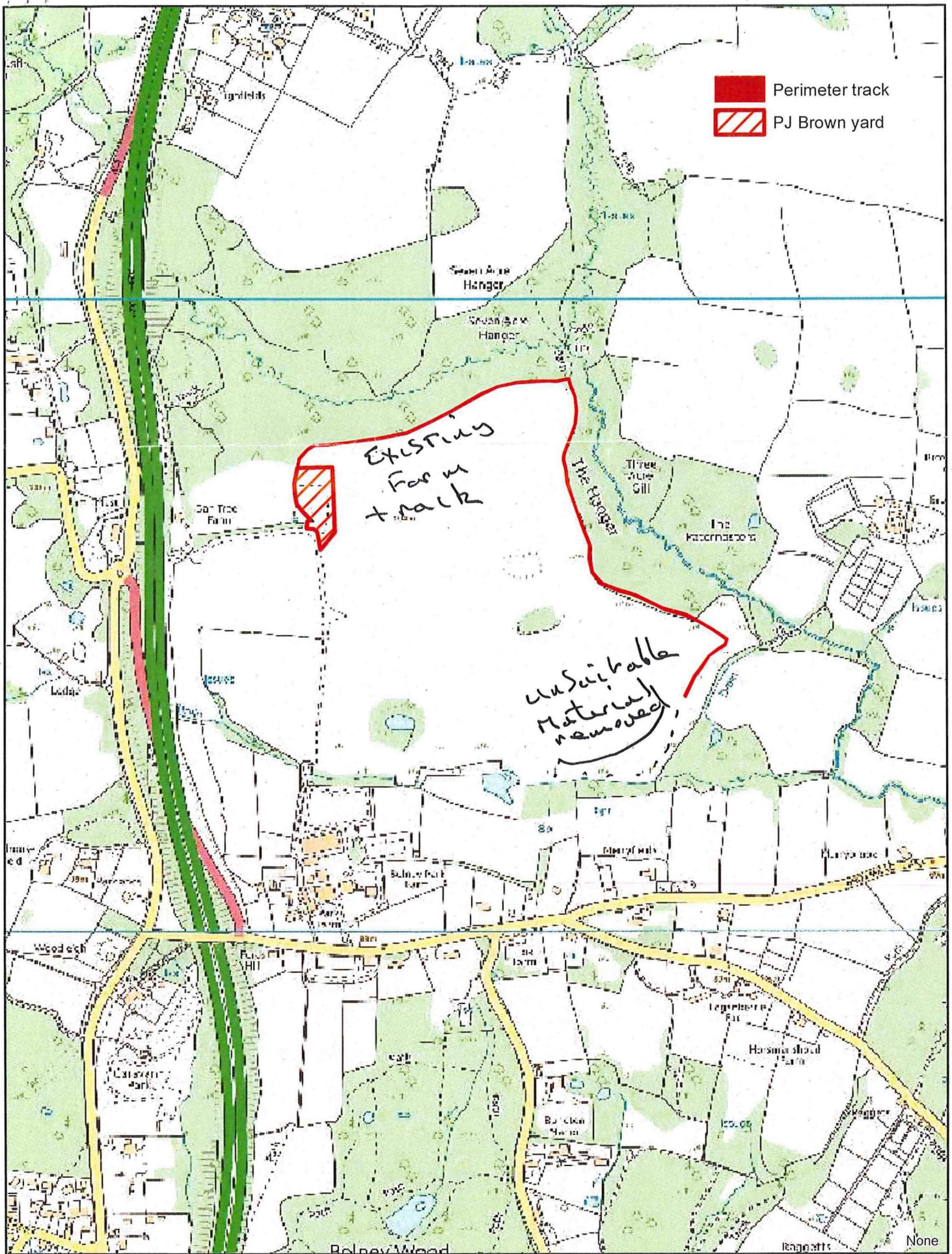
**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: D. RAWLINS.....

Dated: 4/12/18.....





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## Park Farm/Dan Tree Farm/ PJ Brown depot, Bolney

1:7,771



**WSCD030**





## Robert Penticost

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**From:** Mark Robinson  
**Sent:** 11 December 2018 09:08  
**To:** Robert Penticost  
**Subject:** FW: Bolney Park Farm RH17 5RJ

I have asked to be put in an official letter to me ASAP.

Regards,

Mark Robinson  
Transport & Plant Manager  
P J Brown (Construction)Ltd  
Tel: +44 (0) 1293 844216  
Fax: +44 (0) 1293 571164  
Mob: +44 (0) 7889 028974  
Web: [www.pjbrown.co.uk](http://www.pjbrown.co.uk)



P J Brown (Construction)Ltd  
Head Office  
Burlands Farm  
Charlwood Road  
Crawley  
West Sussex  
RH11 0JZ

**From:** Alan Shea (UK) <[ashea@finning.com](mailto:ashea@finning.com)>  
**Sent:** 11 December 2018 08:00  
**To:** Mark Robinson <[Mark.Robinson@pjbrown.co.uk](mailto:Mark.Robinson@pjbrown.co.uk)>  
**Subject:** Bolney Park Farm RH17 5RJ

To Whom It May Concern

We Finning Caterpillar have worked with P J Brown at the above site since 2006 , in that period we have carried out warranty and general repairs to their concrete crushing ( Power plants) and screening ( Power Plants) equipment and repairs to their excavators, loading shovels and dozers.

Many Thanks &  
Best Regards

Alan Shea  
Product Support Sales Manager South East  
Finning UK & Ireland Ltd  
[250 Leigh Road, Slough Trading Estate, Slough \(South East\), SL1 4BD](http://250 Leigh Road, Slough Trading Estate, Slough (South East), SL1 4BD)



**WSCD031**



**Draft Letter to be Sent to West Sussex County Council for the Attention of Kirsty May and dated 13<sup>th</sup> December 2018**

Dear Ms May

I have completed the Planning Contravention Notice dated 21<sup>st</sup> November 2018 which you have served on P J Brown Ltd and which was addressed to the Company Secretary, Mr Peter Coleman, who is now deceased.

It would appear from the questions posed in the Planning Contravention Notice that they relate primarily to the deposit of waste on or near a perimeter track. You will see from the answers provided that P J Brown (Construction) Ltd have had no interest in, and neither have they deposited at any time any waste on the perimeter track.

The perimeter track is not clearly defined on the drawing accompanying the Planning Contravention Notice and that in itself has proved problematic in providing answers to the questions raised. To this end, we have returned one of your accompanying drawings, and marked on that drawing the perimeter track which is defined by the points A, B, C, D and E. It is only the area diagonally hatched in red in which P J Brown (Construction) Ltd has an interest.

The perimeter track only lies adjacent to the land in which P J Brown (Construction) Ltd has an interest, (i.e. what is referred to on the accompanying drawing as P J Brown yard) at points A, B, C and D. Accordingly, there is no perimeter track between the two points A and D on the drawing accompanying the Planning Contravention Notice.

P J Brown (Construction) Ltd are eligible for a Certificate of Existing Lawful Use or Development for the importation, deposit, re-use and recycling of waste material, and its export as a product from the land diagonally hatched in red on the accompanying drawing, since this use has continuously taken place from the same parcel of land since 2006/2007 up to the present day.

This company is amassing the necessary information to accompany a CLEUD application, but it will take some time to gather the necessary information and contact our customers over what is an 11/12 year period. Accordingly, we will require the necessary time to submit this application, which I trust you will find acceptable.

Sign off.....

<p>(1) Please confirm your full name and address including post code, and contact email address.</p>	<p>Barry King P J Brown (Construction) Ltd Burlands Charlwood Road Ifield Wood Crawley West Sussex RH11 0JZ</p>
<p>(2) Please state your interest in the land (i.e. owner, occupier, tenant, lessee or other interest).</p>	<p>occupier of the land diagonally hatched in red on the accompanying drawing <u>only</u></p>
<p>(3) Please provide the full name and address of anyone with a joint interest in the land, including any additional company directors and any landowners (including their interest).</p>	<p>P J Brown; Barry King; Michael McGovern; Peter Coleman (deceased) all Directors of P J Brown (Construction) Ltd Dane Rawlins (landowner) Bolney Park Farm Broxmead Lane Bolney West Sussex RH17 5RJ</p>
<p>(4) Please provide the full name and address of any mortgagee of the land mentioned in part 2 of this notice.</p>	<p>Unknown - none to my knowledge</p>
<p>(5) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	<p>P J Brown (Construction) Ltd have had an interest in the land diagonally hatched in red on the accompanying drawing continuously since 2006/2007 They have no interest in the remainder of the land</p>

<p>(6) When did the deposit of waste on/near the perimeter track mentioned in section 3 (henceforth "the track") begin?</p>	<p>P J Brown (Construction) Ltd have not deposited any waste on the perimeter track Construction and demolition waste is and continues to be imported, deposited, re-used and recycled as a product prior to exportation from the land diagonally hatched in red on the attached drawing <u>only</u></p>
<p>(7) Please indicate on the attached plan the approximate extent of your interest in the works undertaken on the track - i.e. the extent of your landownership/ leasehold/ tenantry, if relevant).</p>	<p>P J Brown(Construction) Ltd have no interest in the work undertaken on the track</p>
<p>(8) Provide an outline of the works undertaken by you on the perimeter track.  Include the date of commencement and cessation of these works, plus any other dates you consider relevant.  Indicate the area of works on the attached plan</p>	<p>P J Brown (Construction) Ltd have not undertaken any works on the perimeter track at any time</p>
<p>(9) What material did you use for the works undertaken as referenced above? Where was it sourced from?</p>	<p>P J Brown (Construction) Ltd have not deposited any material used on the perimeter track</p>

<p>(10) How much material has been deposited to the land as referenced above?</p>	<p>P J Brown (Construction) Ltd has deposited no material on the perimeter track. The only material deposited by P J Brown (Construction) Ltd occurs on the land diagonally hatched in red on the attached drawing as part of a re-use and recycling operation prior to the resultant product being exported from the same land</p>
<p>(11) Were you paid on <u>initial receipt</u> of this material?</p>	<p>Payment was only received for haulage and drivers' time</p>
<p>(12) Were you paid <u>to deposit</u> this material?</p>	<p>NO</p>
<p>(13) Did you pay for the material to be imported and/or deposited to the land?</p>	<p>NO</p>
<p>(14) Was this material processed <u>anywhere</u> on site (within the land holding of the landowner), prior to its deposition to the land?</p>	<p>P J Brown (Construction) Ltd has at no time processed material anywhere on the site prior to its deposit on the land diagonally hatched in red on the accompanying drawing</p>



<p>(15) Was planning permission (deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the commencement of these works?</p>	<p>I am assuming that what is referred to as "these works" is the deposit of waste on the perimeter track, in which P J Brown (Construction) Ltd has no interest. Accordingly, the answer is no</p>
<p>(16) Was planning permission (deemed or express) acquired following commencement of these works?</p>	<p>NO. See answer to Question 15 above</p>
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for these works?</p>	<p>I am assuming that what is referred to as "these works" is the deposit of waste on the perimeter track, in which P J Brown (Construction) Ltd has no interest. Accordingly, the answer is "not applicable"</p>
<p>(18) Do you intend to rectify the breach identified above?</p>	<p>P J Brown (Construction) Ltd has no interest in the perimeter track</p>
<p>(19) How do you intend to rectify the breach identified in section 3 above?</p>	<p>If the breach identified in Section 3 refers to the deposit of waste adjacent to the perimeter track, i.e. on the land diagonally hatched in red on the accompanying drawing as part of the importation, deposit, re-use and recycling operation to produce a product prior to exportation from the land, then the answer is a CLEUD application will be submitted</p>

<p>(20) When do you intend to rectify the breach identified above?</p> <p>Please provide an approximate timeline.</p>	<p>A period of 5 months will be required to prepare and submit the CLEUD application concerning the use taking place on the land diagonally hatched in red on the accompanying drawing</p>
<p>(21) Do you have any comments in regard to the matter referred to above?</p>	<p>See accompanying letter dated 13 December 2018</p>

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 20 December 2018.**

#### **5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

#### **6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.





## 7. ADDITIONAL INFORMATION

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 21 November 2018

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**Served on:**

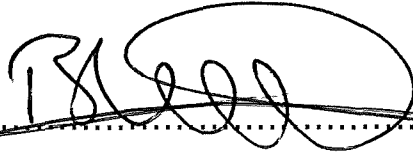
Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

Mark Ratcliffe, Company Secretary, KSD Environmental Services Ltd, 30  
New Road, Brighton, BN1 1BN

Peter Coleman, Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

**Case reference: INV/2018/10/WSCC**

Signed:



.....

Print name:

..... Barry King .....

Dated:

..... 13.12.18 .....

**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel: (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**  
The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre. 01243 642118



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Peter Coleman  
Company Secretary  
PJ Brown Ltd  
Burlands  
Charlwood Road  
Ifield Wood  
Crawley  
West Sussex, RH11 0JZ

21 November 2018

Our reference: INV/2108/10/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Mr Coleman,

**Planning Contravention Notice, Section 171(A) of the Town and Country Planning Act 1990 (as amended); Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU**

You have been served with a Planning Contravention Notice under the above Act in relation to Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU, because it appears to the County Council that there has been a breach of planning control at the land. The Notice has been served on you as it appears that you are the current owner of the land.

You are required to provide, so far as you are able, the information laid out in paragraph 4 of the Notice, in writing, within 21 days of the date on which you receive this Notice. It is vital that you answer each part of each question as fully and as accurately as you can. Your attention is drawn to the Warning set out in paragraph 6 of the Notice which advises you of the penalty for either failing to respond to the Notice within 21 days or for making false or misleading statements in your reply.

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, County Development, Northleigh, West Sussex County Council, Tower Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

Yours sincerely



**Kirstie May**  
Compliance and Enforcement

**WSCD032**





**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel: (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**

The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre: 01243 642118



Company Secretary  
PJ Brown Ltd  
Burlands  
Charlwood Road  
Ifield Wood  
Crawley  
West Sussex, RH11 0JZ

18 February 2019

Our reference: INV/2018/020/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Sir,

**Planning Contravention Notice, Section 171(A) of the Town and Country Planning Act 1990 (as amended); Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU**

You have been served with a Planning Contravention Notice under the above Act in relation to Yard at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU, because it appears to the County Council that there has been a breach of planning control at the land. The Notice has been served on you as it appears that you are the current owner of the land.

You are required to provide, so far as you are able, the information laid out in paragraph 4 of the Notice, in writing, within 21 days of the date on which you receive this Notice. It is vital that you answer each part of each question as fully and as accurately as you can. Your attention is drawn to the Warning set out in paragraph 6 of the Notice which advises you of the penalty for either failing to respond to the Notice within 21 days or for making false or misleading statements in your reply.

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, County Development, Northleigh, West Sussex County Council, Tower Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

Yours sincerely



**Kirstie May**

Compliance and Enforcement

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road,  
Ifield Wood, Crawley, West Sussex, RH11 0JZ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the importation, processing, deposit and transfer of waste

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, <b>telephone number</b> and <b>email address</b>.</p>	
---	--

<p>(2) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	
<p>(3) What is your interest in the land mentioned in part 2 of the notice?</p>	
<p>(4) When did your company begin to <u>store plant, containers, skips and/or other equipment</u> (please elaborate) on the land?</p>	
<p>(5) When did your company begin to import <u>waste to the land</u>?</p>	
<p>(6) When did your company begin to process <u>waste</u> on the land?</p>	

<p>(7) When did your company begin to deposit waste to the land?</p> <p>'Deposit' includes engineering works such as levelling the land or construction of bunds</p>	
<p>(7) What tonnage of waste is imported to the land per annum?</p>	
<p>(8) Provide an outline of the works undertaken by you on the land.</p> <p>This should include any works required to change the ground level, laying or reinstatement of the hard surface, creation of any bunds, and other engineering operations. This list is not exhaustive.</p> <p>Include the date of commencement and cessation of these works, the nature of the works, plus any other information you consider relevant.</p>	
<p>(9) How much material has been deposited to the land?</p>	

<p>(10) Were you paid on <u>initial receipt</u> of any material used for the yard (i.e. to dispose of the material)?</p>	
<p>(11) Were you paid <u>to deposit</u> any material on the yard (i.e. to dispose of the material)?</p>	
<p>(12) Do you pay for the material to be exported or removed from the yard?  Are you paid for its export or removal?</p>	
<p>(13) Has waste material been <u>processed</u> on the land?  How much per annum (approximate tonnage)?</p>	
<p>(14) Was planning permission deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the change of use of the land from agriculture, or the commencement of works on the land?</p>	

<p>(17) Was planning permission (deemed or express) acquired following change of use or commencement of works on the land?</p>	
<p>(18) Did you consider that planning permission (deemed or express) would be necessary for works on the land? If no, please clarify why.</p>	
<p>(19) Do you have any comments in regard to the matter referred to above?</p>	

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 12 March 2019.**

**5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

**6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

## **7. ADDITIONAL INFORMATION**

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 18 February 2019

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex

PO19 1RH

**Served on:**

Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

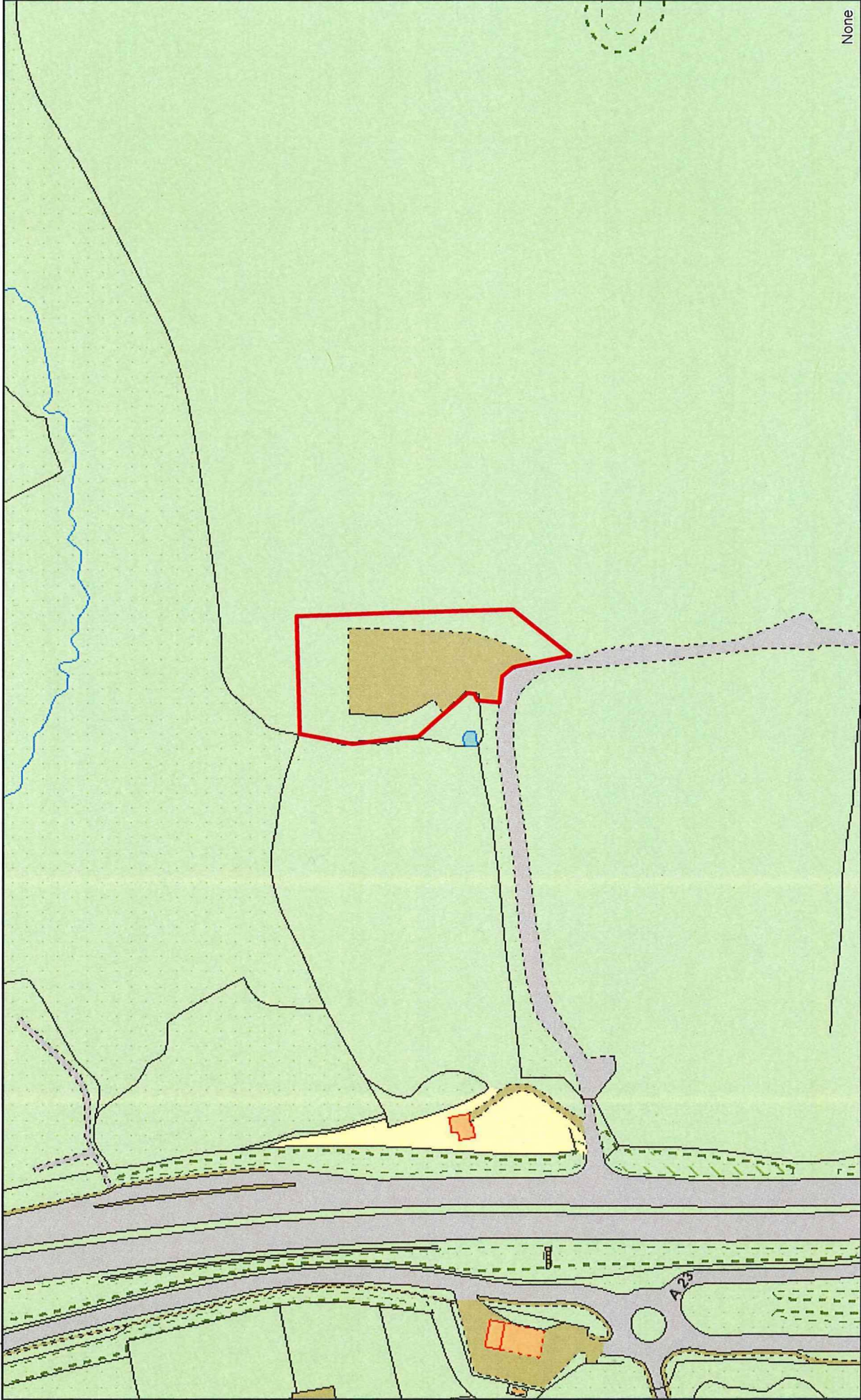
**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: ... ..

Dated: .....





None



# PJ Brown Yard, Park Farm, Bolney

1:2,500

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**WSCD033**



**Kirstie May**  
Compliance and Enforcement

Please respond to Kirstie May  
Tel: (0330) 2226 952

Kirstie.may@westsussex.gov.uk  
www.westsussex.gov.uk

**Economy, Planning and Place**

The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RH  
Contact Centre: 01243 642118



D Rawlins  
Bolney Park Farm  
Broxmead Lane  
Bolney  
West Sussex  
RH17 5RJ

18 February 2019

Our reference: INV/2018/020/WSCC

**WEST SUSSEX COUNTY COUNCIL**

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Sir,

**Planning Contravention Notice, Section 171(A) of the Town and Country Planning Act 1990 (as amended); Land at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU**

You have been served with a Planning Contravention Notice under the above Act in relation to Yard at Bolney Park Farm, Broxmead Lane, Bolney, West Sussex, RH17 5RU, because it appears to the County Council that there has been a breach of planning control at the land. The Notice has been served on you as it appears that you are the current owner of the land.

You are required to provide, so far as you are able, the information laid out in paragraph 4 of the Notice, in writing, within 21 days of the date on which you receive this Notice. It is vital that you answer each part of each question as fully and as accurately as you can. Your attention is drawn to the Warning set out in paragraph 6 of the Notice which advises you of the penalty for either failing to respond to the Notice within 21 days or for making false or misleading statements in your reply.

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, County Development, Northleigh, West Sussex County Council, Tower Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

Yours sincerely

  
**Kirstie May**  
Compliance and Enforcement



**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West  
Sussex, RH17 5RJ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the importation, processing, transfer and deposit of waste.

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, contact <b>telephone number</b> and contact <b>email address</b>.</p>	
---	--

<p>(2) Who is the registered landowner for the land mentioned in part 2 of this document? Provide their full name, address and email contact.</p>	
<p>(3) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	
<p>(4) What is your interest in the land mentioned in part 2 of the notice?</p>	
<p>(5) When did the <u>storage of plant, containers, skips and/or other non-agricultural equipment</u> commence on the land?</p>	
<p>(6) When did <u>waste importation</u> commence on the land?</p> <p>This includes the importation of inert waste for use in on-site engineering projects such as levelling or the construction of bunds.</p>	

<p>(7) When did <u>waste processing</u> commence on the land?</p>	
<p>(8) When did leasing of the land commence?  Is the land still leased?  Has there been any period since the lease commenced when the land was not leased?</p>	
<p>(9) Who was the land initially leased to for this purpose?  Has the tenant changed? If so, when did this change occur?</p>	
<p>(10) Were the engineering works to the land described in part 2 of this notice carried out with your knowledge and/or consent? Please specify.</p>	
<p>(11) Have you employed PJ Brown at any time for works within your land holding (including the reinstatement of internal tracks or the construction of any hard surfaces or other engineering works)?  If so, in what capacity?</p>	

<p>(12) Provide an outline of the works undertaken on the land described in part 2 of this notice.</p> <p>This should include any works undertaken to change the ground level, laying or reinstatement of a hard surface, creation of any bunds, and other engineering operations.</p> <p>Include the date of commencement and cessation of these works, plus any other dates you consider relevant.</p>	
<p>(13) How much material has been deposited to the land?</p>	
<p>(14) Have you paid anyone <u>to deposit</u> any material on the land? If so, who?</p>	
<p>(15) Was planning permission deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to commencement of engineering works on the land? If so, please provide documents confirming this is the case.</p> <p>Engineering works include</p>	



<p>importation for levelling the ground, and the construction of bunds.</p>	
<p>(16) Was planning permission (deemed or express) acquired following commencement of engineering works on the land? If so, please provide documents confirming this is the case.</p>	
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for engineering works on the land? If not, please clarify why.</p>	
<p>(18) Do you have any comments in regard to the matter referred to above?</p>	

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 12 March 2019.**

**5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial

works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

## **6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

## **7. ADDITIONAL INFORMATION**

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 18 February 2019

**Signed:**



Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER

West Sussex  
PO19 1RH

**PLEASE RETURN TO:-**

County Planning Manager  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

**Served on:**

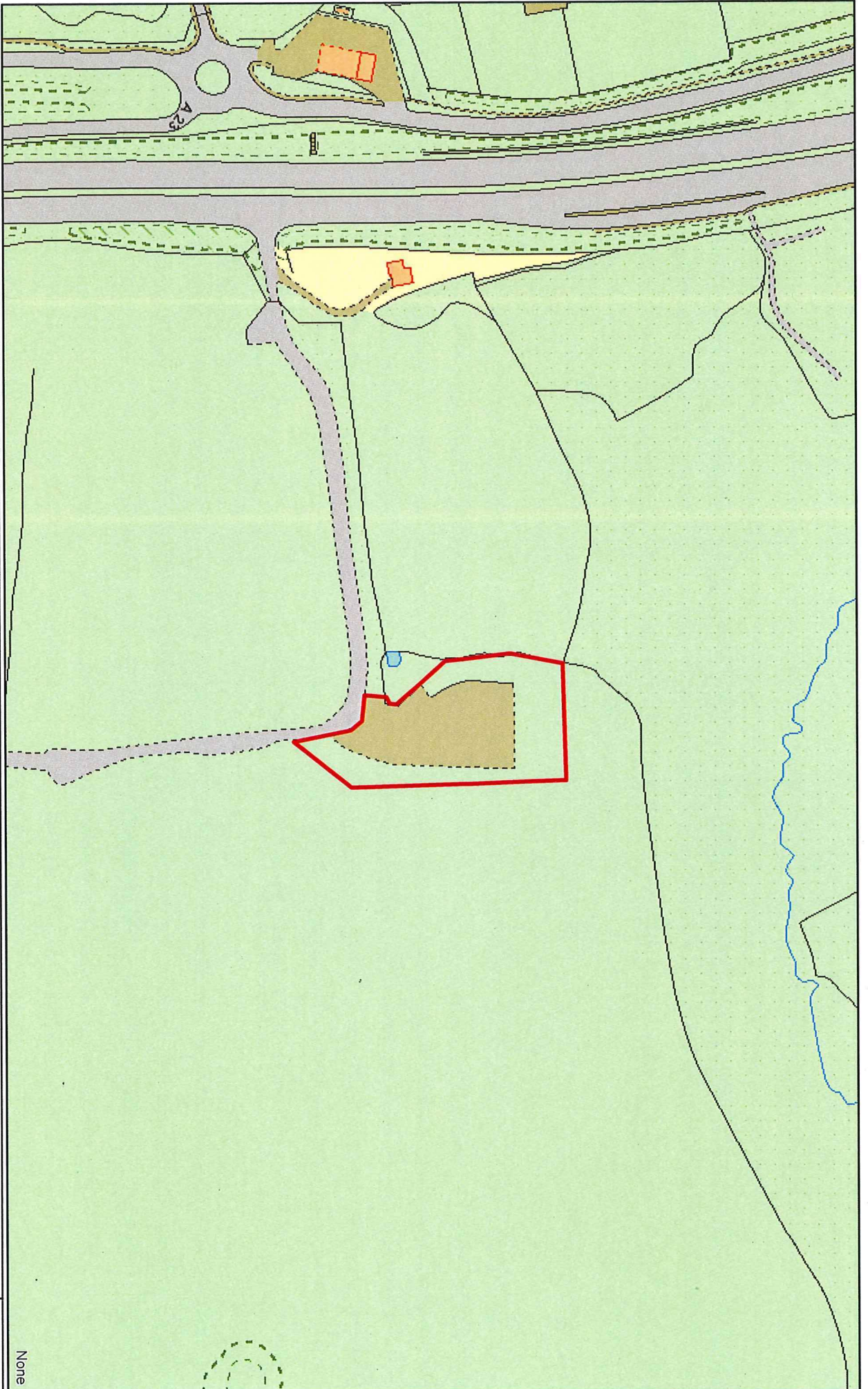
Dane Rawlins, Bolney Park Farm, Broxmead Lane, Bolney, West Sussex,  
RH17 5RJ

**Case reference: INV/2018/10/WSCC**

Signed: .....

Print name: ..... . . . . .

Dated: .....



None

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**PJ Brown Yard, Park Farm, Bolney**

1:2,500



**WSCD034**



**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR  
PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**PLANNING CONTRAVENTION NOTICE**

**Served By: West Sussex County Council ("the Council")**

**To:** Company Secretary, PJ Brown (Construction) Ltd, Burlands,  
Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

**1. This Notice** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land, or has another interest in it, or who is carrying out operations in, on, over, or under the land or using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities on, the land.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF  
PLANNING CONTROL**

Without the benefit of planning permission, the use of land for the importation, processing, deposit and transfer of waste

**4. WHAT YOU ARE REQUIRED TO DO**

Provide, in writing, the following information (please continue on a separate sheet if required):-

<p>(1) Please confirm your full name and address including post code, <b>telephone number</b> and <b>email address</b>.</p>	<p>Peter John Brown Burlands Charlwood Road Ifield Wood Crawley West Sussex RH11 0JZ</p>
---	--



<p>(2) How long have you had an interest in the land mentioned in part 2 of this notice?</p>	<p>P.J Brown (Construction) Limited and associated limited companies have had an interest in the land as discribed continuously since 2006/2007</p>
<p>(3) What is your interest in the land mentioned in part 2 of the notice?</p>	<p>Construction and demolition waste continues to be imported deposed,recycled and reused prior to exportation from the land that this notice related to since 2008..</p> <p>the continued storage of construction plant, machinery and materials since 2006/2007</p>
<p>(4) When did your company begin to <u>store plant, containers, skips and/or other equipment</u> (please elaborate) on the land?</p>	<p>2006/2007</p>
<p>(5) When did your company begin to import <u>waste to the land</u>?</p>	<p>2008</p>
<p>(6) When did your company begin to process <u>waste</u> on the land?</p>	<p>2008</p>



<p>(7) When did your company begin to deposit waste to the land?</p> <p>'Deposit' includes engineering works such as levelling the land or construction of bunds</p>	<p>No Deposit of waste to land.</p> <p>Save for Answers 5/6</p>
<p>(8) What tonnage of waste is imported to the land per annum?</p>	<p>Not Known.</p>
<p>(9) Provide an outline of the works undertaken by you on the land.</p> <p>This should include any works required to change the ground level, laying or reinstatement of the hard surface, creation of any bunds, and other engineering operations. This list is not exhaustive.</p> <p>Include the date of commencement and cessation of these works, the nature of the works, plus any other information you consider relevant.</p>	<p>Storage of construction plant/ machinery/materials. Concrete crushing/topsoil screening recycle yard.</p> <p>Enlarged in 2008 for crushing and storage.</p> <p>2006/2007 continuously through to the present day.</p>
<p>(10) How much material has been deposited to the land?</p>	<p>None save for the questions 5 and 6 and the hardstanding.</p>

<p>(11) Were you paid on <u>initial receipt</u> of any material used for the yard (i.e. to dispose of the material)?</p>	<p>No</p>
<p>(12) Were you paid <u>to deposit</u> any material on the yard (i.e. to dispose of the material)?</p>	<p>No</p>
<p>(13) Do you pay for the material to be exported or removed from the yard?  Are you paid for its export or removal?</p>	<p>No internal use only.</p>
<p>(14) Has waste material been <u>processed</u> on the land?  How much per annum (approximate tonnage)?</p>	<p>Yes  Not known.</p>
<p>(15) Was planning permission deemed (i.e. prior approval under permitted development rights) or express (i.e. through issue of a planning decision) acquired prior to the change of use of the land from agriculture, or the commencement of works on the land?</p>	<p>No</p>

<p>(16) Was planning permission (deemed or express) acquired following change of use or commencement of works on the land?</p>	<p>No</p>
<p>(17) Did you consider that planning permission (deemed or express) would be necessary for works on the land? If no, please clarify why.</p>	<p>No the previous surveyor did not advise.</p>
<p>(18) Do you have any comments in regard to the matter referred to above?</p>	<p>Yes I consider the use's to be lawful and that P.J Brown (Construction) Limited is eligible for a Certificate of Existing Lawful Use or Delelopment for the importation, deposit, re-use and recycling of waste material and export as a product from the land as mentioned in part 2 of this notice.</p>

**The information above must be supplied in writing within twenty-one days beginning with the day on which this notice is served on you; that is no later than 12 March 2019.**

**5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE**

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make representations about this Notice, the Council, or representatives of the Council, will consider them at a time and date, to be mutually agreed, at the Planning Offices, Strategic Planning, West Sussex County Council, West Street, Chichester, PO19 1RH, where you will be able to make any such offer or representations in person at that time and place.

**6. WARNING**

It is an offence to fail, without reasonable excuse, to comply with any requirements of this 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 £1,000.

Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

## **7. ADDITIONAL INFORMATION**

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 Section 172 of the 1990 act, requiring the breach, or the injury to amenity caused by it, to be remedied. If the Council serve a Stop Notice under Section 183 of the 1990 Act, Section 186 (5) (b) of the Act provides 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.

**Dated:** 18 February 2019



**Signed:**  
Tony Kershaw  
Director of Law Assurance and Strategy

**On Behalf of:** West Sussex County Council  
County Hall  
CHICHESTER  
West Sussex  
PO19 1RH

### **PLEASE RETURN TO:-**


County Planning Manager  
County Hall  
CHICHESTER  
West Sussex

PO19 1RH

**Served on:**

Company Secretary, PJ Brown Ltd, Burlands, Charlwood Road, Ifield Wood, Crawley, West Sussex, RH11 0JZ

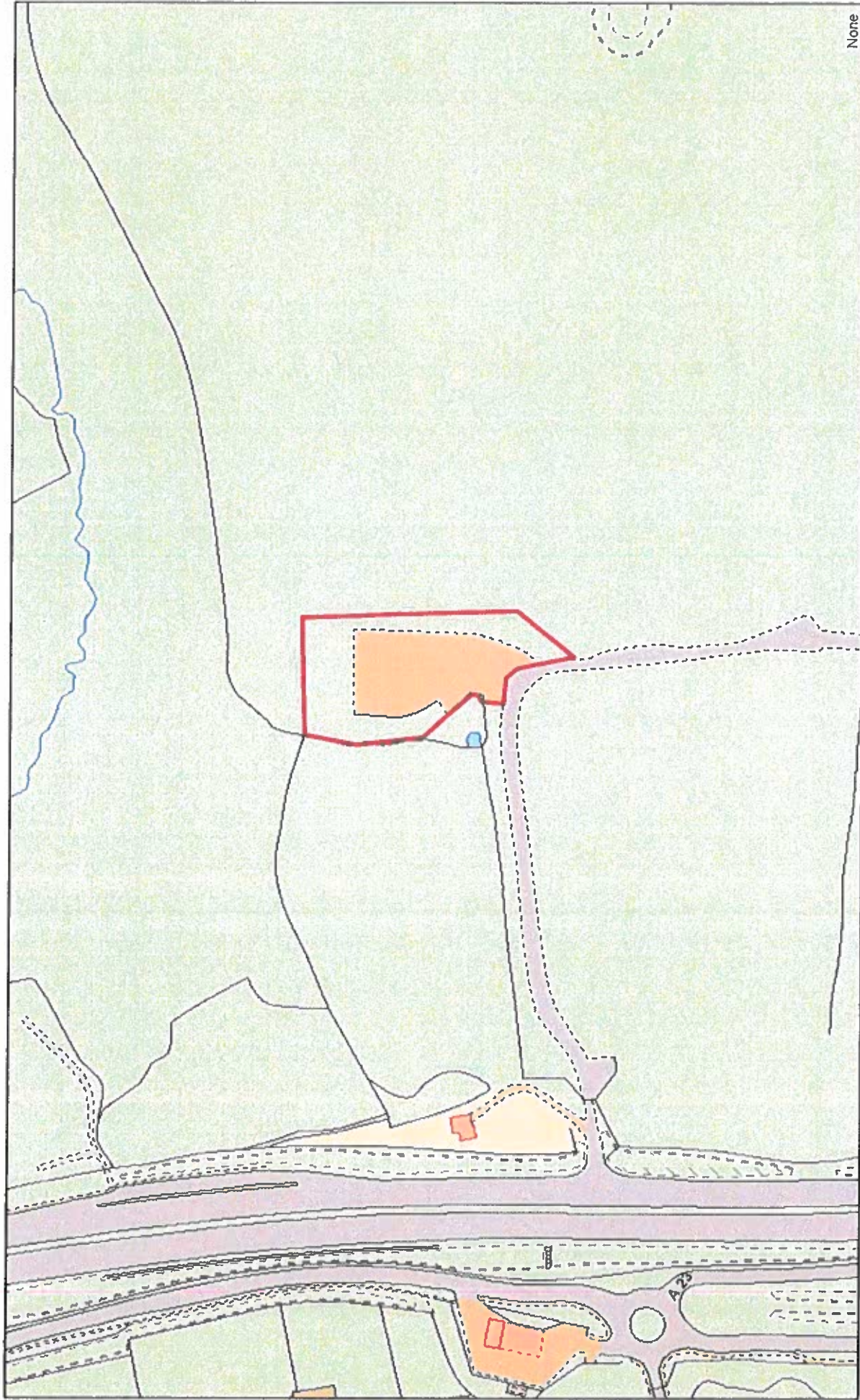
**Case reference: INV/2018/10/WSCC**

Signed:  .....

Print name: ..... PETER JOHN BROWN

Dated: ..... 1<sup>st</sup> July 2019 .....





None



1:2,500

# PJ Brown Yard, Park Farm, Bolney

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