

DR/32/19

committee DEVELOPMENT & REGULATION

date 25 October 2019

ENFORCEMENT OF PLANNING CONTROL – INFORMATION ITEM

Enforcement update.

Report by Chief Planning Officer (County Planning and Major Development)

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1. PURPOSE OF THE ITEM

To update members of enforcement matters for the period 1 July to 30 September 2019 (Quarterly Period 2).

2. DISCUSSION

A. Outstanding Cases

As at 30 September 2019 there are 28 outstanding cases. Appendix 1 shows the details of sites (9) where, after investigation, a breach of planning control is considered to have occurred.

B. Closed Cases

19 cases were resolved during the period 1 July to 30 September 2019.

LOCAL MEMBER NOTIFICATION

Countywide

Enforcement Committee Report

<u>Location</u>	Nature of problem	Remarks
Basildon		
Shot Farm, Southend Rd, Shotgate, Wickford, Essex SS11 8RZ (Land Opposite Wickford Sewage Treatment Works Entrance,)	Waste activities	An area of hardstanding opposite the Sewage treatment works is being used for the deposition and processing of waste, mainly builder's rubble, hardcore and some other mixed waste. Letter sent to land owner to cease waste activities and remove all waste from the land. Further visits to follow.
Oak Cottage Oak Lane Crays Hill Basildon CM11 2YH	Waste activities	Waste deposited, evidence of burning and creation of a bund (waste deposited within the bund). Multi Agency visits to the land. Land owner has been advised to cease all waste activities and remove waste from the land. Letters have been sent by ECC and the EA, however these have not been delivered. further visits have been arranged. Ongoing investigation.
Braintree		
Straits Mill Bocking, Braintree Essex CM7 9RP	Carpet Recycling	A material change of use of the land to a waste transfer facility. Waste is imported including wood, textiles, soils and other similar waste materials. A site office and weighbridge have been installed. Essex County Council and the Environment Agency have adopted a joint working protocol, it was considered that the EA were the appropriate authority to deal with the notice for this site. The importation and processing of the waste has ceased; however, the waste remains on the land. Continued monitoring by ECC and the EA. Further updates to follow.
Brentwood		
Land on the South Side of Church Road, (To the rear of Lizvale Farm), Church Road, Navestock, Romford, RM4 1HB	Importation of waste	A material change of use of the land to land used for the importation, deposition, storing and spreading of waste materials, subsequently raising the levels of the land. An enforcement notice has been served for the removal of the waste. A witness statement to proceed with a prosecution has been prepared and remains with Essex Legal Services. The land ownership has

		changed on numerous occasions and as the notice remains with the land any new owner is ultimately responsible for complying with the notice served. ECC continue investigations to locate such persons that have a legal interest in the land. Ongoing investigations.
Chelmsford		
Land at Hollow Lane, Hollow Lane, Broomfield, Chelmsford, Essex, CM1 7HG	Waste activities	Importation and deposit of waste, mainly building waste. In accordance with ECC and the EA's joint working Protocol it is considered that the EA are the appropriate authority to deal with this case. The EA have served a cease and desist letter on the land owner for the removal of the waste, and a deadline given for compliance. Further joint visits arranged.
Colchester		
Field adjacent to 286 Old London Road, Marks Tey, Colchester	Skip business being run from a field adjacent to 286 Old London Road, Marks Tey without planning permission.	Waste transfer facility on land adjacent to 286 London Road Marks Tey. Application submitted by Core Fusion for the 'Proposed waste transfer station (sui generis use) facilitated by the construction of a hardstanding; provision of associated welfare porta-cabin, containers for the storage of waste, plant and machinery; and installation of drainage and fencing' Additional information is required prior to the validation of this application. Further updates to follow.
Rochford		
3 Murrels Lane (Off Church Road) Hockley	Importation of waste	The unauthorised importation, deposition and spreading of waste materials, raising the levels of the land. Joint investigation ECC as Waste Planning Authority and the Environment Agency. A Planning Contravention Notice is served on the land owners which requires further information to be provided to the WPA. Ongoing investigations.
Uttlesford		
New Farm, Elsenham Road, Stansted, CM24 8SS	Importation of waste	Importation, depositing, storing and spreading of waste materials on the land. On the 5th October 2015 an enforcement notice was served. The land owner and tenant appealed the enforcement notice.

		<p>The Planning Inspectorate issued their decision in relation to the appeal on the 1st July 2016. The appeal against the enforcement notice was allowed on ground (g) such that 12 months has been given for the removal of the waste and restore the land, which commences from the 1st July 2016. The removal was required by the 1st July 2017. A site visit confirmed that the enforcement notice has not been complied with and a hearing was listed at the Magistrates Court for the 29th March 2018 to prosecute the land owner for non-compliance with the enforcement notice. Information came to light from the defendant's solicitor (land owner) that indicates further enquiries need to be undertaken. This case remains with Essex Legal Services.</p>
<p>Oakbury House, Molehill Green Takeley, CM22 6PH</p>	<p>Deposit of waste</p>	<p>Importation of waste raising the levels of the land. The waste deposited is to be removed and the land owner is working with the WPA to rectify the breach of planning control. Progress is being made, however due to the location of the land within a small village it is accepted that the removal may take some time in order to minimise the impact on residents. Officers will continue to monitor the site to ensure removal of the deposited material.</p>