

Report to: DEVELOPMENT & REGULATION (24 January 2020)

INFORMATION ITEM – Enforcement of Planning Control update

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The full application can be viewed at: <http://planning.essex.gov.uk/>

1. PURPOSE OF THE ITEM

To update members of enforcement matters for the period 01 October to 31 December 2019 (Quarterly Period 3).

2. DISCUSSION

A. Outstanding Cases

As at 31 December 2019 there are 29 outstanding cases. Appendix 1 shows the details of sites (12) where, after investigation, a breach of planning control is considered to have occurred.

B. Closed Cases

13 cases were resolved during the period 01 October to 31 December 2019.

LOCAL MEMBER NOTIFICATION

Countywide

Enforcement Committee Report

<u>Location</u>	Nature of problem	Remarks
Basildon		
Treetops Cranfield Park Avenue Basildon SS12 9LS	Waste activity	Multi agency investigation (ECC and EA). A material change of use of the land to land used for the Importation and deposition of mixed waste. A letter has been sent to the land owner requesting removal of all waste. A further visit will be carried out in January 2020.
Spring Grove, Oak Lane, Billericay CM11 2YL	Waste activity	A skip company are operating from land in Oak Lane Billericay. The land owner has agreed to cease waste activities and remove all waste from the Land. A timescale has been agreed and a further visit will be carried out in January 2020 to ensure compliance.
Summerhill Farm, Pipps Hill Road North, Crays Hill, Billericay CM11 2UJ	Waste activities	A material change of use of the land to land used for the Importation depositing and burning of mixed waste. Multi agency visits (ECC and EA). A PCN has been served on the land owners for further information as to the activities on the land. Ongoing investigation.
Summerhill Fisheries Maggits lake Pipps Hill Road North, Crays Hill, Billericay	Waste activities	A material change of use of the land to land used for the Importation and deposition of waste, mainly soils, rubble and other similar waste materials. A PCN has been served on the land owners to provide further information as to the activities on the land. Ongoing multi agency investigation ECC and the EA
Shot Farm, Southend Rd, Shotgate, Wickford, Essex SS11 8RZ(Land Opposite Wickford Sewage Treatment Works Entrance,)	Waste activities	A material change of use of the land to land used for the Importation, deposition and processing of waste, mainly soils and hardcore. The processing of waste has ceased and the land owner is working with the WPA to clear the land of all waste material. A visit is arranged for January 2020 to ensure compliance.
Braintree		
Straits Mill Bocking, Braintree 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, and the operators have vacated the land, however the waste remains. Whilst the EA will continue to pursue the operators under their Legislation the WPA have issued an Enforcement Notice to Legal services which will be served on the land owners in January 2020.
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 have recently been advised that the land has once again been sold. The new owner has contacted the WPA and intends to comply with the EN, as such a site meeting has been arranged for January 2020.
Chelmsford		
Land at Hollow Lane, Hollow Lane, Broomfield, Chelmsford, Essex, CM1 7HG	Waste activities	Importation, deposition and spreading of waste, mainly soils and builders waste. A TSN was served on the 4th November 2019 to prevent any further importation or spreading of the waste. A PCN was also served for information as to the activities on the land. Ongoing Investigation and monitoring.
Land at Meadow Lane Runwell SS11 (Various plots G T)	Waste activities	Multi Agency investigations ECC, EA and CCC. Importation and deposition of mixed waste on various plots of Land.
Rochford		
3 Murrels Lane (Off Church Road) Hockley	Importation of waste	Importation, deposition and spreading of waste, mainly mixed soils and builders waste, raising the levels of the Land. An Enforcement Notice was served on the 23rd October 2019 and took effect on the 5th December 2019. Full compliance with

		the EN served is required by the 5th July 2020.
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. 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.
Oakbury House, Molehill Green Takeley, CM22 6PH	Deposit of waste	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 local residents. Officers will continue to monitor the site to ensure removal of the deposited material.