

DR/26/14

committee DEVELOPMENT & REGULATION

date 25 July 2014

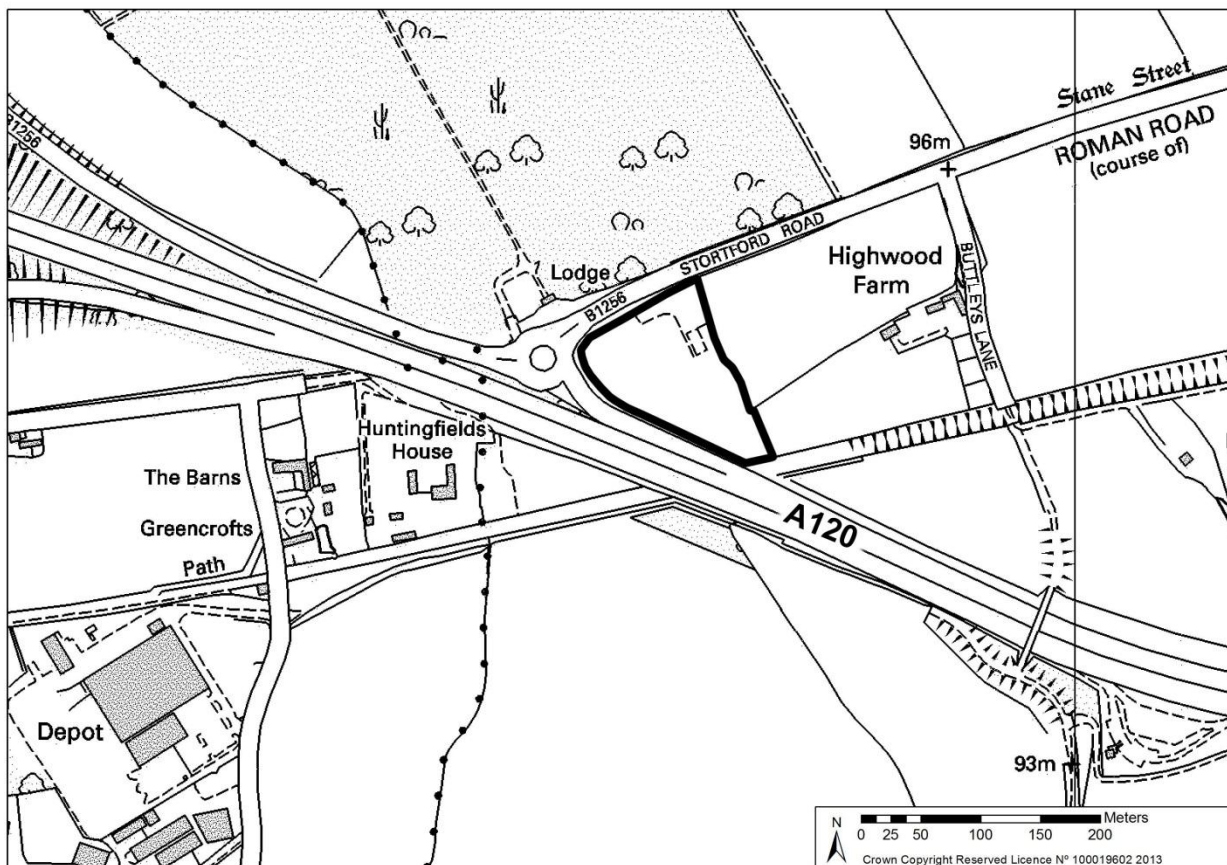
**MINERALS AND WASTE DEVELOPMENT
INFORMATION ITEM- ENFORCEMENT OF PLANNING CONTROL**

**The importation, deposition and spreading of waste materials on the land,
substantially raising the land levels (the unauthorised development)**

Location: **Land at intersection of A120 and B1256 (Stortford Road), Braintree, Essex**
Ref: **ENF/0673**

Report by Director for Operations, Environment and Economy

Enquiries to: Suzanne Armstrong 01245437556



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1. BACKGROUND AND SITE

A report was presented to the Committee on 25 October 2013 providing an update on enforcement matters relating to the above site. At that meeting the committee resolved;

- 1) Subject to the removal of the unauthorised material from the site no further action is taken, however if all imported waste materials deposited on the land have not been removed and the land restored (as required by the Enforcement Notice issued June 2009) legal proceedings are commenced for non-compliance with the notice.

On 14 August 2014 the Waste Planning Authority (WPA) witnessed importation, deposition and spreading of waste materials on the land.

There remains an extant Enforcement Notice on the land (issued on the 5th June 2009) which restricts the importation, deposition and spreading of waste materials on the land.

On the 16 August 2013 the WPA issued a Temporary Stop Notice preventing the further importation, deposition and spreading of waste materials on the land.

The Temporary Stop Notice expired on the 13th September 2013. The unauthorised waste materials remain on the land which is in contravention of the Enforcement Notice issued in 2009. A number of formal letters have been sent to the landowner requesting removal of the materials. The landowner has ignored numerous requests to comply with the enforcement notice and has already been given a concession of time.

2. CURRENT POSITION

Since serving the Temporary Stop Notice the importation of waste has ceased, however the waste materials remain on the land. There is no evidence to suggest that the waste materials will be removed and the Enforcement Notice complied with. There is an on-going breach of the Enforcement Notice issued in June 2009. The Council has exhausted all options to resolve this breach of planning control and therefore in the public interest, legal advice is currently being sought on taking formal prosecution action within the courts. A further update will be provided at the September 2014 meeting.

LOCAL MEMBER NOTIFICATION

UTTLESFORD – Dunmow .