

DR/28/14

committee DEVELOPMENT & REGULATION

date 25 July 2014

ENFORCEMENT OF PLANNING CONTROL – INFORMATION ITEM

Enforcement update.

Report by Head of Planning, Environment and Economic Growth
Enquiries to Suzanne Armstrong – Tel: 03330 136 823

1. PURPOSE OF THE ITEM

To update members of enforcement matters for the period 1 April to 30 June 2014 (Quarterly Period 2).

2. DISCUSSION

A. Outstanding Cases

As at 30 June 2014 there are 22 outstanding cases. Appendix 1 shows the details of sites (11) where, after investigation, a breach of planning control is considered to have occurred.

B. Closed Cases

23 cases were resolved during the period 01 April to 30 June 2014.

LOCAL MEMBER NOTIFICATION

Countywide

Enforcement Committee Report

<u>Location</u>	<u>Nature of problem</u>	<u>Action Result</u>	<u>Remarks</u>
Braintree District			
Little Warley Hall Farm, Ranks Green, Fairstead, Chelmsford, Essex, CM3 2BG	Dirty water (waste) from abattoir and storage tank		<p>SuzanneArmstrong 08-jul-14 10:43:05</p> <p>Members resolved to refuse retrospective planning permission for the retention of a circular concrete tank for storing abattoir wash water and to serve an enforcement notice requiring the removal of the tank. Two appeals have been lodged with the Secretary of State against Essex County Councils decision to refuse permission for the development and subsequently serve an enforcement notice in respect of the unauthorised development/alleged breach. The appeal is currently in progress.</p>
Batemans Farm, Great Leighs, Chelmsford, CM3 1PU	Lorry movements and activity on site		<p>SuzanneArmstrong 08-jul-14 11:42:38</p> <p>A concrete silo is currently on site, this has been operating on a trial basis as a diversification to the main business. An application is being prepared and will be submitted to the Waste Planning Authority. Site continues to be monitored.</p>
Chelmsford City			
Land adjacent The Cock Inn, Main Road, Boreham, Chelmsford, Essex	Unauthorised demolition waste recycling. Exesive stockpile heights & mud on the		<p>SuzanneArmstrong 09-jul-14 11:51:25</p> <p>Ongoing negotiation to remove materials from the land outside of the CLUED issued by Chelmsford City Council. Further progress continues, however materials remain on the land outside of the CLUED area. The Waste Planning Authority will now need to consider if it is proportionate to proceed with formal enforcement action</p>
Colchester Borough			
Gean Trees, The Causeway, Great Horkesley, Colchester, CO6 4EJ	Importation of waste		<p>SuzanneArmstrong 09-jul-14 11:46:27</p> <p>Unauthorised importation deposition and spreading of waste materials resulting in land raising. Part of a joint investigation with the Environment Agency. A Planning Contravention Notice has been served. No further waste has been imported and it is the owners intentions to work with the two authorities to remedy the breach of planning control. Ongoing site monitoring and negotiation.</p>

Epping Forest District

Brickfields, Old House Lane,
Roydon, Harlow, CM195DL

Importation of waste
and land raising

SuzanneArmstrong 08-jul-14
14:52:33

Importation of waste, subsequently raising the level of the land. No further importation of materials onto the land. Joint investigation with the Environment Agency. A Section 59 Notice has been served on the operator to clear the land. The EA are leading on this particular case. Land required to be cleared. Ongoing visits to ensure compliance.

Land at Weald Place Farm,
Thornwood

Deposit of Waste

SuzanneArmstrong 08-jul-14
15:02:41

Enforcement Notice served against the unauthorised use of the land for the deposition of waste materials and consequential raising of the land levels. An appeal against the Enforcement Notice was submitted and has now been withdrawn. A schedule of works have been agreed by the Waste Planning Authority in order to comply with the Enforcement Notice.

Harvey Automobile
Engineering, Paynes Lane,
Nazeing, Waltham Abbey,
EN9 2EX

Not working in
accordance with
permission

SuzanneArmstrong 09-jul-14
11:48:25

Working outside of the permitted area. There are some soil materials stockpiled outside of the area covered by the CLUED, the materials are located to the North West of the site. The landowner agreed that they were outside of the permitted area, due to the excessive water on site they are trying to drain the site. There were no operations at the time of my visit. the site was completely covered in water. A timescale has been agreed with the land owner to move the materials back within the area as approved by the CLUED. Revisit scheduled. Ongoing monitoring

Maldon District

Cobbs Farm, Maldon Road,
Goldhanger, Maldon, CM9
8BQ

Breach of Condition
26 attached to
application
ESS/37/11/MAL

SuzanneArmstrong 08-jul-14
15:04:14

Without the benefit of planning permission the extraction of sand and gravel outside of the area permitted under Reference ESS/37/11/MAL. Phased working of the site is not in accordance with the approved details. The Wash Lane access position is not in accordance

with the approved plans. Planning Contravention Notice served on the 20th December 2013 requiring information to be provided in relation to the activities on the land. A planning application has been submitted to the Waste Planning Authority. Await outcome.

Rochford District

Lovedown Farm, Hockley

Deposit of waste for sea wall development

SuzanneArmstrong 08-jul-14 15:06:59

No current site activity, waste importation has ceased. continued consultation with the EA and Natural England

Tendring District

DOE Metal Recycling (Clacton) Limited, Valleybridge Road, Clacton-on-Sea

Noise

SuzanneArmstrong 08-jul-14 10:50:44

Noise complaints have been received. The operator has submitted a noise assessment report to the Waste Planning Authority, this document is under consultation to ensure noise levels are in accordance with planning conditions. Ongoing investigations and monitoring

Uttlesford District

Land at Intersection A120/B1256, Stortford Road, Braintree, Essex

Importation of Waste

SuzanneArmstrong 08-jul-14 11:32:37

On the 5th June 2009, Under Section 172 of The Town and Country Planning Act 1990, an enforcement notice was issued; the extant enforcement notice prevents the importation, deposition and spreading of waste materials on the land. On the 14th August 2013 officers witnessed importation, deposition and spreading of waste materials on the land. Therefore the current activities are in breach of the extant notice. A Temporary Stop Notice was served in the first instance. Activities have ceased on site although the waste remains. A witness statement has been prepared and the case has been referred to the Countys Legal department for consideration of a formal prosecution, if considered to be in the wider public interest. Further updates to follow.