

DR/37/13

committee DEVELOPMENT & REGULATION

date 23rd August 2013

ENFORCEMENT OF PLANNING CONTROL – INFORMATION ITEM

Enforcement update.

Report by Head of Planning, Environment and Economic Growth

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1. PURPOSE OF THE ITEM

To update members of enforcement matters for the period 01 May to 31 July 2013 (Quarterly Period 3).

2. DISCUSSION

A. Outstanding Cases

As at 31 July 2013 there are 23 outstanding cases. Appendix 1 shows the details of sites (16) where, after investigation, a breach of planning control is considered to have occurred.

B. Closed Cases

13 cases were resolved during the period 01 May to 31 July 2013.

LOCAL MEMBER NOTIFICATION

Countywide

APPENDIX 1

| District | Site Address | Breach of Planning Control | Required Action | Remarks |
|------------------------|--|--|---|--|
| Basildon BC | Marsh Farm, Brickfield Road, Vange, Basildon, Essex SS16 4QG | Waste Transfer Site | Removal of skips | Storage of skips - The skips at present are being used to clear the site, they will then be removed. On-going monitoring |
| | Marsh Farm, Vange, SS16 4QG | Skips full of waste | Cease importation of waste and clear the land | The site is being used for unlawful importation of waste, associated activities and skips storage. Continued monitoring of the site, waste to be removed, as requested. Part of the site has been cleared. The remainder will be removed within 28 days. Joint working with the EA to resolve the breach. Visit scheduled. |
| Braintree DC | Dannatts Quarry, Hatfield Peverel | Non completion of restoration & deposit of waste | Cease waste importation and restore land | No current site activity, waste importation has ceased. Ground contamination investigations continue. |
| Brentwood BC | No formal cases | | | |
| Castle Point BC | No formal cases | | | |
| Chelmsford CC | Hall Farm, Church Road, Boreham | Importation of Waste | | Waste has been imported for works to the Haul road. Continued investigation |
| | Land adjacent to Cock Inn, Boreham | Use of land for concrete crushing | Cease importation of concrete (per se). TSN served requiring cessation. | TSN complied with. The land benefits from a District CLUED (1999) for soil screening. Site meeting January 2013. Unauthorised waste importation has ceased, only authorised materials coming in to the site. Meeting resolved issues relating to stockpiles, matter to be dealt with by the Operators. There has been an improvement in the appearance of the site since our previous visit. Further regular monitoring will be undertaken to ensure compliance |
| | Land opposite Toby Carvery, Runwell Road, Runwell | Dumping of waste materials on land | Monitoring action | Joint visit with CCC enforcement officers, a bund had been created, however this was an engineering operation in relation to a building development on the land for which planning permission has not been sought or given. The earth movements and bunding were considered ancillary to the unauthorised development and therefore the WPA considers that based on the evidence obtained during the visits that CCC are the appropriate Authority to deal with this |

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| | | | | particular case. A TSN has been served by CCC |
| | Mid Essex Gravel Site | Unauthorised activity on land outside planning permission | Continued removal of materials. Weekly monitoring | Unauthorised waste stockpiles and waste materials on site. A time scale has been agreed with the operator to remove the materials outside of the confines of the waste transfer site. Weekly monitoring visits to check progress and on-going monitoring. |
| | Mid Essex Gravel Site, Regiment Way | Wood stock piles in excess of 3 metres (ESS/20/12/CHL) breach of condition | Reduction of stockpiles of wood Weekly monitoring | Stockpiles of wood on the site are exceeding the height permission on the current planning permission. The operators are currently removing some of the wood so that it falls within the restriction of the planning permission. On-going monitoring. |
| Colchester BC | Geantree The Causeway Great Horkesley, Colchester. CO6 4EJ | Importation of waste | Cease importation and restore land | Unauthorised importation deposition and spreading of waste materials resulting in land raising. Part of a joint investigation with the Environment Agency. Owner has agreed to remove the materials and restore the land. Site is being monitored. |
| Epping Forest DC | Bansons Yard, High Street, Ongar Essex | Breach of Condition | Monitoring | Condition requires submission of the restoration scheme. The land has been sold to developers; it would appear that the restoration and landscaping would be part of the greater development scheme. Application to EFDC for the redevelopment of the land, including demolition of existing structures, erection of 14 dwellings including landscaping. On-going monitoring |
| | Brickfield, Old House Lane, Roydon | Importation of waste and land raising | Cease importation | Importation of waste, subsequently raising the land for agricultural restoration. Planning permission is required. Land owner has ceased importing waste and is seeking guidance on the submission of a retrospective application in order to regularise the situation. Further visit arranged with the EA. On-going investigation. |
| | Land at Oak Hill Farm, Coppice Row, Theydon Bois | Materials imported from building works to AGR land | Removal of waste materials | Planning permission granted for demolition of existing dwelling and erection of replacement dwelling, large amounts of materials excavated from the ground works are on adjacent land. Continued monitoring (on completion of works materials |

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| | | | | should be removed.) |
| | Land at Weald Place Farm, Thornwood | Deposit of Waste | Enforcement Notice served | Enforcement Notice served against the unauthorised use of the land for the deposition of waste materials and consequential raising of land levels in order to remedy the breach of planning control. Appeal has been submitted, await outcome. |
| Harlow DC | No formal cases | | | |
| Maldon DC | No formal cases | | | |
| Rochford DC | JKS Construction, Purdeys Industrial Estate, Purdeys Way, Rochford, Essex. SS4 1LZ | Mud on Road | Monitoring visits | Mud on roads. This development is situated within a busy industrial area with a number of heavy goods vehicles from a number of businesses. The road is very muddy at times and the area is very dusty. Although it is evident that not all of the problems are directly from this site, the operators are keeping the brower running on site to control the dust and the road sweeper will be used on a daily basis. Site being monitored. |
| | Lovedown Farm, Hockley | Deposit of waste / landraising | Cease waste importation | No current site activity, waste importation has ceased. WPA, EA, and Natural England are consulting on action required to be taken by the landowner. |
| | Michelins Farm, Rayleigh | Deposit of waste / land raising | Enforcement notice served | Enforcement notice upheld by Planning Inspector. Removal of waste compliance due. |
| | Rawreth Industrial Estate Rayleigh Lane Rayleigh Essex SS6 9RL | Expansion of Site | Site History from Rochford DC | The current planning permission for this site does not cover the entire site area to which the operators have an Environmental Permit and it may therefore be that operations currently being undertaken on the additional land are being done so without the benefit planning permission. Operators are seeking pre-application discussions with ECC. An application will be submitted, if required. |
| Tendring DC | Foxhall Road, Southminster | Deposit of waste | Retrospective application | Retrospective planning application for the importation and depositing waste. Await outcome of application |
| | Lane Farm, Wix | Breach of planning condition (highway works) | Undertake required highway works | Operator relocating to Parkstone Quay, Harwich. |
| Uttlesford DC | Armigers Farm, Thaxted | Deposit and storage of waste | Enforcement notice served, clear waste from land. Monitoring visits | No appeal was lodged. Compliance required by 25 August 2013. |

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| | Land North West of Dunmow Bypass | Construction Waste disposal on land (may be in excess of 9 years) | Awaiting Confirmation of District permission | Construction waste has been deposited on this land in excess of 9 years. The waste is from the Woodlands Park development in Dunmow and part of the planning permission relates to the use of this land and future restoration therefore a District permission. Awaiting confirmation from Uttlesford DC |
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