

committee DEVELOPMENT & REGULATION

date 23 June 2017

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

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

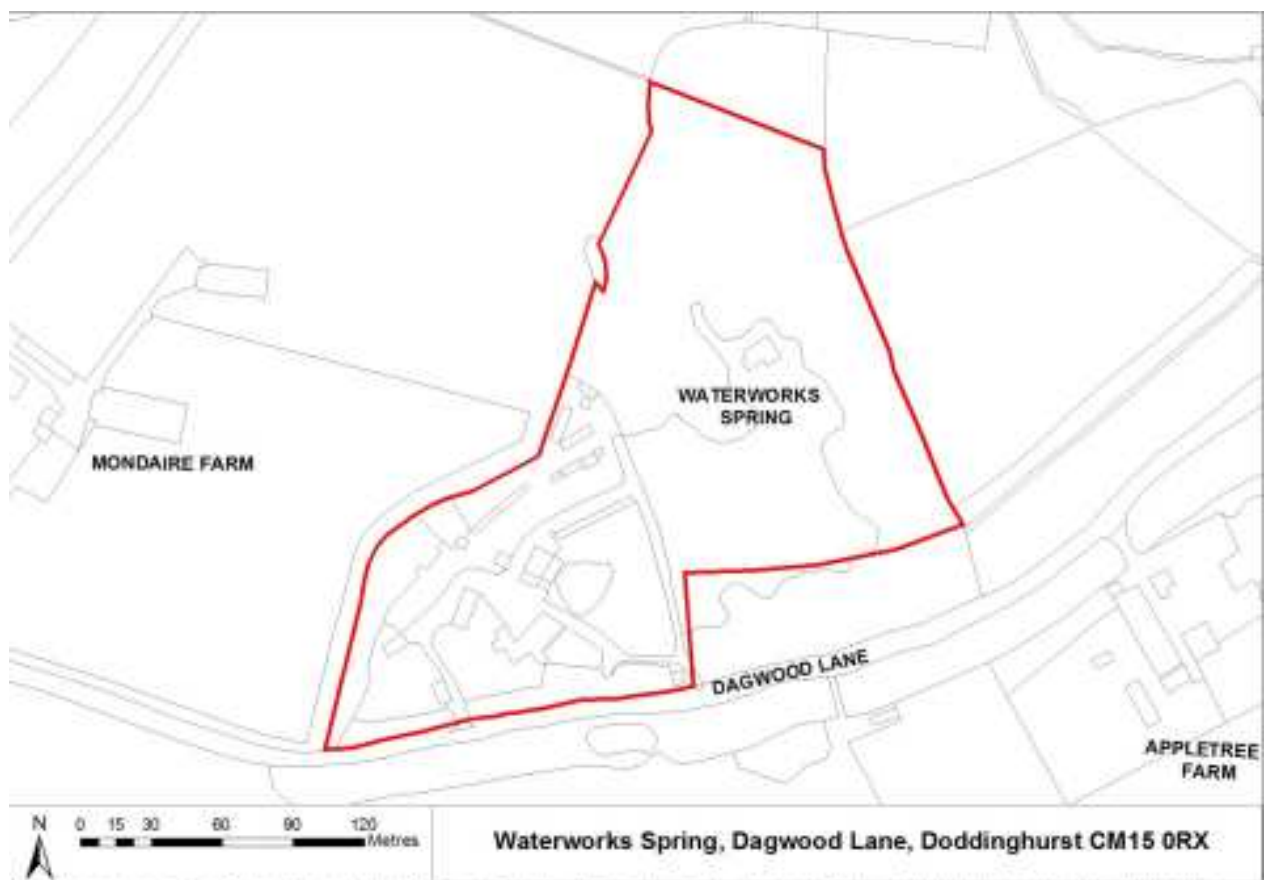
Location: **Land at Waterworks Spring Farm Dagwood Lane Doddinghurst Essex CM15 0RX**

Ref: **ENF/0834**

Report by Acting Head of County Planning

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## **1. BACKGROUND AND SITE**

The unauthorised importation, deposition, storing and spreading of waste materials has taken place on land at Waterworks Spring Farm Dagwood Lane Doddinghurst Essex CM15 0RX

On 12<sup>th</sup> October 2016 the Waste Planning Authority (WPA) witnessed importation, deposition, storing and spreading of waste materials on the land.

An enforcement notice was served on the 27<sup>th</sup> October 2016 relating to the importation, deposition, storing and spreading of waste materials on the land.

The requirements of the enforcement notice were;

1. Cease and do not resume the importation, deposition, storing and spreading of waste materials on the land;
2. Remove from the land all waste materials, including imported soils, rubble and other similar waste materials.
3. Restore the land to its condition prior to the commencement of the unauthorised development.

The enforcement notice took effect on the 25<sup>th</sup> November 2016 and compliance with Step 1 (above) was required by the 26<sup>th</sup> November 2016

## **2. CURRENT POSITION**

The Waste Planning Authority received numerous complaints that waste was continuing to be imported on to the land. A site visit was subsequently undertaken on the 23<sup>rd</sup> March 2017. The purpose of the visit was to check compliance with the enforcement notice. During this visit the Council's Enforcement Officer witnessed further importation, deposition and spreading of waste materials on the land - in breach of the enforcement notice served on the 27<sup>th</sup> October 2016.

It was considered expedient to remedy the environmental harm. The land is situated within the Metropolitan Green Belt of the Brentwood Borough. The breach of planning control is visually intrusive and seriously affected public amenity meriting protection in the public interest. The land owner was continuing to import waste materials on to the land, now committing a criminal offence, and the Waste Planning Authority proceeded with a prosecution in the Magistrates Court.

On the 25<sup>th</sup> May 2017, Essex County Council as Waste Planning Authority attended Colchester Magistrates Court to prosecute the land owner for failure to comply with the enforcement notice served on the 27<sup>th</sup> October 2016

The defendant was found guilty and sentenced to a fine of £800, costs of £1400 and a victim surcharge of £80, totalling £2280.

Officers will continue to monitor the site to ensure compliance with the enforcement notice served.

## **LOCAL MEMBER NOTIFICATION**

Brentwood Rural.