

**DR/22/20****Report to:** DEVELOPMENT & REGULATION (24 July 2020)**INFORMATION ITEM** – Enforcement of Planning Control update**Report author:** Chief Planning Officer (County Planning and Major Development)**Enquiries to:** Suzanne Armstrong – Tel: 03330 136 823The 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 April to 30 June 2020 (Quarterly Period 1).

**2. DISCUSSION****A. Outstanding Cases**

As at 30 June 2020 there are 28 outstanding cases. Appendix 1 shows the details of sites (7) where, after investigation, a breach of planning control is considered to have occurred.

**B. Closed Cases**

5 cases were resolved during the period 01 April to 30 June 2020.

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**LOCAL MEMBER NOTIFICATION**

Countywide

## Enforcement Committee Report

<b><u>Location</u></b>	<b>Nature of problem</b>	<b>Remarks</b>
<b>Basildon</b>		
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). Due to COVID 19 a revised timescale has been agreed for the removal of all waste. Further visits to be carried out.
<b>Braintree</b>		
Straits Mill, Bocking, Braintree CM7 9RP	Carpet Recycling	A material change of use of the land to a waste transfer facility. 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 served an Enforcement Notice on the 7th January 2020. An appeal was lodged against the Notice served. With regard to this, and in particular the extant Enforcement Notice, the appellant and the Council have negotiated revised terms of compliance to the effect that the previous Enforcement Notice issued by the Council has been withdrawn and a replacement Notice issued. The new Notice which takes effect on 29 July 2020 requires the importation of waste to cease; the removal of all waste materials and machinery within 18 months; and the restoration of the land within 24 months.
<b>Brentwood</b>		
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. An Enforcement Notice has been served for the removal of the waste. 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 commenced waste

		removal and Land remediation works further visits to follow.
<b>Chelmsford</b>		
Land at Hollow Lane, Hollow Lane, Broomfield, Chelmsford, Essex, CM1 7HG	Waste activities	The unauthorised 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. An Enforcement Notice was served on the 14th January 2020 for the removal of all waste material, full compliance with the Notice served is due by the 11th September 2020.
<b>Colchester</b>		
Colchester Skip Hire, Green Acres, Old Packards Lane, Wormingford, Colchester, CO6 3AH	Early morning monitoring	Application ESS/15/19/COL as approved permits a specific number of vehicles to exit the site from 6:00am. These vehicle movements are controlled by planning conditions. During a visit in December 2019 it was noted that CSH were exceeding the limitations of this condition. On the 27th January 2020 ECC did serve a Breach of Condition Notice (BCN) on CSH in respect of the vehicle movements prior to 7:30am. The period for compliance with this Notice is 30 days beginning with the day on which the Notice is served on the company. In notifying the company of the breach of condition application ESS/04/20/COL was submitted to the Waste Planning Authority to vary the condition relating to the vehicle movements. This application was refused on the 12th March 2020. Further visits are to be carried out to ensure the company are complying with the BCN served.
<b>Rochford</b>		
3 Murrels Lane (Off Church Road) Hockley	Importation of waste	The unauthorised 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. Visit scheduled.
<b>Uttlesford</b>		
New Farm, Elsenham Road,	Importation of waste	Importation, depositing, storing and spreading of waste materials on the land.

<p>Stansted, CM24 8SS</p>		<p>On the 5th October 2015 an Enforcement Notice was served. The landowner 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 had not been complied with. The case remained with ELS due to new information that came to light. Following on from this the case was, once again, listed for July 2020. Due to COVID-19 all matters that were provisionally listed for prosecution have now been put back to a holding court on 1 September 2020 at the current time some courts are open fully, some partially and some not at all. ELS are awaiting further information and guidance from the courts.</p>
<p>Land at Armigers Farm, Thaxted, Great Dunmow Essex CM6 2NN</p>	<p>Working outside of CLUED</p>	<p>Waste soil stored outside the permitted area. Some material had been processed ready to be removed, in accordance with ECC and the EA's joint working protocol the EA have agreed a suitable timescale in order for the waste to be removed and the land remediated. A timeframe of 6 months was agreed by the EA as a realistic amount of time to remove the waste soil, taking into consideration the winter weather. Due to COVID-19 the EA have extended the timescale for the removal of the waste. A site meeting has been scheduled.</p>