

DR/17/23

Report to: DEVELOPMENT & REGULATION (26 May 2023)

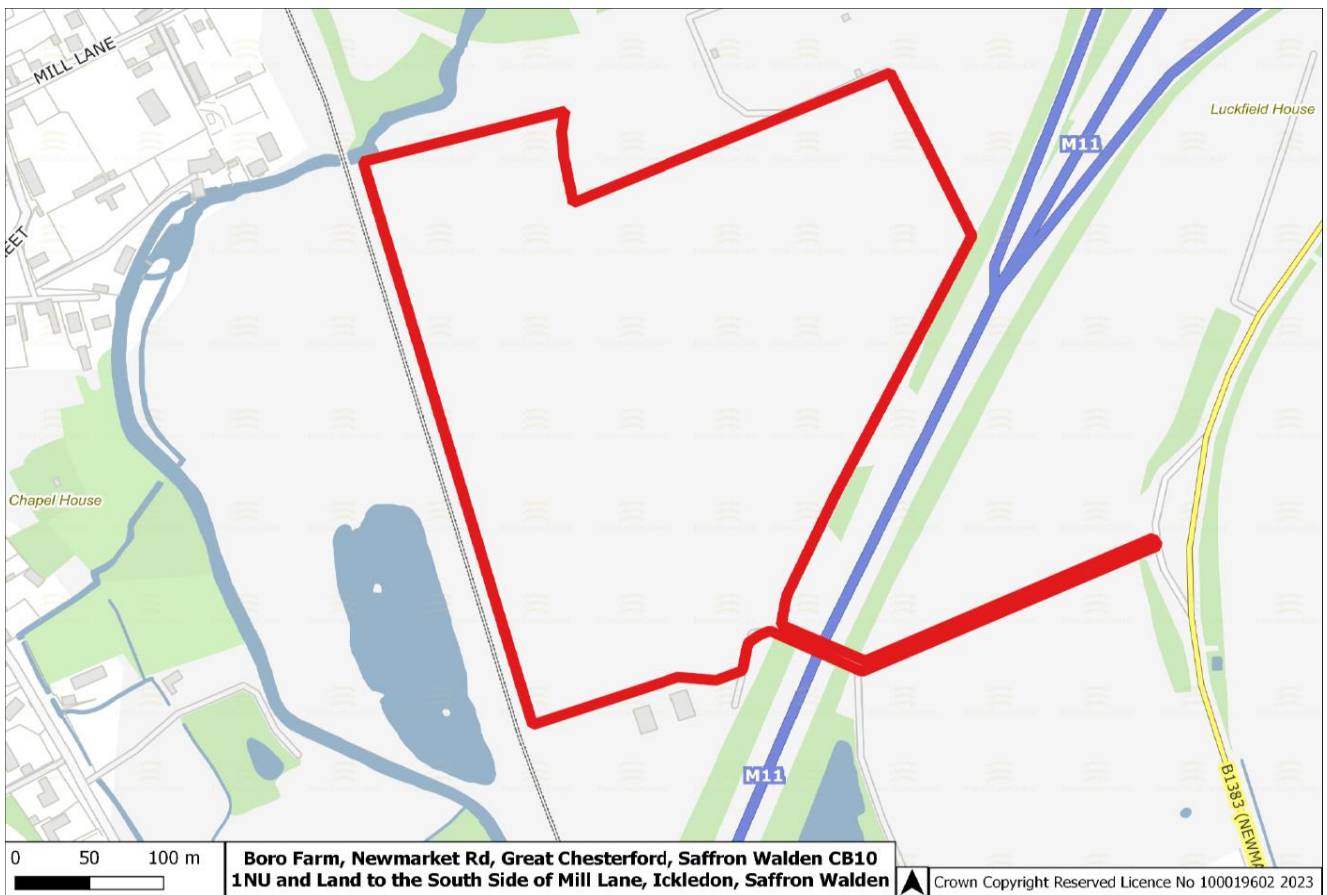
Enforcement: INFORMATION ITEM - UNAUTHORISED MINERALS AND WASTE DEVELOPMENT - Without the benefit of planning permission, a material change of use of the land from agricultural to land used for waste and aggregate recycling involving the importation, deposit, spreading and storing of waste and other materials, landraising/creation of bunds and the installation and use of associated plant, equipment, and machinery

Ref: ENF/1172

Location: Land at Boro Farm, Newmarket Road, Great Chesterford, Saffron Walden, CB10 1FN and Land to the South Side of Mill Lane, Ickleton, Saffron Walden

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1. SITE AND BACKGROUND

The site is located between Great Chesterford and Ickleton, sandwiched between the M11 to the east and the London to Cambridge railway line to the west. Access to the site is provided by a road/track accessible via a layby off Newmarket Road approximately 300m to the east, which passes under the M11.

The site represents the northern part of a site known to the Waste Planning Authority (WPA) as 'Land adjacent to the M11, Great Chesterford, Saffron Walden'. The lawful use of the land is agriculture with planning permission historically approved to import inert waste for agricultural improvement (application refs: ESS/16/10/UTT and ESS/46/11/UTT). The importation permitted was completed and the site was in year four of agricultural aftercare when the unauthorised development commenced.

To the immediate south of the area to which this unauthorised development relates, is another development subject of an Enforcement Notice (appeal pending). The extant use of this area is also agricultural. However, this area is currently in use as a recycled aggregate production facility and involves the importation and export of materials by way of HGV and the processing and storage of such material on-site.

Following a site visit in October 2022 the WPA considered it expedient to serve a Temporary Stop Notice (TSN), in respect of this northern parcel of land, and require the temporary cessation of the importation, deposition and spreading of waste which was alleged to be taking place. The TSN was in force for a 28-day period and was complied with.

In November 2022, the WPA subsequently served a Planning Contravention Notice (PCN) to the landowner and all other interested parties in an attempt to formally establish the nature of the activities on-going. Responses to the PCNs served were received. However, following a further site visit in March 2023, the WPA concluded a material change of use of the land had occurred and that the land was being used for waste and aggregate recycling involving the importation, deposit, spreading and storing of waste and other materials, landraising/creation of bunds and the installation and use of associated plant, equipment, and machinery.

Accordingly, on 26 April 2023, the WPA served an Enforcement Notice. It was expedient to take this action as the unauthorised development is considered incompatible with its countryside setting and is harmful to landscape character and appearance, agricultural land quality and local amenity.

2. CURRENT POSITION

The Enforcement Notice served on the 26 April 2023, takes effect on the 31 May 2023 unless an appeal is made against it beforehand. The Enforcement Notice requires the landowner to:

- Cease, and do not resume any further, importation, deposition, storage and spreading of waste materials and aggregates within 1 day from the date the Notice takes effect.

- Restore the Land (i) to the levels as approved under planning permission ref: ESS/46/11/UTT and shown on the drawing titled 'Proposed Final Landform' drawing no. 0614/L/2c dated 25 June 2010 and (ii) to its condition prior to the commencement of the unauthorised development within 5 months from the date the Notice takes effect.
- Remove from the Land any remaining waste materials and aggregates and all plant, equipment and machinery associated with the unauthorised development within 5 months from the date the Notice takes effect.

Officers will continue to monitor the site in relation to the Enforcement Notice to ensure compliance.

LOCAL MEMBER NOTIFICATION

UTTLESFORD – Saffron Walden