

DR/02/22

Report to: DEVELOPMENT & REGULATION (28 January 2022)

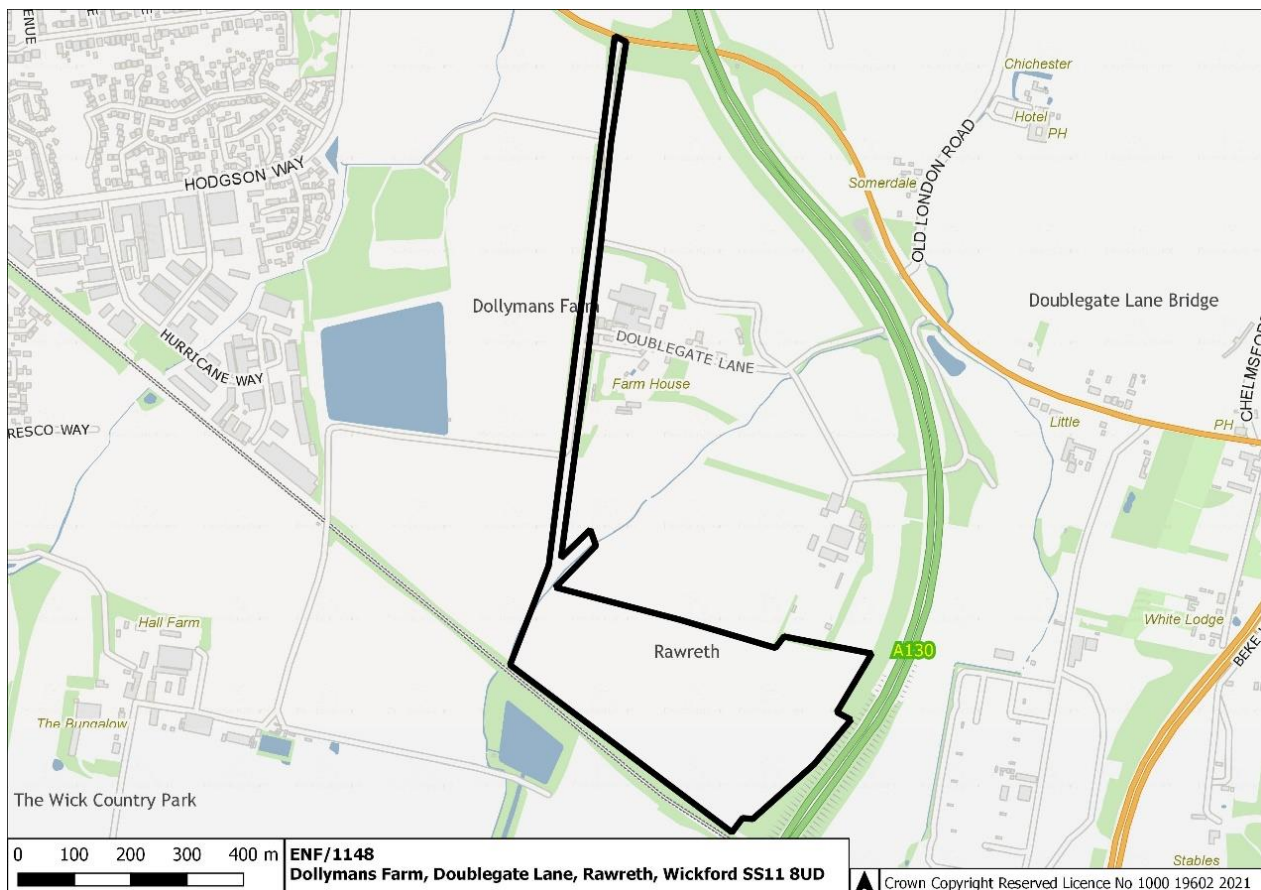
INFORMATION ITEM: Minerals and Waste Development - Enforcement of Planning Control

Location: Dollymans Farm, Doublegate Lane, Rawreth, Wickford, SS11 8UD

Ref: ENF/1148

Report author: Chief Planning Officer (County Planning and Major Development)

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1. SITE AND BACKGROUND

Dollymans Farm is bound by the A130 to the east and a railway line to the south. To the west and north is agricultural land. Dollymans Farm is accessed off the A129 via Doublegate Lane. This access serves Dollymans Farm including the small industrial/employment area, the Treehouse Club Nursery and Fanton Hall and Sappers Farm and industrial/employment areas associated.

Planning permission for the importation of inert material, installation and use of a plant for the recycling of such material (including separate silt press) and the final disposal of inert residues on the land to establish a revised landform was granted in 2020 (planning application ref: ESS/31/18/ROC) and the operator (SRC) formally commenced operations at the site in September 2021.

The operator has an Environmental Permit for Waste Operations and discharge consent from the Environment Agency and in a similar vein to site monitoring visits undertaken by the Council to ensure compliance with the planning permission, officers from the Environment Agency routinely visit the site to ensure compliance.

The Environment Agency, following a compliance visit to the site undertaken, reported to the Council that material was being extracted and exported from the site. Officers from the Council accordingly sought to visit the site and observed a void (estimated at 50,000m³) created by unauthorised mineral extraction.

On the 20 December 2021, a Stop Notice was served on the landowner and operator in respect of the unauthorised mineral extraction.

The Stop Notice required all unauthorised extraction and exportation of indigenous minerals (clay) from the Land to cease.

In addition to the Stop Notice, an Enforcement Notice was also served. The requirements of the Enforcement Notice are:

- Cease, and do not resume, the extraction of minerals from the Land.
- Restore the void created by the unauthorised development with non-contaminated, non-hazardous inert material to the topographical levels shown on drawing titled 'Current Situation', drawing number: M17.149.D.003, dated April 2018 as submitted with planning application reference: ESS/31/18/ROC.

2. CURRENT POSITION

The Stop Notice served on the 17 December 2021 took effect on the 20 December 2021. The Enforcement Notice takes effect on the 28 January 2022 unless an appeal is made against it beforehand. The Enforcement Notice will require the void to be restored within 12 months.

Through requiring the land to be restored to the levels prior to the unauthorised mineral extraction taking place within a 12 month period, it is not considered, without prejudice, that there should be any due impact or prolongment of the

infilling activities permitted under the current planning permission (ref: ESS/31/18/ROC).

Officer will continue to monitor the site in relation to the Stop and Enforcement Notice and the current planning permission in place to ensure compliance and no further unauthorised activities.

LOCAL MEMBER NOTIFICATION

ROCHFORD – Rayleigh North
BASILDON – Wickford Crouch