

Report to: DEVELOPMENT & REGULATION (26 November 2021)

Information Item: – Enforcement of Planning control update

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The full applications 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 31 October 2021

2. DISCUSSION

A. Outstanding Cases

As at 31 October 2021 there are 26 outstanding cases. Appendix 1 shows the details of sites (10) where, after investigation, a breach of planning control is considered to have occurred.

B. Closed Cases

33 cases were resolved during the period 01 April to 31 October 2021.

Local Member notification

Countywide

District: Braintree

Location: Straits Mill Bocking, Braintree CM7 9RP

Nature of problem: Carpet Recycling

Remarks: Enforcement notice issued on 29th July 2020 requiring importation of waste to cease; removal of all waste materials within 18 months (29th January 2022); restoration of land within 24 months (29th July 2022). The site will continue to be monitored to ensure compliance with the notice.

District: Braintree

Location: Bluegate Farm Braintree Road, Great Bardfield

Nature of problem: Importation of waste

Remarks: Land is currently being used as a material recovery/recycling facility. The current activities on the Land represent a change of use with activities principally relating to recovering, treating, storing, processing, sorting, transferring and depositing waste. Large stockpiles of material on site, screener in use and a crusher used as and when required, a wheel washer in situ. An Environmental Permit was issued by the EA in March 2020 to which the company are compliant. Landowner and operator indicated their intention was to clear the site. Officers visited the site on 1st October 2021 and the land had not been cleared. The operator stated poor weather conditions has prevented them from clearing the land. It has been agreed that the land is cleared the land by 31st August 2022, after which an enforcement notice is likely to be served.

District: Chelmsford

Location: Land at Meadow Lane Runwell SS11 (Various plots G T)

Nature of problem: Waste activities

Remarks: Multi Agency investigations ECC, EA and CCC. Importation and deposition of mixed waste on various plots of Land. EA taking lead. No update since last report.

District: Chelmsford

Location: Morelands Industrial Estate, Tile Works Lane Rettendon Chelmsford CM3 8HA

Nature of problem: Importation of waste

Remarks: Local council determining a REM application (Ref 21/01621/REM). This follows the discharge of a contamination condition attached to the FUL permission. For this they submitted both an RMS and a Stockpile Investigation Report, on which both the WPA and the EA were consulted. Local council visited recently and works appear to be proceeding to remove the unauthorised waste in accordance with the stockpile report.

District: Epping Forest

Location: Norton Field Farm, Norton Lane, High Ongar, Ingatestone CM4 0LN

Nature of problem: Use of Land for waste recycling

Remarks: Operator has submitted an application for a certificate of lawful use (CLEUD) to ECC as Waste Planning Authority. Application yet to be determined.

District: Rochford

Location: 3 Murrels Lane (Off Church Road) Hockley

Nature of problem: Importation of waste

Remarks: Works have commenced to clear the Land. Material are continuing to be removed to ensure compliance with the notice served. Due to COVID restrictions and wet weather there have been a number of occasions where works have stopped. Whilst compliance was due some months ago COVID restrictions and the winter months have restricted full compliance, however the Landowner is in regular contact with ECC and updating on progress. The latest update is that the landowner continues to clear the land to ensure compliance with the notice served. Officers will continue to monitor progress.

District: Rochford

Location: Glazebrook Farm, Rochford, SS4 3JL

Nature of problem: Importation of waste

Remarks: Advised that it was a district matter, assisted Rochford DC further.

District: Tendring

Location: Land to the East of Martells Industrial Estate, Slough Lane, Ardleigh, Colchester, CO7 7RU

Nature of problem: Importation and spreading of waste raising the levels of the Land

Remarks: Officer to review PCN responses to consider next course of action. TB is aware of this site. New officer to re-assess and follow up.

District: Uttlesford

Location: Land at Armigers Farm, Thaxted, Great Dunmow CM6 2NN

Nature of problem: Working outside of CLUED

Remarks: Waste soil has been moved closer to the certificate site. Some possible unauthorised development has taken place and it is being considered whether action should be taken to address suspected breaches of planning control or invite a planning application to regularize. Officers continue to monitor the site.

District: Uttlesford

Location: New Farm, Elsenham Road, Stansted, CM24 8SS

Nature of problem: Importation of waste

Remarks: Importation, depositing, storing, and spreading of waste materials on the land. 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 prosecution in July 2020. Due to COVID-19 all matters that were provisionally listed for prosecution have now been put back to a holding court. Case remains with ELS.