
BREACH OF PLANNING CONTROL AT BROOKSIDE, LONDON ROAD, RAYLEIGH, ESSEX

SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control namely the siting of metal storage containers and the overnight parking of commercial vehicles on land at Brookside, London Road, Rayleigh.
- 1.2 Members will need to consider whether it is expedient to serve enforcement notices, etc. and this function is discretionary. However, the mechanisms of such actions are statutorily controlled.

2 INTRODUCTION

- 2.1 This breach is occurring within the Metropolitan Green Belt, on the car park attached to Brookside Café, London Road, Rayleigh, which is the subject of another report in this agenda. It involves the siting of metal storage containers within the car park and the overnight parking of commercial vans and HGV's also in the car park of Brookside Café.

3 THE PLANNING HISTORY OF THE SITE

- 3.1 This matter was first brought to officers' attention in May 2001, and following visits it was revealed that the site was being used for the siting of metal storage containers. There are a number of containers sited adjacent to the café. It was also revealed that the site was being used extensively for the parking of commercial vehicles. Such a use would not normally represent a breach of planning control, assuming of course that the vehicles were parked in conjunction with a visit by the driver to the adjacent café.
- 3.2 The owner of the café was then served with a Planning Contravention Notice. This asked him to confirm the precise nature of the use of this land. In his response to this he admitted that the containers had been positioned on this site since April 2001. The owner also admitted that the commercial vehicles were parked here overnight, and thus their parking cannot be considered to be ancillary to the use of the café.
- 3.3 Members attention is also drawn to the additional history referred to in the other report concerning this site as outlined in this agenda.

4 PLANNING ISSUES

- 4.1 This site lies within the Metropolitan Green Belt, where there is a general presumption against development. The use of this land is

authorised for use as a car park in connection with the café use at Brookside. Such a use, involving the parking of vehicles by the patrons of the café, would normally only be a transient one and as such would not have a significant long term impact on the openness of the Green Belt

- 4.2 The siting of metal storage containers and the parking of vehicles on this site 24 hours a day leads to a gradual erosion of the openness of the Metropolitan Green Belt. Such uses appear incongruous, and detract from the open views across the green belt. These uses are also both contrary to both Policy GB1 and GB4 of the Rochford District Local Plan. GB1 limits new uses within the Green Belt to those linked to agriculture, forestry or recreation, while GB4 states that open storage uses within the Green Belt will not normally be permitted.
- 4.3 In view of the detrimental effect that both the overnight storage of these lorries, and the siting of these storage containers, has on both the open nature of the site, and also on views in and out of it, this Enforcement action seeks to secure the cessation of this land for both the overnight parking of commercial vehicles and the siting of metal storage containers.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES**

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action including the issue of Notices and action in the Courts to secure the remedying of the breach now reported. (HPS)

Shaun Scrutton

Head of Planning Service

For further information please contact Dave Beighton on: -

Tel:- 01702 318097

E-Mail: - david.beighton@rochford.gov.uk