
BREACH OF PLANNING CONTROL AT MOAT FARM, CHELMSFORD ROAD, RAWRETH, ESSEX

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the construction of a building and its subsequent use for the salvage and sale of motor vehicle spares.
- 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 Moat Farm is located on the old Chelmsford Road, just to the west of the old A130, south of Bedloes Corner. The breach involves the construction of a building and its subsequent use for the salvage and sale of motor vehicle spares. The site is located within the Metropolitan Green Belt, and also a Landscape Improvement Area, and as such represents unauthorised development in a rural area.

3 PLANNING HISTORY

- 3.1 This matter was first brought to officers' attention in January 2003. An inspection of the site was undertaken. The owner claimed, during this inspection, that the new building was merely a replacement for an older agricultural building and that he had been advised that he would not require permission for the works despite the fact that the new building was both taller and wider than the structure that it replaced. To clarify matters, the owner was served with a Planning Contravention Notice. In response, the owner advised that works to complete the building were ongoing but that its use for vehicle salvage and sales had started in June 2002.
- 3.2 In response, the Authority advised him that consent would be required for both the structure and also the subsequent use of said structure for commercial purposes. He was invited to apply or remove the structure but a subsequent inspection revealed neither of these options had been taken. Officers set up a meeting. The attendees included our Economic Development Officer to ensure that adequate support was given for possible relocation of the business. This business has not, however, been relocated and an application has not been received, despite this support.

4 PLANNING ISSUES

- 4.1 Policy GB1, as supported by Policy C1 of the Essex Structure Plan, states that permission will not be granted, except in exceptional circumstances, for

purposes other than agriculture, forestry and mineral extraction, or for outdoor participatory sports.

- 4.2 A major purpose of the Metropolitan Green Belt policy is to prevent unacceptable development outside of the built up areas. The siting and nature of this building is considered detrimental to the open nature of the MGB. Furthermore, the use itself generates between five and ten callers, seven days a week. This is, again, contrary to one of the prime objectives of MGB policy which is to “...*limit the number of people living and working within the Green Belt and thereby contain the amount of general activity...*”
- 4.3 The site is also within a Landscape Improvement Area. Policy RC8 states that the location, siting, design and materials used in development should be of a high standard and improve the character of the area.
- 4.4 This structure does not concord with Policy RC8 as it is not made of appropriate materials. The building is of a stark industrial design, with an imposing flank wall made of brick with a metal rolling security shutter entrance. The appearance of the building is out of character with the rural, agricultural feel of the site and the assumption must be made, therefore, that it certainly does not improve the character of the area in which it is sited.
- 4.5 This enforcement action therefore seeks the demolition of the unauthorised building, along with the cessation of the business use carried out from within.

5 RECOMMENDATION

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

That the Head of Planning Services be authorised to take all necessary action to secure the remedying of the breach now reported.

Shaun Scrutton

Head of Planning Services

Background Papers:

None

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