
BREACH OF PLANNING CONTROL AT LAND ADJACENT 60 HIGH STREET, GREAT WAKERING

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services concerning an untidy site on land adjacent to 60 High Street, Great Wakering on the corner of High Street and Whitehall Road.
- 1.2 Planning permission was sought in 1989 (Ref: ROC/908/89) and following a revised application in 1991 (Ref: F/0124/91/ROC) was subsequently granted for a detached three-bedroom house with garage. Building work commenced sometime in 1989, but by April of 1991 had ceased, and now almost a decade later is yet to re-start. This left the site covered in a partially built dwelling of approximately 1-2 metres in height with no roof. The site is surrounded along High Street and White Hall Road by an approximately 2 metre high fence, which has partially collapsed in places affording unrestricted views into the site. The boundary between this site and 60 High Street next door is approximately 1 metre 30-50 cms, and affords views into the site even from the garden. The vegetation in the interior has been allowed to grow and thus is fairly unkempt, leaving the site in a very untidy state. A number of complaints have been received regarding this site both from Members and local residents.
- 1.3 Various attempts have been made to contact the site owner but this has met with little response. As recently as July of this year the owner expressed his commitment to completing the project but as yet no works have re-commenced.
- 1.4 There is no time limit within which the owner must complete the development; the only condition in the approved plans was that development must commence within 5 years of permission being granted, which it did. However an untidy site on a prominent corner such as this in a conservation area is causing serious aesthetic detriment to the immediate street scene, and the neighbourhood in general. Under Section 215 of the Town and Country Planning Act 1990 (as Amended) the local planning authority can take action "*where it appeared to them that the amenity of their area...was seriously injured by the conditions of any garden, vacant site or other open land in their area*"
- 1.5 Previously it was felt that there was little formal action the authority could take to tidy the site. However, due to the continuing worsening of the site's appearance, the lack of any re-commencement of building works and in light of recent examples from other authorities it is considered that such action can now be taken. It should be stressed that this may be a borderline case nonetheless. Therefore, this

enforcement action would seek the owner of the site to replace the boundary around the site with close-boarded, as opposed to the less substantial "Larch Lap", wooden fencing, to a standard height of approximately 2 metres, and also to tidy up the interior of the site. It is anticipated that this would involve the removal of weeds and overgrown vegetation from within the site and the tidy re-stacking of all unused building materials stored here to a height of less than 2 metres. This would ensure that none are visible when walking past the site.

2 ENVIRONMENTAL IMPLICATIONS

- 2.1 As set out above.

3 CRIME AND DISORDER IMPLICATIONS

- 3.1 The presence of an untidy site of this type within a village centre gives cause for concern in respect of vandalism, unauthorised access and so on.

4 LEGAL IMPLICATIONS

- 4.1 Any action considered necessary through the Courts to remedy the breach.

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 of planning control now reported. (HPS)

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