
BREACH OF PLANNING CONTROL AT 18 WESTBURY, ROCHFORD, ESSEX.

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the storage of an unroadworthy vehicle, which contributes to an untidy site at 18 Westbury, Rochford.
- 1.2 Members will need to consider whether it is necessary to serve an Untidy Site Notice under Section 215 of the Town and Country Planning Act, 1990 and that this function is discretionary. However, the mechanisms of such actions are statutorily controlled.

2 INTRODUCTION

- 2.1 This matter has a long and fairly complex history. It was originally raised as an issue back in 1996 when there were three unroadworthy vehicles stored here. Due to letters to the resident receiving no response, this matter was reported to the Planning Services Committee for further action.
- 2.2 This action was authorised and in December 1996 a Notice under Section 215 was issued requiring that all three vehicles be removed in entirety from the site. Two vehicles were removed although the site owner argued that one of the vehicles was still roadworthy and as there was some difficulty in refuting this point, no further action was taken.

3.0 PLANNING ISSUES

- 3.1 Following subsequent contact by nearby residents this site was again brought to officers' attention. It was observed that the vehicle that had been allowed to remain, a red Ford Escort, was no longer in a roadworthy condition. Vegetation was seen to be growing around and over it, detracting from the visual amenity of both the property itself and the general streetscene in this prominent location on the junction with Braxted Close. A further letter was sent to the resident of no. 18 asking him to clear the remaining vehicle from the front of his property but this elicited no response.
- 3.2 Therefore it now considered prudent to seek authorisation for the serving of a new Section 215 Notice. This would require the landowner to remove the vehicle and undergrowth from the site. As such this would reduce significantly the detrimental impact that this site currently has and restore the aesthetic amenity previously afforded the area.

4 RECOMMENDATION

4.1 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)

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