
BREACH OF PLANNING CONTROL AT LAND NORTH OF BEECHES ROAD, BATTLESBRIDGE, ESSEX.

1 SUMMARY

- 1.1 The Acting Head of Planning Services reports a) the unauthorised creation of an access onto Beeches Road, b) the creation of a private way, c) the storage and repair of vehicles on Green Belt land as well as various vehicles components, a caravan and a mobile home at the above site.
- 1.2 The creation of an access to the site was first observed by an officer following several complaints received at the Council Offices, on 4 January 2000, regarding the use of the unfarmed field for the storage of vehicles. On further inspection it was observed that builders' hardcore waste and rubble had been used to in fill an existing ditch to create an additional access onto the field from Beeches Road, thus enabling vehicles to enter the land. The Council's Engineering Department has appropriately ensured that no blockage of the ditch flow is occurring. It was further observed that hardcore materials and builders' waste have been laid down to create a private way on an existing track. Various vehicles are positioned to the far north of the site, adjacent to the River Crouch embankment. On initial inspection five untaxed, unroadworthy vehicles were observed that appear to be connected with a stock-car racing hobby, in addition to a large quantity of tyres and numerous car parts scattered indiscriminately, including car exhausts, seats etc. A touring caravan and a mobile home are also sited on this section of land and appear to be used in connection with the storage and repair of vehicles. On last inspection a total of eight vehicles were observed on the land although this number may of course vary.
- 1.3 There proved some difficulty in ascertaining the landowner and operator of the activities. They have now been notified of the breaches of planning control but no action has been taken to regularise the matter.
- 1.4 The land is situated within the Metropolitan Green Belt and, as such, conflicts with Policy GB1 of the Local Plan and Policy S9 of the Essex Structure Plan. Accordingly there is a presumption against development other than that related to agriculture, forestry etc. It is considered that the creation of an access at this point, the creation of a private way and the use of the land for the stationing of vehicles would be contrary to the above policies, reducing the openness of the Green Belt in this rural location. The site is also located within a Special Landscape Area, to which Policy RC7 of the Local Plan refers, and within the Coastal Protection Belt, to which Policy RC9 of the Local Plan refers. These policies similarly make a general presumption against development unless it is of corresponding design and materials

to the character of the area. Furthermore the development must be needed at a coastal location and it must be proved that it will not adversely affect the open and rural character of the coastline, or its wildlife. As such the reported breaches do not meet these criteria.

- 1.5 No bona fide agricultural activity is apparently occurring on the land and no reasonably necessary purpose in connection with agriculture is apparent to justify the creation of the access and track. The unauthorised access is potentially hazardous to road users to the detriment of highway safety. If allowed to remain the policies and purposes of the Green Belt would be undermined.

2 ENVIRONMENTAL IMPLICATIONS

- 2.1 As set out above.

3 FINANCIAL/RESOURCE IMPLICATIONS

- 3.1 There are no direct implications for the Local Planning Authority arising from this matter other than the normal resource implications in consequence of the recommendation.

4 LEGAL IMPLICATIONS

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

5 PARISH IMPLICATIONS

- 5.1 The site lies within the Parish of Rayleigh

6 RECOMMENDATION

- 6.1 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. (AHPS)

Shaun Scrutton
Acting Head of Planning Services

For further information please contact Richard Evans on (01702) 318095.