
BREACH OF PLANNING CONTROL ON LAND NORTH OF RICKING HALL, NEW HALL ROAD, HOCKLEY, ESSEX

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the siting of two “lorry back” containers, the construction of a stable building and the construction of a hardstanding, driveway and fencing on land north of Ricking Hall, New Hall Road, Hockley, Essex.
- 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 and involves the siting of two “lorry back” containers apparently used for animal shelter. A stable building has also been constructed and a driveway, fencing and hardcore constructed at the site also to facilitate the use of the structures.

3 THE PLANNING HISTORY OF THE SITE

- 3.1 This matter was brought to officers’ attention earlier this year, and following visits, it was revealed that the site was being used for the siting of “lorry back” containers, a stable building and fencing had been erected, hardcore laid and a driveway constructed. After the consideration of evidence, including aerial photographs, it was apparent that none of the structures were there in 1994 and the siting of the containers occurred within the last ten years despite the owner’s claims to the contrary. Accordingly there is no immunity from enforcement action.
- 3.2 The owner of the site admitted that the land was no longer used for grazing. Therefore the containers are not ancillary to an existing use here. In view of this and the poor aesthetic quality of the structures the owner was contacted and advised to clear the site of all structures and items. A recent visit has revealed that this has not occurred.

4 PLANNING ISSUES

- 4.1 This site lies within the Metropolitan Green Belt, where there is a general presumption against development. Historically the use of this land has been agricultural. The siting of the “lorry back” containers and

the construction of the stable, hardstanding, driveway and fencing reduces the openness of the area. As a result of the design and the materials used, these developments appear visually incongruous whilst also detracting from the open views across the green belt. Such developments are contrary to 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.

- 4.2 Furthermore, the site lies within a Landscape Improvement Area (LIA) and as such RDLP Policy RC8 is also relevant. This Policy requires that all development within the LIA be of a high standard of design and materials and should improve the character of the area in which it is proposed. As referred to above the appearance of the items is incongruous. The stable has been constructed in sheets of corrugated metals and the different colours of all the structures exacerbate this incongruity. The stable is silver and the two “lorry back” containers are red and green. Finally, the hardstanding and driveway are haphazardly constructed of broken brick rubble and hardcore.
- 4.3 The site also lies within an area on the RDLP designated as a Coastal Protection Belt (CPB). Within such areas, and in line with RDLP Policy RC9, development will only be permitted if it can be shown that the development needs a coastal location and will not adversely affect the open and rural character of the area. For the reasons above the developments here do not accord with this Policy.
- 4.4 In view of the detrimental effect that these developments on both the open and rural nature of the site, etc. the recommendation for enforcement action is made. This action would seek to secure the removal from this land of the two “lorry back” containers, the stable and, given that the fencing, hardstanding and driveway were constructed ancillary to the unauthorised structures, their removal should also be included.

5 RECOMMENDATION

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. (HPS)

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Head of Planning Services

Background Papers: None

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