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**BREACH OF PLANNING CONTROL AT OAKWOOD,  
VANDERBILT AVENUE, HULLBRIDGE, ESSEX**

**1 SUMMARY**

- 1.1 The Head of Planning Services reports that the Change of Use of a rural plot of land to Residential, including the stationing of a static caravan; the erection of a wooden building; the laying down of hardcore; the siting of septic tank and the erection of a fence in excess of one metre adjacent to the highway, within the Metropolitan Green Belt, has occurred without the benefit of planning permission.
- 1.2 Following complaints received at the Council Offices, dated 24<sup>th</sup> June 1999, it was observed that a static caravan had been placed on the above site, a wooden shed had been constructed and a fence measuring 1.8 metres had been placed around the site perimeter, including adjacent to Hullbridge Road.
- 1.3 Subsequent site visits revealed that electricity and water had been connected at the site, and continued work to the site included the construction of an entrance gate with post box and the laying down of gravel. There have been difficulties tracing the owner of the land although letters were sent in August 1999, and subsequently October 1999, requesting that the breach of planning control be regularised. However, no application was forthcoming and the development remained.
- 1.4 Whilst passing the site in November 1999, it was observed that a hard standing had been placed across much of the site and at the time the landowner was in the process of covering the material over with tree bark. When approached then the landowner denied receiving the previous correspondence, despite his wife contacting the Council Offices by phone on 31<sup>st</sup> August 1999 to acknowledge receipt of the initial letter and to notify the Council of her intention to submit a planning application. When questioned the landowner admitted that a septic tank had been placed beneath the site and he was informed that enforcement action would be forthcoming unless action was taken seeking to regularise the breach. No application has been submitted and it is understood that the static caravan is now being permanently occupied.
- 1.5 The development 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. There is a presumption against development other than that related to agriculture, forestry, etc. As no planning application has been submitted and no exceptional, justifiable

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circumstances have been provided, the development as outlined above should not be permitted to occur. The siting of a non-essential dwelling here, together with the other structures, would be contrary to the above policies, resulting in new buildings, etc. reducing the openness of the Green Belt in this rural area. If this situation were allowed to continue it would create a precedent making it difficult to resist similar development elsewhere in the District, thereby incrementally undermining the policies and purposes of the Green Belts. The site is also located within a Landscape Improvement Area, to which Policy RC8 of the Local Plan applies. This seeks to ensure a high standard of location, siting, design and materials used in development to improve the character of the area. The static caravan for instance clearly does meet this criteria.

## **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 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. (HPS)

Stephen Heading  
Head of Planning Services

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For further information please contact Mr R B Evans on (01702) 546366