
**BREACH OF PLANNING CONTROL ON LAND NORTH
OF ANNWOOD LODGE (MICHELIN FARM),
JUNCTION OF A130 AND A127, SOUTHEND
ARTERIAL ROAD, RAYLEIGH , ESSEX**

1 SUMMARY

- 1.1. To consider the report of the Head of Planning Services concerning additional breaches of planning control at the above site in the form of the storage of tyres, vehicle containers and waste materials, storage, repair and sale of motor vehicles, and the siting of caravans and mobile buildings.

2 DETAILS OF THE BREACH

- 2.1 This site has a history of Enforcement action with Enforcement and Stop Notices being served in 1997 against its use for car boot sales over the permitted development limit of 14 days per annum. Enforcement action relating to the storage of motor vehicles, siting of mobile buildings, construction of a road, and the storage of waste on this site was also authorised later with a Notice being served this year. This is now the subject of a Public Inquiry due to take place in late January 2001. However, this Notice identified only limited areas for the various breaches. These have now either expanded to cover other parts of the site or additional uses have commenced such that additional authority is now sought.
- 2.2 Large numbers of vehicles, mainly in unroadworthy condition, are being kept on the site with some evidence of repairs thereto. Vehicles advertised for sale have been parked in the gateway onto the A 127 slip road. Various lorry containers, commercial and other vehicle tyres, etc. have also been stored within the main body of the site and large mounds of waste materials have been created at various locations there. Caravans and mobile buildings in various conditions have been also located on the land and whilst one or two of these have been removed in recent weeks others still remain.
- 2.3 Historically, this land has been agricultural although the site operator has claimed that the site has been used for the storage of vehicles for in excess of ten years thereby making the use immune from enforcement action. However, he has not submitted any evidence to support this claim nor has he made an application for a Lawful Development Certificate to formally determine the matter. Moreover, the authority's records do not support such a claim and aerial photographs do not indicate the presence of the considerable number of vehicles now on the site.

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- 2.4 The site is within the Metropolitan Green Belt where there is a presumption against development other than that related to agriculture, forestry, etc. The uses do conflict with Policy GB1 of the Local Plan and Policy S9 of the Essex Structure Plan and are considered to be visually intrusive and reduce the openness of this rural location contrary to the above policies.
- 2.5 The site is also within a Landscape Improvement Area where Policy RC 8 of the Local Plan requires that the location, siting, design and materials used in any development should be of a high standard and improve the character of the area. The policy goes on to require suitable landscaping and tree planting. The above works due to their siting and incongruous appearance would be contrary to this policy.
- 2.6 Access to the site is via one of two gateways which open onto either the A127 or the A130, both heavily trafficked roads. Accordingly the views of the County Highways Department are being sought although it is anticipated that there will be strong highway objections to the above uses.
- 2.7 The number and extent of the above items on the site does appear to fluctuate, as do the uses and it is therefore proposed to serve Notices to cover the entire site.

3 ENVIRONMENTAL IMPLICATIONS

- 3.1 As set out above.

4 LEGAL IMPLICATIONS

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

5 PARISH IMPLICATIONS

- 5.1 Within the Rayleigh Town Council Area.

6 RECOMMENDATION

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 breaches of planning control now reported. (HPS)

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