

---

**BREACH OF PLANNING CONTROL AT “BIG BOYS” CAR  
WASH, BROOKSIDE, LONDON ROAD, RAYLEIGH, ESSEX**

**SUMMARY**

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control namely the breach of two conditions attached to planning application reference CU/0088/ROC at “Big Boys” hand car wash, Brookside, London Road, Rayleigh
- 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, on the car park attached to Brookside Café, London Road, Rayleigh, which is the subject of another report in this agenda. It involves the non-compliance with conditions 3 and 4 of planning application reference CU/0088/ROC, allowed on appeal in January 1999. Condition 3 read that *“there shall be no more than one mobile car wash trough stationed on the site at any one time and all commercial washing of cars shall take place on that trough alone.”*
- 2.2 Condition 4 of the same application read that *“all waste water and other waste products shall be collected and removed from the site for disposal at the end of each working day”*.

**3 THE PLANNING HISTORY OF THE SITE**

- 3.1 An application was submitted to Rochford District Council in 1998 to operate a hand car wash on Saturdays and Sundays within the car park at Brookside Café, London Road. This was refused by the Council but was allowed following an appeal to the Planning Inspectorate.
- 3.2 Officers were made aware in March 2001 that two of the conditions attached to this application were not being complied with, and following a number of visits to the site this has been confirmed. There was no mobile trough located on site and more than one vehicle was being washed at the same time. Furthermore, none of the waste water was being collected and removed from the site; rather it was being allowed to drain away into the car park and the adjacent brook.

---

**4 PLANNING ISSUES**

- 4.1 The Inspector, in reaching her decision, took the view that provided only one vehicle was cleaned at a time, and provided that all washing takes place within the trough, then the openness of the Green Belt would not be adversely compromised. During visits to the site there have been a number of vehicles all being washed simultaneously. Such an intensification of the use on the site leads to a gradual but serious erosion of the openness of the Green Belt, entirely contrary to Council and National Policy.
- 4.2 In refusing the original application, the Local Planning Authority was concerned about the risk of pollution to the nearby stream. The Inspector was minded to conclude that if all waste water was collected and removed from the site, then this would not be a problem. Visits to the site have revealed that waste water is allowed to simply run off the site, rather than being collected. Such activity provides a direct threat to local water courses, especially in view of the presence of detergents, used during the washing process.
- 4.3 This Enforcement action seeks to ensure that in future, all washing of vehicles on this site takes place in accordance with the conditions imposed by the Planning Inspectorate. Firstly, that a mobile trough is brought onto the site and that only one vehicle is washed within this trough at any one time. Secondly this Enforcement action also seeks to ensure that all waste water is removed from the site at the end of the day once it has been used.

**5 RECOMMENDATION**

- 5.1 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)

Shaun Scrutton

Head of Planning Service

---

For further information please contact Dave Beighton on: -  
Tel:- 01702 318097  
E-Mail: - david.beighton@rochford.gov.uk