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## **BREACH OF PLANNING CONTROL AT MILLBARN, THE COMMON, GREAT WAKERING, 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 metal storage containers and the storage of machinery and vehicle parts on land at Millbarn, The Common, Great Wakering, 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 four large metal storage containers and also the storage of machinery and vehicle parts within an open sided barn.

### **3 THE PLANNING HISTORY OF THE SITE**

- 3.1 This matter was first brought to officers' attention in 2000, and following visits it was revealed that the site was being used for the siting of metal storage containers and for the siting of vehicle parts. There are four containers stacked two on top of each other.
- 3.2 Following investigations the owners of the site were traced and then served with a Planning Contravention Notice. The owner responded saying that the site was leased to a third party who had been storing the containers, machinery and vehicle body parts, for racing car purposes, for three years.
- 3.3 Negotiations were commenced with a view to informally agreeing the removal of the items and the cessation of the use. A deadline was given within which to remove the containers, machinery and vehicle parts but, following expiration of this, and non-compliance with requests, the decision to seek authorisation for further, formal Enforcement action was taken.

### **4 PLANNING ISSUES**

- 4.1 This site lies within the Metropolitan Green Belt, (MGB) where there is a general presumption against development. Although this is the main policy concern the site is also within the Coastal Protection Belt, a Landscape Improvement Area and the Roach Valley Conservation

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Zone where other restrictive policies apply. The use of this land has historically been agricultural.

- 4.2 Whilst the re-use of agricultural buildings for storage purposes may be acceptable, the siting of metal storage containers, machinery and vehicle parts in the open as in this case leads to gradual erosion of the openness of the MGB. Such uses appear incongruous and detract from the open views across the green belt. These uses are also contrary to both Policy GB1 and GB4 of the Rochford District Local Plan (RDLP). 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.
- 4.3 As referred to in paragraph 4.1. above, other restrictive policies apply and attention is drawn to Policies RC5, RC 8 and RC 9 of the RDLP. Whilst it is unlikely that the important wildlife habitats referred to in Policy RC 5 would be adversely affected by this, the other policies are material. Policy RC 8 requires development in such areas to be of a high standard etc. which this clearly is not. Policy RC 9 states that no development will be considered unless it is shown that it needs a coastal location and will not adversely affect the open and rural character of the coastline. This development would not appear to require such and, as before, the storage of such items within this location has an adverse effect on the openness of the area, to the detriment of its appearance.
- 4.4 In view of the detrimental effect that the storage of these vehicle parts and machinery and the siting of these storage containers has on both the open nature of the site, and also on views in and out of it, this Enforcement action seeks to secure the cessation of this land for the siting of metal storage containers and the siting of vehicle body parts and other machinery.

## **5 RECOMMENDATION**

- 5.1 It is proposed that the Committee **RESOLVES**

That the Head of Planning Services 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.

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Head of Planning Service

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**Background Papers:** None

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