

## **BREACH OF PLANNING CONTROL ON LAND AT HULLBRIDGE YACHT CLUB, HULLBRIDGE, 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 a portable building within the Metropolitan Green Belt.
- 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    Hullbridge Yacht Club is located north of Pooles Lane in Hullbridge. The breach involves the stationing of a pre-fabricated portable building. The site is located within the Metropolitan Green Belt and as such represents unacceptable development.

### **3       PLANNING HISTORY**

- 3.1    This case was first raised as an enforcement matter in 2001, following written contact from a nearby resident. An Officer visited the site and it was revealed that two portable, pre-fabricated buildings had been placed there.
- 3.2    The owners of the land, proprietors of a groundworks company, were contacted formally via a Planning Contravention Notice. In their response it was claimed that the buildings had been brought onto the site in August 2000 but that, to date, neither had been used for any particular purpose. They advised officers that the smaller of the buildings would shortly be removed but that the larger was due to be used as a workshop for repairs to yacht club boats.
- 3.3    Following this, the owners were advised that the site lay within the Metropolitan Green Belt and it was therefore unlikely that consent would be granted for these structures. Nonetheless time was allowed for applications to be made to retain these but none were received. A subsequent site visit revealed that one of the buildings had been removed from site but that the larger remained extant on site.

### **4       PLANNING ISSUES**

- 4.1    As well as being within the Green Belt, the site lies within an area allocated as a "Yacht Club" and a Coast Nature Conservation Zone in the Rochford District Local Plan (RDLP). Whilst restrictive policies

apply to the latter no special policies apply to such areas that override primary Green Belt policies.

4.2 Policy GB1 states that:

*“Within the Green Belt, permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use...of existing buildings...for purposes other than agriculture, mineral extraction or forestry...facilities for outdoor participatory sport...or similar uses which are open in character.”*

4.3 The purpose of the building is not presently clear but it does not appear to be for any of the purposes listed within Policy GB1 of the RDLP. The prime strategy of the Metropolitan Green Belt (MGB) policies is to prevent unacceptable development outside of the built up areas within the District. The siting and nature of this structure is considered detrimental to the open nature of the MGB.

4.4 This Enforcement action seeks authority to serve a formal Notice requiring the removal of this structure, and all resultant materials from the site.

**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)

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