
BREACH OF PLANNING CONTROL ON LAND NORTH OF ARTERIAL ROAD, RAYLEIGH, ESSEX

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the storage and siting of three mobile homes on land north of Arterial Road, Rayleigh, 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 The land in question is located within a field north of Arterial Road, Rayleigh. The caravans are of the mobile home type and are currently being stored, as opposed to being used for residential use.

3 PLANNING HISTORY

- 3.1 This matter was brought to the attention of Officers in April 2002. Investigations revealed that the three mobile homes were sited within a field adjacent to where they are currently. However, subsequent inspections revealed that all three caravans were moved southwards, towards Arterial Road, into the next field.
- 3.2 At that time the owner of the site was in the process of appealing against a refusal of planning permission for a poultry farm enterprise on the land. Members may recall that this application incorporated two mobile homes as part of the residential accommodation for the site. Nonetheless, the two caravans shown on the submitted plan were in a different location to those now on site. The owner was therefore asked to remove the caravans on the grounds that they represented an encroachment into the Metropolitan Green Belt (MGB). Subsequent visits revealed he had not done so.
- 3.3 The owner then submitted a planning application to retain the three mobile homes on the land in their current location. Following consideration this was refused (application no. 02/00672/FUL refers). However, notification was then received from the Planning Inspectorate that the appeal against the refusal of permission for the poultry farm including the *two* caravans had been allowed and that planning permission had been granted. Nonetheless, the owner was advised that, whilst consent existed for the poultry farm, no consent existed for three caravans in an entirely different location. A final deadline to remove the three caravans was given but compliance was not forthcoming.

4 PLANNING ISSUES

- 4.1 The site is situated within the Metropolitan Green Belt and as such there is a general presumption against development. Policy GB1 of the Rochford District Local Plan (RDLP) and Policy C2 of the Essex and Southend Replacement Structure Plan state that planning permission will not be granted for new buildings or purposes other than agriculture, mineral extraction or forestry, small-scale facilities for outdoor participatory sport, or similar uses which are open in character.
- 4.2 Furthermore, Policy GB5 states that permission will not be given, within the Green Belt, for a change of use involving open storage. The caravans stored here contribute, however incrementally, to a gradual reduction in the openness of the Green Belt.
- 4.3 It is considered necessary that in order to uphold primary Green Belt policies, Enforcement action be taken. Officers are therefore seeking authority for Enforcement action that it is hoped will see the ultimate cessation of the use of this land for the storage of caravans / mobile homes.

5 RECOMMENDATION

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

That the Head of Planning Services be authorised to take all necessary action to secure the remedying of the breach now reported. (HPS)

Shaun Scrutton

Head of Planning Service

Background Papers:

None.

For further information please contact Catherine Blow on: -

Tel:- 01702 318097

E-Mail: - catherine.blow@rochford.gov.uk