

BREACH OF PLANNING CONTROL AT 'WOODSIDE', GRANVILLE ROAD, HOCKLEY, ESSEX.

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding breaches of planning control, namely the erection of a building, within the curtilage of the domestic dwelling, Woodside, Granville Road, Hockley, within the Metropolitan Green Belt in excess of Permitted Development Criteria, without Planning permission.
- 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
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2 INTRODUCTION

- 2.1 This breach is occurring within the Metropolitan Green Belt and involves the erection of a very large brick built building enclosing a swimming pool, bar and other leisure facilities, within the curtilage of an existing dwelling in a quiet rural part of the District.

3 PLANNING HISTORY OF THE SITE

- 3.1 A number of applications have been received in relation to this site over the years and these are listed below. The one particularly relevant to this building is that shown at 3.8 below.
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| 3.2 | 605/65 | Erect kitchen and bathroom |
| 3.3 | 630/65 | Erect dining room, lounge, study, store and W.C. |
| 3.4 | 630.65/1 | Re-used roof design to East Elevation |
| 3.5 | 416/71 | Siting of residential caravan – temporary permission |
| 3.6 | 661/73 | Erect 20 dog boarding kennels |
| 3.7 | F/0526/90/ROC | Replace flat roof with pitched |
| 3.8 | 03/00611/FUL | Retain swimming pool building with ancillary personal leisure use. Refused 14 October 1993 |
- (No appeal has, as yet, been lodged against this refusal but Members will recall that an appeal may be submitted up to three months from the date of refusal.)

4 PLANNING ISSUES

- 4.1 The building has recently been erected with the owners claiming that this was "permitted development," i.e., specific planning permission was not required. It measures 23.00 by 16.00 metres overall and slightly over 6.00 metres in height, housing a 10.50 by 5.50 metre swimming pool, a changing area with two toilets, a shower and small store room. In addition, there is a large storeroom behind a bar area, a third toilet and a large area said to be for "personal leisure purposes". The structure is finished in brick and cement render and consists of two buildings with open access internally between the two. The larger of these has a tiled, pitched roof, while the roof of the smaller building has been constructed from a translucent material. Windows and doors throughout are double glazed with a landscaped patio area built to the front of the building. There is a much smaller third part added onto one corner of the main building, containing the plant necessary for the functioning of the swimming pool. The combined buildings have the appearance of a new bungalow, which are larger, in every respect, than the dwelling the development is claimed to be incidental to. Accordingly it is considered to be excessive and intrusive in the Green Belt.
- 4.2 The recent application seeking its retention was refused for the following reasons. a) "The Rochford District Local Plan First Review shows the site to be within the Metropolitan Green Belt and the proposal is considered to be contrary to Policy GB1 of the Local Plan and to Policy C2 of the Essex and Southend-on-Sea Replacement Structure Plan. Within the Green Belt, as defined in these policies, planning permission will not be given, except in very special circumstances, for the construction of new buildings or for the change of use or extension of existing buildings (other than reasonable extensions to existing buildings, as defined in Policies GB2 and GB7 of the Local Plan), for purposes other than agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sports and recreation, cemeteries or similar uses which are open in character. Any development that is permitted shall be of a scale, design and siting, such that the appearance of the countryside is not impaired. b) The proposal for the development of this site does not fall into any of the above categories and it is the opinion of the Local Planning Authority that no evidence has been presented to sufficiently justify overriding the strong presumptions against the construction of new dwellings in the Green Belt. c) The building is a prominent feature when entering the site and adds to the built up appearance of the site causing harm because of its height and perceived bulk lessening the openness of the Green Belt, while not being an essential facility for outdoor sport and recreation.
- 4.3 The following recommendation will therefore support the above refusal. It is likely that any appeal into the refusals could be considered simultaneously with any appeal against the issue of any enforcement notice.

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.

Shaun Scrutton

Head of Planning Services

Background Papers: None

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