
BREACH OF PLANNING CONTROL ON LAND BETWEEN 340-370 EASTWOOD ROAD, RAYLEIGH, ESSEX

SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the deposition of builders rubble, waste and hardcore and the burning of waste.
- 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 site is located between the residential properties of 340 and 370 Eastwood Road. It comprises a grassy area of land covered with extensive bush and tree growth. There is an informal vehicular access onto the site from Eastwood Road in the north west corner of the site. The land is designated as Metropolitan Green Belt and forms an important buffer between the towns of Rayleigh and Southend-on-Sea.

3 PLANNING HISTORY

- 3.1 This site was originally brought to the Council's attention in late 1999. This involved the deposition of waste on the site, but following negotiations with the landowner, his apparent compliance was secured and the waste was cleared.
- 3.2 Further reports were then received in May 2001 that the site was again being used for the deposition of hardcore and for the burning of waste. The owner was served a Planning Contravention Notice and in his response admitted that rubble is deposited by himself on the land.

4 PLANNING ISSUES

- 4.1 Despite the designation of the land being Green Belt it is immediately adjacent to residential properties. Not only this, but due to the fact the deposition of waste takes place close to the highway this breach is often highly visible from Eastwood Road particularly in winter. This makes the site appear incongruous and is detrimental to the amenities of nearby residential properties.

-
- 4.2 Since the site is located within the Green Belt, Policy GB 1 states that permission will not usually be granted, except in exceptional circumstances, for uses other than agriculture, forestry or recreation. The deposition and burning of waste on this site represents an unacceptable use within the Green Belt. This unacceptability is further magnified when the proximity of the site to residential properties is realised.
- 4.3 The site itself forms the sole Green Belt buffer between the towns of Rayleigh and Southend. This makes it of supreme importance as the only undeveloped land between the built up areas that stops them coalescing into one larger urban area. It is therefore paramount that unacceptable development on this land is enforced against.
- 4.4 Given the fact that this breach has re-occurred it is felt prudent to effectively draw a line under this matter, and prevent it from happening again. To that end the decision to seek authorisation for formal Enforcement action was taken.
- 4.5 As waste is involved the comments of the Essex County Council Planning Department have been sought. The Highways Section's views on the use of this site will also be sought. Any relevant planning objections they raise will be incorporated in a subsequent Notice and if received in time reported to Members.

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