
BREACH OF PLANNING CONTROL AT MOONS FARM, CANEWDON ROAD, ROCHFORD

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 building made from scaffolding and corrugated metal in 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 Moons Farm is located on the north side of Canewdon Road. The breach involves the stationing of a building/structure, constructed out of scaffolding and corrugated metal within a compound used by a building company. The site is located within the Metropolitan Green Belt, and also a Landscape Improvement Area, and as such represents unauthorised development in a rural area.

3 PLANNING HISTORY

- 3.1 This case was first raised as an Enforcement matter earlier this year although there have been a number of other cases relating to this farm over the years. Indeed, it was following a visit to the site by a planning officer to monitor a different breach that development was noted.
- 3.2 This visit revealed that part of the farm was being used as a base for a building company (subject to a separate Enforcement investigation). Within this yard a temporary looking structure, made of scaffolding and corrugated metal, had been sited.
- 3.3 The owner of the land was served a Planning Contravention Notice asking them various questions about the site. In their response they admitted that the site was being used by a local building firm, who, they claimed, had occupied this land since 1988. They also admitted that the building had first been sited here in approximately November 1999.
- 3.4 Leaving aside for the meantime the issue of whether this use is lawful, the appearance of this structure was considered to be unacceptable. Contact was then made with the occupiers of the site, requesting that since planning permission would not likely be granted for its retention, it should be removed from the site within 28 days. A subsequent visit to the site by a planning officer revealed that the structure had not been removed within the timescale and so the following recommendation is made.

4 PLANNING ISSUES

- 4.1 Policy GB1, as supported by Policy C1 of the Essex Structure Plan, states that permission will not be granted, except in exceptional circumstances, for purposes other than agriculture, forestry and mineral extraction, or for outdoor participatory sports.
- 4.2 A major purpose of the Metropolitan Green Belt policy is to prevent unacceptable development outside of the built up areas. The siting and nature of this building is considered detrimental to the open nature of the MGB.
- 4.3 The site is also within a Landscape Improvement Area. Policy RC8 states that the location, siting, design and materials used in development should be of a high standard and improve the character of the area.
- 4.4 This structure does not concord with Policy RC8 as it is not made of appropriate materials and is inappropriately sited and designed. Furthermore, it certainly does not improve the character of the area in which it is sited.

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.

Shaun Scrutton

Head of Planning Service

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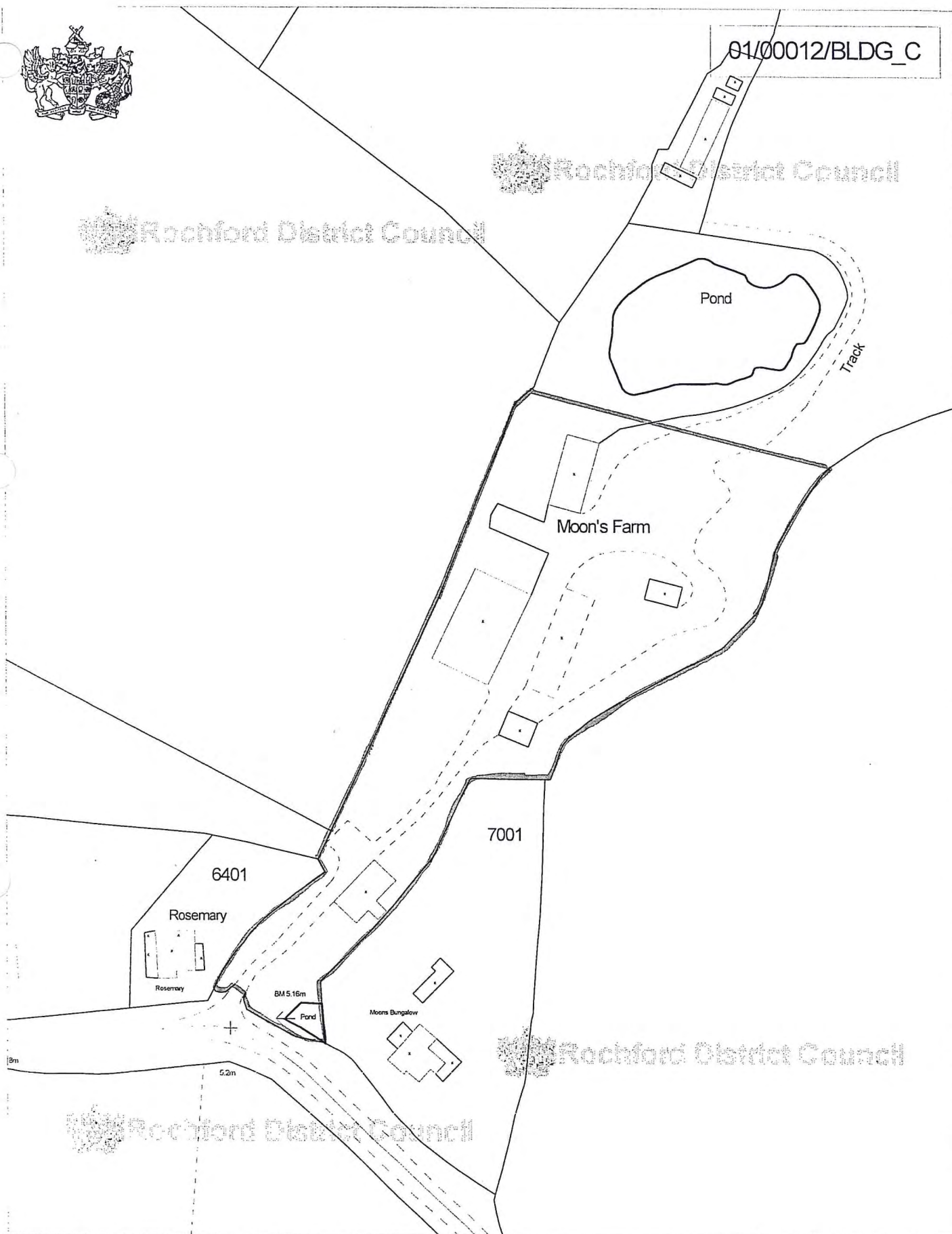
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Map Produced: Tuesday November 6, 2001

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