
BREACH OF PLANNING CONTROL AT 58 FERRY ROAD, HULLBRIDGE, ESSEX

Note: The Chairman has admitted this as an item of urgent business in view of the limited period remaining during which enforcement action can be taken.

1 SUMMARY

- 1.1 To consider the urgent report of the Head of Planning Services regarding a breach of planning control namely the construction of a garage in the front garden of 58 Ferry Road, Hullbridge without the benefit of 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.

2 INTRODUCTION

- 2.1 The breach involves the erection of a freestanding, prefabricated garage – sited in the front garden of this property on the eastern side of Ferry Road, Hullbridge.

3 PLANNING HISTORY

- 3.1 Contact was made with the owners of the property, and they were informed that planning permission would be required for the retrospective retention of the structure. They were given a deadline within which to submit their application, however none was forthcoming.
- 3.2 A Planning Contravention Notice was subsequently served on the owners of 58 Ferry Road, alleging that a breach of planning control had occurred. This revealed that the garage was constructed sometime in early September 1997. Given that Local Planning Authorities only have a four-year window within which enforcement action can be taken, time is of the essence, as the deadline will soon expire.

4 PLANNING ISSUES

- 4.1 Within residential areas the Authority has to have regard to its planning Policy H11 and design guidance within Appendix 1 of the Rochford District Local Plan. These are formulated to ensure that the effect of new development, extensions, etc, on the street scene and the amenities of nearby residents is not unreasonable.

- 4.2 In this particular case the structure concerned is of a prefabricated nature with a flat roof and, sited as it is in the front garden of the property, appears incongruous. It is felt that retrospective planning permission would not be forthcoming, should it be sought, for the retention of this structure, due to its appearance and siting within the front garden of the property.

5 RECOMMENDATION

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 Services

For further information please contact Dave Beighton on: -

Tel:- 01702 318097

E-Mail: - david.beighton@rochford.gov.uk