

Alleged Unauthorised Development

Platt
Borough Green and
Long Mill

PLAT/154

Location: Travelling Showmens Site
Crouch Lane
Platt

1. Purpose of Report:

- 1.1 To report the non compliance with the Enforcement Notice issued on 24 November 2004 which required the owners to cease the use of land as a travelling showmen's site and to remove from the land all residential caravans, showmen's equipment and associated vehicles and trailers and also any fences or barriers that have given rise to the appearance of plots within the site and to reinstate the land to its previous condition as at 3 November 2000.

2. The Site:

- 2.1 The site lies in a rural location about 1km south of Borough Green and Platt and comprises an area of about 5.9 hectares.

3. History:

- 3.1 TM/00/002981/FL Refused 11 July 2001; Appeal Dismissed 05.12.2001
Change of use of land to travelling showpeoples quarters.
- 3.2 TM/05/002002/FL Undetermined
Change of use of land to travelling showpeoples quarters.

4. Alleged Unauthorised Development:

- 4.1 The non compliance with the Enforcement Notice issued on 24 November 2000.

5. Determining Issues:

- 5.1 As Members are aware the Authority obtained a High Court Injunction to seek compliance with the Enforcement Notice. In February this year the Authority successfully obtained Committal Proceedings against the owners of the site requiring that they cease the use of the site as a showmen's site and ensure that all caravans and equipment be removed from the site by 29 March 2005. They were further ordered to remove from the land all fence post and rubble from the site by 27 May 2005.

- 5.2 All caravans and equipment have now been removed from the site. However it is clear that fence and gateposts are still erected and that there are large piles of hardcore all over the site. Negotiations have been undertaken with the Showmen to achieve the removal of the post and rubble and they had agreed to remove these by 4 July 2005. The site was inspected on 5 July 2005 and it was clear that the fence and gatepost were still in situ as where piles of hardcore.
- 5.3 At this time the application is undetermined and I do not believe that it is appropriate though commit the owners to prison for the non compliance with the Injunction. However I do believe action should be taken to seek the removal of the unauthorised post and hardcore. It is felt that the best way to achieve this is to take direct action and organise the removal of the fence and gate and hardcore post by Council approved contractors
- 6. Recommendation:**
- 6.1 The Director of Planning and Transportation Services **be authorised** to commence direct action, and recover all costs, proceedings under Section 178 of the Town and Country Planning Act 1990 (as amended) to secure the removal of fence and gate posts and hardcore, and to recover the cost of the works.

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