

E/10/0280/A - Untidy condition of land and property at 12 Crescent Road, Bishop's Stortford

Ward: BISHOP'S STORTFORD CENTRAL

Parish: BISHOP'S STORTFORD

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to issue and serve a Notice under s.215 of the Town and Country Planning Act 1990 and as such other steps as may be required to secure the improvement of the site by:

1. The removal of all the vehicles, tyres, wheels and builders waste from the rear garden.
2. The removal of the overgrown vegetation from the rear garden.
3. a) The repair and maintenance of the property by repairing the missing and cracked render to front and rear, leaving the property in a watertight and weatherproof condition.
4. b) The replacement of the bricks around the first floor windows to the rear and front bay, leaving the property in a watertight and weatherproof condition.
5. c) The making good and painting of all window frames to the front and rear, leaving the property in a watertight and weatherproof condition.

d) The repair and replacement of missing tiles to the roof of the porch structure.

Period of compliance: 3 Months

Reasons why it is expedient to issue a s.215 Notice:

The condition of the land and property is detrimental to the amenity of the surrounding area by reason of the vehicles which appear to be in a poor state of repair and the overgrown vegetation to the rear of the property and the general poor state of repair of the main dwelling to include the rotting windows and cracked and missing render.

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1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. The property is located on the western side of Crescent Road and comprises a two storey semi-detached house. Crescent Road is a tree-lined, well maintained residential crescent comprising detached and semi-detached properties.
- 1.2 In 1983 a complaint was received regarding the state of this property and the parking of vehicles on the hard standing and front garden. In May 1990 the matter was referred to the Development Control Committee for authorisation to serve a s.215 Notice, which was granted.
- 1.3 An appeal was made against the notice, but was dismissed at Magistrates Court in 1991. Further appeals to the Crown Court and Magistrates Court were heard and all dismissed and fines were handed out to the owner for failure to comply.
- 1.4 In 1994 the land had still not been cleared and the cars remained. In the same year the ownership of the house was transferred to the daughter of the owner and she stated that she would either sell the cars or have them removed.
- 1.5 In April 2007 further concerns were again expressed to the authority about the state of the front garden. A s215 Notice was again served on the property requiring the removal of the cars from the front garden. The cars were removed and the notice was complied with in July 2007.
- 1.6 A further concern has been raised regarding the state of the rear garden and the condition of the property. Following a visit to the site it was noted that there are up to 5 vehicles abandoned in the rear garden along with a number of old vehicle tyres, wheels and other vehicle related parts. It was also noted that the main dwelling was in a very poor state of repair.
- 1.7 A number of s215 Notices have been served on this property along with an injunction; however, these previous notices all reverted to the storing of cars in the front garden of the property, therefore, they have all been complied with following their service and are no longer in force.
- 1.8 Photographs of the site will be available at the committee meeting.

2.0 Planning History

- 2.1 I/84/0587 – parking vehicles in front garden.
3/90/0968/EN – Parking vehicles in front garden. D C Committee authorisation to issue and serve a S215 Notice. Appeal lodged and dismissed
E/96/0276/A – Breach of injunction – cars in front garden.
E/07/0211/A – Condition of front garden/cars in front garden.

3.0 Policies

- 3.1 Whilst there are no policies directly relating to this matter, it is considered that the aims and objectives of the Environment and Design polices are, among other issues, to improve the areas of poor environment and therefore relevant.

4.0 Considerations

- 4.1 It is the opinion of officers that the amenity of the local area is adversely affected by the condition of the property, contrary to the aims and objectives of the Environment and Design policies. The parking of vehicles and their current state of disrepair is out of keeping with the pleasant residential environment. The poor condition of the dwelling house is detrimental to the street scene and to neighbours. Under section 215 of the Town and Country Planning Act 1990, if it appears to the local planning authority that the amenity of a part of their area is adversely affected by the condition of land in their area, they may serve on the owner or occupier of the land a notice under this section.

5.0 Recommendation

- 5.1 In view of the above it is recommended that authorisation be given to issue and serve a s.215 Notice requiring the removal of vehicles, vegetation and repairs to the dwellinghouse as outlined at the start of the report.

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