

E/13/0337/A – Derelict timber hoarding at Land adjacent Riverside Wharf, Station Road, Bishop’s Stortford, Hertfordshire, CM23 3GN

Parish: BISHOP’S STORTFORD CP

Ward: BISHOP’S STORTFORD MEADS

RECOMMENDATION:

That the Director of Neighbourhood Services, in consultation with the Director of Finance and Support Services, be authorised to issue and serve a Notice under Section 215 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure compliance with the Notice and the improvement of the site by:

1. The removal of the timber hoarding and leaving the site in a clean and tidy condition.

Period for compliance: 30 days

Reason why it is expedient to issue a Section 215 notice:

The condition of the land is adversely affecting the amenity of the surrounding area by virtue of its untidy appearance.

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1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is a parcel of land located between Riverside Wharf and Station Road, located close to the town centre and within the Bishop’s Stortford Conservation Area. The bridge on Station Road, just to the south of the site is in a prominent location in the town and has low walls on both sides.
- 1.2 Officers received concerns, in October 2013, regarding a portion of hoarding which had remained in situ at the site, despite the development at Riverside Wharf having being completed and the remainder of the hoarding having already been removed.
- 1.3 Officers have visited the site, traced the current landowner and written to them requesting that the hoarding is removed. To date, no communication has been received from the owners, and accordingly Officers are requesting authorisation from the committee to commence formal action to remedy the untidy condition of the land.

- 1.4 Photographs of the site will be available at the committee meeting.

2.0 Planning History

- 2.1 It appears that the hoarding was initially erected during phase 2 of the Jackson Square development, LPA reference 3/06/1342/FP. However, this planning permission was implemented some time ago now, but the hoarding remains in place. There is no other relevant planning history relating to the site.

3.0 Policy

- 3.1 The only relevant policy-related consideration is Section 215 of The Town and Country Planning Act 1990 (as amended), which states that:

“If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.”

- 3.2 There is no statutory definition to guide Officers or Members as to when the condition of land can be considered to adversely affect the amenity of the area and a professional planning judgement must therefore be made in each individual case.

4.0 Considerations

- 4.1 Officers consider that the hoarding is having a detrimental impact on the amenity of the locality, and its presence is harmful to the character and appearance of the Bishop’s Stortford Conservation Area. The hoarding is out of keeping with the low-rise walls to both sides of the bridge on Station Road, and does not appear to be serving any purpose or benefit.
- 4.2 Officers have attempted to contact the owners of the land to resolve the situation without formal action. However, this has not yielded any results, and Officers consider that the level of harm caused by the hoarding justifies taking formal action, especially as no justification for the hoarding remaining in place has been put forward to weigh against the harm.
- 4.3 The Council continues to receive new concerns regarding the hoarding and its detrimental impact, and the powers under Section 215 of The Town and Country Planning Act 1990 (as

amended) are suited to a problem of this nature. In the event that the notice is not complied with, the Council would have the power to employ a contractor to carry out the works and seek remuneration from the owner. It is therefore considered expedient, in the public interest, to take formal action via a Section 215 notice.

5.0 Recommendation

- 5.1 In view of the above, it is recommended that authorisation be given to issue and serve a Section 215 notice requiring the removal of the hoarding and any further action necessary to rectify this matter.