

5v E/10/0422/A - Untidy condition of the land and building at 64 Dunmow Road, Bishops Stortford CM23 5HL

WARD: BISHOPS STORTFORD ALL SAINTS WARD

PARISH: BISHOPS STORTFORD CP

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 to take any other steps as may be required to secure:

- a) The repair of the roof at the north east corner;
- b) The repair or replacement of the fascia board and guttering on the front and side of the property;
- c) The removal of the overgrowing vegetation, covering the front and side of the property to include the walls and roof;
- d) Any other works required to ensure the property is water tight; and to leave the site in a clean and tidy state.

Period of compliance: 3 Months

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

1. The condition of the land and the building is detrimental to the amenity of the surrounding area, and thereby contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

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1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located on the eastern side of Bishops Stortford; on the southern side of Dunmow Road and at its junction with Clayponds.
- 1.2 On the 13th December 2010, a complaint was received regarding the poor condition of the property. A site visit was made and photographs taken showing that the property is in a state of disrepair.
- 1.3 No response has been received from the owner of the property to letters from the Council, dated 23rd December 2010, 4th February 2011 and the 1st March 2011. For confirmation of the receipt of the letter of

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the 1st March 2011, this was also emailed to the owner, as an attachment.

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

2.0 Planning History:

2.1 There is no recent planning history relating to this site.

3.0 Policies:

3.1 The relevant policy in this matter is ENV1 of the East Herts Local Plan Second Review April 2007.

4.0 Considerations:

4.1 The use of s.215 by the local planning authority is discretionary and therefore it must consider the condition of the land, the impact on the surrounding area and the scope of its powers. The scope of works that can be required in s.215 notices is wide and includes planting, clearance, tidying, enclosure, demolition, rebuilding, external repairs and repainting.

4.2 The condition of the land and the effect on the amenity of the land is judged on a fact and degree basis.

4.3 The poor condition of the property itself is adversely affecting the amenity of the surrounding area, and therefore officers consider that a s.215 notice is appropriate.

4.4 It is also considered necessary to pursue legal proceedings if the owner fails to comply with the requirements of the notice. Members should also note that if the owner continues to fail to comply with the notice after conviction, there is a continuing offence which should be the subject of further proceedings.

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 actions at the start of the report to be undertaken and for any action to be taken to rectify this breach of planning control.