

10/00112/MIXED - Alleged unauthorised extension to outbuilding, residential mobile home and summerhouse

Details of case:

Case opened 17.05.2010, following a complaint from a member of the public via email, however the email has not been saved on the file.

19.05.2010 – Site visit by enforcement officer Rob Riding. Mr Riding notes: “19.5.10 - Visited site, owner not available to inspect site, left contact details.”

“17.6.10 - PCN issued.”

“3.8.10 - Site meeting with agent, [REDACTED]. Observed extension to outbuilding is currently being used for incidental purposes as a gym/exercise area, separate from rest of accommodation within the building as no internal access, can only be accessed by a door to the western elevation. Mobile home currently being used for overflow accommodation, no evidence to suggest it is being used as a separate unit. Summerhouse resited with curtilage of dwelling adjacent to the mobile home.

Therefore, currently no breaches of planning control, case closed.”

16/00294/CARAVAN - Alleged Caravans Being Placed In Field Adjoining

Gypsy Site Details of case:

Case opened 16.11.16, following a complaint received via ward Councillor. No details of how the complaint was received (i.e. phone, email) are available.

17.11.16 – Site visit by enforcement officer Gareth Ball. Mr Ball notes:

“Contact: [REDACTED]@yahoo.co.uk The site had a new fence constructed around most parts. A trailer caravan, which appeared to have mobile gas and water, was situated within a nursery greenhouse. A vehicle (D687 AOY) appeared to be hidden underneath an abandoned HGV trailer. There was also a skip and machinery on site, possibly in association with the new fence and other works on site.”

23.11.16 – PCN served to land owner by post

25.11.16 – PCN served to occupier by hand

30.11.16 – Site visit by enforcement officer Gareth Ball. Mr Ball notes:

“Inspected the site following an email claiming the caravan had been removed. Caravan was still on site.”

01.12.16 – “Email conversation with owner claiming the caravan will be moved offsite on 3/12/16”

08.12.16 - Site visit by enforcement officer Gareth Ball. Mr Ball notes:

“Following information from the landowner, the site was visited and the caravan had been removed.”

09.12.16 – “Caravan removed from site - case closed, Breach Ceased. GB”

17/00186/CARAVN - Alleged that two caravans (one mobile home & one touring) located on land for residential purposes - no planning permission

Details of case:

Case opened 06.07.17, following complaints received via Parish Councillor.

22.06.17 - Site visit by enforcement officer Brian Gravenor. Mr Gravenor notes:
"22.6.17 14.30hrs. Site visit to Gravel Hill. Photographs taken of the area. One touring caravan and one mobile home photographed within the area now known as "The Greenhouse". No sign of any vehicle repairs or sales. I spoke to a local resident, [REDACTED] of Sunnybank, and he told me that both were occupied and did not have PP. He did tell me, however, that they were not gypsies."

29.01.18 – "Letter sent to advise of breach and invite application or caravans removal."

06.03.18 – Email confirmation of agent

10.04.18 – "Email trail - further requests for information. DT advised would have submit formal request I advised [REDACTED] of this he is unhappy, have forwarded information to Sue as she confirmed she will be able to move forward with request.

Provided limited information to be helpful but the other details being requested go above what I am willing to disclose and as such I have forwarded to Sue to ensure the correct procedure is followed."

25.04.18 – "Planning app submitted - 18/00994/FUL for Retention of mobile home for residential occupation solely by the applicant and dependants.

No concerns about potential lawfulness on time so will await decision."

11.05.18 – "18/00994/FUL received and validated for retention of mobile home for residential occupation solely by the applicant and dependants."

16.01.19 – "Nick advised issues with planning app and it is invalid now. Best to wait for Liz to come back so she can update and if app made valid refusal and notice to be issued so appeals can run together. If app not made valid then notice to be issued."

25.02.19 -

"From: [REDACTED]
[mailto:[REDACTED]hotmail.com] Sent: 25
February 2019 09:29
To: Tony Ridley
Subject: Re: Unauthorised Developments atThe Greenhouse Rear of Sunnybank.

Good morning Mr

Ridley What a

beautiful day.

As you are aware I have been in contact with Mr Townsend regarding the above site, on behalf of my client [REDACTED].

He has informed that you were to visit the property , and subsequently issue a PCN. Please can you provide me with an update, as my client is very conscious that time is moving on ,and immunity from enforcement may be achieved taking account of the 4 year rule.

Having investigated the facts relating to the breach, I consider The Council have been very lapse in dealing with the matter, and still note the invalid application remains live on the public register.

Kind regards

██████████

“25.02.2019 - Informed ██████████ that I will refer this matter first to DT before proceeding with any enforcement action as ██████████ is the agent for this breach.”

“From: Elizabeth Marsden
Sent: 25 February 2019
13:50 To: ██████████
Subject: RE: The Greenhouse, Gravel Hill, Shirrell Heath - PA No.

18/00994/FUL Dear ██████████

Further to your email below, it has been a couple of months and I have seen no evidence of any further application. Since the application as it stands is not in fact valid, (notice not having been served on the owners of the track prior to the application being made) there is no requirement for it to be formally withdrawn and I propose therefore to remove it from our system.

Please could you confirm, within 10 days of the date of this email, what course of action your client is proposing to take.

Regard

s, Liz

From: ██████████
[mailto:██████████@gmail.com] Sent: 24
December 2018 10:13
To: Elizabeth Marsden
Subject: The Greenhouse, Gravel Hill, Shirrell Heath - PA No.

18/00994/FUL Hi Liz

Further to your e email of 29th December to me and our subsequent telephone conversation this morning , as promised I am writing to summarise the matters we discussed and the agreed " way forward".

We agreed that the application, as it currently stands fails to include the access track serving the site and that the best way to regularise matters will be for me to prepare and submit a fresh application which will include the track within the red line.

At the time the fresh application is submitted the current can will be deemed to be withdrawn.

I explained that I need clarification on the ownership of the access track. Assuming I can do this then a Section 27 Notice(s) will be served - if not then I will follow the procedure of press advertisement.

Also I will be including full details of new foul and surface water specifications. This will enable this issue to be settled - either by imposing an appropriate planning condition (should permission be forthcoming) or confirmation that it is not a matter of dispute between the parties should it be necessary to appeal.

I mentioned to you that I hope to provide an update of my Client's health as part of the application. As with this current application I would request that that be treated confidentially.

As soon as I have all the above I will be in touch again and will submit the new application and formally withdraw the current one.

I do place on record that my Client's occupation of the mobile home commenced on 1st January 2011, thereby acknowledging that there is no way a 10 year exemption period can be claimed by her.

My Client is most grateful for the Authority's

forbearance. Kind regards

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20/03/2019 Case closed as "Identical case open 19/00068/CARAVN"

19/00068/CARAVN - Alleged residential use of mobile home

14.03.19 – Case opened following complaint from member of the public.

15.03.19 – PCN served

03.04.19 – Completed PCN received

05.04.19 – Revised PCN served

29.04.19 – Site visit by enforcement officers Sarah Castle & Gill Cooper, met on site with agent and owner. Ms Cooper's notes state:

“Sarah Castle & Gill Cooper visited site and met with [REDACTED] and owner [REDACTED]. In 2011 [REDACTED] moved into the mobile home which was under the ownership of [REDACTED]. At the time it was a mobile home. In 2013 part of the chassis was removed in order to make space for a set of patio doors to be installed. This is the point that the owners and agent consider that the mobile home ceased to exist and the dwellinghouse became. In 2015 [REDACTED] purchased the site from [REDACTED]. Various changes through to 2017 including kitchen & walls. In 2017 further changes made including the addition of an extension to the bedroom, cladding and a new ceiling/roof added. The mobile home is located to the rear of the site with a long greenhouse running up the entire right hand side of the site. The front of the home is surrounded by decking, some of which is substantially higher than the 30cm allowance. The remainder of the land is mostly well kept grass with a few trees, ornaments and bird feeders, with a large pile of gravel and stones, and a trailer with various items.”

15.05.19 – Note on file that a planning application was invited

01.07.19 – Note on file, agent confirmed application was on its way

30.07.19 – LDC Application 19/01683/LDC Residential occupation submitted

13.09.19 - LDC Application 19/01683/LDC Residential occupation refused

17.10.19 – First draft notice and associated documents sent to Legal

14.01.20 – Final notice and associated documents sent to Legal

24.09.20 – Enforcement notice served