
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	4 th October 2005	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R. M. Shirley Ext. 5750	
SUBJECT:	Alleged untidy site, Land to the south of Mill Lane, Milton.	REF: RMS/E2004/568
WARD(S) AFFECTED:	Repton	TERMS OF REFERENCE: DC01

1.0 Reason for Exempt

1.1 Not applicable

2.0 Recommendations

2.1 That the Development Control Committee takes no action in the matter at present but authorises that the site be regularly monitored.

3.0 Purpose of Report

3.1 To obtain the Committee's instructions.

4.0 Executive Summary

4.1 Not applicable

5.0 Detail

- 5.1 Following a complaint received at the end of March 2005 with respect to an alleged untidy site, a series of inspections were carried out at the above location.
- 5.2 The area of land in question is situated to the south of Mill Lane, between the brook and the dwelling known as 89, Main Street, Milton which is in agricultural occupation. The land has been rented by the occupier of 89 Main Street for a considerable period of time.
- 5.3 The site was found to be affected by a large stack of logs which appeared to have been present on the site for some while, two agricultural trailers and various items of material, largely metal, of an apparently agriculturally orientated nature. The rear of the site and some of the stored items were overgrown by vegetation.

- 5.4 There was also a pile of apparently imported wood and other material stacked for burning on the land but contact with the tenant resulted in its subsequent removal.
- 5.5 The tenant has confirmed in writing that the land has been in use for the storage of timber in connection with the nearby sawmill for many years and also confirms that trailers and other items have been present on the land for an extended period. He also has confirmed that the land has been used for many years in connection with normal agricultural activities.
- 5.6 A further site inspection carried out at the end of August 2005 revealed that the serviceable trailers had been removed from the land the frontage of which was becoming grown with weed.
- 5.7 A plan of the site is attached at Annexe 'A'.

6.0 Financial Implications

- 6.1 None.

7.0 Corporate Implications

- 7.1 None.

8.0 Community Implications

- 8.1 None.

9.0 Conclusions

- 9.1 The need for action under Section 215 of the Town & Country Planning Act 1990 turns on whether the land is reasonable for its current purpose. The land is certainly prominent and its appearance is not of the best but the fact that it appears to have enjoyed its current use for many years adds weight to the likelihood that an 'untidy site' notice could be readily defended on the basis that the land is 'reasonable for the purpose'.
- 9.2 In the light of this, given the current condition of the land, action at present would not be expedient.
- 9.3 However, given its prominence in the street scene, it would be prudent to monitor its condition on a regular basis and should there be a material deterioration in its condition or should any unauthorised use of the land be noted, the matter can be made the subject of a further report to the Committee.

10.0 Background Papers

- 10.1 Enforcement File E2004/568.