
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	18 th June 2002	CATEGORY:
REPORT FROM:	<u>DEPUTY CHIEF EXECUTIVE</u>	RECOMMENDED OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Untidy condition of garden land at 25 Station Street, Castle Gresley	REF: E2000/218
WARD(S) AFFECTED:	Gresley	TERMS OF REFERENCE: DC01

1.0 Reason for Exempt (if appropriate)

1.1 Not applicable

2.0 Recommendations

2.1 That the Development Control Committee takes no further action in the matter pending the submission of a further report on the condition of the complete property.

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 The alleged untidy condition of the front garden serving the above terraced property has been the subject of long-standing action by the Council.
- 5.2 A Notice under Section 315 of the Town & country Planning Act was issued in January 2001 and minimum steps to ensure compliance were taken by the owner.
- 5.3 The front garden again deteriorated and Committee authority was obtained in December 2001 for an appropriate prosecution to ensure compliance with the Notice.
- 5.4 In view of the relatively small area of land involved, attempts were made to contact the owner with a view to securing a negotiated solution to the situation but the attempt met with no success.
- 5.5 A subsequent visit to the property revealed that Spring re-growth had occurred, significantly improving the appearance of the land, certainly to the point where a prosecution would be difficult to justify.

- 5.6 However, it was noted that the fabric of the dwelling itself was beginning to deteriorate.
- 5.7 A plan of the site which is approximately 215 square metres in area is attached at Annexe A.

6.0 Financial Implications

- 6.1 None

7.0 Corporate Implications

- 7.1 Not applicable

8.0 Community Implications

- 8.1 Not applicable.

9.0 Conclusions

- 9.1 The front garden area subject to Notice is small.
- 9.2 Should the deterioration in appearance of the dwelling continue it is likely that it will have a significantly adverse effect on the amenity of adjoining and nearby properties in the near future, notwithstanding the future condition of the garden areas.
- 9.3 It may be viewed as expedient in the circumstances to require the site to be re-inspected in three months and should there be appreciable deterioration at that time, the matter can be the subject of a further report covering both the dwelling and front and rear gardens.

10.0 Background Papers

- 10.1 Enforcement File E2001/218