

---

REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	9 <sup>th</sup> July 2002	CATEGORY: RECOMMENDED
REPORT FROM:	<u>DEPUTY CHIEF EXECUTIVE</u>	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Alleged unauthorised use of 81 Sandcliffe Road, Midway as a base for two light haulage vehicles	REF: RMS/E2001/421
WARD(S) AFFECTED:	Hartshorne	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 take no action in the matter but that the owner of the property be advised that any increase in the scale of activity at the site would give rise to the need for a planning application.

**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, site inspections were carried out at the above property.

5.2 It was ascertained that the owner and his son possess light haulage vehicles each of approximately 1.5 ton carrying capacity, the owner's vehicle being based at the property and his son's based elsewhere.

5.3 The owner's son is engaged full-time in a light haulage enterprise, the administrative work being carried out by the owner and he assists with his own van when required. The vehicles are washed at the property on an approximately monthly basis

5.3 On the basis of a full inspection of the site it was apparent that the scale of operation was insufficient to merit the submission of a planning application.

5.4 However, in the light of further complaint, the owner was requested to complete a Planning Contravention Notice with respect to the allegation, the information obtained being not materially out of accord with that obtained via the earlier site inspection.

5.5 A plan of the site, which is approximately 950 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 impact of the presence of the van based at the property is not material as its Size is similar to that of a relatively small touring or motorised caravan, either of which could be sited at the property without the need to submit a planning application.

9.2 Additionally, the son's visits to the property socially (the owner's wife looks after his Young daughter on a daily basis and occasionally prepares his meals) cannot be reasonably viewed as other than a domestic activity, although the son may use his van as his means of transport.

9.3 The vehicle washing, although regular, is infrequent on the basis of the information Provided in the PCN questionnaire.

9.4 Whilst there is a business use apparent at the property, at its current level it is Insufficiently material to require the submission of an application, although it is felt appropriate that the owner should be advised that any escalation in the scale of activity would give rise to the need for such an application.

## **10.0 Background Papers**

10.1 Enforcement File E/2001/421