
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	16th October 2001	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Untidy condition of land forming part of the former Shardlow Nurseries, London Road, Shardlow	REF: RMS/E2000/180
WARD(S) AFFECTED:	Aston	TERMS OF REFERENCE:

1.0 Reason for Exempt

1.1 Not applicable

2.0 Recommendations

2.1 That the Committee authorise the service of a further Notice under Section 215 of the Town and Country Planning Act 1990 requiring that the following steps be taken within 28 days of the Notice taking effect:

1. All overgrown weed and grass to be cut and cleared from the land.
2. The greenhouse to be either removed or suitably repaired.
3. Any materials resulting from the repair or removal of the greenhouse to be cleared from the land.
4. The mounds of rubble to be removed.
5. Any dumped rubbish and scrap timber to be removed from the land.
6. The land to be maintained in a tidy condition.

3.0 Purpose of Report

3.1 To obtain the Development Control Committee's instructions.

4.0 Executive Summary

4.1 Not applicable

5.0 Detail

- 5.1 Following a complaint from Shardlow parish Council, at its meeting on 10th November 1998, the former Development Control Sub-Committee resolved to serve a Notice under Section 215 of the Town and Country Planning Act 1990 to improve the appearance of the frontage land at the above site which, at that time adversely affected the amenity of the immediate area.
- 5.2 The Notice was subsequently served but compliance was not achieved.
- 5.3 Authority was obtained from the Sub-Committee, at its meeting on 22nd June 1999 to institute legal proceedings to ensure full compliance with the Notice.
- 5.4 However, substantial progress to tidy the site was achieved without prosecution.
- 5.5 Further complaint has been received with respect to the condition of the land and inspection revealed the complaint to be justified, the appearance having deteriorated substantially over the summer.
- 5.6 The owner and lessee of the land have been contacted but no action has been taken to tidy the site.
- 5.7 A plan of the site is attached with the affected frontage area, which is approximately 0.3 hectares in area, cross hatched.

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 site has again deteriorated to the point where there is an adverse effect on the amenities of adjoining property and the area in general.
- 9.2 It is open to the Committee to authorise the service of a Notice under section 215 of the Town & Country Planning Act 1990 to require an improvement in the appearance of the land.

10.0 Background Papers

- 10.1 Enforcement Files E97/356 and E2000/180.