
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	20 th May 2003	CATEGORY:
REPORT FROM:	<u>DEPUTY CHIEF EXECUTIVE</u>	RECOMMENDED OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Untidy condition of land and dwelling at 25 Station Street, Castle Gresley.	REF: RMS/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 authorise the service of a Notice under Requiring the following steps to be taken to improve the appearance of the property.

- a. Repair and re-paint the dilapidated render at the front of the dwelling.
- b. Repair or replace the ground floor and first floor windows in the front elevation of the dwelling.
- c. Cut, clear and remove from the site the overgrown weed and vegetation in the front garden.
- d. Maintain the land in a tidy condition.

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 untidy condition of the front garden of the above property was previously reported to the Development Control Committee which resolved to defer action pending the

submission of a further report on both the land and the dwelling which was beginning to show signs of external deterioration on the front elevation.

- 5.2 The matter was progressed by inspection and correspondence forwarded to the owner.
- 5.3 The winter die-back ameliorated the problem of overgrowth in the front garden but this has now recurred and is the subject of further complaint, as is the condition of the front elevation of the property.
- 5.4 A copy of the report and plan submitted to the Committee at its meeting on 18th June 2002 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 property has gradually deteriorated in appearance to the point where there is a materially adverse effect on the amenity of nearby occupiers 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 appropriate improvement in its appearance.

10.0 Background Papers

- 10.1 Enforcement File E200/218

REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM:
DATE OF MEETING:	18th 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 Gresley	REF: E2000/218
WARD(S) AFFECTED:		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




South Derbyshire
District Council
Civic Offices
Civic Way
Swadlincote
DE11 0AH

25 Station Street
Castle Gresley

Date Plotted 22/5/2002

NORTH ↑

Plot centred at 428760 317894

Scale 1:500

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