



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: WEST CRAVEN COMMITTEE

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GARAGE SITE, NEW ROAD, EARBY, BARNOLDSWICK, BB18 6UY

PURPOSE OF REPORT

To advise committee on the current situation at the site.

RECOMMENDATION

That a time period is given to tidy the land after which enforcement action is authorised in the form of a section 215 Notice (Untidy Land) to require the removal of all of the material and rubbish and re-surfacing of access road.

REASONS FOR RECOMMENDATION

In order to improve the condition of the site, so that it does not affect the amenity of the area.

ISSUES

The site comprises of an extensive garage site about 150m long and 40m wide. Its eastern boundary is between 10m and 15m from rows of terraced houses facing the site, and its western boundary about 13m from industrial units. New Road runs along the south of the site.

This garage site has a history of complaints from neighbouring residents about its appearance. In recent years, complaints have been received in relation to the access road into the site being dilapidated and of a poor condition. An Enforcement Notice was served in December 2009 and was only part complied with. Thereafter a further Enforcement Notice was served in May 2012 to remove scrap metal, building

material, litter and other waste from the land, this notice was complied with and the site was tidy in August 2012.

Recently the site was visited on the 4th February 2016. The access road once again has become dilapidated and in a state of disrepair towards the entrance of the site adjacent to New Road which appears unsightly, furthermore the stone chippings from this dilapidated access road during heavy rainfall are swept onto the footpath on New Road falling into the nearby drain.

The site although tidy in parts does have areas which are untidy and where material has been deposited and general rubbish exists. The materials deposited include cans, bottles, plastics, glass, stone and bricks and is mainly located around the hedging towards the front of the site and the grassed area positioned towards the rear of the site. Given its volume it is easily noticeable and is unsightly and is having a detrimental impact on the visual amenity of the area where it can be viewed from New Road and from the terrace houses on Green End Avenue towards the rear of the site.

The owner has been contacted in relation to removing the unsightly material and rubbish from the site and the re-surfacing of the access road.

In this instance the site is visually harmful and would set an unacceptable precedent for other such activities in the area and at the site if not addressed. It may have wider environmental impacts.

Taking enforcement action would be both necessary and proportionate to the breach of planning control that has occurred and justified in removing an unauthorised development which causes both visual harm and harm to the amenities of neighbours.

SUMMARY

In light of the information collected and concerns of neighbouring occupiers, whilst the rubbish can be tidied, the resurfacing can take longer and therefore a reasonable time scale needs to be agreed with the owner. If this is not adhered to a Section 215 Enforcement Notice should be served to require the removal of the material and rubbish and resurfacing of the access road in a manner which is to be agreed with the Council and the land returned to its former condition.

APPENDICES

