

## **WILTSHIRE COUNCIL**

### **WESTERN AREA PLANNING COMMITTEE**

**Date: 10<sup>th</sup> June 2015**

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**Subject: Hollow Hill Farm, Sutton End, Crockerton, Wiltshire**

#### **Purpose of Report**

1. To update/inform members of the outcome in respect of this planning enforcement case.

#### **Background**

2. The site is in open countryside south of Warminster. In January 2013, the Council received a complaint regarding persons living on the site in two caravans. At a subsequent site visit, it was established that two individuals were living on the site, which was also being used to store building rubble, bricks, stone, wood, plastic sheeting, plastic containers, scrap metal and aluminium beer kegs and which was also strewn with rubbish and detritus.
3. Officers negotiated with the persons occupying the caravans and persons representing the absent owners over several months. However negotiations did not remedy the breaches of planning control and an Enforcement Notice was issued on 1<sup>st</sup> April 2014 requiring residential occupancy to cease, removal of the caravans and the stored items.
4. No appeal was made against the Notice. When the period for compliance ended and after the site was revisited in November 2014, it was established that whilst occupation of the site had ceased, the caravans were still present and none of the other steps required by the Notice had been taken.
5. At this stage, the Council either had the option of prosecuting the owner of the site or carrying out the works itself in default of compliance.
6. For various reasons, including the difficulties in locating the owners, together with the primary role of enforcement being one of achieving compliance, it was considered that direct action was expedient in this case and a contractor was approached regarding the undertaking of the work required by the Notice.

*Appearance of the site prior to direct action:*



*Appearance after direct action:*



7. Clearance works on the site were undertaken on 14<sup>th</sup> April. A charge (£3, 570) will now be placed on the site, in order to recover the

expenditure incurred in instructing a contractor to carry out the work. The charge will be payable to the Council in the eventuality that the site changes ownership in the future.

8. Unlike some nearby authorities, the Council has no specific budget for undertaking direct action of this nature and had to rely in this instance on another source of funding which may not always be available. Undertaking direct action sends a strong signal to persons in breach of formal Notices and who may, for whatever reason, not be deterred by a fine and criminal conviction, that the Council is determined to resolve such breaches. It may also be regarded as a relatively cost effective way of resolving planning breaches, involving commitment of a relatively small sum of money in most cases, with the prospect of the expenditure being recovered in the medium to long term.

**Recommendation:**

**That Members note the report.**

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Report Authors: Stephen Hawkins, Enforcement Team Leader.

Date of report: 22<sup>nd</sup> May 2015.

**Background Papers**

The following unpublished documents have been relied on in the preparation of this report: None.

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