

CHIEF OFFICER REPORT TO THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE ON 20 MAY 2002

Agenda Item No: 7

Title: ENFORCEMENT OF PLANNING CONTROL – LAND AT KNOWLEBURY, LITTLE CAMBRIDGE, GREAT EASTON (INTEREST IN LAND: MR K LAMBERT)

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Introduction

- 1 This report concerns the use of land for the parking and storage of motor vehicles without planning permission. It recommends that enforcement and, if necessary, legal action be taken to control the activity.

Notation

- 2 ADP – Area of Special Landscape Value. ADP & DLP – Outside Development Limits

Site Description

- 3 The site is located in open countryside north of the village of Great Easton. It includes a detached dwelling set back from the road and two large garages, one close to the dwelling and the other, partly constructed that was approved in 1993, adjacent to the highway access. The site extends to approximately 0.3hectare and is well screened by hedging. The character of the area is one of sporadic dwellings within a rural setting, including an adjacent farm.

Relevant History

- 4 Erection of replacement garage approved in 1993.

Parish Council Comments

- 5 To be reported (due 25 March 2002).

Representations

- 6 Three letters from neighbours.

(a) For some years now the state of the garden has been a disgrace of up to 20 vehicles in various states of repair and some are derelict.

(b) Over the last few years the occupier has shown a total disregard of planning control by having twenty plus cars in various states of disrepair, and other general rubbish littering the front garden. At times further cars are parked for many weeks on an adjacent public footpath.

(c) Over the years that Mr Lambert has been in residence we have always associated him with the motor trade and when he has had storage problems because of changes of his business location – first from London to Bishop’s Stortford and then to Braintree, we have always cooperated and, providing storage of extra cars over and above the ten specified in my letter of 3 May 1993 was temporary, there would not have been a major problem. Since Mr Lambert closed his Braintree business, it seems he has continued to run it from Knowlebury.

Background

- 7 Enforcement investigations have been carried out into the use of this land for the parking and storage of motor vehicles on three separate occasions, in 1996, 1997 and 2000. Enquiries revealed that the occupier of the property is a motor trader and a collector of performance and racing cars, although there is no evidence that trading takes place from the property.
- 8 In 1996 the Council received a complaint that the level of parking and storage of motor vehicles had increased. An inspection revealed that 13 vehicles in various states of repair were being stored in the open with more vehicles being kept in a garage. The occupier said that the vehicles were owned either by him or his girlfriend, who both lived at the property. He said that he was a motor trader and had a garage in Bishop’s Stortford with adequate facilities for his business vehicles. He said that he had used the land for the storage of cars for 18 years and kept damaged vehicles on the land for collection by a contractor from Wisbech. A neighbour who has complained about the use, said that the land had been used for a number of years for storing up to 10 cars in the open and that this level of use had been tolerated. A letter written in 1993 by the neighbour, making representations regarding a planning application to erect a replacement garage on the land said;
- 9 The additional garage space must not lead to a larger number than 10 other non-racing cars being kept outside the garages and inside Knowlebury boundaries. These cars we understand, being the overflow from the applicant’s motor business in London.
- 10 No further action was taken in 1996 as the number of vehicles stored in the open was reduced to below 10 vehicles, and the evidence suggested that this level of use would appear to be immune from enforcement action under the time bar.
- 11 However, in December 1996 the number of vehicles parked/stored on the land increased to approximately 25. The occupier was seen early in 1997 and said that he was transferring his business from premises in Bishop’s Stortford to a site in Braintree. As a result, he said he was using land at Knowlebury for the temporary storage of part of his stock of motorcars. By February 1997 the number of vehicles stored in the open was reduced to 9 and no further action was taken for the reasons referred to above.
- 12 In December 2000 a further complaint was received that the open parking and storage of vehicles on the land had increase above 10 vehicles. The occupier

said that this was as a result of selling his Braintree business and moving unsold stock to the land at Knowlebury while he arranged for their disposal.

- 13 During the period since December 2000 the numbers of motor vehicles stored in the open has varied, recently counted at 14, but frequently varying upwards from that level.

Planning Consideration

- 14 Policies S2 and C2 of the ADP, GEN2 of the DLP and C5 of the Structure Plan apply. The broad thrust of these policies is to protect the countryside by restricting uses to those appropriate to a rural area, and to ensure that new developments respect their surroundings.
- 15 The site lies in open countryside outside any defined settlement, and is clearly visible from public vantage points. The degree of car storage/parking is considered to far exceed what might be considered reasonably ancillary to the use of the dwelling for residential purposes and requires planning permission. It is most inappropriate in the curtilage of any residential property and gives rise to detriment to the appearance and character of the countryside in this area and moreover to the amenity of the occupiers of nearby residential properties.

RECOMMENDED that enforcement and, if necessary, legal action should be authorised to secure control of the use of the land by reducing the numbers of vehicles stored in the open to no more than ten.

Background Papers: Enforcement case files ENF/255/00/D., ENF/3/97/D., ENF/161/96/D and Planning Application File UTT/0400/93/FUL