
DELEGATED POWERS TO TAKE ENFORCEMENT ACTION WITH REGARD TO UNAUTHORISED CARAVAN SITES

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding the request for delegated powers to take enforcement action with regard to unauthorised single plot caravan sites.
- 1.2 Such action would take a similar form to that used for Urgent Business in that where action was considered expedient, this would be reported to the PSC at the next possible meeting. Members will need to consider whether it is expedient to serve enforcement notices, etc. and this function is discretionary. However, the mechanisms of such actions are statutorily controlled.

2 INTRODUCTION

- 2.1 This matter is brought forward due to the proliferation of such development within the district. At present over 20 cases are under investigation by the Enforcement Team. The simplicity of development from open land to a caravan site is a constant problem. Within days an open site can have a hardstanding laid and a caravan placed on the land, with connections to services following.
- 2.2 Caravan sites are defined by Article 1 of the General Permitted Development Order 1995 (as amended) as:

“... land on which a caravan is stationed for the purpose of human habitation and land which is used in conjunction with land on which a caravan is so stationed.”
- 2.3 The current process of responding to such unauthorised development does not allow a rapid response to the issue. With the power to take action delegated to the Head of Planning, action could be taken before the caravan began to be used for residential purposes.
- 2.4 The blanket authority to take whatever action is considered necessary to resolve the breach will enable the enforcement and legal teams to work closely and swiftly to serve legal notices or to take other forms of enforcement action.
- 2.5 The need for swift action in such cases is paramount. The longer unauthorised development is allowed to establish the greater the problems that become associated with it. If as with recent cases it takes over a year to progress through investigations, service of an

enforcement notice, an appeal and determination by an Inspector. During this time those deriving benefit from the site have time to gather very special circumstances, which often seem to be afforded great weight by an Inspector.

- 2.6 Also associated with caravan sites are unauthorised forms of operational development. These would include such items as porches, sheds, etc. Again, the longer a caravan exists on site, the more time there is for unauthorised operational development to take place.

3 CONCLUSION

- 3.1 It is believed that a swift response will also limit operational development on site, reduce the way in which the occupants and the use becomes established and will send a clear message to others considering a copycat approach.

4 LEGAL IMPLICATIONS

- 4.1 Any action considered necessary through the Courts to remedy the breach.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES**

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action including the issue of Notices and action in the Courts to secure the remedying of the breaches of planning control relating to unauthorised caravan sites. (HPS)

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