

Report of the Development Management Team Leader with regard to Enforcement Matters

Case Reference No: EC21/0170

Site Address: Land at Overhaven House, Blockett Lane, Little Haven, Haverfordwest, Pembrokeshire, SA62 3UH

Breach of Planning Control:

- (i) The erection of 2 no. pole mounted CCTV cameras; and*
- (ii) The erection of a 2.7 metre high metal fence enclosure along the western and northern boundary of the property.*

Background

An Enforcement Notice was issued and served by this Authority on 23rd March 2022 relating to the unauthorised erection of 2 no. pole mounted CCTV cameras and the erection of a 2.7 metre high metal fence enclosure along the western and northern boundary of the property known as Overhaven House, Blockett Lane, Little Haven.

No appeal was made by the recipient against the Enforcement Notice and as a result the Enforcement Notice took effect on the 25th April 2022 with a compliance period of 1 month in which to take the following action:

- (i) Take down and permanently remove the 2 no. pole mounted CCTV cameras (including poles and all associated fixings) from the Land.*
- (ii) Dismantle and permanently remove the fence enclosure from the Land. permanently remove the unauthorised development.*

The period for complying with the Enforcement Notice expired on the 25th May 2022. A site visit was carried out by National Park officers on 26th May 2022 whereupon it was evident that the Enforcement Notice had not been complied with.

Officers have subsequently written to the landowner advising of the site visit and reminding him/her that failure to comply with the Enforcement Notice could represent a criminal offence open to prosecution proceedings in the magistrates' court.

At the time of writing this report, the Enforcement Notice has not been complied with, nor has any assurance been received by this authority that the Notice will be complied with.

The Authority has written to the owner asking if there are any representations that he/she wish to put before Members and I will report any response received to committee.

Planning History

02/214 – Dwelling – Withdrawn 03-Sep-2002

02/646 – Residential Dwelling – Outline - Approval 28-Mar-2003
03/447 - Residential Dwelling – Outline - Approval 17-Dec-2003
06/128 – Dwelling with detached garage – Withdrawn 18-May-2006
06/532 – Dwelling – Reserved Matters - Approved 01-May-2007
06/616 – Dwelling – Renewal of consent - Approved 17-Jan-2007
08/435 – Amendment to the conservatory of the approved dwelling planning reference NP/06/532 – Approved 20-Nov-2008

Conclusion

The failure to comply with an Enforcement Notice after it has taken effect is a criminal offence answerable, in the first instance, in the Magistrates Court.

The landowner has not complied with the Enforcement Notice within the required time, nor within the time that has elapsed since and further action to remedy this breach of planning control and its harmful impact is therefore required.

Recommendation

That the Chief Executive/Director of Park Direction and Development Management/ Team Leader be authorised to instruct solicitors to commence prosecution proceedings in the Magistrates Court for non-compliance with the Enforcement Notice.