

ENFORCEMENT AND OTHER PLANNING MATTERS

EC17/0082– LAND AT BUTTYLAND CARAVAN & CAMPING PARK, MANORBIER, TENBY, PEMBROKESHIRE SA70 7SX

Background

The relevant planning permission to which this Notice relates is the permission granted by the Authority on the 6th July 1994 under reference number NP/464/93 (D3/398/93) for *'Change of use of caravan/tent park to provide 35 touring unit pitches and 15 tent pitches – Buttyland Tent & Caravan Park, Manorbier.'*

It appears to the Authority that Condition 2 of planning permission NP/464/93 (D3/398/93) has not been complied with:

Condition 2 of NP/464/93 (D3/398/93) states:

'This consent approves the use of this site for the stationing of a maximum of 35 touring caravan/tent unit pitches and 15 tent pitches at any one time.'

Reason: For the avoidance of doubt and to preserve the character of the area.'

Following investigation officers have found that more than the maximum of 35 touring caravan/tent units were on site without specific planning permission being obtained.

A Breach of Condition Notice (Reference: EC17/0082) was subsequently issued and served on the owner/applicant which required the reduction of the amount of touring caravans on site to 35 touring caravans as per Condition 2 of Planning Permission NP/464/93 (D3/398/93) by 4th January 2018.

Following a site visit on 11th January 2018 it was noted that there were 79 tourers on site and one static caravan rather than the 35 touring caravans allowed. Your officer wrote to the applicant/owner on 12th January 2018 reminding him of the period for compliance with the Breach of Condition Notice which expired on 4th January 2018.

A second opportunity to remedy the breach was given to the owner and required the caravans to be removed from site by Friday the 19th January 2018. The site was visited and it was found that the notice was comprehensively breached.

At the time of writing this report the breach has still not been remedied.

This Authority has now written to the applicant/owner advising that the matter will be reported to the March 2018 Development Management Committee with a view to seeking authority to commence prosecution proceedings as a result of the non-compliance with the Breach of Condition Notice. The applicant/owner has also been asked if there are any representations that he/she wishes to put before members at this Committee, to do so in writing. Any responses received will be reported to Committee.

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Recommendation

That authority shall be given to instruct solicitors to commence prosecution proceedings in the Magistrates Court for non-compliance with the Breach of Condition Notice (EC17/0082) on separate dates of 11th January 2018 and 20th February 2018 (being 2 separate counts) and for seizure of profits under the Proceeds of Crime Act 2002.