

Decision Maker: Plans Sub Committee 2

Date: 24 May 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: 49 HAYES CHASE, WEST WICKHAM

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Chief Officer: Chief Planner

Ward: West Wickham

1. Reason for report

An Untidy Site Notice was issued earlier this year but has not been complied with. It is considered that a prosecution is unlikely to secure clearance of the site.

2. **RECOMMENDATION(S)**

Authority be given to enter the land and carry out works in default to clear the site and a charge be placed on the land.

3. COMMENTARY

- 3.1 The site is a detached dwelling house in a residential area. In 2011 a complaint was received via Environmental Health concerning the accumulation of rubbish at the front, side and rear of the house.
- 3.2 Site visits in December 2011 found the following:
- 3.3 *Front:* in the drive were four vehicles, two of which were in a derelict condition. All four vehicles were full of rubbish. Spread over the garden was a mass of miscellaneous rubbish including doors, cabinets, window frames, asbestos sheeting, hardcore, metals and plastics.
- Side:* derelict caravan full of rubbish, supermarket trolley, car body parts, vintage car, miscellaneous metal and plastic items, glass, light fittings, mirrors and tables.
- Rear:* garage full of stored items, too densely packed to itemise. Garden heavily overgrown and littered with rubbish. Remains of rotting conservatory frame and conservatory area full of glass and rotting timbers.
- 3.4 The house itself is in a dilapidated condition and appears to have suffered from a general lack of maintenance over a prolonged period. Soffits, bargeboards and window frames are rotten and several windows are broken. When compared with adjacent properties in the vicinity it is considered to be an eyesore.
- 3.5 The occupant is believed to be in his eighties and has lived at the property for 75 years. He is known to Social Services but has declined offers of help and has no known family who could assist.
- 3.6 On 10 February 2012 a S.215 Notice was issued requiring clearance of the site by 10 April.
- 3.7 There was no appeal against the notice. Subsequent site visits have confirmed that the two derelict cars have been removed but there is no evidence that any further works have been carried out.
- 3.8 The next stage would normally be to commence legal proceedings in the courts. However in this case, prosecution of the elderly owner may not be considered to be the most appropriate or proportionate course of action and would not secure the clearance of the site.
- 3.9 Works in default would provide a more effective means of ensuring that the S215 Notice is complied with. The estimated cost of carrying out the work would be approx. £4000 and a quote of £3,750.00 has been obtained to clear the site of waste material and overgrown vegetation, leaving the two remaining cars, the caravan and the vintage car on the site. Direct action is therefore recommended as a more appropriate course of action in this case.