

**Enforcement of Planning Control
Enforcement Item for Consideration:
Positioning of Static Caravan in the grounds of Cross Keys Public House
Dilham**

Report by Planning Officer (Compliance and Implementation)

Summary:	This report concerns unauthorised positioning of a static caravan in the grounds of the Public House
Recommendation:	That authorisation is granted for the serving of an Enforcement Notice seeking removal of the Static Caravan and for prosecution (in consultation with the solicitor) in the event that the Enforcement Notice is not complied with.

Location: Cross Keys Inn, The Street, Dilham

Breach of Planning Control: Material change of use of the land from garden to the standing of a static caravan without planning permission.

1 Background and Description of Site.

- 1.1 The Cross Keys public house is situated in the centre of Dilham set back from The Street, which is the central road running through the village. The property is bounded to the north, south and east by residential development, with further housing across The Street to the west.
- 1.2 The building itself is a predominantly eighteenth century, two storey, brick built property with later extensions to the western side and rear. There is a lounge bar, public bar and commercial kitchen on the ground floor, with the upper floors reserved for private residential accommodation.
- 1.3 The Cross Keys sits within a relatively large site measuring approximately 70 metres long by 36m wide. To the south there is a large garden area formerly used as a bowling green whilst the area to the north, the rear of the building, is hard surfaced and provides 14 parking spaces serving the business. An additional triangular area of former garden to the north west of the building was previously laid to grass; this is where the static caravan has been located.
- 1.4 In September 2014 a report was received that a static caravan had been placed to the rear of the property. A site visit and meeting with the landowner in early October confirmed this. A subsequent letter in mid-October gave three months for the removal of the static as the officer view was that the

static was not acceptable in that location. A Planning Contravention Notice was served at the same time to obtain information.

- 1.5 In January 2015 a further site visit was undertaken and the static caravan remained on site.
- 1.6 In late February 2015 a second Planning Contravention Notice was served. It should be noted that there had been considerable confusion locally as there was also an application for a Certificate of Lawful use in respect of a motor home parked on the car park which was being dealt with separately.
- 1.7 In late March 2015 a further site meeting was held. During this visit it was confirmed that the static caravan was not connected to mains sewerage or water but there was an electricity supply. The Static caravan was not permanently fixed to the ground but was sitting on concrete slabs and the interior was found to contain domestic paraphernalia, although it was not in a condition where it could be immediately used for residential purposes.
- 1.8 In mid-April 2015 a further letter written to the owner asking him to remove the static caravan by mid-May or submit a planning application for change of use of the land for the standing of a caravan.
- 1.9 Despite attempts to engage with the owner no response was received and the caravan remains on site in early July.

2 Assessment and Recommendation.

- 2.1 It is the case that the standing of the static caravan amounts to a material change of use as the character of the use of the land has changed – from car park to use of land for standing of a caravan. This is a change of use which requires planning permission.
- 2.2 It is also the case that the standing of the static caravan in this location is contrary to development plan policy, particularly DP4 (Design) which requires a high standard of design as well as requiring that the siting of development must reflect the characteristics of the appearance of the host site and DP28 (Amenity) which requires that new development should not have an adverse effect on visual amenity.
- 2.3 The landowner has been provided with several opportunities to remove the static caravan and has to date chosen not to do so, he has also declined to submit a planning application for change of use.
- 2.4 The caravan is currently being used for storage of domestic paraphilia and is sitting in its own fenced off area at the rear of the car park some distance from the main premises. Officer's view is that this is unlikely to gain planning permission but we have been unable to determine this, or the precise use proposed for the structure, because of the landowner's refusal to submit an application.

- 2.5 It is proposed to serve an Enforcement Notice (in consultation with the solicitor) requiring the removal of the static caravan and the restoration of the site to its previous use. It is proposed that a compliance period of two months is given.
- 2.6 Authority is also sought to prosecute the owner (in consultation with the solicitor) in the event that the Enforcement Notice is not complied with.

Background papers: Broads Authority DC Enforcement File BA/2014/0042/UNAUP4

Author: T Risebrow

Date of report: 8 July 2015

Appendices: APPENDIX 1 – Site Map

Appendix 1 Map of Cross keys Site Static caravan location marked with red X

