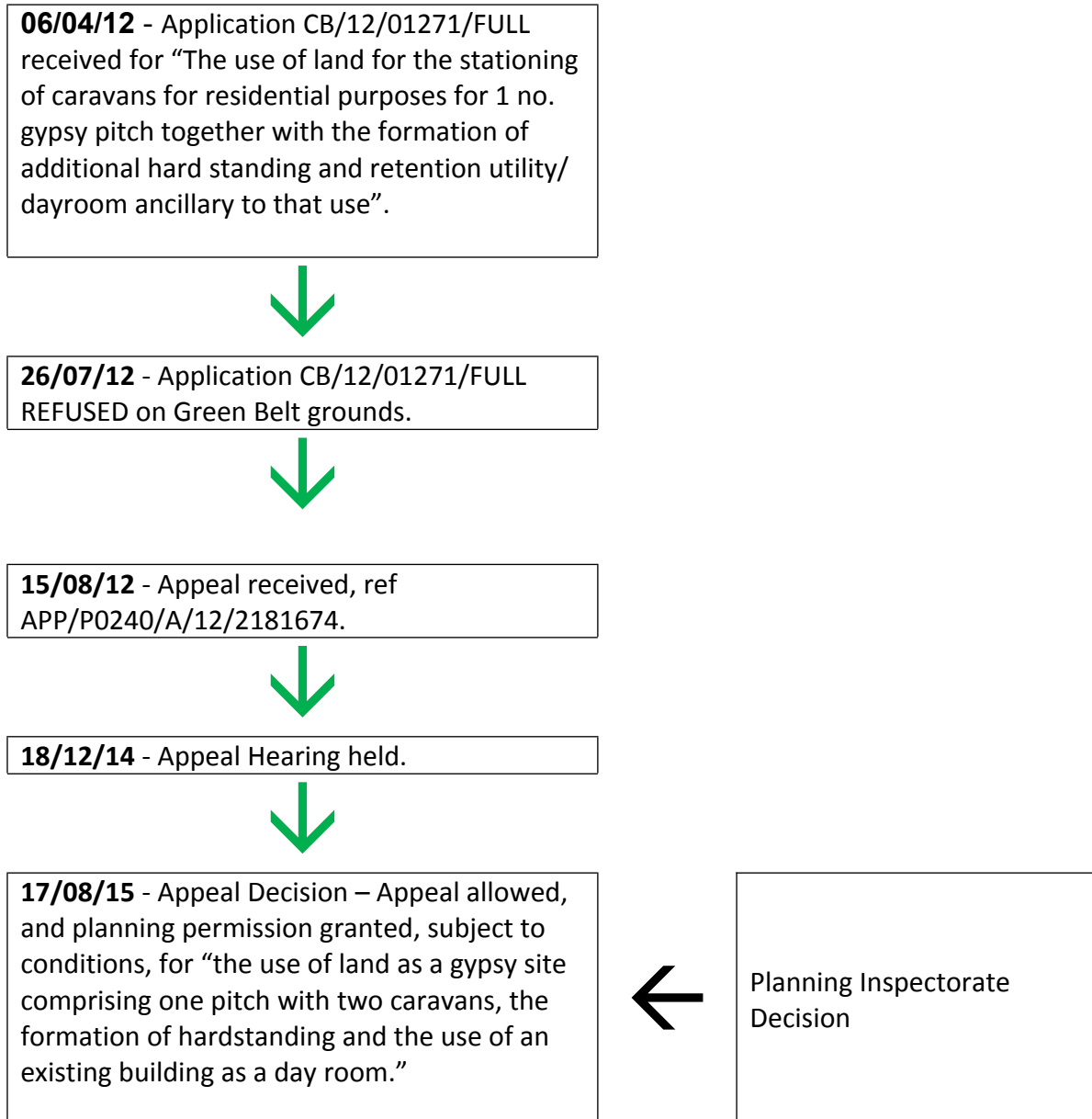


APPENDIX B

KINGSWOOD NURSERY, DUNSTABLE ROAD, TILSWORTH PLANNING ENFORCEMENT TIMELINE

KEY: ← = Non-Planning Enforcement Input required/awaited before any further action,
Orange text = non-planning matter;
Red text = investigation work/action taken by Planning Enforcement;





01/10/15 - Application received to approve details required for conditions 5 (site restoration scheme), 9 (landscaping), 10 (external lighting), 11 (storage of refuse) and 12 (foul and surface drainage) of CB/12/01271/FULL.



Jan 16 - Works commenced on site following approval of conditions details.



Feb 16 – **Site visit**: Work on site deemed to have far exceeded approved details – removal of landscaping, infilling of highway ditch, footings for boundary walls.



15/02/16 - **Email** to Highways re infilling of ditch.



CBC Highways response required



22/02/16 - Email from Highways – stating that the infilling of the ditch is not a highways matter and to pass the matter to planning.



04/03/16 - **Temporary Stop Notice served.**



Legal advice/action



Mar 16 - **Contact with Agent** re conditions. Request for site meeting refused by Agent.



Mar 16 - Correspondence with Internal Drainage Board – unable to assist.



Internal Drainage Board advice required



Mar 16 - Discussion and site visit with CBC Drainage Engineer to assist with surface drainage scheme.



CBC Drainage Engineer advice required



22/04/16 - Revised scheme for boundary treatments, landscaping and surface drainage submitted.



06/09/16 - Revised details approved.



10/11/16 - Officers met with Ward Member and representatives of Tilsworth and Stanbridge Parish Councils. Confirmed that a septic tank had been installed and it was the occupier's responsibility to ensure regular emptying.



11/01/17 - CBC Drainage Engineer visit. Road flooding appeared to be the result of blockages to the south east, between the Traveller sites and the edge of the village. Reported to CBC Highways.



CBC Highways responsibility



12/01/17 - Confirmation from CBC Highways that they are aware of issues and measures being taken to rectify.



Late Jan 17 - Works by Highways resolved the flooding issues.



12/05/17 - **Site visit** – existing building intended to provide dayroom removed. Additional electrical points installed.



15/05/17 - **Letter to applicant warning that identified breaches of planning control could result in formal action.**



31/05/17 - **Site meeting** with applicant who stated that the building had been demolished as it was on the verge of collapse. Additional electrical points installed in anticipation of future application for additional caravans for children as they grow up. Site not yet occupied.



14/08/17 - **Site meeting.** Portacabin stationed on the site to provide showers and toilets. Family of 2 adults and 9 children living in a single large touring caravan since **31/07/17**.



30/11/17 - **Site visit** – 2 touring caravans on site, portacabin moved to outside rear fence.



31/12/17 - Application ref CB/18/00017/FULL received for 5 static and 5 touring caravans including hardstanding and infrastructure (part retrospective).



20/02/17 - Site visit – portacabin, 3 touring caravans and 1 unusable single unit mobile seen.



27/03/18 - Site meeting with Planning Officer, applicant and Agent. Officers advised that approved site area not capable of supporting 10 caravans and permission for extension very unlikely to be granted. Agreed application be withdrawn and revised application to be submitted by **27/04/18**.



12/04/18 - Site visit – applicant using a small digger to try to improve the flow surface water into the ditch.



26/04/18 - Revised application ref CB/18/01747/FULL received for “Additional capacity to increase the number of caravans from the 2 approved to a total of 4 static and 4 touring caravans and infrastructure on an existing Gypsy and Traveller Site (part retrospective).



15/05/18 - Site visit – 3 touring caravans and 1 static in residential use. 3 single units to the rear awaiting refurbishment.



29/05/18 - **Site visit** – as previous except 1 tourer had been removed, another due to be removed within days.



13/07/18 - Revised application refused on Green Belt grounds and the unacceptable intensification of the use of an inadequate access.



31/07/18 - **Letter to applicant to advise that formal enforcement action being considered.**



03/08/18 - New Agent advised will be visiting site and advising applicant on the best way forward.



08/08/18 - **Site visit** - Noted:
Site extended beyond the authorised area by approx. 20m.
2 statics occupied and 1 static unoccupied within the authorised area.
1 tourer occupied, 2 statics and 1 tourer not occupied within the unauthorised area.
Portacabin sited outside the authorised area.



10/08/18 - **Legal Instruction with 1st draft Action Report and 4 x Enforcement Notices sent to LGSS Law.**



Legal advice/action



15/08/18 - **2nd draft Action Report and 4 x Enforcement Notices sent to LGSS Law.**



Legal advice/action



31/08/18 – Request for response to LGSS Law.



Legal advice/action



04/09/18 – Further request for response to LGSS Law.



Legal advice/action



06/09/18 - Draft docs re-sent to LGSS Law.



Legal advice/action



09/09/18 - Response from LGSS Law .



11/09/18 - Letter to applicant advising that formal enforcement action has been authorised.



14/09/18 - Enforcement Notices served:
Notice 1 – Unauthorised change of use of land to use for stationing of caravans in connection with a Gypsy and Traveller site.
Notice 2 – Unauthorised creation of an area of hardstanding.
Notice 3 – Unauthorised siting of a portacabin.
Notice 4 – Unauthorised siting of additional caravans in addition to the 2 permitted by the Appeal Decision.



12/10/18 - The date the Notices come into effect, unless an appeal has been made.



12/02/19 - The date by which the Notices must be complied with, unless an appeal has been made.



09/10/18 - **Site visit** in response to reports of additional caravans being stationed on the site. Advised occupier that these were unauthorised.



11/10/18 - Appeal forms relating all 4 notices received from Agent.



Oct 18 - **Legal advice sought from Counsel** regarding additional caravans.



Legal advice/action



08/11/18 - Confirmation from Planning Inspectorate that the appeals are valid.



Planning Inspectorate need to confirm start date of appeals.



09/11/18 - **Site visit** to gather information regarding the circumstances and intentions of the occupiers of the additional caravans as advised by Counsel. **Questionnaires left at caravans where no-one present.**



11/10/18 - Appeal forms re all 4 notices received from Agent.



Oct 18 - Further legal advice sought - additional caravans are captured by one of the Enforcement Notices which deals with the unauthorised stationing of caravans in excess of the 2 permitted on appeal. To seek an injunction would need a fuller understanding of personal circumstances of the occupiers of the caravans.



08/11/18 - Confirmation from Planning Inspectorate that the appeals are valid.



09/11/18 - Site visit to gather further information regarding the circumstances and intentions of the occupiers. Questionnaires left at caravans where there was no-one present.



30/11/18 - Site Visit. Letters delivered to occupier and each caravan giving 7 days to remove caravans beyond those referred to in Enforcement Notices. A total of 19 caravans on the site.



07/12/18 - Site Visit. 13 caravans on site, 6 had left.



11/12/18 - Site visit. 13 caravans on site, of which 6 were occupied. 4 statics unoccupied and not fit for occupation.



11/12/18 - Further advice sought from Counsel regarding injunction following removal of caravans.



Legal advice/action



02/01/19 – Site visit confirms that a number of caravans have been removed or are unoccupied and reduced back to those numbers which are the subject of the **Enforcement Notices**. Legal advice is therefore that it is not expedient to seek an injunction when action is already taken.