

Perth and Kinross Council
Development Management Committee – 9 May 2018
Enforcement Report by Interim Development Quality Manager

PROPOSAL: Formation of five permanent gypsy/travellers pitches

LOCATION: Crookmoss, Crook of Devon, Kinross-shire

Ref. No: 12/00546/FLL
Ward No: 8 – Kinross-shire

Summary

Enforcement update on alleged Breach of Conditions 10, 11, 12, 13 and 14 and ongoing monitoring of Condition 15 for the formation of 5 gypsy/travellers pitches at Crookmoss, Crook of Devon

BACKGROUND AND DESCRIPTION

- 1 This original application was determined on 10 October 2013. The monitoring /enforcement of this application was last considered by this Committee at its meeting on 24 May 2017 in respect of, and following previous updates on, the enforcement position in relation to conditions attached to the permission. It was remitted to report back to this committee after a further 12 month period. Development Management Committee report of 24 May 2017 is appended to this report for ease of reference (Appendix 1).
- 2 Members, in requesting a further update were concerned over the conditions relating to the following areas:
 - (i) Noise (Conditions 12 and 13)
 - (ii) Drainage (Conditions 14 and 16)
 - (iii) Water supply (Conditions 10 and 11)
 - (iv) Landscaping (Condition 15)
- 3 Appended to this report is a copy of the decision notice ref 12/00546/FLL (Appendix 2).
- 4 All other issues in relation to the application and conditions remain the same.

CONSULTATIONS

- 5 Further consultations and discussions have taken place with Scottish Water, Scottish Environment Protection Agency (SEPA) the Council's Environmental Health and Housing Services.

REPRESENTATIONS

- 6 As no re-notification has been required to be carried out at this stage there have been no further representations received during the 12 months period.

APPRAISAL

Noise

- 7 No further complaints have been received from neighbouring residential properties. With regards to the siting of electricity generators, all the occupied pitches now have a mains electricity supply therefore generators are no longer required. Conditions 12 and 13 remain enforceable and are currently being complied with.

Drainage

- 8 As conditions 14 and 16 cannot be implemented, full Scottish Water Technical Approval has been completed by the residents and, as such, a foul connection for the pitches should be forthcoming. The costs are prohibitive and funding assistance is actively being sought by the residents. Discussions are ongoing with the Head of Housing regarding financial support towards the resolution of the drainage scheme. If approved, this would complete the required funding package and it is anticipated that works could be completed within 8 weeks of confirmation.

Water supply

- 9 As with drainage this is being costed by the residents with a view to connection to the mains. The occupants are currently using bottled water for consumption with a single private water supply for washing.

Landscaping

- 10 Landscaping for the wider site is complete. This relates principally to the perimeter planting, which is more of a priority for the external appearance of the site. Individual pitch landscaping is also underway where pitches are occupied. Site landscaping is being monitored as and when pitches are occupied to ensure that it is maintained to satisfy condition 15.

ADDITIONAL INFORMATION

Paddock

- 11 A separate planning application ref 15/02078/FLL for change of use from a paddock to form 3 (additional) gypsy/traveller pitches and erection of a fence (in retrospect) was refused on 9 March 2016. No further applications have been received and the enforcement notice served on 4 November 2015 relating to a breach of condition 8 of ref 12/00546/FLL remains in place.

- 12 Concerns have been raised with regard to general tidiness and litter in and around the site. This is not a planning matter but can confirm that Waste Services have visited site to review bin provision and continue to monitor the site going forward.
- 13 Further to the last site visit of 13 April 2018 I can confirm one additional pitch has been formed without the benefit of planning permission in the original turning area. I have advised that, as was the case with 15/02078/FLL, because the infrastructure is still not in place and a private waste water treatment system has been rejected on several occasions by SEPA, any application is unlikely to obtain support from the Planning Authority. The resident has confirmed that it is their intention to make an application for planning permission immediately. Any enforcement action will be held in abeyance pending the outcome of this application.

CONCLUSION AND RECOMMENDATION

- 14 The key areas of concerns in relation to the outstanding matters identified in Paragraph 2 are progressing towards resolution.
- 15 It is recommended that a closing report is brought to Committee once all planning matters have been resolved.

Background papers: None
Contact Officer: Eddie Jordan – Ext 75341
Date: 26 April 2018

ANNE CONDLIFFE
INTERIM DEVELOPMENT QUALITY MANAGER

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