

Perth and Kinross Council  
Development Management Committee – 24 May 2017  
Enforcement Report by Interim Head of Planning

Formation of five permanet gypsy/travellers pitches at Crookmoss, Crook of Devon,  
Kinross-shire

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

**Summary**

Enforcement update on alleged Breach of Conditions 9, 10, 11, 12, 13 and 14 for the formation of 5 gypsy/travellers pitches

**BACKGROUND AND DESCRIPTION**

- 1 This application was previously considered by this Committee at its meeting on 16 September 2015, 13 January 2016 and 11 May 2016 in respect of an update 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 11 May 2016 is appended to this report for ease of reference (Appendix 1).
- 2 Members, in requesting a futher 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) Access (Conditions 3, 4 and 5)
  - (v) Landscaping (Condition 15)
- 3 Appended to this report is a copy of the decision notice LPA 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 the Scottish Water, Scottish Environment Protection Agency (SEPA) and the Council's Environmental Heath.

## **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. All representations associated with the original application are as detailed in the original Committee Report.

## **APPRAISAL**

### **Noise**

- 7 No further complaints have been received from neighbouring residential properties. With regards to the siting of the electricity generators, all the occupied pitches now have acoustic housing units for their respective generators. The alternative solution of a mains electricity supply while being prohibitively expensive is currently being pursued by the residents with assistance from Perth and Kinross Council. Conditions 12 and 13 are currently in compliance.

### **Drainage**

- 8 Scottish Water were contacted in respect of the likelihood of a mains sewer connection being available to serve the 5 pitches. A flow and load survey has been completed by Scottish Water which revealed current infrastructure is being overwhelmed by surface water infiltration which must be resolved. Scottish Water's 5 Growth Criteria was initiated by the occupants seeking resolution to the restriction on Drum Wastewater Treatment Works. Scottish Water has since lifted the embargo on 'new connections' and the residents have completed the Technical Approval process required by Scottish Water and as such a foul connection should be forthcoming.

### **Water supply**

- 9 Mains water supply will be forthcoming at a time when foul treatment is in place. In line with paragraph 7 this is being currently costed by the residents with a view to connection to the mains. The occupants are using bottled water for consumption with a single private water supply for washing.

### **Access**

- 10 We are satisfied Conditions 3 and 4 have been implemented.

### **Landscaping**

- 11 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 to ensure that it is maintained to satisfy condition 15.

## **ADDITIONAL INFORMATION**

### **Paddock**

- 12 The Planning Application submitted for the area of ground between the consented pitches and the road frontage under ref; 15/02078/FLL for change of use from paddock to form 3 gypsy/traveller pitches and erection of a fence (in retrospect) was refused on 9 March 2016. The applicant did not appeal the planning decision and the enforcement notice remains in place. The paddock area has once again changed hands and a meeting is being sought with the new owner to discuss intentions going forward.
- 13 Concerns have been raised with regard to general tidiness and litter in and around the site. This is not a planning matter but I have asked our enforcement officer to raise this with the residents to ensure appropriate waste facilities are in place.

## **CONCLUSION AND RECOMMENDATION**

- 13 Key areas of concern in relation to compliance with the conditions attached to the permission have progressed and we are now moving towards resolution of the outstanding matters.
- 14 We propose a closing report to committee once all planning matters have been resolved.

Background papers: None  
Contact Officer: Eddie Jordan – Ext 75341  
Date: 5 May 2017

**ANNE CONDLIFFE**  
**Interim Development Quality Manager**

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