

**QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED**

The purpose of this report is to provide details of progress made on those cases where enforcement action has been authorised either by the Planning Committee or under delegated powers. Members should note that many breaches of planning control are resolved without recourse to the taking of formal enforcement action.

No further cases have been added since the previous report, provided to the Planning Committee at its meeting on the 5<sup>th</sup> August. Details of each case, and the progress made within the last Quarter, and the target for the next Quarter are contained within the attached Appendix. Of the 5 cases that were on the list at the time of the August meeting, one has now been closed, leaving 4 'open,

A report on one of the cases where enforcement action has been authorised which contains information that is considered to be exempt by reason of the provisions of paragraphs 6 and 7 of Schedule 12A of the Local Government Act 1972, as amended, is provided separately.

**RECOMMENDATION**

**That the information be received.**

APPENDIX

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Progress/Action particularly that within last Quarter	Target for Next Quarter
12/00193/207 C2	<p>19 Biddulph Road, Harriseahead, ST7 4LB</p> <p>Unauthorised extension of residential curtilage and erection of summerhouse/ garden shed</p>	26.02.2013	<p>A joint application for the same breach to the rear of 17 and 19 Biddulph Road was refused at the Planning Committee meeting on the 4<sup>th</sup> June 2013 on the grounds that the authority did not consider, in respect of the garden of 19 Biddulph Road, that the required very special circumstances existed that clearly outweigh the harm to the Green Belt and the landscaped. Additionally it was resolved that the Head of Legal Services be authorised to issue enforcement and all other notices and to take and institute on behalf of the Council appropriate action and proceedings. An application with respect to No.17 was approved by the Authority, subject to various conditions</p> <p>An enforcement notice, dated 6<sup>th</sup> September 2013, was the subject of an appeal which stopped the Notice coming into effect. On 23<sup>rd</sup> May 2014 notification was received that the appeal had been withdrawn and as such the notice took effect on that day. The three month compliance period expired on 23<sup>rd</sup> August. A site visit has not yet been undertaken to establish whether the Notice has been complied with, although indications were received at the time the appeal was withdrawn that there had been substantial compliance with some of the steps referred to in the Notice.</p>	Visit site to ascertain whether Notice has been complied with.

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Progress/Action particularly that within last Quarter	Target for Next Quarter
09/00230/207 C3	Newcastle Auto Centre Albany Road Newcastle Under Lyme	10/12/2013	<p>Investigations established that an unauthorised extension had taken place at the premises resulting in the loss of parking spaces which were required to be retained by condition of planning permission (06/00616/FUL). A retrospective application was invited on more than one occasion and whilst indications suggested that such an application would be submitted it was never received. Following consultation with the Highway Authority who raised highway safety concerns it was concluded that it was expedient to take enforcement action.</p> <p>An enforcement notice was issued, dated 11<sup>th</sup> December 2013.</p> <p>An appeal against the enforcement notice was lodged and heard at a hearing on 31<sup>st</sup> July 2014. The appeal decision was made on 19<sup>th</sup> August which was reported to the Planning Committee meeting of 7<sup>th</sup> October. The outcome of the appeal was that planning permission was granted for the extension subject to a condition requiring the removal of the building unless off-site vehicle storage and parking was secured. Details required by the condition have been submitted and approved.</p>	Check that the condition has been complied with.
14/00014/207 C2	Tadgedale Quarry, Mucklestone Road, Loggerheads	22/04/2014	<p>Following the refusal of a retrospective application for a building at the established lorry park and haulage yard at the Planning Committee meeting of 3<sup>rd</sup> April 2014, at the following meeting of Committee it was resolved to authorise the Head of Legal Services to issue enforcement and all other notices to take and institute on behalf of the council all such action and prosecution proceedings for the removal of the building from the site with a compliance period of 1 month.</p> <p>Instructions were sent to Legal Services subsequently and they are preparing a notice in accordance with the resolution. In the interim planning permission (14/00369/FUL) has been granted for the relocation of the same building. A recent site visit has established that the unauthorised building remains in place and is being used.</p>	Issue enforcement notice

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Progress/Action particularly that within last Quarter	Target for Next Quarter
13/00056/207 C2	Land at Doddlespool, Main Road, Betley	15.07/14	<p>At the Planning Committee meeting of 15<sup>th</sup> July 2014 it was resolved that should an planning application not be received by 31<sup>st</sup> July 2014 that the Head of Legal Services be authorised to issue enforcement and all other notices to take and institute on behalf of the council all such action and prosecution proceedings for the following:</p> <ul style="list-style-type: none"> <li>a. Removal of the industrial skips, fuel tank, machinery and a portakabin within one month from the date of the notice, and</li> <li>b. Restrictions on the vehicle movements to and from the site (details of which will be reported) to limit the impact on highway safety and residential amenity levels.</li> <li>c. All activity associated with the engineering works, i.e. the vehicle movements, the removal of soil from the site, and the re-contouring of the site areas shall cease after a period of no more than 3 years.</li> <li>d. No soil shall be imported onto the site</li> </ul> <p>An application was received on 31<sup>st</sup> July 2014, although it was not complete and valid until 19<sup>th</sup> September. The application, reference 14/00610/FUL, was permitted, subject to conditions, at the Planning Committee meeting of 28<sup>th</sup> October 2014 and as such the unauthorised development has been regularised through the granting, retrospectively, of the required planning permission and the case can now be closed.</p>	CASE CLOSED