

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.

Two new cases have been added since the previous report, provided to the Planning Committee at its meeting on the 26<sup>th</sup> May 2015, giving a total of 3 cases where enforcement action has been authorised. Details of all the cases, the progress made within the last Quarter, and the target for the next Quarter are contained within the attached Appendix.

**RECOMMENDATION**

**That the information be received.**

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Progress/Action particularly that within last Quarter	Target for Next Quarter
15/00037/207C2	<p>Land at Doddlespool, Main Road, Betley</p> <p>Breaches of conditions imposed on planning permission reference 14/00610/FUL for the retention of a water reservoir, formation of hardstandings and repairs to the existing track.</p>	20.4.15	<p>A Stop Notice (SN) and Enforcement Notice (EN) were served on 24<sup>th</sup> April 2015. The SN took effect on 30<sup>th</sup> April 2015. The EN took effect on 27<sup>th</sup> May.</p> <p>The SN required all activity specified to cease by limiting the number of lorries entering and leaving the land to no more than 10 per day and by not permitting lorries to access or egress the site before 0800 hours and after 1600 hours weekdays or at all on weekends or Bank Holidays.</p> <p>The steps set out in the EN repeated matters covered in the SN but included the following additional matters, which also address breaches of condition:</p> <ul style="list-style-type: none"> <li>• Submission of a plan showing an appropriate location for material that was deposited on the site</li> <li>• Remove portacabin, commercial trailer/cabin and screening/processing machinery.</li> <li>• Submission of a report that assess the impact of the development on Betley Mere SSSI</li> <li>• Submission of plans showing location and amount of peat and top soil that is to be integrated into the existing unit.</li> <li>• Cease unauthorised importation of material on the land.</li> </ul> <p>The Council is not aware that there has been a breach of the SN. It is aware, however, that the portacabin and commercial trailer/cabin remains on site beyond the one month time period set out in the EN. It is intended to pursue prosecution to secure compliance with the terms of the EN.</p> <p>More recently complaints have been made that a large number of used tyres have been imported and deposited on the site. In addition it is understood that the lake is being used by a fishing club. These are being investigated. In addition it is understood that the Environment Agency are also investigating the importation of the tyres.</p>	<p>Monitor compliance with the Stop Notice. Pursue prosecution of the breach of the Enforcement Notice. Progress the investigation of the tyre importation and fishing club use of the site to an appropriate resolution.</p>

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Progress/Action particularly that within last Quarter	Target for Next Quarter
14/00049/207C2	<p>Land off Pepper Street, Hollywood Lane, Newcastle.</p> <p>Unauthorised siting of a caravan for residential use.</p>	5.8.15	<p>Instructions have been sent to Legal Services to issue an Enforcement Notice in respect of the unauthorised use of land for siting of a caravan and shipping container for residential use, associated change of use of land to residential use, and operational development ancillary to the wider change of use of land.</p> <p>The reasons for the decision to authorise enforcement action is because the development is inappropriate in the Green Belt and is contrary to the purposes of including land within the Green Belt and to its openness. No material considerations of any weight exist as to clearly outweigh the harm that would be caused by the development and accordingly the required very special circumstances do not exist.</p>	Issue the Enforcement Notice
14/00048/207C2	<p>Dairy House forming part of Hungerford House Farm, Hungerford Lane, Madeley</p> <p>Unauthorised subdivision into two dwellings</p>	13.7.15	<p>A retrospective planning application was received for the subdivision of Dairy House into two dwellings. The application was refused on the grounds that this is an unsustainable location for the creation of new residential dwellings. An appeal has been lodged against the refusal of planning permission. It is considered appropriate to issue an Enforcement Notice so that if an appeal is lodged against the two appeals could be dealt with together.</p>	Issue the Enforcement Notice