

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.

One new cases has been added since the previous report, provided to the Planning Committee at its meeting on the 13<sup>th</sup> October 2015, giving a total of 6 cases where enforcement action has been authorised. Details of all the cases, the progress made within the last Quarter, and the targets for the next Quarter are contained within the attached Appendix.

**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
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 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.</p> <p>Since the previous report the breach of the EN has been taken to Court for prosecution and a significant fine has been imposed. The owner was given, by officers, a further 4 weeks to remedy the breach. That period has lapsed.</p> <p>The used tyres that were imported and deposited on the site are been utilised in the construction of a fodder beat store and TB testing facility. Consideration is being given to whether this is permitted development and further information has been sought from the owner.</p>	<p>Monitor compliance with the Stop Notice. Visit site to ascertain whether breach of EN has been resolved and if not pursue further prosecution of the breach of the Enforcement Notice.</p> <p>Further investigation into the fodder beat store and TB testing facility will be undertaken.</p>
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>An EN was served which takes effect on 28<sup>th</sup> February 2016 unless an appeal is lodged.</p> <p>The EN requires the cessation of the use of the land residential purposes; the removal of the caravan and associated structures and paraphernalia: and the removal of any fencing erected on the perimeter of the land.</p> <p>The period for compliance as set out in the EN is six months after the notice takes effect.</p> <p>A letter has been received indicating that an appeal has been lodged.</p>	<p>No target for this quarter unless an appeal is lodged.</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
14/00048/207C2	Dairy House forming part of Hungerford House Farm, Hungerford Lane, Madeley  Unauthorised subdivision into two dwellings	13.7.15	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 and the subsequent appeal has now been dismissed.  An EN was served requiring that Dairy House is reinstated to its previous condition prior to the subdivision within six months of the notice taking effect.  The EN took effect on 21 <sup>st</sup> December 2015 as an appeal was not lodged.	No target for this quarter.
15/00518/FUL & 15/00131/207C2	7 Oldcott Crescent, Kidsgrove  Amateur radio antenna and 10 metre steel tilting/wind up antenna mast	20.4.15	Planning Committee at its meeting on 18 <sup>th</sup> August 2015 resolved to refuse planning permission for the retention of the amateur radio antenna and mast as they were considered to unacceptably reduce the living conditions of neighbouring properties due to their oppressive and overbearing effect. Committee also resolve authorised the issuing of enforcement and all other notices to secure the removal of the radio antenna and mast  An EN has been served and the antenna and mast have been removed in compliance with it.	CASE CLOSED
14/00036/207C3	5 Boggs Cottages, Keele Road, Keele  Unauthorised use of land for the siting of a mobile home	5.1.16	Planning Committee at its meeting on 5 <sup>th</sup> January 2016 resolved that the Head of Business Improvement, Central Services and Partnerships be authorised issue enforcement and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 for the removal of the mobile home and associated paraphernalia from the site within six months. To date instructions have not been sent to Legal Services so that this resolution	Instruct Legal as a matter of urgency.
15/00094/207C3	70A Chatterley Drive, Kidsgrove  Unauthorised boundary fence	30.10.15	A retrospective planning application (15/00803/FUL) was refused under delegated powers due to concerns that its height and location would introduce an incongruous boundary treatment which is harmful to the street scene.  Instructions have been sent to Legal to take action to secure the removal of the fence or reduce it to a height of 1m	Issue EN.