

FOR PUBLICATION

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 17TH FEBRUARY 2020

REPORT BY: LOCAL GOVERNMENT AND REGULATORY LAW MANAGER
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

WARD: As listed in the report

FOR PUBLICATION

TITLE: D255 and Non-exempt
papers (if any) on relevant files

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

1.0 PURPOSE OF REPORT

1.1 To update members, and get further authority, on formal enforcement.

2.0 BACKGROUND

2.1 The table summarises formal planning enforcement by the Council.

3.0 INFORMAL ACTION

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Planning Service.

4.0 MORE INFORMATION ABOUT THE TABLE

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

5.0 RECOMMENDATION

5.1 That the report be noted.

GERARD ROGERS
LOCAL GOVERNMENT AND
REGULATORY LAW MANAGER

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Legal Services
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Enforcements currently Authorised: 9

ENFORCEMENT REPORT

07 February 2020

Address		Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	update <small>last update</small>	Ward
Breach of Condition Notice			Total currently Authorised: 1 Authorised to Issue Average: days							
York Street	2	23/09/19 <small>137</small>	balcony, canopy and french door	17/00800/FUL				Instructed. About to be issued.	<input type="checkbox"/> <small>03/12/19</small>	Ha
Enforcement Notice			Total currently Authorised: 7 Authorised to Issue Average: 205 days							
Markham Road	Markham House	18/02/08 <small>4,372</small>	storage of commercial vehicles		20/03/08 <small>31</small>	18/04/08 <small>4312</small>	20/10/08 <small>4127</small>	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> <small>14/11/19</small>	HI
Pottery Lane West	10	06/01/20 <small>32</small>	two unauthorised metal structures.		06/02/20 <small>31</small>	09/03/20 <small>-31</small>	09/04/20 <small>-62</small>	Initially action against one structure approved 12/11/19, then second structure installed and further report on both structures approved 06/01/20. Issued.	<input checked="" type="checkbox"/> <small>06/02/20</small>	Mo

Details at 07 February 2020

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Station Lane	03/04/18 675	importation of materials - creation of hard surfacing		03/07/18 91	08/08/18 548	08/08/19 183	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area (draft received)	<input type="checkbox"/> 04/11/19	BHW
Station Lane	03/04/18 675	importation of materials - industrial use		03/07/18 91	08/08/18 548	08/08/19 183	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area. Signed agreement received.	<input type="checkbox"/> 06/02/20	BHW

Details at 07 February 2020

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Tapton View Road	47	24/04/17 <i>1,019</i>	unauthorised extension	16/00648	14/06/19 <i>781</i>	22/07/19 <i>200</i>	22/01/20 <i>16</i>	Application for retention dismissed on appeal. Application for changes to extension CHE/17/00827/FUL approved, but unauthorised extension not removed. Issued, requiring demolition of unauthorised part and to make good. Not complied.	<input checked="" type="checkbox"/> <i>24/06/19</i>	SH
Walton Works		27/06/16 <i>1,320</i>	use for war and horror style games					Cease war and horror style games at weekends and after 18:00 hours, and pyrotechnics at any time. 12/12/16 Committee approval for Section 106 planning obligation to regulate unauthorised use. Operator now vacated premises. No further action necessary	<input checked="" type="checkbox"/> <i>27/01/20</i>	Wa

Details at 07 February 2020

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York Street	2	09/10/17 851	conversion and extension of roof space	17/00800/FUL				Flat conversion approved 03/04/18, conditions requiring removal of balcony, canopy, french windows appealed, but dismissed 18/12/18. Not complied with conditions. BCN authorised - see separate entry.	<input type="checkbox"/> 19/12/18	Ha

Stop Notice

Total currently Authorised: 1 Authorised to Issue Average: days

Walton Works		27/06/16 1,320	use for war and horror style games of game play					See notes for Enforcement Notice. Operator now vacated premises. No further action necessary.	<input checked="" type="checkbox"/> 27/01/20	Wa
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Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers

Key to Ward abbreviations: BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Wa Walton • We West

SJP - single justice procedure: prosecutions dealt with by the Magistrates Court on paper without a hearing in open court.