

# FOR PUBLICATION

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 21<sup>ST</sup> AUGUST 2023  
**REPORT BY:** HEAD OF REGULATORY LAW  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER  
**WARD:** As listed in the report

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### FOR PUBLICATION

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

### BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

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#### **1.0 PURPOSE OF REPORT**

1.1 For non-exempt information about current formal enforcement progress.

#### **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 Enforcement team.

#### **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  
HEAD OF REGULATORY LAW

PAUL STANIFORTH  
DEVELOPMENT MANAGEMENT  
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Regulatory Law  
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# ENFORCEMENT REPORT

Enforcements currently Authorised: 11

11 August 2023

| Address                           | Authorised<br><small>days from</small>        | Breach                               | CHE/         | Issued<br><small>days to issue</small>       | Effective<br><small>days to (-) /from</small> | Comply<br><small>days to (-) /from</small> | Notes   | <small>update<br/>last update</small>               | Ward |
|-----------------------------------|---|--------------------------------------|--------------|--|---|--|---|---|------|
| <b>Breach of Condition Notice</b> |   | <i>Total currently Authorised: 2</i> |              | <i>Authorised to Issue Average: 540 days</i> |   |  |   |   |      |
| Dunston Road                      | Dunston Hall<br>25/05/23<br><small>78</small> | Loud music in marquee                | 23/00228/DOC |  |   |  | Authorised by Development Management and Conservation Manager   | <input type="checkbox"/>                            | D    |
| York Street                       | 2<br>23/09/19<br><small>1,418</small>         | balcony, canopy and french door      | 17/00800/FUL | 16/03/21<br><small>540</small>               | 16/03/21<br><small>878</small>                | 16/04/21<br><small>847</small>             | Issued. One month to submit details. Then 6 months after approval to carry out works. Not complied. Prosecution being prepared.         | <input type="checkbox"/><br><small>18/03/21</small> | Ha   |
| <b>Enforcement Notice</b>         |   | <i>Total currently Authorised: 6</i> |              | <i>Authorised to Issue Average: 65 days</i>  |   |  |   |   |      |
| Chester Street                    | 94<br>20/02/23<br><small>172</small>          | wooden play structure                |              | 30/05/23<br><small>99</small>                | 29/06/23<br><small>43</small>                 | 29/07/23<br><small>13</small>              | removal within 28 days. Issued 30/05/23. Owners seeking to appeal refusal of planning permission and may also appeal enforcement notice | <input type="checkbox"/><br><small>10/07/23</small> | B    |

| Address           |                               | Authorised<br><i>days from</i> | Breach                                       | CHE/ | Issued<br><i>days to issue</i> | Effective<br><i>days to (-) /from</i> | Comply<br><i>days to (-) /from</i> | Notes  | update<br><i>last update</i>                           | Ward |
|-------------------|-------------------------------|--------------------------------|--|------|--------------------------------|---------------------------------------|------------------------------------|--|--|------|
| Markham Road      | Markham House                 | 18/02/08<br><i>5,653</i>       | storage of commercial vehicles               |      | 20/03/08<br><i>31</i>          | 18/04/08<br><i>5593</i>               | 20/10/08<br><i>5408</i>            | Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions. | <input type="checkbox"/><br><i>14/11/19</i>            | HI   |
| Newbold Road      | 194-196 - former Hardy's Site | 30/01/23<br><i>193</i>         | frontage fencing and forecourt retail sales  |      |                                |                                       |                                    | Appeal against refusal of planning permission allowed 26/07/23 - see appeals report      | <input checked="" type="checkbox"/><br><i>09/08/23</i> | N    |
| Park Hall Avenue  | 2                             | 12/12/22<br><i>242</i>         | timber fencing and stone columns on frontage |      |                                |                                       |                                    | Awaiting instructions  | <input type="checkbox"/><br><i>21/12/22</i>            | Wa   |
| Pottery Lane West | 10                            | 18/07/22<br><i>389</i>         | Storage of vehicles                          |      |                                |                                       |                                    | About to be issued.  | <input type="checkbox"/><br><i>20/10/22</i>            | Mo   |

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|-------------|---|--------------------------------|--|--------------|--------------------------------|---------------------------------------|------------------------------------|---|---|------|
| York Street | 2 | 09/10/17<br><i>2,132</i>       | 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 served - see separate entry. | <input type="checkbox"/><br><i>19/12/18</i> | Ha   |

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### Section 215 Amenity Notice

*Total currently Authorised: 3 Authorised to Issue Average: days*

|                |    |                          |   |  |  |  |  |   |   |    |
|----------------|----|--------------------------|---|--|--|--|--|---|---|----|
| Edinburgh Road | 12 | 10/10/22<br><i>305</i>   | unroadworthy vehicle, trailer and miscellaneous building materials etc. |  |  |  |  | Did not comply within 3 months given. Instructed.   | <input type="checkbox"/><br><i>28/10/22</i> | SH |
| Highfield Road | 80 | 05/10/20<br><i>1,040</i> | Removal of debris and waste   |  |  |  |  | Update report 15/02/21. Working with occupier and representative with view to progress without formal action. | <input type="checkbox"/><br><i>15/02/21</i> | SH |

| Address        |    | Authorised<br><i>days from</i> | Breach   | CHE/ | Issued<br><i>days to issue</i> | Effective<br><i>days to (-) /from</i> | Comply<br><i>days to (-) /from</i> | Notes  | update<br><i>last update</i>                | Ward |
|----------------|----|--------------------------------|--|------|--------------------------------|---------------------------------------|------------------------------------|--|---|------|
| Tapton Terrace | 26 | 05/10/20<br><i>1,040</i>       | removal of Heras fencing and erection of new boundary fence, removal of vans, debris and waste |      |                                |                                       |                                    | Update report 15/02/21. Progressing without formal action. | <input type="checkbox"/><br><i>15/02/21</i> | SL   |

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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*  
*CV-19 - coronavirus implications for enforcement or compliance*