

# FOR PUBLICATION

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 13<sup>TH</sup> NOVEMBER 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: 10

14 November 2019

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
<b>Breach of Condition Notice</b>		<i>Total currently Authorised: 1</i>		<i>Authorised to Issue Average: days</i>					
York Street	2	23/09/2019 <i>53</i>	balcony, canopy and french doors	17/00800/FUL			Instructed	<input type="checkbox"/>	Ha
<b>Enforcement Notice</b>		<i>Total currently Authorised: 7</i>		<i>Authorised to Issue Average: 248.5 days</i>					
Markham Road	Markham House	18/02/2008 <i>4,288</i>	storage of commercial vehicles	20/03/2008 <i>31</i>	18/04/2008 <i>4228</i>	20/10/2008 <i>4043</i>	Complied by 2009. Unauthorised use has started again. Prosecute.	<input type="checkbox"/>	HI <i>14/11/201</i>
Pottery Lane West	10	23/09/2019 <i>53</i>	unauthorised metal structure				Instructed	<input type="checkbox"/>	
Station Lane		03/04/2018 <i>591</i>	importation of materials - creation of hard surfacing	03/07/2018 <i>91</i>	08/08/2018 <i>464</i>	08/08/2019 <i>99</i>	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area (draft received)	<input type="checkbox"/>	BHW <i>04/11/201</i>

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		03/04/2018 591	importation of materials - industrial use		03/07/2018 91	08/08/2018 464	08/08/2019 99	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area (draft received)	<input type="checkbox"/> 04/11/201	
Tapton View Road	47	24/04/2017 935	unauthorised extension	16/00648	14/06/2019 781	22/07/2019 116	22/01/2020 -68	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.	<input checked="" type="checkbox"/> 24/06/201	SH

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
Walton Works		27/06/2016 <i>1,236</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 looking to relocate to new premises.	<input type="checkbox"/> <i>04/11/201</i>	Wa
York Street	2	09/10/2017 <i>767</i>	conversion and extension of roof space	17/00800/FUL				Flat conversion approved 03/04/18, condition requiring removal of balcony, canopy, french windows appealed, but dismissed 18/12/18. Not complied with condition. BCN authorised - see separate entry.	<input checked="" type="checkbox"/> <i>19/12/201</i>	Ha

### Planning Contravention Notice

*Total currently Authorised: 1 Authorised to Issue Average: 0 days*

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
Springwell Hill	13/06/2019 155	waste / engineering works		13/06/2019 0	13/06/2019 155	04/06/2019 164	Information about current ownership, materials imported and use of land. Opportunity to make representations. Notice complied with, no activity since summer and land reprofiled. Application likely.	<input checked="" type="checkbox"/> 04/11/201	BHW

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### Stop Notice

*Total currently Authorised: 1 Authorised to Issue Average: days*

Walton Works	27/06/2016 1,236	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/201	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.*