

# FOR PUBLICATION

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 19<sup>TH</sup> FEBRUARY 2024  
**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

09 February 2024

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: 540 days</i>				
York Street	2 <i>1,600</i>	balcony, canopy and french door	17/00800/FUL	16/03/21 <i>540</i>	16/03/21 <i>1060</i>	16/04/21 <i>1029</i>	Issued. One month to submit details. Then 6 months after approval to carry out works. Not complied. Prosecution being prepared.	<input type="checkbox"/> <i>18/03/21</i>	Ha
<b>Enforcement Notice</b>		<i>Total currently Authorised: 6</i>			<i>Authorised to Issue Average: 149.8 days</i>				
Chester Street	94 <i>354</i>	wooden play structure		30/05/23 <i>99</i>	29/06/23 <i>225</i>	29/07/23 <i>195</i>	removal within 28 days. Issued 30/05/23. No appeal. Not complied. Prosecute.	<input type="checkbox"/> <i>12/12/23</i>	B
Markham Road	Markham House <i>5,835</i>	storage of commercial vehicles		20/03/08 <i>31</i>	18/04/08 <i>5775</i>	20/10/08 <i>5590</i>	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> <i>14/11/19</i>	HI
Park Hall Avenue	2 <i>424</i>	timber fencing and stone columns on frontage					Awaiting instructions	<input type="checkbox"/> <i>21/12/22</i>	Wa

Details at 09 February 2024

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
Pottery Lane West	10	18/07/22 571	Storage of vehicles		27/10/23 466			Issued. Appeal, requesting public inquiry. Update report to Planning Committee 29/01/24 withdrawing notice and authorising slightly amended notice. PINS confirmed appeal fallen away.	<input checked="" type="checkbox"/> 29/01/24	Mo
Pottery Lane West	10	29/01/24 11	storage of vehicles		01/02/24 3	04/03/24 -24	01/04/24 -52	Substitute and clarified enforcement notice	<input checked="" type="checkbox"/> 09/02/24	Mo
York Street	2	09/10/17 2,314	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"/> 19/12/18	Ha

### Enforcement Notice (Listed Building)

Total currently Authorised: 1 Authorised to Issue Average: 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
Old Hall Road	Brampton House	02/10/23 130						various unauthorised alterations. Instructed, notice to be issued.	<input type="checkbox"/> 03/11/23	Bro
<b>Section 215 Amenity Notice</b>			<i>Total currently Authorised: 3 Authorised to Issue Average: days</i>							
Edinburgh Road	12	10/10/22 487	unroadworthy vehicle, trailer and miscellaneous building materials etc.					Did not comply within 3 months given. Instructed.	<input type="checkbox"/> 28/10/22	SH
Highfield Road	80	05/10/20 1,222	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"/> 15/02/21	SH
Tapton Terrace	26	05/10/20 1,222	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"/> 15/02/21	SL

<b>Address</b>	<b>Authorised</b> <i>days from</i>	<b>Breach</b>	<b>CHE/</b>	<b>Issued</b> <i>days to issue</i>	<b>Effective</b> <i>days to (-) /from</i>	<b>Comply</b> <i>days to (-) /from</i>	<b>Notes</b>	<b>update</b> <i>last update</i>	<b>Ward</b>
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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*