

FOR PUBLICATION

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 11TH MARCH 2019

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
Tel 01246 345310 or email gerard.rogers@chesterfield.gov.uk

Enforcements currently Authorised: 7

ENFORCEMENT REPORT

27 February 2019

| Address | Authorised days from | Breach | CHE/ | Issued days to issue | Effective days to (-) /from | Comply days to (-) /from | Notes | update last update | Ward |
|---------------------------|-------------------------|--|----------|-------------------------|--------------------------------|-----------------------------|--|---|------|
| Enforcement Notice | | <i>Total currently Authorised: 5 Authorised to Issue Average: 91 days</i> | | | | | | | |
| Station Lane | 03/04/18 331 | importation of materials - creation of hard surfacing | | 03/07/18 91 | 08/08/18 204 | 08/08/19 -161 | Issued. In effect - no appeal. Application anticipated | <input type="checkbox"/> 03/07/18 | BHW |
| Station Lane | 03/04/18 331 | importation of materials - industrial use | | 03/07/18 91 | 08/08/18 204 | 08/08/19 -161 | Issued. In effect - no appeal. Application anticipated | <input type="checkbox"/> 03/07/18 | |
| Tapton View Road | 47 24/04/17 675 | unauthorised extension | 16/00648 | | | | Application for retention dismissed on appeal. Application for changes to extension CHE/17/00827/FUL approved, but unauthorised extension not removed. Instructed. | <input checked="" type="checkbox"/> 15/01/18 | SH |

Details at 27 February 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 |
|--------------------|---|--------------------------------|---|--------------|--------------------------------|---------------------------------------|------------------------------------|---|--------------------------------------|------|
| Walton Works | | 27/06/16 976 | 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. In contact with operator to conclude agreement. | <input type="checkbox"/> 04/04/18 | Wa |
| York Street | 2 | 09/10/17 507 | 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. Further enforcement if not now comply. | <input type="checkbox"/> 19/12/18 | Ha |
| Stop Notice | | | Total currently Authorised: 1 Authorised to Issue Average: days | | | | | | | |
| Walton Works | | 27/06/16 976 | use for war and horror style games of game play | | | | | See notes for Enforcement Notice. | <input type="checkbox"/> 03/03/17 | Wa |

Details at 27 February 2019

| 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 |
|------------------------|---|--|---|------|--|---|--|---|--------------------------------------|------|
| TPO Prosecution | | | Total currently Authorised: 1 Authorised to Issue Average: days | | | | | | | |
| Ringwood Meadows | 4 | 19/11/18 <small>101</small> | Unauthorised felling of/damage to 2 TPO trees | | | | | Felling of 2 TPO trees. <input checked="" type="checkbox"/> In court 04/03/19. | <small>27/02/19</small> | |

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.