

FOR PUBLICATION

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 19TH APRIL 2021

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

WARD: As listed in the report

FOR PUBLICATION

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

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

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
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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ENFORCEMENT REPORT

Enforcements currently Authorised: 7

07 April 2021

| 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 | | <i>Total currently Authorised: 1</i> | | <i>Authorised to Issue Average: 540 days</i> | | | | | |
| York Street | 2 <small>562</small> | balcony, canopy and french door | 17/00800/FUL | 16/03/21 <small>540</small> | 16/03/21 <small>22</small> | 16/04/21 <small>-9</small> | Issued. One month to submit details. Then 6 months after approval to carry out works. | <input checked="" type="checkbox"/> <small>18/03/21</small> | Ha |
| Enforcement Notice | | <i>Total currently Authorised: 4</i> | | <i>Authorised to Issue Average: 281 days</i> | | | | | |
| Markham Road | Markham House <small>4,797</small> | storage of commercial vehicles | | 20/03/08 <small>31</small> | 18/04/08 <small>4737</small> | 20/10/08 <small>4552</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 <small>457</small> | two unauthorised metal structures. | | 06/02/20 <small>31</small> | 15/10/20 <small>174</small> | 12/11/20 <small>146</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. Appeal dismissed. Prosecute. Further report to be submitted. | <input type="checkbox"/> <small>26/02/21</small> | Mo |

Details at 07 April 2021

| 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 1,444 | unauthorised extension | 16/00648 | 14/06/19 781 | 22/07/19 625 | 22/01/20 441 | Application dismissed on appeal. Application for changes to extension CHE/17/00827/FUL approved, but unauthorised extension not removed. Issued, requiring demolition of unauthorised part. Not complied, builder contracted for after lockdown. CV-19. | <input type="checkbox"/> 26/02/21 | SH |
| York Street | 2 | 09/10/17 1,276 | 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 |

Section 215 Amenity Notice

Total currently Authorised: 2 Authorised to Issue Average: days

Details at 07 April 2021

| 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 |
|----------------|----|--------------------------------|--|------|--------------------------------|---------------------------------------|------------------------------------|---|-----------------------------------|------|
| Highfield Road | 80 | 05/10/20 <i>184</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"/> 15/02/21 | SH |
| Tapton Terrace | 26 | 05/10/20 <i>184</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"/> 15/02/21 | SL |

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*