

# FOR PUBLICATION

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 30<sup>TH</sup> JANUARY 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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Enforcements currently Authorised: 9

## ENFORCEMENT REPORT

17 January 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  | update<br><small>last update</small>                | Ward |
|-----------------------------------|--|---|--------------|--|---|--|--|---|------|
| <b>Breach of Condition Notice</b> |  | <i>Total currently Authorised: 1</i>  |              | <i>Authorised to Issue Average: 540 days</i> |   |  |  |   |      |
| York Street                       | 2<br><small>1,212</small>              | 23/09/19<br><small>1,212</small><br>balcony, canopy and french door           | 17/00800/FUL | 16/03/21<br><small>540</small>               | 16/03/21<br><small>672</small>                | 16/04/21<br><small>641</small>             | Issued. One month to submit details. Then 6 months after approval to carry out works. Not complied. Prosecute - awaiting instructions. | <input type="checkbox"/><br><small>18/03/21</small> | Ha   |
| <b>Enforcement Notice</b>         |  | <i>Total currently Authorised: 5</i>  |              | <i>Authorised to Issue Average: 31 days</i>  |   |  |  |   |      |
| Markham Road                      | Markham House<br><small>5,447</small>  | 18/02/08<br><small>5,447</small><br>storage of commercial vehicles            |              | 20/03/08<br><small>31</small>                | 18/04/08<br><small>5387</small>               | 20/10/08<br><small>5202</small>            | Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.   | <input type="checkbox"/><br><small>14/11/19</small> | HI   |
| Old Hall Road                     | 76-88<br><small>140</small>            | 30/08/22<br><small>140</small><br>shipping containers                         |              |  |   |  | 28 days for removal, seeking voluntary compliance. Awaiting instructions   | <input type="checkbox"/><br><small>10/11/22</small> |      |
| Park Hall Avenue                  | 2<br><small>36</small>                 | 12/12/22<br><small>36</small><br>timber fencing and stone columns on frontage |              |  |   |  | Awaiting instructions  | <input type="checkbox"/><br><small>21/12/22</small> | Wa   |

Details at 17 January 2023

| 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 |
|-----------------------------------|----|--------------------------------|---|--------------|--------------------------------|---------------------------------------|------------------------------------|---|--------------------------------------|------|
| Pottery Lane West                 | 10 | 18/07/22<br>183                | Storage of vehicles   |              |                                |                                       |                                    | Instructed  | <input type="checkbox"/><br>20/10/22 | Mo   |
| York Street                       | 2  | 09/10/17<br>1,926              | 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>19/12/18 | Ha   |
| <b>Section 215 Amenity Notice</b> |    |                                | <i>Total currently Authorised: 3 Authorised to Issue Average: days</i>  |              |                                |                                       |                                    |   |                                      |      |
| Edinburgh Road                    | 12 | 10/10/22<br>99                 | unroadworthy vehicle, trailer and miscellaneous building materials etc. |              |                                |                                       |                                    | Instructed. 3 months to comply without formal action.   | <input type="checkbox"/><br>28/10/22 | SH   |
| Highfield Road                    | 80 | 05/10/20<br>834                | 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>15/02/21 | 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>834                | 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   |

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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*