

**INDEX OF CURRENT ENFORCEMENT CASES**  
**13<sup>th</sup> January 2010**

Ref No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1-3	Plots 7, 7A and Four Winds being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	4-9	Defendants appeared before Cambridge Magistrates Court on 15 <sup>th</sup> May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 <sup>th</sup> August 2008. Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion. Defendant's circumstances remain unchanged. Legal Officer informed.
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	9-12	Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18 <sup>th</sup> June 2007. Further assessment of the current occupants medical needs to be carried out in order that the Planning Sub-Committee can be informed of the current position at plot 12 Victoria View
15/03	Plots 1-11 Victoria View Smithy Fen COTTENHAM	12-15	Site subject of injunction. Dismissed by the Court of Appeal 28 <sup>th</sup> October 2008 – Injunction application stayed until the 2 <sup>nd</sup> January 2009 Appeals to the House of Lords dismissed. Committal hearing adjourned on 13 <sup>th</sup> March 2009 for two weeks. 27 <sup>th</sup> March 2009 Committal hearing found against the occupants and issued 4 arrest warrants, 6 suspended prison sentences and amended the injunction to allow the defendants 28 days to remove the three static caravans remaining on site. The deadline has now passed and authority has been given by the planning sub-committee to take direct action to remove the three static caravans and bund the area to prevent further unauthorised occupation. Direct action implemented 12 <sup>th</sup> August 2009 – Static caravans removed from site and area cleared. Land now

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			protected by an earth bund and will be monitored. No activity recorded, monitoring to continue, remove from Active List.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	15-18	Application for injunction refused by the High Court, 5 <sup>th</sup> June 2008. Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale. Further information has been requested by the planning officer in order that the schemes relating to conditions can be discharged.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	18-20	Defendant appeared at Cambridge Magistrates Court on 10 <sup>th</sup> January 2008. Each fined £700 with £200 costs. Refusal of planning permission S/1823/07/F and S/1834/07/F appealed. Hearing date listed for 6 <sup>th</sup> January 2009 S/1823/07/F "Appeal B" dismissed - Legal Officer to issue an Injunction in the High Court. S/1834/07/F "Appeal A" allowed subject to conditions. Defendants currently in discussions/ negotiations with housing and legal departments to comply with cessation of residential use. Negotiations have failed to provide an acceptable solution. Legal Officer to pursue Injunctive action. Injunction Order granted 4 <sup>th</sup> November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by 2 <sup>nd</sup> December 2009. Site inspection carried out on 3 <sup>rd</sup> December 2009 revealed that the Order had not been complied with. Legal Officer informed.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	20-22	Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.

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18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	22-24	<p>Three year temporary planning permission granted for 3 plots. Injunction granted on 18<sup>th</sup> November restricting development on plots 3 and 4. Planning application S/2330/06/F - Three-year temporary consent approved for plot no 5. Plots 3 &amp; 4 continue to be monitored. Injunction breached for plot 3 - Defendant found guilty in the High Court and ordered to remove the unauthorised caravan and dayroom.</p> <p>Planning application S/1919/08/F unsuccessful - Appealed. Successful High Court application to vary the injunction to allow occupation of the land until the outcome of the planning appeal made. Hearing date set for the 29<sup>th</sup> July 2009. Appeal successful, three year temporary consent granted – Costs awarded against SCDC. Conditions to be monitored.</p>
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	24-26	Appeal dismissed on 29 <sup>th</sup> January 2007. File submitted for an application for an injunction.
8/06	1 London Way Clunchpits MELBOURN	26-27	<p>Appeal allowed in part and dismissed in part.</p> <p>Partial compliance. Landscaping scheme now approved. Highways &amp; Environmental Health issues reviewed on site. Findings to be published shortly.</p>
12/06	Unit J Broad Lane COTTENHAM	27-29	<p>Planning application S/0334/08/F refused and Appeal lodged. At Cambridge Magistrates Court on 29<sup>th</sup> May 2008 the defendant was fined £1,000 for breach of Enforcement Notice and £500 for Breach of Condition with costs of £300. Planning application S/1017/08/F refused at Planning Committee 3<sup>rd</sup> September 2008. Appeal Inquiry date 2<sup>nd</sup> &amp; 3<sup>rd</sup> December 2008.</p> <p>Appeal allowed - Conditions to be monitored.</p>

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7/07	The Drift Cambridge Road BARTON	29-30	Appeal dismissed on the 1 <sup>st</sup> April 2008. Compliance date 1 <sup>st</sup> October 2008 Partial compliance. Discussions continue.
12/07	The Firs 117 Duxford Road WHITTLESFORD	30-31	Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25 <sup>th</sup> April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10 <sup>th</sup> December 2008 – Enforcement Notice effective in three months unless a planning application is submitted that significantly lowers the height of the wall/fence, brick pillars and gates. Discussions relating to the submission of a further application currently taking place. Further Appeal submitted - Appeal dismissed.
16/07	38 Silver Street WILLINGHAM	31-32	Enforcement Notice issued 28 <sup>th</sup> September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10 <sup>th</sup> January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19 <sup>th</sup> March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance. Owner interviewed regarding failure to instigate remedial works. Timetable agreed.
1/08	7 Flitmead CAMBOURNE	32	Appeal dismissed 16 <sup>th</sup> June 2008. Enforcement Notice Compliance date 16 <sup>th</sup> July 2008 not complied with. Prosecution file submitted, hearing date to be advised. Defendants found guilty at Cambridge Magistrates Court. Further complaints received prosecution file to be submitted.

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			Insufficient evidence to proceed – File remains open. No further evidence received, remove from Active List.
5/08	27/28 Newfields Fen Road Chesterton MILTON	33	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6 <sup>th</sup> May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24 <sup>th</sup> November 2009, conditions to be monitored.
6/08	6 Sunningdale Fen Road Chesterton MILTON	33-34	Enforcement Notice appealed. Inquiry date 10 <sup>th</sup> February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18 <sup>th</sup> August 2009. Planning application received and registered. Application S/1154/09 approved 5 <sup>th</sup> October 2009 – conditions to be monitored.
10/08	Elizabeth House High Street HORNINGSEA	34	Enforcement Notice issued – Appealed. Appeal allowed in part. Compliance period three months i.e. by 27 <sup>th</sup> August 2009. Property has changed hands new owner unaware of legal obligation, and has requested additional time to comply. Enforcement Notice complied with – remove from Active List.
11/08	5 Home Farm 89 High Street HARSTON	35	Listed Building Enforcement Notice issued – Appealed. Appeal dismissed
12/08	Plot 4 Moor Drove HISTON	35	Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10 <sup>th</sup> June 2009 Conditions to be monitored.

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13/08	49 High Street MELBOURN	36	<p>Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice. Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9<sup>th</sup> July 2009. Male Defendant ejected from court, case adjourned until 23<sup>rd</sup> July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520</p> <p>Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17<sup>th</sup> December 2009.</p>
01/09	82 High Street GREAT ABINGTON	36-37	<p>Listed Building Enforcement Notice no 3342 issued 6<sup>th</sup> January 2009 for unauthorised works on a Listed building. Compliance period 3 months. Appeal submitted out of time – Prosecution file to be submitted to Legal. Discussions continue to resolve. Listed Building Application submitted. Application refused – Appealed. Discussions relating to works not covered by the appeal continue.</p>
04/09	1 Hinton Way GREAT SHELFORD	37	<p>Enforcement Notice issued for unauthorised siting of a steel storage container – Compliance date 12<sup>th</sup> July 2009. Appealed</p> <p>Appeal successful, planning permission granted – remove from Active List.</p>
06/09	16a Norman Way Industrial Units OVER	37	<p>Enforcement Notice issued for change of use of premises without consent. Appealed. Appeal allowed on ground (g) and enforcement notice varied by the deletion of three months and substitution of six months as the period for compliance. Subject to this variation the enforcement notice is upheld.</p>
07/09	163 High Street SAWSTON	38	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation. Appealed – Hearing date 5<sup>th</sup> January 2010.</p>

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09/09	White Horse Public House 12 Greenside WATERBEACH	39	Enforcement Notice issued in respect of an unauthorised smoking shelter Appealed. Appeal not allowed – Out of time, Discussions continue.
10/09	8 Hardy Close LONGSTANTON	38	Enforcement Notice issued in respect of a change of use – Compliance period three months i.e. by 1 <sup>st</sup> October 2009 Enforcement Notice complied with – remove from Active List.
12/09	6 Cottenham Road HISTON	39	Enforcement Notice issued in respect of breaches of control – Compliance period six months i.e. by 30 <sup>th</sup> March 2010. Appealed – Hearing date 9 <sup>th</sup> March 2010.
16/09	The Barn Chesterton Fen Road MILTON	39	Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6 <sup>th</sup> February 2010. Appealed - Inquiry 13 <sup>th</sup> & 14 <sup>th</sup> April 2010.
17/09	80 High Street MELBOURN	39-40	Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 5 <sup>th</sup> April 2010. Appealed – Planning Appeal Dismissed 10 <sup>th</sup> November 2009. Enforcement Notice Appeal withdrawn.