



REPORT TO: Planning Committee

04 February 2020

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases received and investigated, and of enforcement notices served in December 2019.

Executive Summary

2. There are currently at the end of January 2020, 74 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

Updates to significant cases

5. Updates are as follows:

(a) Whaddon – 9A Bridge Street

Without planning permission, the erection of a six-metre-high pole for CCTV equipment. Enforcement Notice SCD-ENF-094/17/A was issued with a compliance date of 25th November 2017 to remove the pole and CCTV equipment. The notice has not been complied with and a file was submitted to the Councils Legal office to issue a Summons. The date of the summons was set for 10am 15th March 2018 however the accused did not attend, and the Court issued a Warrant for his arrest. Case continues - No further information at this time – Legal office have liaised with the Court and have been informed that the Arrest Warrant is live and waiting to be executed by Police. Referred to Legal as Police have no current knowledge of the Warrant – No further details are available at this time. Councils Legal and Planning department to review next steps including Injunctive action to remove unauthorised Pole and CCTV camera. Report to be submitted to Planning Committee seeking approval for direct action – Costings now obtained, and it is proposed to take direct action for the removal of the unauthorised pole and CCTV equipment.

Direct action authorised by Planning Committee 11th December 2019. Action date 02/03/20.

(b) **19 Bandon Road Girton**

Not built in accordance with approved drawings relating to visibility splays Breach of Condition Notice issued 22 February 2018 with 28-day compliance period. Despite compliance discussions with the builder works still not carried out. Prosecution file has been raised, waiting issue of summons, still with legal Legal case officer now allocated waiting for further information as to timing

(c) **Burwash Manor Farm**

Without planning permission, the erection of children's play equipment within land designated as Green Belt. A retrospective planning application, reference S/3494/18/FL had been refused. The size, scale and height of the development is contrary to paragraph 144 of the National Planning Policy Framework (NPPF) 2019. The enforcement notice issued requires the owners to cease the use of the play equipment specifically the adventure tower and remove the play equipment from the land. The compliance period is one (1) month from the date it takes effect on the 21 May 2019 – A Planning Appeal has been submitted to the Inspectorate on the 20th May 2019 – Date to be advised

(d) **Cottage Nursery, Cardinals Green, Horseheath**

Without planning permission (Advert Consent) displaying advertising signs measuring 6ft x 4ft for Cardinal Barns Kitchen and Blooms @ the Barn. On the junction of Howards Lane and the A1307 and a further smaller sign at the entrance to the nursery advertising Caravan Site which is approximately 1 metre square. Although the owner of Cottage Nursery was informed of the breach and asked to remove them by the 14 March 2019. The owner of the site failed to remove the signs and when interviewed under caution stated that "Do what you want I am not going to remove them" As a result of a criminal offence being committed by displaying unauthorised signs a prosecution file has been raised. Awaiting issue of summons.

Investigation summary

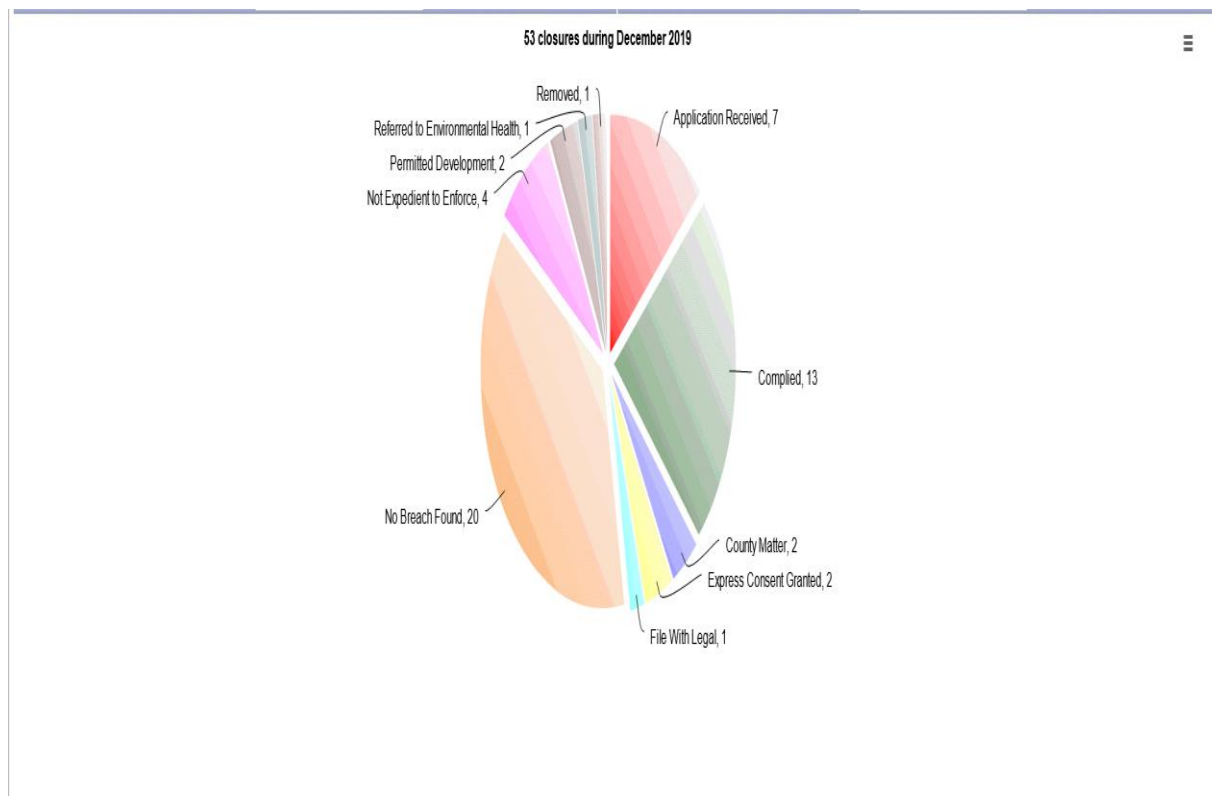
- 6 Enforcement Investigations for December 2019 reflect an increase in the number of cases investigated when compared to the same period in 2018. Thirty-nine (39) cases in total for the December period versus thirty-five (35) cases in 2018.

The year to date comparison 2019 versus 2018 revealed a reduction of 55 cases less for the same period.

It should be noted that whilst investigations carried out so far this year are less than 2018, they exceed the 2017 results for the same period – Plus 13 cases.

A review of the fifty-three (53) cases closed in December 2019 revealed that 22 cases were found not to be in breach of planning control or were permitted development, 13 cases complied, 7 cases applications received, and 4 cases were not expedient to enforce. The

remaining 7 cases were as a result of Express Consent Granted, awaiting issue of summons, County Matter, referred to Environmental Health or removed, (See Pie Chart).



Effect on Strategic Aims

7. South Cambridgeshire District Council delivers value for money by engaging with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

Background Papers:

The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

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