

REPORT TO:

Planning Committee July 2022

LEAD OFFICER:

Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 1st July 2022 there were 172 open cases in South Cambridgeshire, compared with 165 cases the previous month.
2. 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.
3. Statistical data including June 2022 is contained in Appendices 1 and 2 to this report.

Updates to Service Delivery

With the advent of the departure of Lead Principal Enforcement Officer Will Holloway, there is a vacancy in a Principal Enforcement Officer role. Enforcement Team management is being currently been undertaken by Toby Williams.

The Planning Enforcement Team is part of the Development Management service of the Greater Cambridge Shared Planning Service and I have attached below an organisational chart of the team for your information.

Toby Williams
Interim Development Manager (East Team) and Planning Compliance

Vacant
Principal Planning Compliance Officer

John Shuttlewood
Principal Planning Compliance Officer (2 days a week)

Alistair Funge
Senior Planning Compliance Officer

Nick Smith
Senior Planning Compliance Officer

Tony Wallis
Acting Senior Planning Compliance Officer

Cambridge City only

Neil Langley
Senior Planning Compliance Officer

South Cambridgeshire Only

Charlie Jones
Planning Compliance Officer

Updates on significant cases

Should Members wish for specific updates to be added to the Enforcement Report then please request these from the Principal Planning Compliance Officer and they will be added to the next available Planning Committee. If Members would like further information as part of this report then please contact the Principal Planning Compliance Officer.

Updates are as follows:

Due to changes in personnel within the team and annual leave being taken during June, limited updates are provided on items which formed part of last month's report. Officers are aware of Member requests for updates and will work to provide these in the forthcoming months.

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 – Appeal allowed; Enforcement Notice quashed.

Replacement notice to be drafted and served. Enforcement Notice served on 9th July 2020. Compliance visit to be carried out after 7th October. Late Appeal rejected

by PIN's. Stephen Kelly in talks with owner to re-site playground on suitable land. Site visited by Enforcement and Environmental Health Officers 16th December. No agreement reached consideration to be given to prosecution for failing to comply with the enforcement notice.

Partial compliance with notice following joint site visit with Environmental Health confirms that the Hobbit House has been removed but the associated wooden chairs remain along with the main playground structures. The playground has been closed over the past year but harm is still being caused by people sitting in the area where the hobbit house was.

Planning application reference 21/03587/FUL was submitted for the retention of two pieces of play equipment and the introduction of an acoustic fence along the southern boundary however, this was refused on 26 April 2022. No appeal lodged at time of writing.

Elmwood House 13A High Street, Croxton, PE19 6SX

Extension and garage granted permission by S/2126/18/FL, not constructed as approved plans and approved materials not used. Retrospective application S/0865/19/FL to retain as constructed refused. Enforcement Notice requiring garage and extension to be demolished served, 18 December 2019. Enforcement Notice appealed. Appeal process commenced.

29 April 2020.

Appeals resulted,

Appeal A, allowed on ground (f), the appellant now has three options, (i) Demolish completely, (ii) Demolish to brick plinth level and rebuild as S/2126/18/FL or (iii) Remove exterior render finish and replace with brick tiles to match existing and construct roof as approval S/2126/18/FL.

Appeal B, planning permission should be allowed for development as built, dismissed.

Compliance date 30th December 2020.

Site visit carried out on 18/01/21, 25/02/21 and 12/04/21 and the notice has not been complied with.

A further application under reference 20/01408/HFUL has been submitted and agreement with Area Manager that all Enforcement action will be held in abeyance pending the outcome of the application, which is not yet determined. A subsequent application (22/01901/HFUL) has also been submitted at the site which is being considered.

Smithy Fen, Cottenham, Cambridge, Cambridgeshire, CB24 8PT

This is a site with an extensive history of formal Notices being served, injunctions and prosecutions being carried out. Due to the complex nature of the site an outside company Ivy Legal have been tasked with reviewing the site history and providing a detailed report on recommended actions that can be considered by the Local Planning Authority.

The report is in the final draft stage and members will be updated as soon as it is complete. Internal discussions between all departments are currently ongoing with how best to move this matter forward with recommendations from the Enforcement Group to be provided within two months to Leadership Group.

A briefing Note has been forwarded to Stephen Kelly with details of requirements from key stakeholders and other interested parties with regards to the possibility of serving Planning Contravention Notices on all occupants with the assistance of Ivy Legal. Consideration to be given to the resourcing for this due to high numbers on site, consideration and support for those that are unable to read and write as well as any other considerations.

Ivy Legal have now formally been requested to advise on how they can assist in moving the project of serving approximately over 100 Planning Contravention Notices forward and swiftly. A multi-agency meeting was held with Ivy Legal on 25th February 2022 to agree the approach with regards to Planning Contravention Notices on site and support needed.

Pathfinder Way, Northstowe, Cambridgeshire, CB24 1AA

A Temporary Stop Notice was served on 21/09/21 to cease piling. Evidence from residents is being collated and forwarded to Legal to commence a prosecution. All works have stopped in respect of piling. Planning Compliance Team are continually being updated by Planning Officers and will take further action if directed to do so.

Land At Haden Way, Willingham, Cambridge, Cambridgeshire, CB24 5HB

A Breach of Condition Notice was served on 23rd September 2021 with regards to piling on site. All works have ceased in relation to the piling. A meeting between members and residents took place on 7th October 2021 and a further meeting on 29th October 2021.

No requirement for further action, though it will be continued to be monitored.

Land To North And South Of Bartlow Road, Linton, Cambridgeshire

The only outstanding matter regarding conditions relates to foul water drainage (condition 11) which is the subject of an appeal that is still in progress.

Pleasant View, Ely Road, Landbeach, CB25 9NW

This complaint relates to the positioning and residential use of mobile homes on the site and the raising of land levels to the rear of the site where it is close to Bluebell Woods.

The LLFA have assessed the site and the land raising and are of the opinion that the raised land of 30-45cm has little to no effect on the site at both Pleasant View and Bluebell Woods and that the drainage present is adequate. There are civil remedies available to neighbours that would not require consent.

A Planning Contravention Notice was served on 11th February 2022 requiring information on the status of the mobile homes and tourers on the site and their relationship to the dilapidated residential dwelling on the site. A response was

received to the PCN from Matthew Green from Green Planning Studio Ltd on 4 April 2022. Enforcement officers are satisfied there is no breach of planning control and the site is not being used as a caravan site for travellers. The case is now closed.

Background Papers

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

Appendices

Appendix 1: Enforcement Cases Received and Closed.

Appendix 2: Notices Served.

Report Author:

John Shuttlewood – Principal Planning Enforcement Officer Date: 5/7/22