

INDEX OF CURRENT ENFORCEMENT CASES
7th October 2009

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 th May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 th 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 th 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 th October 2008 – Injunction application stayed until the 2 nd January 2009 Appeals to the House of Lords dismissed. Committal hearing adjourned on 13 th March 2009 for two weeks. 27 th 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 th August 2009 – Static caravans removed from site and area cleared. Land now protected by an earth bund and will be monitored.

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19/03	Land adjacent to Moor Drove Cottenham Road HISTON	15-17	Application for injunction refused by the High Court, 5 th 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	17-20	Defendant appeared at Cambridge Magistrates Court on 10 th 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 th 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.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	20-21	Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	22-23	Three year temporary planning permission granted for 3 plots. Injunction granted on 18 th 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 & 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. 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 th July 2009. Appeal successful, three year temporary consent granted – Costs awarded against SCDC.

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4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	24-25	Appeal dismissed on 29 th January 2007. File submitted for an application for an injunction.
8/06	1 London Way Clunhpits MELBOURN	25-26	Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly.
12/06	Unit J Broad Lane COTTENHAM	26-28	Planning application S/0334/08/F refused and Appeal lodged. At Cambridge Magistrates Court on 29 th 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 rd September 2008. Appeal Inquiry date 2 nd & 3 rd December 2008. Appeal allowed - Conditions to be monitored.
7/07	The Drift Cambridge Road BARTON	28-29	Appeal dismissed on the 1 st April 2008. Compliance date 1 st October 2008 Partial compliance. Discussions continue.
12/07	The Firs 117 Duxford Road WHITTLESFORD	29-30	Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25 th April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10 th 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.

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16/07	38 Silver Street WILLINGHAM	30	Enforcement Notice issued 28 th September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10 th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19 th March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance.
1/08	7 Flitmead CAMBOURNE	31	Appeal dismissed 16 th June 2008. Enforcement Notice Compliance date 16 th 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. Insufficient evidence to proceed – File remains open.
5/08	27/28 Newfields Fen Road Chesterton MILTON	31-32	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6 th May 2009, four months compliance period. Further planning application received and registered.
6/08	6 Sunningdale Fen Road Chesterton MILTON	32	Enforcement Notice appealed. Inquiry date 10 th February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18 th August 2009. Planning application received and registered.
18/08	43 Fowlemere Road HEYDON.	33	Enforcement action authorised by Planning Committee on 2 nd July 2008. File submitted to legal. Enforcement Notice issued 11 th November 2008 3 Months compliance period - Appealed. Appeal allowed and planning permission granted 28 th August 2009 – Remove from active list.
10/08	Elizabeth House High Street HORNINGSEA	33	Enforcement Notice issued – Appealed. Appeal allowed in part. Compliance period three months i.e. by 27 th August 2009. Property has changed hands new owner unaware of legal obligation, and has requested additional time to comply.

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11/08	5 Home Farm 89 High Street HARSTON	34	Listed Building Enforcement Notice issued – Appealed. Appeal dismissed.
12/08	Plot 4 Moor Drove HISTON	34	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 th June 2009 Conditions to be monitored.
13/08	49 High Street MELBOURN	34-35	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 th July 2009. Male Defendant ejected from court, case adjourned until 23 rd July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520.
14/08	26 Granhams Road GREAT SHELFORD	35	Enforcement Notice issued Appealed. Appeal dismissed – Compliance to be monitored. Enforcement Notice complied with – Remove from active list.
01/09	82 High Street GREAT ABINGTON	35	Listed Building Enforcement Notice no 3342 issued 6 th 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.
04/09	1 Hinton Way GREAT SHELFORD	36	Enforcement Notice issued for unauthorised siting of a steel storage container – Compliance date 12 th July 2009. Appealed.

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06/09	16a Norman Way Industrial Units OVER	36	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.
07/09	163 High Street SAWSTON	36	Listed Building Enforcement Notice issued for dismantling and removal works without authorisation. Appealed.
09/09	White Horse Public House 12 Greenside WATERBEACH	36	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	37	Enforcement Notice issued in respect of a change of use – Compliance period three months i.e. by 1 st October 2009.
12/09	6 Cottenham Road HISTON	37	Enforcement Notice issued in respect of breaches of control – Compliance period six months i.e. by 30 th March 2010. Appeal submitted.
16/09	The Barn, Chesterton Fen Road MILTON	37	Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6 th February 2010.
17/09	80 High Street, MELBOURN	38	Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 5 th April 2010.