

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Planning Committee

6 November 2013

**AUTHOR/S:** Planning and New Communities Director

### Enforcement Report

#### Purpose

1. To inform Members about planning enforcement cases, as at 16 October 2013. Summaries of recent enforcement notices are also reported, for information.

#### Enforcement Cases Received and Closed

2. 

Period	Cases Received	Cases Closed
July	57	51
August	53	64
September	34	40
2 <sup>nd</sup> Qtr. 2013	147	157
1 <sup>st</sup> Qtr. 2013	108	133
<b>2013 YTD</b>	<b>399</b>	<b>445</b>
Q 1 (Jan – March) 2012	127	107
Q 2 (April – June ) 2012	107	96
Q 3 (July – September) 2012	98	148
Q4 (October – December) 2012	125	110
<b>2012 YTD</b>	<b>457</b>	<b>461</b>

#### Enforcement Cases on hand:

3. Target 150
4. Actual 91

#### Notices Served

5. 

Type of Notice	Period	Year to date
	September 2013	2013
Enforcement	0	5
Stop Notice	0	0

Temporary Stop Notice	0	0
Breach of Condition	0	1
S215 – Amenity Notice	1	4
Planning Contravention Notice	13	18
Injunctions	0	0
High Hedge Remedial Notice	0	0

#### Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
PLAENF 783	Hardwick	11 Ellison Lane	S215 Amenity Notice

7. 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.
8. Full details of enforcement cases can be found on the Councils Web-site

#### Updates on items outstanding from the disbanded Planning Enforcement Sub-Committee

9. Updates are as follows:
- a. **Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**  
Work still in progress regarding legal action relating to the current breach of enforcement. Additional concern rose since the March report regarding the stationing of a mobile home on the nursery land section and the importation of brick rubble to form a track to link the upper field to the main residence. Assessment to the Planning Contravention response and the site inspection 10<sup>th</sup> May 2013 has confirmed the breach of planning control relating to the engineering operation to the new track, and breaches relating to the planning enforcement notices. A report to the planning committee was prepared and submitted. The Committee authorised officers to apply to the Court for an Injunction under Section 187B of the Town and Country Planning Act 1990. Members agreed the reasons for the application as being the desire to protect and enhance the character and amenity of the immediate countryside and the setting of Cambridge, Stapleford and Great Shelford in view of the site's prominent location, and the need to address highway safety issues arising from access to the site directly from the A1307
  - b. **Q8, Foxton**  
Planning application in preparation - No further update available at this time
  - c. **Moor Drove, Histon**  
Application for two stables now validated, Site visited and consideration of application underway. Officers minded to approve the application subject to

conditions. Remove from active listing

## Summary

10. The number of enforcement cases investigated during the September period showed a 24.4% reduction when compared to the same month in 2012. Year to date 2012 revealed that the overall number of cases was down by approximately 1.51% which equates to 7 cases. Without exception the number of cases reported in August 2013 is the highest they have been since 2006

The numbers of cases on hand are 39.3% below the expected maximum number of cases per enforcement officer for the same period.

11. One planning enforcement case was referred to Cambridge Magistrates for summons
- 45 Church Lane Sawston – Failed to comply with s215 Amenity Notice served under the Town & Country Planning Act 1990, for failing to maintain the land contrary to s215 Town & Country planning act 1990. The case was proven in the owner's absence before D.J Sheraton at Cambridge Magistrates Court on Thursday 19<sup>th</sup> September 2013. The owner Mr Brian Potter was fined £400 with costs totalling £360 and £40 victim's surcharge.
  - Mr Potter has since appealed to the court to set aside the decision and will now return to court on the 14<sup>th</sup> November 2013 to hear legal arguments
12. In addition to the above work officers are also involved in the Tasking and Coordination group which deals with cases that affect more than one department within the organisation, including Environment Health, Planning, Housing, Anti-Social behaviour Officers, Vulnerable Adults and Safeguarding Children Teams.

**Background Papers: the following background papers were used in the preparation of this report:** None

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Principal Planning Enforcement Officer