



REPORT TO: Planning Committee
LEAD OFFICER: Planning and New Communities Director

8 January 2014

Enforcement Action Update

Purpose

1. To inform Members about planning enforcement cases, as at 18th December 2013. Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
1 st Qtr. (Jan – March) 2013	108	133
2 nd Qtr. (April – June) 2013	147	157
3 rd Qtr. (July – Sept) 2013	144	155
October 2013	49	44
November 2013	36	38
2013 YTD	484	527
1st Qtr. (Jan – March) 2013	127	107
2nd Qtr. (April – June) 2013	107	96
3rd Qtr. (July – Sept) 2013	98	148
4 th Qtr. (Oct – Dec) 2012	125	110
2012 YTD	457	461

Enforcement Cases on hand:

3. Target 150
4. Actual 92

Notices Served

5.

Type of Notice	Period	Year to date
	November 2013	2013
Enforcement	0	6
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	1
S215 – Amenity Notice	0	4
Planning Contravention Notice	0	19
Injunctions	0	0
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
None Issued			

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 that are of particular note

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 noted 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 10th 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

The Injunction statement has been prepared and is currently being considered by Counsel

b. Q8, Foxton

Planning application in preparation - No further update available at this time

c. 1-6 Pine Lane – Smithy Fen

Previously the subject of a planning consent resulting from an appeal decision 14th October 2003 under reference APP/W0530/C/03/1113679 The planning permission is no longer valid as the owners have failed to comply with their planning permission relating to conditions. Additionally a further permission granted at appeal for plots 4 & 5 Pine Lane 30th August 2012 under reference APP/W0530/A/12/2170121 has also lapsed due to planning conditions contained in the appeal decision not being complied with/met. A planning application for plots 4/5 has been submitted but not validated. An application for the remaining plots in Pine Lane, 1, 2, 3 & 6 is in the process of being submitted.

Valid planning applications relating to plots 1-6 inclusive have not been received as requested therefore a file has been submitted to legal requesting the issue of a planning enforcement notice.

d. Portelet High Street, Croydon

Complaint received regarding a statutory noise nuisance following a change of use at the property to a dog breeding business. Investigations so far have revealed that there is a change of use at Portelet but a statutory noise nuisance has not been substantiated. Retrospective planning application for the change of use has been submitted.

e. Buckinghamway Business Park, Swavesey

Complaint received regarding the stationing of buses belonging to Sun Fun Travel on land adjacent to the business park without the benefit of planning. Enquiries continue

f. Co-Op School lane Cambourne

Erection of two signs contrary to the Town & Country Planning (Control of Advertisements) (England) Regulations 2007. One of the signs erected had been the subject of a planning application but was refused prior to installation. Negotiations continue with the agent acting for the Co-Op for the signs to be removed.

Summary

10. The number of enforcement cases investigated during the November period showed a 9.1% increase 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.

The numbers of cases on hand are 63% below the expected maximum number of cases per enforcement officer for the same period. Cases on hand have shown a reduction during the November period of 8.69%

11. The number of enforcement officer posts within the planning team has now reduced to two members of staff following the end of a fixed term position. Situation continues to be monitored.
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.

Effect on Strategic Aims

13. This report is helping the Council to deliver an effective enforcement service for Members, Parishes and members of the Public including businesses

Aim 1 - We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money

Aim 3 - We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

Background Papers:

The following background papers were used in the preparation of this report: None

Report Author: Charles Swain – Principal Planning Enforcement Officer
Telephone: (01954) 713206