



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

5 November 2014

## Enforcement Report

### Purpose

- To inform Members about planning enforcement cases, as at 20<sup>th</sup> October 2014  
 Summaries of recent enforcement notices are also reported, for information.

### Enforcement Cases Received and Closed

Period	Cases Received	Cases Closed
1 <sup>st</sup> Qtr. (Jan – March) 2014	118	99
2 <sup>nd</sup> Qtr. (April – June) 2014	115	102
3 <sup>rd</sup> Qtr. (July – Sept) 2014	137	139
4 <sup>th</sup> Qtr. ( Oct – Dec) 2014	*	*
July 2014	59	59
August 2014	33	24
September 2014	45	56
<b>2014 YTD</b>	<b>370</b>	<b>340</b>
1st Qtr. (Jan – March) 2013	109	133
2nd Qtr. ( April – June) 2013	147	157
3rd Qtr. (July – Sept) 2013	145	155
4 <sup>th</sup> Qtr. (Oct – Dec) 2012	110	127
<b>2013 YTD</b>	<b>511</b>	<b>572</b>

**Enforcement Cases on hand:**

3. Target 100
4. Actual 101

**Notices Served**

5.

Type of Notice	Period	Year to date
	September 2014	2014
Enforcement	0	12
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	0	0
S215 – Amenity Notice	0	2
Planning Contravention Notice	0	3
Injunctions	0	0
High Hedge Remedial Notice	0	0

**Notices issued since the last Committee Report (None)**

6.

Ref. no.	Village	Address	Notice 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 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

The Injunction statement has now been considered by Counsel with further information being requested in order that the Injunction application can be submitted. Information is currently being collated in order to prepare a further report to submit to the Planning Committee.

Report prepared and formed part of the May Planning Committee Agenda. The Committee resolved to give officers the authority sought in paragraph 8 of the report from the Planning and New Communities Director for the reasons set out in paragraphs 9, 10 and 11. Further inspection of the land carried out, Statements under Legal consideration

**b. 1-6 Pine Lane – Smithy Fen**

Previously the subject of a planning consent resulting from an appeal decision 14<sup>th</sup> 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 30<sup>th</sup> 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. Notices have now been issued and are effective from 21<sup>st</sup> March 2014

Planning enforcement notice issued relating to plots 1 to 5 inclusive. Plot no6 is currently empty and not in breach of planning control. Planning application covering plots 1 to 5 inclusive subsequently submitted and validated. Planning Reference no S/0638/14 refers. Application referred to Planning Committee – Application considered by the Committee and refused contrary to officer recommendation within the report. A letter issued to owner/occupiers including a copy of the Planning decision notice and enforcement notice issued to Plots 1 to 5 Pine Lane instructing them to vacate the land as set out in the enforcement notice - Informed by the Planning Inspectorate (PINS) that an appeal has been submitted and validated. Start date offered is 18<sup>th</sup> February 2015

**c. Buckingway 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. Retrospective planning application submitted under reference no S/0065/14/FL– Outstanding items submitted, application now validated – Planning application with external planning consultants – Planning application considered, The Council refused permission for use of land for parking of double decker buses / coaches and the laying of surfacing, erection of metal fencing and a gate (Part Retention)

17<sup>th</sup> September 2014. In the absence of a planning appeal Sun Fun Travel to be instructed to vacate the land as soon as possible but no longer than 30 days. Situation to be monitored

**d. Land North West of Cambridge Road, Wimpole**

Without planning permission, the change of use of the affected land for the stationing and residential occupation of a mobile home Planning application submitted and validated. Planning enforcement notice issued, effective 30<sup>th</sup> April 2014 unless an appeal is made against it beforehand. Appeal against the enforcement notice submitted Waiting for start date. Planning application S/0583/14 delegated refusal. Planning appeal hearing to be held 2<sup>nd</sup> December 2014

**e. Pear Tree Public House, High Street Hildersham**

Complaint received regarding the reported change of use of the premises to residential without the benefit of planning. Investigation carried out; however the results did not reveal any breaches of planning control at this time. Further report received from parish council, content of which to be investigated.

**Summary**

10. As previously reported Year to date 2013 revealed that the overall number of cases investigated by the team totalled 511 cases which was an 11.8% increase when compared to the same period in 2012. Although the total number of cases YTD 2014 totals 370 cases which when compared to the same period in 2013 is a 7.7% reduction the September period totalled 45 cases, which was a 29% increase over the same period in 2013.
11. 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.
12. Although the number of enforcement officer posts within the team currently remains at two members of staff following the end of a fixed term position and secondment. The situation has been reviewed by senior management and it has been agreed to replace the post vacated by Debra Bell following her successful application into planning.

**Effect on Strategic Aims**

13. This report is helping the Council to deliver an effective enforcement service by

**Engaging with residents, parishes and businesses to ensure it delivers first class services and value for money**

**Ensuring that it continues to offer an outstanding quality of life for its residents**

**Background Papers:**

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

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