

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE
DATE: 15TH MARCH 2010
REPORT BY: SENIOR SOLICITOR
GROUP LEADER DEVELOPMENT MANAGEMENT
WARD: As listed in the report
COMMUNITY FORUM: As listed in the report

FOR PUBLICATION

TITLE: D255 and Non-exempt papers (if any) on relevant files

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

1.0 PURPOSE OF REPORT

1.1 To update members, and get further authority, on formal enforcement.

2.0 BACKGROUND

2.1 The table summarises formal planning enforcement by the Council.

3.0 INFORMAL ACTION

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). This year 135 planning enforcement cases have been resolved informally with another 48 cases in hand. More information from Planning Services.

4.0 MORE INFORMATION ABOUT THE TABLE

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

5.0 RECOMMENDATION

5.1 That the report be noted.

GERARD ROGERS
SENIOR SOLICITOR

PAUL STANIFORTH
GROUP LEADER
DEVELOPMENT MANAGEMENT

Further information on this report from
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ENFORCEMENT REPORT

Enforcements currently Authorised: 20

04 March 2010

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	<input type="checkbox"/> update <i>last update</i>	Ward CForum
Advertisement Discontinuance Notice		<i>Total currently Authorised: 5</i>		<i>Authorised to Issue Average: 57.8 days</i>					
Cavendish Street 17 (Fat Sam's)	27/02/09 370	advertisement and illuminated box sign		18/03/09 19	15/05/09 293	10/07/09 237	Additional time for compliance	<input type="checkbox"/> 17/09/09	SL HSL
Cavendish Street 27 (Nico's Plaice)	05/03/09 364	advertisement and means of display		24/03/09 19	22/05/09 286	14/08/09 202	Not complied after additional time. Offence.	<input type="checkbox"/> 22/01/10	SL HSL
Church Walk Beach Bar	12/11/08 477	Damaging to visual amenity of conservation area and against local policies	500/AD285	10/02/09 90	01/09/09 184	24/11/09 100	Appeal dismissed	<input type="checkbox"/> 17/09/09	SL HSL
Markham Road former Yeomans Warehouse	01/06/09 276	advertisement on east flank wall near carriageway		14/09/09 105			Appeal	<input type="checkbox"/> 19/11/09	
Stephenson Place 11-19 (Stephensons Tea and Coffee House)	12/05/09 296	projecting sign damages amenity and against local policies		07/07/09 56	18/12/09 76	18/02/10 14	Sign removed. Complied	<input checked="" type="checkbox"/> 04/04/10	SL HSL

Address	Authorised <i>days from</i>	Breach	CHE/ <i>days to issue</i>	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward CForum	
Breach of Condition Notice		<i>Total currently Authorised: 2</i>			<i>Authorised to Issue Average: 44 days</i>					
Chatsworth Road	The Grouse Public House, 136	17/06/09 260	failure to keep door closed except as emergency exit	09/00029/RET	10/09/09 85	11/09/09 174	09/10/09 146	<input type="checkbox"/>	06/08/09	
Stubbing Road	The Trumpeter	25/01/10 38	failure to comply with working times restraint	CHE/08/00686 /F111	28/01/10 3	29/01/10 34	26/02/10 6	Issued	<input type="checkbox"/>	29/01/10
Dilapidated Building Notice		<i>Total currently Authorised: 2</i>			<i>Authorised to Issue Average: 94 days</i>					
Highfield Road	18	10/03/08 724	seriously damaging to amenity		21/08/08 164	21/08/08 560	21/11/08 468	Progress to be monitored (05/01/09 decision) - works almost complete	<input type="checkbox"/>	SH DMS 22/01/10
Highfield Road	20	28/07/08 584	seriously damaging to amenity		21/08/08 24	21/08/08 560	21/11/08 468	Progress to be monitored (05/01/09 decision) - see above	<input type="checkbox"/>	SH DMS 22/01/10
Enforcement Notice		<i>Total currently Authorised: 8</i>			<i>Authorised to Issue Average: 45.17 days</i>					
Church Lane	14 - 18	22/06/09 255	flues		24/09/09 94	27/01/10 36	27/04/10 -54	Appeal dismissed 27/01/10. Application for cloaking approved 22/12/09	<input checked="" type="checkbox"/>	SL DMS 18/02/10

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward CForum
Crow Lane	4	26/10/09 129	extension	08/00805/FUL	11/11/09 16	14/12/09 80	15/08/10 -164	Complied (and approved scheme implemented)	<input checked="" type="checkbox"/> 22/02/10	BS BT
Linacre Road	Holmebrook Tavern	30/11/09 94	raised timber decking area		20/01/10 51	22/02/10 10	22/05/10 -79	Issued	<input type="checkbox"/> 04/12/09	L NB
Mansfield Road	The Co-op 5A	01/02/10 31	2 roller shutters					Complied without formal action	<input checked="" type="checkbox"/> 22/02/10	Ha HSL
Markham Lane	Unit 58 M1 Commerce Park	30/11/09 94	use as a café	CHE/07/00315 /C.O.U.	20/01/10 51			Appeal	<input type="checkbox"/> 22/02/10	HI St
Newbridge Lane	11a	07/07/08 605	change of use of garage to residential		12/08/08 36	17/02/09 380	17/05/09 291	Appeal dismissed. Some steps taken. Property on market - agents informed of restrictions	<input type="checkbox"/> 17/09/09	NW BHW
Sycamore Road	15	01/06/09 276	ramped access					attempt to agree acceptable scheme before formal action	<input type="checkbox"/> 01/06/09	HI St

Address	Authorised days from	Breach	CHE/	Issued days to issue	Effective days to (-) /from	Comply days to (-) /from	Notes	update last update	Ward CForum
Whittington Road Handley Wood Farm	27/09/04 1,984	mixed residential/vehicle processing and storage		20/10/04 23	25/05/05 1744	25/02/06 1468	Application for access approved. DCC has approved highway changes. Owner chased as to progress on implementing approved scheme	<input type="checkbox"/> 17/09/09	BHW BHW

Enforcement Notice (Listed Building)

Total currently Authorised: 2 Authorised to Issue Average: 36.5 days

Linacre Road Holmebrook Tavern	30/11/09 94	change to window		20/01/10 51	22/02/10 10	22/08/10 -171	Issued	<input type="checkbox"/> 04/12/09	L NB
St Marys Gate 2 (S41 Bar)	01/02/10 31	illuminated sign		23/02/10 22	26/03/10 -22	21/05/10 -78	application for retention, and subsequent appeal, dismissed. Issued	<input type="checkbox"/> 01/02/10	SL HSL

Section 215 Amenity Notice

Total currently Authorised: 1 Authorised to Issue Average: 133 days

McMahon Avenue 57	03/08/09 213	car parts, tyres, timbers and scrap metal etc		14/12/09 133	13/01/10 50	10/03/10 -6	Issued	<input type="checkbox"/> 04/12/09	HI St
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Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers

Key to Forum and Ward abbreviations: BHW Barrow Hill and Whittington: BNW Barrow Hill and New Whittington, OW Old Whittington • BT Brimington and Tapton: BN Brimington North, BS Brimington South • DMS Dunston, Moor and St Helens: D Dunston, Mo Moor, SH St Helens • HSL Hasland and St Leonards: Ha Hasland, SL St Leonards • HR Holmebrook and Rother: Hb Holmebrook, R Rother • NB Newbold and Brockwell: B Brockwell, L Linacre, LG Loundsley Green, N Newbold • St Staveley: HI Hollingwood and Inkersall, LW Lowgates and Woodthorpe, MP Middlecroft and Poolsbrook • WW Walton and West: Wa Walton, We West