
TITLE: INFORMATION ITEM - SIX MONTHLY REPORT ON PLANNING ENFORCEMENT: 1 July 2014 - 31 December 2014

Committee: Planning Committee

Date: 4 February 2015

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1.0 ISSUE

- 1.1 This is a six monthly update to the Planning Committee reporting details of complaints received, levels of work outstanding, and cases resolved between 1 July 2014 and 31 December 2014.
- 1.2 The type of complaint investigated includes breaches of planning control, (consisting of an unauthorised operational development or use,) failure to comply with planning conditions, development other than in accordance with an approved plan, illegal advertisements, unauthorised works to listed buildings and high hedges. The Local Planning Authority has a duty to investigate breaches of planning control, but is able to exercise discretion in relation to taking enforcement action.
- 1.3 Finally the report highlights 'proactive cases' and work undertaken, including monitoring planning conditions.
- 1.4 The Planning Enforcement team consists of one full-time officer (post currently vacant) and two officers on a full-time job share. These officers deal mostly with reactive complaints. In addition a part-time officer is responsible for monitoring planning conditions

2.0 RECOMMENDATION

- 2.1 That the report be noted.

3.0 BACKGROUND

- 3.1 174 unresolved and outstanding reactive cases were brought forward into this reporting period. 127 new cases were received in this 6-month period, resulting in the total number of cases being 301. There were 156 cases investigated, resolved and closed, and as of 31/12/2014 there were 145 cases outstanding.
- 3.2 Of the cases closed, the following information has been captured regarding their closure. The previous 6 months figures are shown in brackets for comparison.

- Referred to other section 5% (7%)
- Lawful by passage of time 3% (3%)
- No further action 9% (6%)
- Permitted Development 9% (8%)
- Remedied following informal action 18% (28%)
- Planning Application Approved 12% (9%)
- No breach established 29% (25%)
- Other 9% (11%)
- Conditions discharged 0% (1%)
- Amended application approved 0% (0%)
- De minimis 1% (1%)
- Notice issued and complied with 1% (1%)

3.3 The following formal notices have been served during the reporting period:

- 9 Redmere, Ely - S330 Notice
- 9 Stretham Road, Wicken - Planning Contravention Notice
- Land North of 23 The Oaks, Soham - Planning Contravention Notice
- 48 Cambridge Road, Ely - Planning Contravention Notice
- Sappers Rest, Chatteris Road, Mepal - Planning Contravention Notice
- Meadow View Campsite, Lower Road, Wicken - Planning Contravention Notice
- Land adjacent 16 Bridge Road, Mepal - Planning Contravention Notice
- 11 Rowan Close, Haddenham - S330 Notice

3.4 No cases were referred to the Ombudsman and although various enquires were made regarding the High Hedges legislation, no complaints were validated.

3.5 The following figures are in addition to the cases reported at 3.1 above and represent the proactive work undertaken by the team. There were 148 cases selected for active monitoring. There were 71 cases checked and deemed not to require planning permission or were permitted development. There were 62 cases checked where planning permission had been granted.

3.6 In addition to the above there is an ongoing monitoring caseload including:

- DISA applications chased and monitored
- Cases monitored for condition trigger dates being reached and necessary submissions chased
- Monitoring of Approved Inspector cases for completions and chasing any outstanding conditions
- Advising CIL team of relevant commencements

4.0 CONCLUSIONS

- 4.1 The number of new reactive cases received in 2014 is down slightly on 2013, but it is still the 2nd highest intake in the last 5 years. Nothing has been observed which suggests that the long term trend is downward. Similarly there is nothing in the case closure data which indicates any significant development.
- 4.2 This reduction in new cases has resulted in the total caseload outstanding being reduced to 145, which is 20 down on December 2013. Income generated through planning fees and CIL in 2014 stands at just under £35,000.
- 4.3 There remains approximately a dozen cases which will at some time require an additional resource to address. These are cases where formal action may be required and due to current levels of work and resources are sitting in abeyance.
- 4.4 As advised in previous reports, it is important to have full control over the enforcement caseload. There is little flexibility within the team to react to any unforeseen breaches and this is a concern, especially given the North of Ely development is on the horizon.

5.0 FINANCIAL IMPLICATIONS

- 5.1 None

6.0 APPENDICES

- 6.1 None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	Room 008 The Grange Ely	Peter Preston Development Monitoring Officer peter.preston@eastcambs.gov.uk (01353) 665555