

CARLISLE CITY COUNCIL

Report to:- **Development Control Committee**

Date of Meeting:- **25th January 2013**

Agenda Item No:-

Public

Title:- **QUARTERLY REPORT ON PLANNING ENFORCEMENT**

Report of:- **Director of Economic Development**

Report reference:- **ED 03/13**

Summary:-

This report presents a current update on the scope of activities undertaken by the Councils Planning Enforcement Officer.

Recommendation:-

That Members note the contents of this report

Contact Officer: Martin Tickner

Ext: 7175

J Meek

Director of Economic Development

16th January 2013

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1. PURPOSE OF THE REPORT

This report presents a current update on the scope of activities undertaken by the Planning Enforcement Officer.

2. OVERVIEW OF ACTIVITY

As at 31st December 2012, 179 enforcement cases had been recorded during 2012.

- 8 relate to a breach of planning conditions
- 6 relate to the siting of residential caravans
- 15 relate to agricultural land or buildings
- 89 relate to works at domestic properties
- 31 relate to works or activities at commercial properties
- 7 relate to housing schemes
- 23 relate to unauthorised signage

126 cases from 2012 (as at 31st December) have been resolved either through negotiation or where site visits have revealed that no breach of planning control has actually taken place or where necessary, planning applications have been submitted and approved. In addition 2 cases from 2010 and 10 cases from 2011 are still active (see attached list)

Year	No. of cases	Cases Resolved	Outstanding	Percentage resolved
2008	198	198	0	100.0%
2009	232	232	0	100.0%
2010	226	224	2	99.1%
2011	250	240	10	96.0%
2012	179	126	53	70.4%

3. UPDATE ON ENFORCEMENT NOTICES & SECTION 215 NOTICES

Keysmount Farm, Blackford – Installation of single feed silo on the highway verge. An application to retain the silo was refused by members on 14th December 2012 and enforcement action is being taken.

170 Whernside – Erection of car port over rear yard. An Enforcement notice has been issued, however, compliance had not taken place within the permitted time scale. The matter was referred to the Magistrates Courts on 9th December 2012 and was adjourned until 16th January 2013. The necessary works to ensure compliance were achieved on 15th January.

The Centurion Inn, Walton - Change of use of public house. An enforcement notice was issued on 2nd May 2012 to take effect on 2nd July 2012. An appeal lodged against the notice was dismissed and the compliance period now expires on 19th April 2013.

Beyond the Moss, Penton – Demolition of an existing dwelling and erection of replacement dwelling. The new dwelling has now been constructed and is occupied; however the existing empty dwelling is still on site contrary to a planning condition. The County Archaeologist has recently visited the site in respect of a watching brief during demolition works. A Demolition Notice has now been lodged with the Council and the existing property is expected to be demolished by 31st March 2013.

Washbeck, Scotby – Change of use of land for the stationing of one mobile home and one touring caravan for residential purposes including hard standing, stable block and utility/day room. Planning permission has been refused by members, the applicants have appealed and an informal inquiry took place at the Civic Centre on 8th January 2013. A decision is expected shortly.

4. TRAINING COURSES

The next meeting of the Cumbria Planning Enforcement Group will take place at Cumbria County Council Offices, Kendal in May 2013.

The Annual Trevor Roberts Associates Enforcement Forum takes place at Staff House Conference Centre, Manchester in October 2013.

5. RECOMMENDATION

That Members note the contents of the report

6. IMPLICATIONS

- Staffing/Resources – Officers within the Economic Development Directorate have been working to resolve these matters with developers, agents and other representatives
- Financial – Officers have attended enforcement related training courses within existing budget
- Legal – Legal advice has been sought for approval of notices
- Corporate – The work outlined in this report will help deliver the Corporate Plan objective that relates to achieving improvements in the quality of the local environment

- Risk Management – Not applicable
- Equality and Disability – Not applicable
- Environmental – The service of Enforcement Notices and Section 215 notices helps to protect the amenities of neighbouring residents
- Crime and Disorder – Not applicable
- Impact on Customers – The service of Enforcement related notices helps to prevent an unacceptable impact on neighbouring properties

Impact assessments

Does the change have an impact on the following?

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the policy/service impact on the following?		
Age	No	
Disability	No	
Race	No	
Gender/ Transgender	No	
Sexual Orientation	No	
Religion or belief	No	
Human Rights	No	
Health inequalities	No	
Rurality	No	

If you consider there is either no impact or no negative impact, please give reasons:

The impact created by unauthorised work has the potential to affect the immediate environment and residents in the vicinity and is not directed at a single group/area

If an equality Impact is necessary, please contact the P&P team.

2010 OUTSTANDING CASES**2**

10/0130	Beyond The Moss, Penton (Demolition of existing dwelling)	Demolition notice submitted 12/12/12, to be demolished by 31/3/13
10/0182	Hayton High Estate, Hayton (Creation of ponds etc.)	Current application waiting to be determined

2011 OUTSTANDING CASES**10**

11/0021	land opp. The Drove Inn, Roweltown (siting of residential caravan)	Enforcement notice issued, compliance period to 9th February 13
11/0110	Peppermoss, Penton (siting of mobile home)	Mobile home on site - not occupied
11/0120	Centurion Inn, Walton (change of use of public house)	Enforcement notice issued, compliance period to 19th April 13
11/0187	Washbeck, Scotby (siting of residential caravan etc)	Application refused, an informal inquiry took place on 8th January, a decision is awaited
11/0203	Caledonian Inn, Botchergate, Carlisle (damaged guttering to front elevation)	Waiting for owners to repair guttering
11/0217	Mary Street Car Park, Carlisle (extension to existing car park)	Following recent discussions with planning consultants, an application is expected shortly
11/0221	Ferry Cottage, Great Corby (New access track)	Breach of condition relating to access track, amended details are receiving consideration
11/0226	84-86 Botchergate, Carlisle (creation of car park)	An application to use the land as a car park has not materialised and enforcement is likely
11/0244	209 Blackwell Road, Carlisle (erection of 5 dwellings)	Breach of condition relating to highway works, to be concluded shortly
11/0246	land opp. Hollow Creek, Kirkandrews-on-Eden (siting of residential caravan)	Current application waiting to be determined