

Development Control Committee

Agenda
Item:
A.2

Meeting Date: 3rd October 2014

Portfolio:

Key Decision: No

Within Policy and
Budget Framework

No

Public / Private

Public

Title: QUARTERLY REPORT ON PLANNING ENFORCEMENT

Report of: Director of Economic Development

Report Number: ED 35/14

Purpose / Summary:

This report presents an update on the scope of activities undertaken by the Councils Planning Enforcement Officer

Recommendations:

That Members note the contents of this report

Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

1. OVERVIEW OF ACTIVITY

As at 22nd September 145 cases have been recorded during 2014.

- 11 relate to agricultural land or buildings;
- 79 relate to works at domestic properties;
- 28 relate to works or activities at commercial properties:
- 9 relate to unauthorised signage;
- 15 relate to siting of caravans and
- 3 relate to housing developments

8 cases remain active from 2013

2. UPDATE OF ENFORCEMENT NOTICES

Woodlands View, Sandysike – Stationing of caravans. An appeal was lodged against the refusal of planning permission. A hearing took place on the 1st April 2014, following which the Planning Inspector allowed the appeal on 2nd July 2014.

Land adjacent to 25 Ladysteps, Scotby – Siting of touring caravan for residential purposes. This field has been used to store agricultural machinery in connection with the applicants farming business. Originally the caravan was being used as accommodation on a seasonal basis for agricultural purposes; however the tenant has continued to use the touring caravan for residential purposes on a more regular basis, alleging that seasonal use may extend up to 12 months. An enforcement notice was issued seeking cessation of the residential use and removal of the touring caravan from the land. An appeal was lodged with the Planning Inspectorate. The planning inspector allowed the appeal on 22nd August 2014 and the caravan can therefore remain on the land.

Land at Skelton House, Wetheral - A Temporary Stop Notice was served on Citadel Estates Ltd. (the developers) on 14th January 2014 for a period of 28 days i.e. until 10th February 2014. Workmen arrived on site on 4th February to carry out drainage works. These works were considered to contravene the terms of the Temporary Stop Notice. The Council proceeded to prosecute Citadel Estates Ltd. in the Magistrates Court for a breach of the TSN. On 10th September, the company pleaded guilty and the Magistrates fined Citadel Estates Ltd. £8,500 plus costs and a victim surcharge. The bench said that ***‘they were satisfied this was not a low/no culpability offence. They found that the breach was a deliberate act, it was for financial gain, the notice was disregarded from the outset, and the development had no planning permission. The actions significantly undermined the planning regime’.***

Land at South View, Houghton – Storage of motor vehicles. Members may recall that planning permission was refused at the meeting on 7th March. An enforcement notice was served on the land owner to remove the vehicles from the land. No appeal had been lodged and the vehicles were removed from the land on 21st July 2014.

Land at Rowbank Wood, near Milton, Brampton – A company known as woodlands.co.uk have bought Rowbank Wood, Milton with a view to selling off the land in separate parcels to interested parties. Materials have been brought into the woodland to create new pathways and parking areas without the benefit of planning permission. Enforcement action has been authorised requiring the land owners to reinstate the land to its former condition.

Little Orton Farm, Little Orton – Members may recall refusing a planning application to site a log boiler and to install an associated flue at this property. The applicants subsequently lodged an appeal with the Secretary of State, the appeal was dismissed on 27th August 2014 and enforcement action will be taken to ensure removal of the log boiler and flue.

3. TRAINING COURSES

The next meeting of the Cumbria Panning Enforcement Group will take place in November at the offices of Eden District Council, Penrith.

4. RECOMMENDATION

That Members note the contents of this report

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

5.1 Not applicable

Contact Officer: Martin Tickner

Ext: 7175

Appendices **None**
attached to report:

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**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources - None