

Enforcement Report

SUMMARY

1.1 This report summarises the current work load of the enforcement officer.

RECOMMENDATION

2.1 To note the level of complaints dealt with by the officer.

REASONS FOR RECOMMENDATION

3.1 This report is for information only.

SUPPORTING INFORMATION

4.1 The intention is that a report will be presented to Committee every two months.

OTHER OPTIONS CONSIDERED

5.1 None.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Paul Clarke
For more information contact: Background papers: List of appendices:	Paul Clarke Tel: 01332 641642 e-mail paul.clarke@derby.gov.uk Planning Application files Appendix 1 – Implications

	Appendix 2 – Enforcement Report update
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IMPLICATIONS

Financial and Value for Money

1.1 None.

Legal

2.1 None.

Personnel

3.1 Planning enforcement continues to operate with a single officer within the Development Control Team, in conjunction with colleagues in the Legal Division when necessary. This is an on-going challenge and has implications under 5 – Health and Safety.

IT

4.1 None.

Equalities Impact

5.1 None.

Health and Safety

6.1 The demands of planning enforcement work need to be very carefully managed with the officer concerned.

Environmental Sustainability

7.1 None.

Property and Asset Management

8.1 None.

Risk Management

9.1 None.

Corporate objectives and priorities for change

10.1 None.

Appendix 2

Enforcement Report Update–14 MAY 2015

<u>Investigations</u> <u>Total</u>	<u>Unauthorised</u> <u>Development</u>	<u>Changes</u> <u>of Use</u>	<u>Fences/</u> <u>Walls</u>	<u>Breaches</u> <u>of</u> <u>Condition</u>	<u>Adverts</u>	<u>Sat</u> <u>Dishes</u>	<u>Untidy</u> <u>Land</u>	<u>* Trees</u> <u>High/</u> <u>Hedges</u>
78	44	11	5	7	6	1	2	2

* These cases are handled by the Planning Technical Assistants Team Leader.

In addition to the incoming complaint workload recorded above, I have to report to Members the following case of interest.

Notices served:

1. Burton Road / Warner Street - Two Enforcement Notices were served on 12 December 2013 on the owner of 298 Burton Road requiring:
 - a) The removal of an unauthorised timber framed roofed structure on top of a flat roofed garage facing Warner Street; and,
 - b) To stop the unauthorised use of the land and domestic garage underneath, for vehicle repairs, servicing, storage and sales of motor vehicles.
2. An appeal was lodged against the notice that requires the removal of the unauthorised roof structure. The vehicle repairs, servicing, sales and storage ceased voluntarily.
3. Time for Compliance for both notices was 12 March 2014, (subject to the appeal procedure on one notice). On 6 June 2014 the Planning Inspectorate dismissed the appeal, upheld the enforcement notice and varied the compliance period from two to four months (the compliance date being 6 October 2014).
4. On 20 June 2014 an application for the retention and completion of the timber framed structure on top of the existing garage was submitted under code no. DER/06/14/00814. Conditional planning permission was granted on 15 August 2014.
5. On 18 December 2014 a further application, under code no. DER/12/14/01714 was received for a variation of condition 4 of the above previously approved planning permission, to allow the use of the garage and wooden roof structure as accommodation for the neighbouring bed and breakfast business (Use class C1). The application is yet to be determined and members will be kept informed of progress.
6. On 19 March 2015 the above application was refused permission. A recent inspection of the unauthorised timber structure shows it to be still in its original position and condition. No work to either remove it or complete it to comply with planning application DER/06/14/00814 has been undertaken. Enforcement action is therefore continuing to have the unauthorised structure removed.