

Report of the Strategic Director of Neighbourhoods

## 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:

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Paul Clarke
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Paul Clarke Tel: 01332 641642 e-mail paul.clarke@derby.gov.uk Planning Application files Appendix 1 – Implications Appendix 2 – Enforcement Report update

<b>IMPLICATIONS</b>
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**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

## ENFORCEMENT REPORT UPDATE - 14 August 2014

<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>
<b>73</b>	<b>41</b>	<b>9</b>	<b>4</b>	<b>3</b>	<b>9</b>	<b>5</b>	<b>2</b>	<b>0</b>

\* 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 cases of interest.

### Notices served:

- Two Enforcement Notices were served on 12 December on the owner of 298 Burton Road requiring:
  - 1) The removal of an unauthorised timber framed, roofed structure, on top of a flat roofed garage facing Warner Street; and,
  - 2) To stop the unauthorised use of the land and domestic garage underneath, for vehicle repairs, servicing, storage and sales of motor vehicles.
- An appeal was lodged against the notice that requires the removal of the unauthorised structure. The vehicle repairs, servicing, sales and storage ceased some months ago.
- Time for Compliance for both notices was 12 March 2014, (subject to the appeal procedure on one notice). On 6 June the Planning Inspectorate dismissed the appeal, upheld the enforcement notice and varied the compliance period from two to four months (the compliance date now being 6 October 2014). On 20 June an application for the retention and completion of a timber roof structure on top of the existing garage was submitted code DER/06/14/00814.
- Enforcement Notice: 393 Duffield Road requiring the removal of an unauthorised balcony. An appeal was made against the Notice. An amended application was submitted which was approved on 25 July 2013 and the appeal was withdrawn.
- Works have now been carried out but it appears that conditions 2 and 4 of the approved planning permission have not been met. The balcony area has not been set in from the edge by 1.2 metres and the balustrade is currently located at the edge of the balcony which is contrary to the approved plans.
- The owners were written to on 27 May 2014 and given 28 days to comply with the approved plans. No response to the letter has been received and the works to comply with the approved plans have not been carried out. The City Council intend (subject to the usual consultations) to serve a Breach of Condition Enforcement Notice on the owners to remedy the situation.