

Report to	Planning applications committee. 5 June 2014	Item 7
Report of	Head of planning services	
Subject	Performance of the Planning Enforcement Service, Jan-Mar, 2014 (Quarter 4, 2013-14)	

Purpose

To report the performance of the planning service to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future”.

Contact Officers

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Background Documents

None.

Report

Background

1. During 2013 members of the planning applications committee expressed a desire to see information relating to enforcement cases that had previously been referred to the Committee and where enforcement action had been recommended. This is the second report produced.
2. The day to day work of planning enforcement is undertaken by officers within public protection and who deliver an integrated enforcement role and covers other related areas such as noise, contamination etc.

Performance of the planning enforcement service

3. Table 1 of the appendix provides a summary of the key data showing the numbers of cases received and being investigated, together with data on the formal actions instigated.
4. Table 2 identifies the current status of all the cases that have previously been referred to Planning Applications Committee since 1st April, 2014. The intention will be to keep members abreast of what has actually happened in relation to the case where they have agreed to take action. Note that it is not a comprehensive summary of all cases where action is being undertaken – and therefore the data in table 2 does not match table 1.
5. There are currently 179 pending cases, in hand, with the planning enforcement service. This is a large number but is substantially lower than it was some two years ago.

Table 1

Planning enforcement – key data

	2011-12	2012	-	2013		2013	-	2014	
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of new cases received	87	123	104	108	64	91	101	72	107
No. of cases closed down*	n/a	n/a	n/a	n/a	n/a	139	74	54	79
Formal action instigated**	1	5	15	3	13	11	6	11	11

*No. of cases closed down includes a variety of outcomes such as the issue being not development, of such minor scale that it is not expedient to pursue, resolved by removal of the offending structure or cessation of use or a planning application being submitted and agreed.

** Formal action includes enforcement notices, breach of condition notices, prosecutions, stop notices, cautions, fixed penalty notices etc

Table 2
Enforcement action previously agreed by Committee after 1st April, 2013.

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
13/00010/EXTEN/ENF	13 Trafalgar St	Structure (enclosed balcony)	16 th May, 2013	Court date fixed, defendant did not appear. Structures removed and balcony now unenclosed	Yes
12/00070/CONSRV/ENF	124 Earlham Road	Replacement windows (Article 4)	16th May, 2013	The installation of high quality, bespoke replacement, upvc sliding sash windows as agreed with Design and Conservation Officer's recommendations now largely completed.	Yes
13/00080/CONSRV/ENF	33 Grosvenor Road	Replacement windows (Article 4)	25th July, 2013	Enforcement Notice is currently subject to an appeal, awaiting outcome.	No
13/00068/EXTEN/ENF	268 Heigham Street	Unauthorised development - (shipping container on land)	7th November, 2013	Notice served and time period has expired for compliance. Officers are preparing a prosecution file.	No
EH12/8433	64-66 Westwick Street	Unauthorised development – (conservatory fronting the river)		Notice served and appealed, appeal was dismissed, the notice has not been complied with. Officers are preparing a prosecution file.	No
Planning ref 13/01483/A	Sweet Briar Rd / Drayton Rd	Hoarding	6 th March, 2014	Letter sent to the Head of City Development Services requesting removal of the sign given its location on highways land. The sign has now been removed by the advertisement company.	Yes
Planning ref 13/0148/A	Sweet Briar Rd	Hoarding	6 th March, 2014	The sign has now been removed by the advertisement company, no formal enforcement action was taken.	Yes

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
Planning ref 13/01484/A	Sweet Briar Rd	Hoarding	6 th March, 2014	Letter sent to the Head of City Development Services requesting removal of the sign given its location on council owned land. The advertisement company have also advised that they are willing to remove this, however to date it has not yet been removed.	No
Planning ref 13/01982/F	463-503 Sprowston Rd	Aldi foodstore fire escape steps	6 th March, 2014	Written to Aldi advising of need to work with local access groups, a meeting is being set up mid May with stakeholders to discuss the matter. Breach of condition notice to be issued pending outcome of this meeting.	No
Planning ref 13/02087/VC and 13/02088/VC	Football ground area	River bank, landscaping, mooring points, roads, street trees	6 th March, 2014	Various compliance dates between August 2014 and August 2017	No
13/01540/VC	King Street	Reed Mills – Moorings	07 May 2014	Following the resolution of the planning committee to serve a breach of condition notice to secure the implementation of the mooring posts formally agreed in the river, the Council's solicitor has advised that before serving such a notice that letters from the Council as land owner and the Broads as navigation authority are obtained advising that they are content with the principle of the scheme and that subject to the appropriate procedures land owner and navigation authority consents are likely to be forthcoming. This is to ensure that there is no objection to the breach of condition notice on the grounds that undertaking the works would result	No

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
				in trespass and an obstruction to navigation. The Broads Authority have confirmed that there would be no objection from a navigation perspective. Land owner agreement is likely to take longer as there are a number of implications on the land owner and the Council is currently preparing an asset review report which proposals such as this need to be considered against, this draft report is due to be prepared for a date towards the end of June.	

*If the actions have been concluded a "yes" indicates that the item will be deleted from the next quarterly review. Items with ongoing actions will continue to be reported.