

<b>Subject:</b>	Q3 (14/15) Enforcement Report	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	29 <sup>th</sup> January, 2015
<b>Report of:</b>	Director of Business	<b>Portfolio Holder:</b>	Cllr Lamb
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	<b>General Exception</b>	<input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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1.	<b>RECOMMENDATION(S)</b>
1.1	Members are advised to note the report contents.

## 2. PURPOSE OF REPORT

- 2.1 To provide elected members with an update on current planning enforcement action. This report will focus on updating members with the details relating to the current number of open planning enforcement files, the different stages of any enforcement action paying particular attention to any details relating to enforcement notices issued and appeals.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
  - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
  - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- The Council has a statutory duty to investigate planning contraventions. Failure to regulate in this area will likely result in lack of confidence in the Development Control Service.

## **5. BACKGROUND AND OPTIONS**

- 5.1 The details in this report cover the period from 1<sup>st</sup> October 2014 to 31<sup>st</sup> December 2014.
- 5.2 Members are to note that there are a number of open complaints about potential breaches of Planning Regulations from previous months and years relating to contraventions of planning control. The number of on-going complaints being dealt with by enforcement officers is currently 194.
- 5.3 During the period 1<sup>st</sup> October 2014 to 31<sup>st</sup> December 2014, 43 new complaints were received.
- 5.4 During this reporting period, 3 new Enforcement Notices and 2 Planning Contravention Notices were issued. The details of these notices can be found at Appendix A.
- 5.5 Members are advised that there are a number of enforcement notices currently in force from previous months. No enforcement appeal decisions have been received within Quarter 3 from the Planning Inspectorate; Members are advised that the Planning Inspectorate is currently taking longer than usual (up to 12 months) to determine enforcement appeals due to limited resources. Currently three enforcement appeals are pending with the Planning Inspectorate:
- APP/B2355/C/14/2226924 (Site at Shawclough Road, Whitewell Bottom) – appeal against an enforcement notice directed against the unauthorised siting of a prefabricated bungalow on the land.
  - APP/B2355/C/14/2216822 (Site at Coal Pit Lane, Bacup) – appeal against an enforcement notice directed against the unauthorised change of use of the land from agricultural use to residential use enabled by the siting and use of a static caravan.
  - APP/B2355/C/14/2216823 (Site at Coal Pit Lane, Bacup) – appeal against an enforcement notice directed against the unauthorised erection of a stable block, tack room / feed store and associated hard standing on the land.

## **6. SECTION 151 OFFICER COMMENTS**

- 6.1 There are no specific financial implications

## **7. MONITORING OFFICER COMMENTS**

- 7.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies.

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 None.

**9. CONCLUSION**

9.1 This report details action taken by the Enforcement section of the Planning Unit.

<b>Background Papers</b>	
Document	<i>Place of Inspection</i>
Details of notices issued in the reporting period	<i>Appendix A - attached</i>