

## **10. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JULY 2017 (A.1533/AJC)**

### **Introduction**

This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (April – June 2017). The majority of breaches of planning control are resolved voluntarily or through negotiation with the landowner (or other relevant persons) without resorting to formal enforcement action. In cases where formal action is considered necessary, the Director of Planning and Head of Law have joint delegated powers to authorise such action whereas delegated authority not to take formal action is held by the Director of Planning, Monitoring & Enforcement Manager and Area Planning Managers.

The Authority has a duty to investigate alleged breaches of planning control, but enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to planning policies in the development plan and any other material considerations. Any action taken will need to be proportionate with the breach of planning control to which it relates. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. It must also be clear that resolving the breach would be in the public interest.

The National Planning Policy Framework states that Local Planning Authorities (LPAs) should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. Many, but by no means all, LPAs have published a Plan. In March 2014 the Authority published its Local Enforcement Plan, which sets out what breaches of planning control are, how potential breaches can be brought to the attention of the Authority, what matters may or may not be investigated and the priorities for investigation and action. It also outlines the tools that are available to the Authority to resolve any breaches. The Local Enforcement Plan is available on the Authority's website or in paper form.

### **RECOMMENDATION:**

**That the report be noted.**

### **Team Resources**

The Monitoring & Enforcement Team consists of four full-time posts – two Monitoring & Enforcement Officers, a Senior Monitoring & Enforcement Officer and the Team Manager. In 2012, due to a sustained increase in workload, an additional part-time (0.6FTE) Senior Officer post was created on a temporary contract basis. This contract was renewed on a number of occasions. However, from April 2016 the post was reduced from 3 days per week to one day per week and at the end of 2016 the contract was not renewed.

In April 2017 one of the Monitoring & Enforcement Officers, Christian Anslow-Johnson, left the Authority to take up a post with the Eastern Moors Partnership. Alexandra Sinfield has been appointed to fill the resulting vacancy and is due to start on 17 July 2017. So for most of the last quarter the Team has had a vacancy and this has inevitably had an impact on overall performance. This impact may continue into the next quarter as the new officer settles in to the post.

### **Summary of Activity**

#### **(a) Formal notices issued this quarter:**

11/0111A The Lodge Manchester Road Hollow Meadows Sheffield	Alterations to vehicular access and creation of driveway	Enforcement Notice issued 5 April 2017
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11/0111B The Lodge Manchester Road Hollow Meadows Sheffield	Change of use of land from agricultural use to recreational/amenity use in association with a care home	Enforcement Notice issued 5 April 2017
15/0141 High Peak House Blackbrook Chapel-en-le-Frith	Change of use of outbuilding to a dwellinghouse	Enforcement Notice issued 4 May 2017
15/0110 Land at Diggle Mill Diggle Oldham	Untidy land	Section 215 Notice issued 13 June 2017
10/0189 Fox Holes Farm Hoar Stones Road Low Bradfield Sheffield	Change of use to mixed use comprising agriculture, a single dwellinghouse, holiday accommodation and as a venue for the holding of wedding events and functions	Enforcement Notice issued 28 June 2017
17/0054 Land to the north of Mortimer Road Bradfield Sheffield	Alteration of existing track, extension of track and engineering operations to create a flat area	Enforcement Notice issued 30 June 2017

(b) Breaches resolved this quarter:

16/0169 Bassetts Building Fawfieldhead Longnor	Breach of Conditions 5 and 6 attached to planning permission NP/SM/1014/1087	Discharge application approved
16/0091 Ash Dene Ninelands Road Hathersage	Use of garage as holiday let in breach of condition	Use ceased
04/0124 Sparrowgreave, Wincle	Erection of dwelling	Appeal allowed – no breach of planning control
06/0121 Sparrowgreave, Wincle	Engineering operation involving the excavation and deposition of material	Enforcement Notice complied with
16/0141 White Shaw Farm Heaton Rushton Spencer	Residential static caravan	Caravan removed

16/0152 Cleulow Cross Farm Buxton Road Wincle	Excavation and creation of storage area	Planning permission granted
17/0002 2 Speedwell House Buxton Road Castleton	Building not being constructed in accordance with approved plans (ref NP/HPK/0915/0891)	Section 73 application approved
16/0129 Fox House Inn Fox House Hathersage Road Sheffield	Erection of building	Building removed
16/0149 14 Main Road Grindleford	Change of use from doctor's surgery to dwelling	Planning permission granted
13/0065 The Manners PH Haddon Rd Bakewell	Two advertisement signs	Advertisement consent granted
13/0073 Land at Tideswell Dale East of Geil Torrs	Extension of agricultural building	Immune from enforcement action
13/0037 2 and 3 Rose Cottage Litton	Erection of building	Immune from enforcement action
16/0019 Thornsett Chelmorton Buxton	Erection of building	Building relocated – now permitted development
16/0106 Houlden Sheffield Road Hathersage	Breach of condition on NP/DDD/0611/0519 & erection of field shelters	Combined with case 16/0124
16/0073 George Hotel Main Road Hathersage	Laying of pebbles/stones and display of ornamental sculptures	No breach of planning control
15/0074 Pinewood Aldern Way Bakewell	Erection of sheep shelter	Immune from enforcement action

16/0024 Land off Stanedge Road Bakewell	Siting of static caravan	Caravan removed
16/0020 1 Hall Bank Hall Bank Hartington	Extension not built in accordance with NP/DDD/0415/0309; bathroom window not obscure glazed	Window obscure glazed
10/0231 Bakewell Arts & Design Rutland Works Bakewell	Change of use of part of building from B1 Business) to D1 & A1 (gallery & retail) & display of advertisement	Gallery & retail use ceased, advertisement has deemed consent
16/0142 Former Goldcrest Engineering Main Road Stanton	Erection of fence in breach of condition	Not expedient to take enforcement action
17/0070 Land On The South Side Of Macclesfield Road Kettleshulme	Erection/extension of agricultural building	Planning permission granted
17/0018 Co-Op Store Commercial Road Tideswell	Illuminated advertisement sign in breach of condition	Sign no longer illuminated
17/0017 Hartshead Eaton Drive Baslow	Insertion of clear glass window in side elevation	Altered to opaque glass
06/0049 Land known as The Treaks, Buxton Rd, Castleton	Change of use to conservation farm open to the public and erection of associated structures	Use ceased and structures removed
11/0111 The Lodge Hollow Meadows Sheffield	Access alterations, creation of driveway and use of agricultural land as garden/amenity land	Planning permission granted for access alterations and creation of driveway, use of land as garden/amenity land has ceased

(c) Overview of caseload

The following table provides an overview of the team's caseload at the end of the quarter. Figures for the preceding quarter are shown in brackets.

	<b>Received</b>	<b>Investigated/Resolved</b>	<b>Outstanding</b>
Enquiries	93 (87)	136 (75)	88 (116)
Breaches	39 (34)	26 (25)	507(494)