

19. MONITORING & ENFORCEMENT QUARTERLY REVIEW – OCTOBER 2017 (A.1533/AJC)

Introduction

This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (July – September 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 Conservation and 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.

RECOMMENDATION:

That the report be noted.

Summary of Activity

(a) Formal notices issued this quarter:

08/0069 Bent Farm Bent Lane Tissington	Residential static caravan	Enforcement Notice issued 3 August 2017 No appeal so notice took effect on 15 September 2017 Compliance date 15 September 2018
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(b) Breaches resolved this quarter:

17/0031 Stanfree House Main Street Winster	LISTED BUILDING - Installation of kitchen window and internal doors	Listed building consent granted
16/0138 44 New Close Eyam	Erection of retaining wall and steps	Planning permission granted

15/0103 Westmead Aldern Way Bakewell	Non-compliance with approved plans for extension	Works are permitted development
17/0028 Turnpike House Macclesfield Road Kettleshulme	Breach of condition on planning permission for erection of fence (NP/CEC/1016/1008)	Appeal allowed
16/0059 The Moon Inn High Street Stoney Middleton	Erection of building	Appeal allowed
17/0034 Running Hill House Running Hill Lane Dobcross Oldham	Breach of approved plans for replacement outbuilding (NP/O/0616/0584)	NMA approved
16/0146 Nether Farm Barn The Sands Low Bradfield	Breach of approved plans for conversion of barn to dwelling (NP/S/0214/0150)	Section 73 application approved
17/0062 3 Lilac Walk Main Road Hathersage	Erection of outbuilding	Not expedient to take enforcement action
16/0121 Barn Off Goddard Lane Rowarth	Breach of approved plans for erection of agricultural building (NP/HPK/1013/0883)	Planning permission granted
16/0033 Land Adjacent To Hillcroft Parsons Lane Hope	Construction of an agricultural building	Planning permission granted
13/0094 Quaker Barn Ford Leek	LISTED BUILDING Metal flue on west elevation and satellite dish on south elevation	Planning permission and LBC granted – flue and dish resited as approved
14/0437 Thickwood Lodge Owler Bar Sheffield	LISTED BUILDING Various works including burglar alarms, alteration of conservatory, creation of en suite, lighting and security cameras.	Burglar alarms removed, LBC granted for other works

16/0143 Serendipity Farm Bradshaw Lane Foolow	Erection of stables	Stables removed
17/0078 Westfield Pinfold Hill Curbar	Construction of horse-riding arena and removal of trees within a Conservation Area	Arena is permitted development – tree replacement agreed
17/0079 Garage And Premises Adjacent Honeysuckle Cottage Wheston Bank Tideswell	Breach of conditions on planning permission for replacement of garage with dwelling (NP/DDD/0616/0520)	Conditions discharged
14/0510 Bar Lodge Bar Road Baslow	Breach of conditions and approved plans for erection of swimming pool building (NP/DDD/0513/0370)	NMA granted
16/0089 Newhouse Farm School Road Wetton	Use of agricultural land in excess of 28 days for camping	Planning permission granted
17/0102 Grass verge at junction of Haddon Road and Holywell Bakewell	Display of for sale board	Board removed
15/0142 Braeside Mill Lane Stoney Middleton	Erection of extension	Planning permission granted
17/0045 Newhaven Plantation A515 Newhaven Grid Ref: SK 164 604	Siting of static caravan	Static caravan removed
17/0083 Formerly Road Clothing Limited Unit 1-2 Alport Lane Youlgreave	Breach of conditions on planning permission for extension/alteration of office units (NP/DDD/1016/1006)	Conditions discharged
17/0048 8 Church Street Monyash	Erection of replacement outbuilding	Planning permission granted

17/0047 Ryecroft Farm Thornhill Bamford	Erection of barbecue canopy (partially completed) and erection of an internal garden wall	Barbecue canopy removed and planning permission granted for wall
17/0105 Shaldon Calver Sough Calver	Breach of approved plans for replacement dwelling (ref NP/DDD/0614/0697) as chimney not provided	Chimney built
17/0089 Ye Olde Royal Oak Royal Oak Road Wetton	Display of banner sign	Banner sign removed
16/0056 New Vincent Farm Unnamed Section Of C138 From A515 To Tissington Trail Bridge Parsley Hay	Siting of articulated trailer body used as a feed/hay store	Trailer body removed
13/0040 Swallow Cottage Pilhough Rowsley	Erection of garage - not in accordance with approved plans (NP/DDD/0212/0156) Creation of raised parking/turning area and change of use of agricultural land to domestic	Partly built garage removed – raised area granted permission on appeal
17/0111 Oakleigh Haddon Road Bakewell	Change of use of garage to beauty salon in breach of condition	Not expedient to take enforcement action
16/0054 The Old Hall Pub Market Place Hope	Closure of vehicular access from Market Place, alterations to car park layout, extension of patio area and works to a well.	Planning permission granted
12/0112 Peep Of Day Farm Chinley	Change of use of annex to holiday accommodation	Use ceased
17/0001 Haddon Grove Farm Cottages Over Haddon	Extension and conversion of an outbuilding to guest reception	Planning permission granted
16/0111 Hurst Water Treatment Plant Derbyshire Level Glossop	Untidy land	Land cleared

14/0401 Fold Farm Chesterfield Rd Beeley	Construction of a slurry lagoon	Lagoon restored and now accords with retrospective planning permission
09/0047 Well Farm Upper Hulme	Erection of Poly-tunnel and engineering operations to alter profile of the land	Planning permission granted
15/0127 Underhill Farm (Earl Sterndale Side) Longnor	Erection of replacement outbuilding	Planning permission granted
15/0120 Bleaklow Farm Hassop	Erection of replacement dwelling – not in accordance with approval (NP/DDD/0314/0243)	Planning permission granted for amended scheme
16/0151 Auburn Cottage Church Street Youlgrave	LISTED BUILDING Erection of garden room and garden wall and removal of listed boundary wall	Planning permission and LBC granted
14/0330 Fernlea Parwich	LISTED BUILDING Window frame finish not as approved	Frames painted as approved

(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.

	Received	Investigated/Resolved	Outstanding
Enquiries	107 (93)	118 (136)	78 (88)
Breaches	51 (39)	38 (26)	521(507)