

13. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JULY 2018 (A.1533/AJC)

1. Introduction

- 1.1 This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (April – June 2018). The majority of breaches 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 Head of Development Management and Head of Law have joint delegated powers to authorise such action whereas delegated authority not to take formal action is held by the Head of Development Management, Monitoring & Enforcement Manager and Area Planning Managers.
- 1.2 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 needs 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.
- 1.3 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.

2. RECOMMENDATION:

That the report be noted.

3. Summary of Activity

3.1 Formal Notices issued

18/0062 Laying of crushed stone to form a track.
Land at Cartledge
Flat/Rushy Flat Dike,
North of Hollingdale
Plantation, Strines,
Bradfield

Enforcement Notice
issued on 15 June 2018
Due to come into effect
on 10 August 2018

3.2 Breaches resolved

Case Ref. and Address	Breach of Planning Control	Reason for Resolution
17/0169 Field adjacent Willow Farm Butterton Moor Bank Butterton Leek	Siting of caravan on agricultural land	Caravan used for agricultural purposes
Case Ref. and Address	Breach of Planning Control	Reason for Resolution
18/0039 Wye Farm Bakewell Road Rowsley	Display of advertisements	Advertisements removed
17/0120 Land at Rowson House Farm Church Street Monyash	Formation of vehicular access onto classified road	Planning permission granted
17/0161 Ash Grove Burton Close Drive Haddon Road Bakewell	Erection of conservatory	Planning permission granted
17/0144 2 Church View Taddington	Removal of trees in Conservation Area	Removal agreed as trees storm damaged
16/0108 Land and Buildings south of Hayes Lane Opposite Back of the Brook Farm Waterfall	Site clearance, importation of hardcore, demolition of buildings	Work ceased – no breach of planning control
17/0006 Town End Barn Leek Road Waterhouses	Breach of condition regarding boundary treatment on planning permission for conversion of barn to dwelling (NP/SM/0315/0252)	Boundaries completed as approved
14/0083 17 The Square Middleton-By-Youlgrave	Listed Building – Internal alterations	LBC granted and agreed remediation work carried out
17/0058 Lower Damgate Farm Ilam Moor Lane Stanshope Ashbourne	Breach of Conditions 6, 8, 12, 14 and 15 attached to planning permission for weddings and other events (NP/SM/0915/0895)	Not expedient to take enforcement action

18/0016 Grouse Inn Chunal Glossop	Use of former pub car park for storage of skips and building materials.	Use ceased
18/0045 Barn on Broadway Lane Waterfall	Listed Building – partial collapse of curtilage barn	Concluded that barn not curtilage listed
Case Ref. and Address	Breach of Planning Control	Reason for Resolution
13/0109 Woodseats Farm Castleton	Erection of agricultural building	Immune from enforcement action
10/0152 Holmesfield Farm Mill Bridge Castleton	Use of land for car parking	Permitted development as temporary use for up to 28 days pa
17/0013 Land opposite Shepherds Park Farm	Engineering operations and erection of fencing	Fencing removed and land restored
13/0040 Swallow Cottage Pilhough Rowsley	Creation of raised parking/turning area and partial erection of building	Parking/turning area granted planning permission on appeal, partially erected building removed
18/0050 Hall Farm Hall Bank Hartington	Erection of building	Works are in accordance with GDO consent (NP/GDO/0911/0931)
18/0044 Lindwood Monyash Road Bakewell	Erection of flue	Flue is permitted development
14/0549 Robin Hood Inn Chesterfield Road Baslow	Use of land for car parking	Use ceased
17/0186 Church Farm Dam Lane Alsop-En-Le-Dale	Demolition of building within curtilage of listed building	Works are in accordance with planning permission (NP/DDD/0396/101)

11/0176 The Grouse Inn, Chunal Lane, Glossop	Use of land as 'children's farm' and erection of pens	Use ceased
13/0144 Land south of Robin Lands Lane Castleton	Siting of caravan and steel container	Immune from enforcement action
17/0154 Cupola Cottage Sheffield Road Baslow	Installation of package treatment plant	Planning permission granted
Case Ref. and Address	Breach of Planning Control	Reason for Resolution
17/0146 Coop Store Bakewell	Breach of condition relating to delivery hours on planning permission NP/DDD/0596/200	No evidence of current breach
16/0083 Land at Wicken Walls Dovehead And Three Shires Head Quarnford	Use of land for motorcycle scrambling	Use appears to be lawful
17/0099 The Lodge Manchester Road Hollow Meadows	Breach of conditions on planning permission for change of use to care home (NP/S/1216/1235)	Conditions discharged
16/0079 1 Long Lee Farm Cottages Unnamed Road From Laneside Road To Long Lee Barn Rowarth	Erection of building	Building removed
14/0420 Track between Sunny Dene and the Church Off Church Lane Litton	Creation of vehicular access	Immune from enforcement action
13/0138 Bassetts Buildings Crossland Sides Reynard's Lane Hartington	Erection of breeze block building	Building removed

18/0082 Land adjacent Smiths Island Car Park Bakewell	Use of land for temporary siting of mobile food van	Use ceased
15/0049 3 Wheatlands Lane Baslow	Creation of vehicular access	Access removed
17/0040 The Old School Tea Room Carr Lane Wetton	Display of advertisements	Number of advertisements reduced to acceptable level
10/0207 Former Miner's Cottage Coplow Dale Bradwell	Partial rebuilding of derelict cottage	Works ceased

Case Ref. and Address	Breach of Planning Control	Reason for Resolution
07/0074 Doe House Barn, Bradfield	Non Compliance with conditions on planning permission for dependent relative unit (NP/S/0402/016)	Immune from enforcement action
07/0052 Land Adj to Long Lee Barn, Rowarth	Storage of non agricultural items on agricultural land	Use ceased
18/0093 Haddon Villa The Avenue Bakewell	Erection of fence	Fence reduced in height – now permitted development
18/0053 Gardeners Cottage Haddon Drive Bakewell	Use of dwelling for B&B	Not a material change of use – no breach

3.4 **Overview of Caseload**

3.5 The following table provides an overview of the Monitoring & Enforcement Team's caseload at the end of the quarter. Figures for the preceding quarter are shown in brackets. The main performance target is to resolve 120 breaches of planning control each year. In this first quarter the team has resolved 36 cases – so we are currently ahead of target.

	Received	Investigated/Resolved	Outstanding
Enquiries	136 (82)	118 (81)	80 (62)
Breaches	61(34)	36 (27)	577(552)

- 3.6 Enquiries from different sources but relating to the same issue are logged as separate enquiries and included in the overall figure of 136 received. Over the quarter there have been 13 of these 'duplicate' enquiries so if these are discounted then the number of issues on which enquiries have been raised is 123.
- 3.7 96% of enquiries have been investigated within 30 working days which is significantly above the performance target of 80%. The number of enquiries received is significantly higher compared to the previous quarter as is the number of enquiries investigated. The number received (136) is also significantly higher than in the equivalent quarter last year (103).

Report Author and Job Title

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