

9. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JULY 2019 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (April – June 2019).
2. Most breaches of planning control are resolved voluntarily or through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, the Head of Development Management and Head of Law have joint delegated powers to authorise such action whereas authority not to take formal action is delegated to the Head of Development Management, the Monitoring & Enforcement Manager and Area Planning Managers.
3. 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. 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. When we take formal action it must be proportionate with the breach of planning control. It must also be clear that resolving the breach would be in the public interest.
4. 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 we published our 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

5. Notices issued

18/0062 Land at Woodseats Farm Windy Bank Bradfield	Excavations, creation of hardstanding and tracks and erection of lighting and CCTV columns	Temporary Stop Notice issued 24/04/2019 Ceased to have effect 22/05/2019
18/0062 Land at Woodseats Farm Windy Bank Bradfield	Excavations, demolition of retaining structures, construction of hardstanding and creation of new tracks; erection of extension, installation of foul and surface water drainage, erection of lighting, CCTV columns and service connections	Enforcement Notice issued 23/05/2019. Due to come into effect 12/07/2019.
18/0062 Land at Woodseats Farm Windy Bank Bradfield	Excavations, construction of hardstanding, new tracks and erection of lighting and CCTV columns	Stop Notice issued 23/05/2019

6. Enforcement Appeals determined

18/0062 Land at Cartledge Flat/Rushy Dike North of Hollingdale Plantation Bradfield	Laying of crushed stone to form a track	09/05/2019 – Appeal dismissed with variation to the enforcement notice requirements
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7. Breaches resolved

10/0116 Bakewell News Rutland Square Bakewell	LISTED BUILDING - Erection of new signage and installation of cooler unit	Signage and cooler unit removed
14/0341 Edge Lea The Edge Eyam	LISTED BUILDING - 1) stained glass fanlight above front door, 2) front door, 3) canopy over side door	LBC granted and remedial works completed
15/0134 Station House Upper Padley Grindleford	Non-compliance with approved plans for erection of extension (NP/DDD/0817/0808)	Not expedient to take enforcement action
17/0054 Land to the north of Thornseats Lodge Mortimer Road Bradfield	Construction of an access track and hardstanding to facilitate the temporary use of the land for wedding ceremonies	Enforcement notice complied with – track and hardstanding removed and land restored
18/0174 Lloyds TSB Bank Bath Street Bakewell	LISTED BUILDING - Breach of Condition 3 on NP/DDD/0717/0772, removal of brass plaque	Plaque reinstated
13/0043 Land off Buxton Rd Longnor	Erection of dwelling	Planning permission granted
18/0191 Gate Close The Fold Stoney Middleton	Breach of Condition 4 (NP/DDD/0118/0082) which states that a scheme should be submitted relating to fencing and planting	Condition discharged
18/0066 Gate Close The Fold Stoney Middleton	Breach of condition 3 on planning permission NP/DDD/0417/0403. Windows should be obscure glazed but clear glass installed	Appeal allowed

12/0075 Land adjacent to Nether Haye, Buxton Road, Blackhaw Moor	Siting of log cabin/chalet and creation of a track	Enforcement notice complied with – log cabin/chalet and track removed
18/0083 4 Court Lane Ashford in the Water	Breach of conditions 2 & 3 of NP/DDD/1116/1144	Section 73 application approved
18/0073 Land off unnamed road to Hay Top Farm Heaton	Erection of field shelter	Shelter removed
18/0037 The Stablings Barnes Lane Youlgrave	Erection of dwelling	Planning permission granted
17/0066 Five Blades Farm Rod Side Hollow Meadows	Erection of stables	Stables removed
17/0003 Horseshoe Inn Market Place Longnor	LISTED BUILDING – replacement windows and non-compliance with conditions on NP/SM/0917/0959	Windows replaced and conditions complied with
19/0006 Land between Primrose Cottage and Lamb Lodge Farm, Pobgreen Uppermill	Construction of hardstanding	Planning permission granted
17/0023 Crossgates Farm Wheton Tideswell	Breach of conditions on planning permission for hay and straw merchant (NP/WED/285/72 and NP/WED/1287/554)	Use has ceased
14/0607 Peak Edge Hotel 1 Rutland Buildings Bakewell	LISTED BUILDING - Alterations to shop frontage	LBC for alternative scheme granted and implemented
14/0606 Bagshaws Estate Agents 2 Rutland Buildings Bakewell	LISTED BUILDING - Alterations to shop frontage	LBC for alternative scheme granted and implemented

12/0065 Elba The Square Bakewell	LISTED BUILDING - New sign on shop front and erection of internal partition in shop	Sign and partition removed
18/0164 Swallow Bank Farm Bank Vale Road Hayfield	Erection of conservatory	Planning permission granted
14/0050 Leam Farm Leam Grindleford	LISTED BUILDING – installation of UPVC windows	Timber windows installed in accordance with LBC
14/0146 Great Batch Church Street Ashford-in-the-Water	LISTED BUILDING - satellite dish, rooflight on west roof slope	LBC granted and remedial works completed
18/0151 2 Booths Edge Cottages Sheffield Road Hathersage	Non-compliance with approved plans for erection of extension (NP/DDD/1115/1067)	Planning permission granted
18/0034 Hathersage Hall Business Centre Main Road Hathersage	Installation of clear glass instead of obscure glass in breach of planning permission	Not expedient to take enforcement action
16/0010 Land at Shatton Lane Shatton	Breach of planning conditions 4 (roof slates) & 14 (gates to be set back 10m) on planning permission for erection of stables (NP/HPK/1013/0946)	Not expedient to take enforcement action
18/0134 3 Ibbotsons Croft Hathersage	Installation of external pipework and UPVC doors in breach of planning permission for erection of dwellings (NP/WED/0894/397)	Not expedient to take enforcement action
18/0127 Moor Grange Moor Lane Flagg	Use of land as take-off/landing area for helicopters	Permitted development
19/0032 Holly Grove Newtown Longnor	Change of use of coal merchant yard and adjoining agricultural land to include B2 processing, storage and distribution of logs.	Planning permission granted

19/0040 Junction of A619 & A6020 Between Bakewell and Baslow (and 15 other locations)	Display of advertisement signs for Y-Not Festival 2019	Signs removed
16/0031 Land off Lesser Lane, Combs	Siting of two shepherd's huts and use for residential purposes	Shepherd's huts removed
18/0111 Alsop Rivendale Touring Caravan And Leisure Park Buxton Road Alsop en le Dale	Redevelopment of caravan site to 'luxury lodge' resort including operation of spa, use of pub for non- residents, use of pitches for winter storage and siting of additional caravans	Planning permission granted for redevelopment – unauthorised uses ceased and additional caravans removed
16/0170 Holland Twine Farm Sterndale Lane Litton	Construction of hardstanding	Agricultural building granted under prior notification
06/0151 Keepers Cottage Standedge Road, Diggle	Erection of garage	Garage removed
17/0014 Land north-east of Eldon Lane Farm Eldon Lane Old Dam Peak Forest	Creation of track	Not expedient to take enforcement action

Workload and performance

8. The table below provides an overview of the Monitoring & Enforcement Team's caseload and performance in the quarter. The figures in brackets are for the previous quarter. Our main performance target is to resolve 120 breaches of planning control each year. In the latest quarter (April – June 2019) we resolved 34 breaches so we are currently on track to meet our annual target.
9. In the latest quarter, 90% of enquiries were investigated within 30 working days. This is significantly above our performance target of 80%.
10. Enquiries from different sources but relating to the same issue are logged as separate enquiries and included in the overall figure below of 158 received. Over this quarter there have been 9 of these 'duplicate' enquiries so if these are discounted then the number of issues on which enquiries have been raised is 149.

	Received	Investigated/Resolved	Outstanding
Enquiries	158 (118)	176 (89)	63 (81)
Breaches	71 (42)	34 (43)	629 (592)

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