

8. MONITORING & ENFORCEMENT QUARTERLY REVIEW – OCTOBER 2024 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out over the last quarter (July – September 2024).
2. Most breaches of planning control are resolved voluntarily or through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, this can be authorised under delegated powers.
3. The Authority has a duty to investigate alleged breaches of planning control, but formal enforcement action is discretionary and must only be taken where it is ‘expedient’ to do so, having regard to 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 and be clear that resolving the breach would be in the public interest.

Performance Measures

4. At the July 2024 Committee, the conclusions and agreed actions arising from an internal audit of planning enforcement, carried out in late 2023, were summarized. The agreed actions included a review of performance targets, particularly in relation to enquiry site visits, and a review of high priority cases to ensure that sufficient resources are devoted to seeking a timely resolution. The auditors acknowledged that progress on both of these actions was largely dependent on filling four posts that were vacant at the end of last year and providing training for new staff. All of the vacancies were filled by May 2024, initial induction provided and appropriate training is ongoing. Alongside this, we have been continuing to address the backlog of cases – a process which started in May 2023. The positive impacts of being fully staffed and continuing to address the backlog can be seen in the workload and performance section of this report.
5. The revised Local Enforcement Plan, which was endorsed at the July 2024 Committee, also includes a commitment to formulate appropriate performance measures/targets to ensure that we are working efficiently and effectively and providing relevant performance information to the Authority members and the public. At the July meeting, Members acknowledged the value and content of the quarterly reports but requested more information on the backlog of cases and the difficulties in dealing with them.
6. Following discussions with the Chair and Vice-Chair of Planning Committee, it is apparent that Members are mainly concerned about the number of cases that remain unresolved for a long time and those where an enforcement notice has come into effect, the requirements of the notice have not been complied with and it appears that timely action is not being taken to ensure compliance. In response to these concerns, officers are proposing to provide relevant information in the Annual Monitoring and Enforcement Review, which is reported to this Committee every April.

RECOMMENDATION:

1. **That officers begin a process of gathering data in relation to those matters set out in paragraph 6, and report on these at least once per year.**

Summary of Activity

7. Notices issued

21/0065 Johnsons Cottage Main Street Taddington	Building operations, being the construction of an extension to create a covered seating area	Enforcement Notice issued 19 July 2024 – No appeal lodged so came into effect 2 September 2024 – 3-month compliance period expires 2 December 2024
---	--	--

Workload and performance

8. As we have been fully staffed since early May we have continued to improve our performance on casework over the last quarter. We resolved 47 breaches in the quarter so in the first half of the year we have resolved 94 breaches. This means that we are on track to considerably exceed our annual target of resolving 120 breaches. The number of outstanding breaches at the end of the quarter has significantly reduced from 529 to 485. This is mainly as a result of continuing to review the backlog of cases. In this quarter we have been particularly focusing on the backlog of listed building cases and this will be continuing for at least the next quarter.
9. We received 102 new enquiries and investigated 158 enquiries in the quarter, resulting in the number 'on hand' being reduced from 202 to 148. Following investigation of enquiries we found 61 new breaches – which compares to just 74 over the previous three quarters. Despite this, as mentioned above, the number of outstanding breaches has significantly reduced.
10. The table below summarises the position at the end of the quarter (30 September 2024). The figures in brackets are for the previous quarter.

	Received	Investigated/Resolved	Outstanding
Enquiries	102 (95)	158 (138)	148 (202)
Breaches	61 (48)	47 (47)	485 (529)

11. **Breaches resolved**

20/0086 Manifold House New Road Hulme End	Change of use of agricultural land to campsite, erection of shed.	Use ceased
21/0010 Rivelin House Farm Manchester Road Crosspool Sheffield	Sub-division of dwelling into two dwellings	Immune from enforcement action

3/0102 Brand End Farm Brandside Buxton	Three lorry bodies used for housing sheep and horses	Two lorry bodies removed – remaining one is immune from enforcement action but owner intends to remove it
21/0047 Barker Barn Moor Lane Elton Matlock	Creation of new vehicular access	Not expedient to take enforcement action
19/0037 Caudwells Mill Bakewell Road Rowsley Matlock	LISTED BUILDING - Installation of internal partition wall	No breach following further investigation
21/0063 Peakway Farm Alsop Road Alsop En Le Dale	Use of annex as holiday let and erection of extension	LDC granted for extension – planning permission granted for holiday let
24/0080 7 Riverside Court Calver Road Baslow	Installation of replacement window	Not expedient to take enforcement action
06/0146 Beech Farm Main Street Taddington	Untidy land	Immune from enforcement action
22/0003 Orchard Farm Monsdale Lane Parwich	Erection of yurt	Yurt removed
21/0037 Dunge Wood Highlow Hathersage	Erection of yurt	Yurt removed
13/0008 Spring View Bradwell	Erection of building	Immune from enforcement action
24/0022 Little Nab End Buxton Road Longnor	Erection of building	Planning permission granted

24/0030 Hill Farm Cottage Butterton Moor Warslow	Installation of sewage treatment plant	Planning permission granted
17/0076 8 Denman Crescent Stoney Middleton	Extension has not been constructed in accordance with the approved plans ref NP/DDD/0216/0159	Extension altered to comply with approval
22/0049 Highgate Farm Highgate Road Hayfield	Erection of stables	Stables removed
22/0060 Jolly Field Farm Chelmorton	Use of garage as holiday let in breach of condition on NP/DDD/0401/0160	Use ceased
22/0040 Land at Cressbrook Dale (otherwise known as Litton Frith Farm)	Engineering operations - including laying of hardstanding, and construction of steps. Erection of tipi.	Works in default carried out – EN complied with
16/0087 Clough Head The Brund Sheen	Operating caravan park in excess of 28 days per year, creation of track and hardstandings, siting of container.	Use ceased – container removed – hardstanding and track not expedient to take action
22/0055 The Old Rectory All Saints Lane Grindon	Erection of metal shed within the curtilage of listed building. Garage not built in accordance with approved plans.	Shed removed – planning permission for garage granted
21/0038 Land at Oakwood Cottage 50 Woodhead Road Tintwistle	Erection of building (former shipping container)	Building removed – EN complied with
14/0421 Stoke Farm Stoke Grindleford	Breach of condition (landscaping) on NP/DDD/0713/0612	Immune from enforcement action

17/0125 The Old Sawmill New Mill Bank Bolsterstone Sheffield	Breach of a condition restricting occupation of the dwelling to persons employed in the business use on the site	Planning permission granted – allows occupation of dwelling in connection with holiday lets
19/0089 Mappin Cottage Heathy Lane Hollow Meadows	Erection of building	Immune from enforcement action
18/0160 Charnwood Eaton Drive Baslow	Breach of condition – clear glass fitted in door	Not expedient to take enforcement action
23/0026 Milford Works Milford Bakewell	Breach of conditions on NP/DDD/0219/0184 – erection of replacement dwelling	Conditions discharged
24/0109 Pendle Furnall Avenue Great Longstone	Erection of building	Not expedient to take enforcement action
23/0062 Land at Oldikes, Quarnford	Caravan & shed on agricultural land	Caravan and shed removed
20/0024 Oakenclough Farm Coalpit Lane Longnor	Erection of agricultural building and siting of caravan for use as holiday let	Building immune from enforcement action – caravan removed
09/0069 Ayton Farm Goddard Lane Rowarth	Untidy land	Land cleared
17/0072 Quarters Farm Hazlebadge Bradwell	Breach of conditions on NP/DDD/0613/0542 and conversion of building to dwelling	Immune from enforcement action

20/0046 Overstones Farm Hathersage	Erection of polytunnel	Immune from enforcement action
14/0601 Scarsdale Barn, Litton	Breach of conditions on NP/WED/0993/447	Immune from enforcement action
18/0024 Knotlow Farm Wormhill	Breach of condition on NP/HPK/0713/0618	Immune from enforcement action
20/0042 Heath Farm Smalldale Buxton	Extension built wider than permitted (NP/HPK/1017/1014).	Immune from enforcement action
19/0164 Hen Cloud Cottage Roach Road Upper Hulme	Garage converted to two holiday lets. Shepherds huts and static type caravan used for holiday accommodation. B&B use of cottage.	B&B ceased – holiday lets granted planning permission/LDC – shepherds huts and caravan PD
15/0097 High Peak Harriers Main Street Biggin	Internal and external alterations to office/residential building and sub-division to two dwellings	Planning permission granted
17/0098 Greenlow Head Butterton	LISTED BUILDING – various alterations. Use of agricultural land as garden.	Alterations authorized – use of land ceased
24/0037 Knotlow Farm Wormhill	Widening of vehicular access	Not expedient to take enforcement action
19/0150 The Old Observatory Cliff Lane Calver	Garage has not been constructed in accordance with the approved plans and is being used for residential purposes	No breach
15/0114 Land at Rock View The Dale Stoney Middleton	Chimneys and access not in accordance with approved plans for NP/DDD/0311/0150	NMA granted – chimneys and access altered as required

17/0052 Ilam Meadows Farm Blore Road Ilam	Breach of condition no. 4 on NP/SM/0715/0615 (required boarding to be brought down to within 300mm of ground levels)	Not expedient to take enforcement action
21/0109 Minninglow Grange Mouldridge Lane Pikehall	Siting of shepherds huts for short-term holiday let	Shepherds huts removed
14/0608 Wheston House Farm Tideswell Moor Tideswell Buxton	Breach of planning condition 11 of application NP/DDD/0111/0052, which states that the accommodation should remain ancillary	Planning permission granted
24/0038 Fox Holes Farm Hoar Stones Road Sheffield	Erection of wooden platform	Platform removed
24/0086 Holmesfield Farm Mill Bridge Castleton	Alteration of vehicular access	Combined with 24/0113

12. **Current High Priority Cases**

15/0057 Land at Mickleden Edge, Midhope Moor, Bradfield	Laying of geotextile matting and wooden log 'rafts' to form a track	EN in effect – initial compliance period expired – Natural England consent obtained for works 30 May 2023 – appeal decision against NE consent pending
17/0044 Woodseats Farm, Windy Bank, Bradfield Dale	External and internal alterations and extension to listed building, erection of lighting and CCTV columns and engineering works (including construction of hardstandings and tracks)	EN in effect with regard to engineering works, extension and erection of lighting and CCTV columns – applications seeking regularization of other works refused – officers considering further enforcement action

18/0062 Land at Cartledge Flat, Bradfield Moors	Creation of a track	EN in effect – compliance period expired - officers seeking compliance
19/0064 Alstonefield Hall, Church Street, Alstonefield	External and internal alterations to grade II* listed building	PP and LBC granted on 9 November 2023 for works to regularize and remediate breaches
21/0060 Home Farm Main Street Sheldon	Construction of track and hardstanding, erection of building, construction of timber sheds/structures, siting of caravans and conversion of building to residential dwellings	Injunction granted and court order issued and served (Dec 2023) – retrospective planning application refused May 2024

Report Author: Andrew Cook, Principal Enforcement Planner