

DEVELOPMENT CONTROL COMMITTEE

25 JANUARY 2011

REPORT OF THE INTERIM HEAD OF PLANNING

A.2 ENFORCEMENT QUARTERLY PERFORMANCE REPORT

1. Background

The introduction of new working practices and changes to procedures in the Enforcement Service have improved our performance and the public's perception of planning enforcement in Tendring. It has therefore, been decided, with the agreement of the Portfolio Holder, that a quarterly report be presented to Members of the Planning Committee informing them of our workload levels.

This report has been compiled to inform the Committee of the Enforcement Service's performance over the past three months

It has been a busy period with a higher than usual number of cases being received, closed and determined on appeal. The key issues for the team over the last quarter have been, the number of new cases reported during a period where priorities have been concentrated on the investigation of winter occupancy of holiday caravan and chalet sites, prosecution work and advertisement control.

2. Cases on hand at start of period: 308

3. Cases Received and Closed

Month	Cases Received	Cases Closed
October	52	68
November	86	55
December	24	23
Total	162	146

4. Cases on hand at end of period: 316

5. Notices Served

Type of Notice	
Enforcement Notice	9
Stop / Temporary Stop Notice	3
Breach of Condition	1
Untidy Site	1
Planning Contravention Notice	45
Section 330	15
Injunctions	
Total	74

6. Appeals Received

Members are formally notified of all planning enforcement appeals lodged with the Secretary of State and of their outcome. The table below contains information on the appeals that have been lodged during the last quarter.

<u>Address</u>	<u>Development</u>	<u>Type</u>	<u>Reference</u>
The moon and Starfish Public House, 1 Marine Parade East, Clacton on Sea	Erection of large canopy and bottle store	Section 174	10/00091/ENFORC
Former Little Chef, Colchester Road, Great Bentley	Change of use for vehicle sales and carrying out of operational development	Section 174	09/00345/CHGUS3 (2 appeals)
19 Church Street, Harwich	Erection of Flue	Section 174	08/00554/BLDOP3
Land adj 21 Colchester Main Road, Alresford	Installation of Vehicular Access	Section 174	09/00572/BLDOP2 (2 appeals)

7. Appeals Determined

Of the appeals lodged against the Council's decision to issue a notice, the cases listed in the table below have been determined in the current quarter.

<u>Address</u>	<u>Development</u>	<u>Type</u>	<u>Reference</u>	<u>Decision</u>
Gaynes Hall, St Osyth Road, Little Clacton	Use of land for storage of cars	S174	06/00225/CHGUS3	Dismissed
Triangle Farm, Badley Hall, Road, Gt Bromley	Unauthorised erection of barn	Section 174	10/00006/ENFORC	Dismissed
1 High Street, Brightlingsea	Unauthorised Balcony, replacement windows and door	Section 174	10/00019/ENFORC	Dismissed
Rear of 142 Point Clear Road, St Osyth	Use of land for stationing of caravan	Section 174	10/00023/ENFORC	Dismissed
22-24 Frinton Road, Kirby Cross, Frinton	Use of mobile home for residential use	Section 174	10/00024/ENFORC	Dismissed
Land north of 150 Point Clear Road, St Osyth	Use of land for storage of caravans	Section 174	10/00028/ENFORC	Dismissed

Tudor Cottage, The Street, Ardleigh	Unauthorised erection of wall within curtilage of listed building	Section 174	10/00052/ENFORC	Dismissed
135 High Street, Harwich	Alterations to original shop front	Section 174	10/00054/ENFORC	Allowed

8. Prosecutions

Over the current quarter the Council has mounted prosecution proceeding on the following cases.

Address	Offence	Reference	Plea	Fine	Costs Awarded
262 Point Clear Road, St Osyth	Residential use of outbuilding	09/00027/CHGUS3	Not Guilty. Referred to Crown Court by Magistrates' Court		
Seawick Caravan Park	Flyposting	10/00129/ADVRT3	Guilty	£750	£480
St Osyth Sunday Market	Flyposting	10/00160/ADVRT3	Not Guilty case management hearing 16.12.2010		
Land adj 21 Colchester Main Road, Alresford	Non-compliance with three enforcement notices	09/00571/BLDOP3 09/00524/BLDOP3 09/00572/BLDOP2	Not Guilty referred to Crown Court appeal against sentence	£15,000	£2080
Bel Air Chalet Park, St Osyth	Non-compliance with breach of condition notice	10/00029/BRCHC3	Awaiting Court date		

12 New Way, St Osyth	Non-compliance with three enforcement notices	09/00394/BLDOP3	Awaiting Court date		
Tudor Cottage, The Street, Ardleigh	Non-compliance with Listed Building enforcement notice	09/00522/BLDOP3	Awaiting Court date		
Bottles Hall, Clacton Road, Elmstead Market	Non-compliance with Stop Notice	10/00417/CHGUS3	Awaiting Court date		

9. Conclusions

The enforcement team was very busy in the last quarter of 2010 winning all but one appeal, which keeps the Council's success rate on enforcement matters determined by the Planning Inspectorate running at a healthy 92% from July 1 2009.

The Council has also engaged contractor to carry out works in default at Alresford to secure the reduction in height of a boundary wall that was obstructing an adjoining land owner's visibility, when accessing the highway.

Pro-active enforcement has also commenced on inspecting a large number of the holiday caravan sites within the district to determine whether any units are occupied outside the permitted times. The size of this task and logistics involved has required resources to be brought in from all services within the Council, both for desk based and inspection work.

Background Papers

None, other than published works.