

PLANNING COMMITTEE

18 OCTOBER 2011

REPORT OF THE TEMPORARY HEAD OF PLANNING

A.3 ENFORCEMENT QUARTERLY PERFORMANCE REPORT

1. Background

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

The third quarter of 2011 has been an exceptionally busy period for the Service and the projected number of cases for investigation this year has risen to 740 whereas the number received in 2010 was 690. The number of cases received and closed this quarter has once again increased on the last quarter of last year and to help with this the Service has needed to draft in additional resource to manage the upturn in workload and help the Service hit its customer service targets.

The continuing theme this quarter has been the investigation of winter occupation of chalets within the Point Clear area of St Osyth and the drafting of the formal notices that will need to be served. We now have some 40 properties where notices have been prepared alleging chalets are occupied as sole residences without the required permission. Once all the notices have been checked/proof read it is envisaged these will be served before the end of October.

2. Cases on hand at start of period: 327

3. Cases Received and Closed

Month	Cases Received	Cases Closed
July	74	56
August	64	70
September	65	94
Total	203	220

4. Cases on hand at end of period: 310

5. Notices Served

Type of Notice	
Enforcement Notice	7
Stop / Temporary Stop Notice	3
Breach of Condition	1
Untidy Site	1
Planning Contravention Notice	2
Section 330	5
Injunctions	0
Total	19

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>
13 Seawick Road, St Osyth.	Stationing of mobile home on land for residential purposes	Section 174	06/00372/CHGUS3
52 Harwich Road, Lawford	material change of use of the land to a mixed use of residential dwelling and the keeping of dogs	Section 174	10/00650/CHGUS2
Wick Farm, Wick Lane, Ardleigh	Change of use of land from agricultural to a use of land for the stationing of a residential caravan.	Section 174	11/00182/CHGUS3 Withdrawn
Wick Farm, Wick Lane, Ardleigh	(i) the erection of two buildings on the land, the approximate position shown edge black on plan B attached to this notice, (ii) the construction of decking used in relation to a caravan on the land and (iii) the laying of hard surfaces including a driveway and hardstand	Section 174	11/00337/BLDOP3 Withdrawn

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. The Council's annual appeal statistics continues to be a healthy 88.9% success rate.

<u>Address</u>	<u>Development</u>	<u>Type</u>	<u>Reference</u>	<u>Decision</u>
Bottles Hall, Clacton Rd, Elmstead Market.	Erection of cattle shed	Section 174	10/00417/CHGUS3	Allowed

66 Lymington Avenue, Clacton	Erection of wall in excess of 1 metre high adjacent to the highway	Section 174	10/00367/BLDOP3	Dismissed
6 Station Road, Manningtree	Installation of extract flue	Section 174	10/00581/BLDOP3	Dismissed
262 Point Clear Road, St Osyth	Use of summerhouse for residential purposes	Section 174	10/00275/CHGUS3	Dismissed
Aqua Valet, 324 London Road, Clacton	Change of use and storage of containers for removals company	Section 174	10/00534/BLDOP3	Dismissed and Full Costs awarded to the Council.

8. Prosecutions

Over this quarter the Council has not mounted any prosecution proceeding in the local Magistrate's Courts.

9. Conclusions

The increase in complaints received within this quarter shows a continuing upturn in workload for the enforcement service at a time when resources are reduced due to annual leave. To manage the increased workload and to achieve the service targets for our customers, it was necessary to seek additional resource from Planning Policy. By taking this action it has enabled the service to handle the additional number of complaints received while maintaining a standard of delivery which has become expected of us.

The appeal success rate continues to be maintained at a very high level and is currently at 88.9%.

Our continued pro-active approach to addressing breaches of planning control within the Point Clear area will increase the Service's workload throughout the first part of the next quarter and it is likely some occupants will need to find alternative accommodation for the 2012/2013 winter period. Action taken to secure compliance with winter occupancy conditions at Point Clear will be undertaken in consultation with other Council Services so to ensure the Council acts as a single body on this matter, all departments involved will discuss this prior to enforcement action being taken.

Looking forward to the last quarter of the year it is hoped workload levels will reduce to enable the service to continue with its programmed pro-active approach to winter occupancy in the Point Clear area. A reduction in the number of cases received would also be beneficial to the service as there will be a number of caravan parks needing evening inspections to ensure no breaches of planning control occur.

Background Papers

None, other than published works.