

Planning Committee

14 October 2022

Agenda item number 8

Enforcement update

Report by Head of Planning

Summary

This table shows the monthly updates on enforcement matters. The financial implications of pursuing individual cases are reported on a site by site basis.

Recommendation

To note the report.

Committee date	Location	Infringement	Action taken and current situation
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored. October 2018 to February 2019. • Planning Contravention Notices served 1 March 2019. • Site being monitored 14 August 2019. • Further caravan on-site 16 September 2019.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Site being monitored 3 July 2020. • Complaints received. Site to be visited on 29 October 2020. • Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020. • Incomplete response to PCN received on 10 December. Landowner to be given additional response period. • Authority given to commence prosecution proceedings 5 February 2021. • Solicitor instructed 17 February 2021. • Hearing date in Norwich Magistrates Court 12 May 2021. • Summons issued 29 April 2021. • Adjournment requested by landowner on 4 May and refused by Court on 11 May. • Adjournment granted at Hearing on 12 May. • Revised Hearing date of 9 June 2021. • Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court. • Legal advice received in respect of new information. Prosecution withdrawn and new PCNs served on 7 September 2021. • Further information requested following scant PCN response and confirmation subsequently received that caravans 1 and 3 occupied on Assured Shorthold Tenancies. 27 October 2021 • Verbal update to be provided on 3 December 2021

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site. 6 Dec. 2021 • Site to be visited after 29 March to check compliance – 23 March 2022 • Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site. 11 April 2022 • PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied. • Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice. 27 May 2022 • Solicitor instructed to commence prosecution. 31 May 2022 • Prosecution in preparation. 12 July 2022
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers’ site.	<ul style="list-style-type: none"> • Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action. • Correspondence with solicitor on behalf of landowner 20 Nov. 2019. • Correspondence with planning agent 3 December 2019. • Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020. • Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020. • Appeal start date 17 August 2020. • Hearing scheduled 9 February 2021.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Hearing cancelled. Rescheduled to 20 July 2021. • Hearing completed 20 July and Inspector’s decision awaited. • Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 Aug 21 • Retrospective application submitted on 6 December 2021. • Application turned away. 16 December 2021 • Site visited 7 March 2022. Of non-traveller caravans, 2 have been removed off site, and occupancy status unclear of 3 remaining so investigations underway. • Further retrospective application submitted and turned away. 17 March 2022 • Further information on occupation requested. 11 April 2022 • No further information received. 13 May 2022 • Site to be checked. 6 June 2022 • Site visited and 2 caravans occupied in breach of Enforcement Notice, with another 2 to be vacated by 12 August 2022. Useful discussions held with new solicitor for landowner. 12 July 2022. • Further site visited required to confirm situation. 7 September 2022 • Site visit 20 September confirmed 5 caravans still present. Landowner subsequently offered to remove 3 by end October and remaining 2 by end April 2023. 3 October 2023.
4 December 2020	Land to east of North End,	Unauthorised change of use to	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices.

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	Thorpe next Haddiscoe	mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> • Section 330 Notices served 8 December 2020. • Enforcement Notice served 12 January 2021 with compliance date 12 February 2021. • March 2021 - Some clearance commenced. 3-month compliance period. • Site to be checked for progress. April 2021 • Progress being monitored. May 2021 • Site not cleared by deadline. Operator given a further period. June 2021 • Negotiations underway. July 2021 • Further clearance, but incomplete. 25 August 2021 • Further clearance. Inspection needed. 22 September 2021 • Landowner given to end of year to complete clearance. 22 October 2021 • Further material removed, but some work required for compliance. Correspondence with landowner. 17 January 2022 • File review underway. 7 February 2022 • Verbal update and recommendation to be provided at meeting. • Direct action authorised. 1 April 2022. • Discussions with contractors underway. 11 April 2022 • Landowner given to 31 May to clear site. Site visit 12 May showed no further works undertaken. 13 May 2022 • Site to be checked for progress. 6 June 2022 • Site visited and sectional building found to have been moved to adjacent land; no other progress. 12 July 2022. • Legal advice received. 16 September 2022.

Committee date	Location	Infringement	Action taken and current situation
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Enforcement Notice served 29 January 2021. • Appeal against Enforcement Notice received 18 February 2021. • Documents submitted and Inspector's decision awaited. September 2021
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of workshop, kerbing and lighting	<ul style="list-style-type: none"> • Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022 • Temporary Stop Notice served 13 May 2022. • Enforcement Notice and Stop Notice regarding workshop served on 1 June 2022 • Enforcement Notice regarding kerbing and lighting served on 1 June 2022 • Appeals submitted against both Enforcement Notices. 12 July 2022
21 September 2023	Land at Loddon Marina, Bridge Street, Loddon	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravans • Enforcement Notice served. 4 October 2022

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Date of report: 4 October 2022