

Enforcement Update
Report by Head of Development Management

Summary: This table shows the monthly updates on enforcement matters.

Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
5 December 2008	“Thorpe Island Marina” West Side of Thorpe Island Norwich (Former Jenners Basin)	Unauthorised development	<ul style="list-style-type: none"> • Enforcement Notices served 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 • Appeal lodged 6 December 2011 • Public Inquiry took place on 1 and 2 May 2012 • Decision received 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings • Challenge to decision filed in High Court 12 July 2012 • High Court date 26 June 2013

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed • “Consent Order “has been lodged with the Courts by Inspectorate • Appeal to be reconsidered (see appeals update for latest) • Planning Inspector’s site visit 28 January 2014 • Hearing held on 8 July 2014 • Awaiting decision from Inspector
23 April 2010	Land at OS4229 at North End, Thurlton	Unauthorised storage of non-agricultural items	<ul style="list-style-type: none"> • Enforcement Notices re-served on 25 February 2013, on advice of Solicitor • Appeal against Enforcement Notice received. Hearing requested • Written representations appeal in process • Planning Inspector’s site visit 8 January 2014 • Appeal dismissed • Compliance required by 18 January and 15 April 2014 • Site visit 11 March showed limited clearance undertaken • Extension of time for compliance to 30 April 2014 agreed by Committee on 28-03-14 • Full Compliance not achieved • Authority given at 23 May meeting to commence prosecution proceedings in consultation with the Solicitor • Solicitor instructed and prosecution papers in preparation • Appellant interviewed 11 July and committed to full clearance by 8 August. Site to be monitored. • Site not cleared, but good progress being made

Committee Date	Location	Infringement	Action taken and current situation
1 March 2013	Former Piggery Building adj to Heathacre, Chedgrave Common	Unauthorised conversion and change of use to residential	<ul style="list-style-type: none"> • Authority to serve an Enforcement Notice requiring the removal of the conversion of the building as a dwelling and the restoration of the site to its previous use as an agricultural building, with a compliance period of six months and authority to take prosecution, if necessary; • that in the event that the proposed enforcement action is outside the time limits set out in section 171B of the Town and Country Planning Act 1990, authority, in consultation with the Solicitor, given to proceed with a planning enforcement order in the Magistrates Court • Investigations underway • Enforcement Notice issued 1 October 2013 • Appeal documents received 8 November 2013. Public Inquiry scheduled for 10 and 11 June 2014. • Appeal dismissed and Enforcement Notice corrected, upheld 24-7-14 • Compliance required by 24 January 2015
8 November 2013	J B Boat Sales, 106 Lower Street, Horning	Unauthorised building of new office not in accordance with approved plans	<ul style="list-style-type: none"> • Authority for serving an Enforcement Notice in consultation with the solicitor requiring the removal of a prefabricated building and restoration of site, with a compliance period of three months. Authority to prosecute in the event of non-compliance • Enforcement Notice served 19 November 2013 • Compliance required by 6 April 2014 • Negotiations underway regarding planning application. • Compliance not achieved and no application submitted • Solicitor instructed to commence Prosecution proceedings

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files

Author: Cally Smith
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Appendices: Nil