



PLANNING COMMITTEE

Title of Report:

Enforcement Action – Case Update

Meeting Date

16th August 2016

Report Author and Tel No

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Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases where enforcement action has either been sanctioned under delegated powers or through the Committee up until 2nd August 2016. At present there are 6 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 2nd August 2016 be received.

| LPA Reference | Date of Authorisation (Panel/Delegated) | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|--------------------|---|--|---|---|---|
| 2008/0193 | 17 September 2008 | 25 Kessingland Cottages, Rider Haggard Lane, Kessingland | Breach of Condition Unauthorised use of chalet as main or sole residence | <ul style="list-style-type: none"> Breach of Condition Notice Compliance expired following extension of time Further consideration by Service Manager and Legal See Enforcement Notice ref 2010/0191 for further information – committee aware of personal circumstances of occupants | |
| 2012/0089/USE | 9 th January 2015 | 1 Seaview Chalets, Green Lane, Kessingland | Breach of Condition Unauthorised use of chalet as main or sole residence | <ul style="list-style-type: none"> Initial contact May 2012 Letters from LPA ignored Case reinvestigated Jan 2015 following further complaint PCN served Breach of Condition Notice served Update from case officer needed | 28 day compliance = end Feb 2015 |
| ENF/2014/0096/COND | 28.07.2015 | Holton Sawmills | Containers still on site beyond deadline for clearance | <ul style="list-style-type: none"> Containers granted temporary pp under DC/11/0865/COU, expiring on 30 November 2012. Breach of Condition Notice served 29.07.2015 NOT COMPLIED – need to take action Papers with legal team to prepare prosecution case Anomaly discovered on file copy of Notice which weakened prosecution case, therefore the Notice has been reserved on 22.07.2016 | 42 days from service = 2nd SEPT 2016 |
| ENF/2009/0004 | 8 July 2009 | 73 High Street, Lowestoft | Unauthorised replacement of shop front | <ul style="list-style-type: none"> Enforcement Notice served 08.07.2009 No compliance Pleaded guilty to removing shop front – fined around £1700 Application received 20.03.2012 (DC/12/0313/FUL) Approved 04.05.2012 with 3 month time limit – not implemented. Property known to have changed ownership so enforcement action now needs to be chased up with new owner – new 330 Notice required. Letter sent following the erection of new signage, 23rd January 2014, explaining revised design required Further site meetings between Chris Green and owners in June 2014 – slow progress being made but application still needed | Ongoing, needs chasing |

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| ENF/2011/0255/DEV | 6 th December 2011 | 318 London Road South, Lowestoft | Alleged unauthorised conversion from single dwelling to 3 No. self contained flats | <ul style="list-style-type: none"> • Enquiry from prospective purchaser • No planning permission found to authorise conversion to flats • Council tax records show flats registered in 2009 and 2011 • Enforcement Notice served 7th Dec 2011, - Compliance date 15th Jan 2013 • July 2015 - no evidence the breach has been rectified. Owner and occupier have been written to seeking clarification before course of action is determined. • In discussion with Legal team regarding prosecution Owners are carrying out work to convert the property to a single dwelling. The ground floors and above are one unit. There is still a basement flat in place and they have advised this will be made part of main house by January 2016 • Arranging further site visit to confirm completion of property conversion. | Notice takes effect 16 th January 2012 |
| ENF/2016/0004/MULTIH | 29.04.2016 | Woodland Lodge, Bungay Road Beccles | Unauthorised conversion of outbuilding to residential use | <ul style="list-style-type: none"> • Visited January 2016 following anonymous complaints • PCN returned FEBRUARY, CLAIMS BEEN IN RESIDENTIAL USE FOR AT LEAST 4 YEARS • No evidence to substantiate this claim • Enforcement Notice served 29.04.2016 | 3 months compliance = 1 st August 2016 |