

PLANNING COMMITTEE**Title of Report:** Enforcement Action – Case Update**Meeting Date**

16 January 2018

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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 2 January 2018. At present there are 4 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 2 January 2018 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 	ONGOING – NO ACTION REQUIRED AT PRESENT TIME but situation to be reviewed imminently
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 • No current breach detected - to be reviewed January 2018 	Original compliance = end Feb 2015 As above

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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 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 in June 2014 – application still needed Application from new owner for works including new shopfront granted CONSENT 08.02.2017 Keep case open until complied. No works have commenced and it is believed that there are 	Notice took effect 16 th January 2012

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<p>some financial issues preventing development – officers to discuss with Regen to ascertain if there would be any help available.</p>	
ENF/2017/0207/CON	07.06.2017	8 Swan Lane Halesworth	Unauthorised replacement front windows	<ul style="list-style-type: none"> • New owners approached planning officer to talk about changing the front door. New upvc door was discouraged but alerted us to the fact that they had already proceeded to replace the windows without the necessary planning permission. • Retrospective application received 19.09.2016 for retention despite advice that windows would not be supported in their current form. No alternative designs submitted for consideration even though appropriate style was made clear and 15% grant assistance offered. • Application refused 06.01.2017 with 3 month window to appeal. 	<p>Served 8th June- Notice takes effect 6th July 3 month period for compliance =</p> <p>8th October 2017</p>

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<ul style="list-style-type: none"> • Appeal lodged 06.03.2017 and dismissed on 02.05.2017 • Enforcement Notice served 08.06.2017- Awaiting action / expiry of Enforcement notice period 8.10.17. Revisited 11th October 2017– PARTIAL COMPLIANCE. First floor window (the worst) has been changed but ground floor window remains. In the individual circumstances, given that no complaints have been received and a fine would add to the financial stress of further rectifying the situation, agreed to hold off until end of this year to achieve full compliance which owners have agreed to. Site checked 29.12.17 FULLY COMPLIED – NFA required 	