

AGENDA ITEM 8 Title: ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT**Author: Michael Ovenden (01799) 510476 – Interim Head of Development Control****1. ENFORCEMENT NOTICES**

	ADDRESS	UNAUTHORISED DEVELOPMENT	ACTION AUTHORISED	EFFECTIVE DATE FOR COMPLIANCE	APPEAL	COMMENTS
1	Griffin Farm, Great Canfield.	(i) B1/B2/B8 uses (ii) Earth bund (iii) Siting of mobile home	08.04.05	5.6.08 (except removal of barn which is 5.8.08)	Yes	Planning permission refused for retention of uses. Appeal submitted against planning refusal. Appeal dismissed. Appeal decision being challenged in High Court by appellant.
2	4 Strawyard, Holders Green, Lindsell.	(i) Unauthorised development (ii) Change of use to a mixed business use and residential use	May 2006	14.04.08	Yes	Enforcement notice served. Appeal part allowed, part dismissed. Appellant granted personal consent for second hand book business. Compliance date set for other breaches of control. Site visit carried out and compliance achieved.
3	Holmby, Chelmsford Road, Hatfield Heath.	Erection of gates, fences and walls adjacent to highway.	30.11.06	03.12.07.	Yes	Enforcement Notice served. Appeal lodged against EN and refusal of planning permission. Appeal dismissed. Programme of works agreed. Compliance date is in December 2008, at which time a site visit will be carried out.
4	The Druries The Street High Roding	Erection of decking, staircase and balustrade	06.11.07	07.12.07	Yes	Enforcement notice served. Appeal Lodged. Decision awaited.

5	Ash Tree Market Garden Starlings Green Clavering	(i) Erection of timber building (ii) Stationing of residential mobile home (iii) Siting of additional mobile home (vacant) Appeal lodged Public Inquiry 16 July 2008	17.09.07.	02.11.07.	Yes	Enforcement notice served. Appeal lodged. Appeal now to be determined by written representations. Decision awaited.
6	Land at the Barn Tye Green, Elsenham Elsenham	Open storage use as builders yard	NA	NA	NA	Planning appeal dismissed. Written to applicant requesting removal.
7	Tile House Bungalow Stebbing Green Stebbing	Erection of outbuildings on extended residential curtilage. Appeal lodged Public Inquiry 9 September 2008	16.09.07.	16.04.2008	Yes	Enforcement notice served. Appeal Lodged. Inquiry held and decision awaited.
8	Tooleys Farm Brook Street Stebbing	Unlawful use of building and area of land for industrial purposes	06.11.07	NA	NA	Enforcement notice to be served.
9	Quoins Farm Barnston	Erection of a poly-tunnel	NA	NA	NA	Planning appeal lodged. Appeal dismissed. Enforcement notice to be served.
10	Cranwellian The Street Takeley	Engineering operations to raise land levels for drainage Environment Agency taking action	TBC	NA	NA	Enforcement action suspended. Environment Agency to deal with the matter.
11	Chestnut Cottage Dellows Lane Ugley Green Ugley	Extension and separate residential use of outbuilding	TBC	NA	NA	Planning permission granted for retention of building for business use. Building to be re-inspected concerning residential occupation.
12	Rear of 15/17 Clapton hall Lane, Great Dunmow	Storage of builders materials compliance expected at the end of May, if not a prosecution will be issued	TBC	28.12.07	No	Partial compliance achieved. Site reinspected and compliance found to be proceeding but not achieved. Action on going (deadline given) and site visit will be carried out during week

commencing 22 September.

13	Broxted Business Park Broxted	Storage of cars outside barn and dismantling/work to cars both inside building and outside.	20.8.08	29.8.08 (Stop) 17.10.08 (EN)	Enforcement and Stop Notices served
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2. BREACH OF CONDITION NOTICES

1	Pledgdon Lodge Pledgdon Green Henham	Failure to demolish original dwellinghouse	TBC	20.08.07.	Breach of Condition Notice served. Non-compliance. Prosecution commenced. Trial date 24.03.2008. Conviction obtained – fined £500 and £1330 costs. Further Summons issued. Application made for retention of existing building. Hearing date adjourned pending decision on application. Application for retention refused. Appeal lodged against refusal of application.
2	Mulberry House Holders Green Lindsell	Failure to demolish two storey element of original dwelling	02.01.2008	TBC	Breach of condition Notice served. Compliance underway and site inspected. Dwelling has now been removed. Resulting materials to be reused on site to create a hardstanding.
3	Land at Top Road, Wimbish	Use of approved and newly constructed stable block for living accommodation	30.11.06	17.02.2008	Internal inspection carried out on 14.09.07 has shown that a breach of planning control is occurring. Breach of Condition Notice served. Judicial Review (JR) pending on decision to issue a Breach of Condition Notice. Permission granted for JR. Notice withdrawn. Hearing date awaited.

3. PROSECUTIONS

1	28 Croasdaile Road Stansted	Failure to comply with High Hedges Remedial Notice	27.02.2008	Second prosecution defendant fined £50 plus £150 costs. Court went on to make an order it had no power to make regarding remedial work. Case re-opened and the magistrate's error was corrected. However an amendment to the summons was necessary. This could not be made without an adjournment as the defendant was not present at the hearing so in the interests of proportionality the summons was withdrawn
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