

REPORT TO: Planning Committee July 2022

LEAD OFFICER: Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 30th April 2022 there were 123 open cases, including 61 Short Term Visitor Accommodation investigations. The previous figure at the end of April February was 140.

In June 2022, 1 new cases were opened and 4 investigations were closed.

In May 2022, 19 new cases were opened and 33 investigations were closed

2. Statistical data is contained in Appendices 1 and 2 to this report.

Updates to Service Delivery

The Enforcement Team have gone some interim changes since the departure of Will Holloway, Principal Lead Enforcement Officer. Processes have changed whereby the Officers within the Team allocate from the enforcement inboxes and set up cases within their own geographical area.

The month of June has seen all officers within the team take periods of leave as well as a drop in numbers of cases processed. However this cannot account for the drop in the number of new complaints received and registered during the month within the City, as this drop has not been replicated in South Cambs.

Next month will see the introduction of new ways of alleged breaches of planning control being reported online, alongside the introduction of a real-time updated enforcement register being made available. New online web content explaining the enforcement process is also being launched which will enable residents to determine if their enquiry is likely to be determine a breach of planning control. Full details will be provided at next months committee meeting.

Updates to significant cases

Should Members wish for specific updates to be added to the Enforcement Report then please request these from the Lead Principal Planning Compliance Officer and they will be added to the next available Planning Committee.

On a further note, if members would like further information to be submitted as part of this report moving forward then please contact the Lead Principal Planning Compliance Officer.

Updates are as follows:

30 Maid's Causeway Cambridge

The enforcement notice, numbered EN/00149/21, was issued on 28 May 2021.

The breach of planning control alleged in the notice is failure to comply with a condition imposed on a planning permission ref 19/1682/FUL granted on 5 March 2020. The development to which the permission relates is: Rear dormer roof extension (including the addition of two front roof lights), internal alterations to external French doors and rear elevation to ground floor. The condition in question is No 2 which states that: The development hereby permitted shall be carried out in accordance with the approved plans as listed in this decision notice. The notice alleged that the condition has not been complied with in that: The entire roof structure has been raised during the build of the rear loft dormer extension and therefore has not been built to plans passed.

The requirements of the notice are: 1. EITHER

Revert to the build of the rear loft dormer at the Land as per plans passed in relation to planning permission ref 19/1682/FUL for Rear dormer roof extension (including the addition of two front roof lights), internal alterations to external French doors and rear elevation to ground floor.

OR

Remove the rear loft dormer and reduce the height of the roof structure (as outlined in blue on attached plan for identification purposes only) at the Land to the previous height and make good the resulting structure.

2. Remove all resulting materials from the Land.

The period for compliance with the requirements is Six [6] months.

This notice was appealed against in June 2021.

The appeal was brought upon the ground (a) route, namely that planning permission should be granted for what is alleged to be the breach of planning control.

Enforcement Officers spent a number of hours defending the decision to serve the enforcement notice in association with Conservation Officers.

The Planning Inspectorate issued a decision on 27 June 2022 dismissing the appeal and upheld the enforcement notice. The new notice compliance date is 27th December 2022.

18 Neath Farm Court Cambridge

Officers received an allegation that a house holder single storey rear extension had been built without planning permission. Planning history showed that the build of the extension was a breach of a planning condition to the original permission for the Neath Farm Court development that in effect removed certain permitted development rights. An assessment was made and the owner was given a choice of removing the extension or applying for retrospective planning permission.

A retrospective application was submitted under reference 22/00263/HFUL and approval recommended under delegated officer powers. This matter was called in for committee determination and the recommendation overturned by members and refused on the grounds of visual dominance and unable to support a brown / green roof.

Formal enforcement action was put on held following an appeal submission shortly after members decision. The Inspectorate issued its decision on 7th July 2022 allowing the appeal subject to conditions around build to plans and roof planting with wildflowers. It found that the proposed extension would not be of a scale which would represent an overbearing form of development, agreed with the Planning Officer regarding the degree of change of sunlight to neighbouring no.19, whilst also addressing members concerns regarding flat roof surface water management.

As such, the current enforcement case will be closed. The unfinished extension will be required to be seeded before occupation and if it come to pass, a new

enforcement investigation can be carried out regarding any future alleged breach of planning control.

8 Kelsey Crescent, Cherry Hinton.

Following the refusal of retrospective planning permission, a Breach of Condition Enforcement Notice was served on 14th January 2022 requiring a habitable outbuilding be reduced in size to those dimensions shown in plans passed under planning ref. 19/0838/FUL. An appeal has been received and deemed to be valid by the national Planning Inspectorate against the refusal of the retrospective planning application ref. 21/01125/HFUL as well as the service of the Enforcement Notice. A statement of case has been submitted stating the councils grounds for service of the enforcement notice and now awaiting the decision from the Planning Inspectorate.

Representations against the appellants claim for costs has also been submitted.

Update July: Still awaiting both decisions from Planning Inspectorate.

Appendices

Appendix 1: Enforcement Cases Received and Closed.

Appendix 2: Notices Served.

Report Author:

John Shuttlewood – Principal Planning Enforcement Officer

Date: 20/07/2022